

Crawley Borough Council

**Minutes of Planning Committee**

Monday, 6 February 2023 at 7.30 pm

**Councillors Present:**

R D Burrett (Chair)

Y Khan (Vice-Chair)

Z Ali, K L Jaggard, K Khan, S Mullins, M Mwangale, S Pritchard, S Raja and S Sivarajah

**Officers Present:**

Siraj Choudhury Head of Governance, People & Performance

Jean McPherson Group Manager (Development Management)

Clem Smith Head of Economy and Planning

Jess Tamplin Democratic Services Officer

Hamish Walke Principal Planning Officer

**1. Disclosures of Interest**

No disclosures of interests were made.

**2. Lobbying Declarations**

The following lobbying declarations were made by councillors:

Councillors Ali, Burrett, Jaggard, K Khan, S Mullins, Mwangale, Pritchard, Raja, and Sivarajah had been lobbied but had expressed no view on application CR/2022/0187/FUL – Land to the North of Fleming Way (Eastman House and former Flight Training Centre), Manor Royal.

**3. Minutes**

The minutes of the meeting of the Planning Committee held on 10 January 2023 were approved as a correct record and signed by the Chair.

**4. Planning Application CR/2022/0187/FUL - Land to the North of Fleming Way (Eastman House and Former Flight Training Centre), Manor Royal, Crawley**

The Committee considered report [PES/410a](#) of the Head of Economy and Planning which proposed as follows:

Demolition of existing buildings to provide two commercial buildings (Units A and B) for storage and distribution (B8) use with ancillary offices, with associated enabling works, access (including new access for Unit A off Hydehurst Lane), parking and landscaping.

Councillors Ali, Burrett, Jaggard, and Mwagale declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought permission for the construction of two buildings for storage and distribution use on a 4.3 hectare site within the Manor Royal Main Employment Area. The Officer updated the Committee that, since the publication of the report, an additional representation had been received from the Planning Department at Gatwick Airport (GAL) regarding the safeguarding boundary for the possible development of a second runway. Further information had also been provided by the applicant, and subsequent discussion had led to amendments to conditions 9 and 23 which were now to read as follows:

- Condition 9: *The development hereby approved shall be carried out in accordance with the details set out within the submitted Sustainability Statement for Planning, prepared by CPW dated 23rd February 2022 (Ref: 210911). The scheme shall be fully implemented in accordance with the approved details and any sources of renewable energy installed and made operational prior to the first occupation of the development hereby approved and the sustainability measures shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.*
- Condition 23: *Within six months of the first occupation of any commercial unit forming part of the development, a copy of a post-construction report, verifying that the unit or the commercial element of the development as a whole has achieved the minimum Energy and Water standards for BREEAM 'Excellent', shall be submitted to and agreed in writing by the Local Planning Authority.*

The Committee heard that it had also been necessary to amend the recommendation, so the following clause was to be added to the recommendation in report PES/410a: *Agreement to revised condition 2 listing the amended drawings for Earthworks and External Materials as current versions (as listed in the agenda) do not reflect retained trees.* The Officer then gave details of the various relevant planning considerations as set out in the report.

Anthony Watkins, the applicant, spoke in support of the application. Matters raised included:

- The existing buildings at the site were no longer suitable; the proposed development would provide a high quality, flexible space which was hoped to attract many types of occupier.
- The objection from GAL regarding the airport's safeguarding boundary was noted, but it was felt that greater weight should be given to the current Local Plan than the emerging Local Plan.
- The proposals had demonstrated water neutrality, a net biodiversity gain, a reduction in carbon emissions, and a BREEAM 'Excellent' rating.

The Committee then considered the application. Discussion ensued regarding the location of the Gatwick Airport safeguarding boundary as set out in the emerging Local Plan, which ran through the application site. The Officer explained that some weight was able to be given to the emerging Local Plan in considering this matter, but this was at a very early stage in the process and was soon due to be subject to a new Regulation 19 consultation (under which objections and comments could be raised), and so the boundary was not yet finalised. The current Local Plan did not show the boundary as being in conflict with the application site. The Committee was therefore requested to consider the balance between the current and emerging Local Plans.

The following points were also raised as part of the discussion:

- The proposed tree loss and resultant ecology/biodiversity loss was unfortunate. The Committee was informed that the most substantial trees were to be retained, replacements were to be planted, and all existing and replacement trees at the site were likely to be protected under a new area Tree Preservation Order. Off-site mitigation was also proposed for tree/ecology loss at Crawters Brook in Manor Royal, of which some Committee members raised concerns. The Officer highlighted that a Biodiversity Net Gain report was required via the S106 agreement.
- It was queried whether the site would be in use 24 hours a day and whether there would be an increase in vehicle movements in the area. The Officer highlighted that it was possible the building could be in use during off-peak hours but there was not likely to be a negative impact on the site's neighbours as the majority of noise and activity would take place away from the residential flats as the loading doors were on the east side of the building. Traffic modelling had shown that the local road network was able to cater for more vehicle movements.
- A question was raised about the visibility of the proposed development from the long distance view splays from Target Hill and Tilgate Park. It was highlighted that the building was located far from these sites and would therefore not significantly impact the views.
- The energy-efficient nature of the development was praised. It was noted that an excess of electricity may be generated, which would preferably be used by another building in the locality, or may be fed into the national grid.
- It was highlighted that some standard clauses were missing from condition 3 – the Committee agreed that the wording be amended and that this form part of the substantive recommendation.

## **RESOLVED**

Delegate the decision to permit to the Head of Economy and Planning, subject to:

1. A satisfactory conclusion to the notification process with Gatwick Airport and the Civil Aviation Authority in accordance with the requirements in Annex 1 of the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002;
2. The conclusion of a Section 106 legal agreement to secure:
  - Preparation and implementation of a final Biodiversity Net Gain report to cover the requirements set out in paragraph 5.44 of report PES/410a;
  - Contribution towards off site tree planting based on the formula set out in Policy CH6 of the Local Plan;
  - Manor Royal contribution of £8,244;
  - Financial contribution of £7,300 towards the provision of waiting restrictions on Fleming Way payable on occupation of Unit B; and
  - Travel Plan monitoring fee of £3,500;
3. Agreement to revised condition 2 listing the amended drawings for Earthworks and External Materials as current versions (as listed in the agenda) do not reflect retained trees;

And subject to the conditions set out in report PES/410a (as amended).

## **5. Planning Application CR/2022/0503/FUL - 1-19 (odds) Crompton Way, Northgate, Crawley**

The Committee considered report [PES/410b](#) of the Head of Economy and Planning which proposed as follows:

Demolition of existing buildings and erection of 3 no. buildings for use class B8 including details of access, servicing, landscaping and boundary treatments, and associated infrastructure and earthworks (amended description).

Councillors Ali, Burrett, Jaggard, and Mwagale declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, which sought permission for the construction of one large building split into three separate units for commercial use within the Manor Royal Business District. The Officer updated the Committee that, since the publication of the report, one amendment to a condition and one additional condition were required as follows:

- Amended condition 4: *No part of the development shall be first occupied until the vehicular access serving the development has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.*
- Additional condition 30: *Prior to the first occupation of any unit, the package of mitigation measures, as detailed in the KAM Costing for Showers Document dated V2 Jan 23, shall be implemented in full, unless otherwise approved in writing by the Local Planning Authority.*

*REASON: To ensure that the development does not have a negative impact on air quality in accordance with Policy ENV12 of the Crawley Borough Local Plan 2015 – 2030 and to accord with the air quality mitigation contained within the submitted Emissions Mitigation Statement provided by TRC dated November 2022.*

It was also highlighted that the amount of Manor Royal contribution stated in paragraph 5.51 of the report was incorrect, so this figure was to be amended. The Officer then gave details of the various relevant planning considerations as set out in the report.

Joshua Mellor, the agent, spoke in support of the application. Matters raised included:

- The proposed development was for storage or distribution use, which was a supported use within the Manor Royal Business District and would enhance the role and function of the area.
- The applicant had worked closely with the Council's Planning Officers to make positive changes to the design and landscaping of the proposals.
- Water neutrality and a BREEAM 'Excellent' rating were achieved through energy-saving means such as water-efficient fittings, PV panels, and heat pumps.

The Committee then considered the application. Committee members raised queries regarding the proposed parking and access at the site, to which the Planning Officer provided clarification. It was confirmed that the creation of new accesses along the south edge of the site would not cause any loss of on-street parking as there were currently double yellow lines along that section of Crompton Way. A further concern was raised regarding a shortfall of lorry parking spaces at each of the three units. The Officer clarified that the precise layout of the car park was a decision for the future tenant so was subject to change, however the over-provision of car parking spaces at Units 1 and 3 ensured that there was sufficient vehicle parking in total. In general, the proposed plans would rationalise the existing parking arrangements, and there had been no objection from West Sussex County Council as the Highways Authority.

A concern was raised regarding the potential presence of asbestos in the existing buildings. The Officer confirmed that the contaminated land specialist had requested

a detailed site investigation report which would include an asbestos assessment, which was secured as part of condition 3.

## **RESOLVED**

Delegate the decision to permit to the Head of Economy and Planning, subject to the conclusion of a consultation period on the Appropriate Assessment with Natural England, the conclusion of the Section 106 Legal Obligation/Agreement, and subject to the conditions set out in report PES/410b (as amended) and the following additional condition:

*30. Prior to the first occupation of any unit, the package of mitigation measures, as detailed in the KAM Costing for Showers Document dated V2 Jan 23, shall be implemented in full, unless otherwise approved in writing by the Local Planning Authority.*

*REASON: To ensure that the development does not have a negative impact on air quality in accordance with Policy ENV12 of the Crawley Borough Local Plan 2015 – 2030 and to accord with the air quality mitigation contained within the submitted Emissions Mitigation Statement provided by TRC dated November 2022.*

## **Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.30 pm.

**R D Burrett (Chair)**