

Crawley Borough Council

Minutes of Planning Committee

Monday, 9 April 2018 at 7.30 pm

Councillors Present:

I T Irvine (Chair)

C Portal Castro (Vice-Chair)

N J Boxall, B J Burgess, D Crow, R S Fiveash, F Guidera, K L Jaggard, S J Joyce, T Rana, A C Skudder, P C Smith, M A Stone, J Tarrant and G Thomas

Officers Present:

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| Roger Brownings | Democratic Services Officer |
| Kevin Carr | Legal Services Manager |
| Valerie Cheesman | Principal Planning Officer |
| Marc Robinson | Principal Planning Officer |
| Clem Smith | Head of Economic & Environmental Services |

1. Disclosures of Interest

The following disclosures of interests were made:

| Councillor | Item and Minute | Type and Nature of Disclosure |
|--------------------------|---|---|
| Councillor N J Boxall | To Consider the Expediency of Enforcement and Legal Action in Respect of Unauthorised Alterations to Flint Cottage, Brighton Road, Tilgate, a Grade II Listed Building. (Minute 9) | Prejudicial Interest – Knows the owner of the property well as a result of previous Council business over a number of years. Councillor Boxall left the meeting before consideration of this item and took no part in the discussion or voting on the item. |
| Councillor P C Smith | CR/2017/1057/FUL - BCL House, Gatwick Road, Northgate, Crawley (Minute 5) | Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District. |

2. Lobbying Declarations

No lobbying declarations were made.

3. Minutes

The minutes of the meeting of the Committee held on 20 March 2018 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2017/0881/FUL - 257 - 259 Ifield Road, West Green, Crawley, RH11 7HX

The Committee considered report PES/247 (a) of the Head of Economic and Environmental Services which proposed as follows:

Erection of 5no. 2 storey, 2 bedroom affordable dwellings for social rent and associated parking following demolition of 2no. existing semi-detached dwellings (amended plans received).

Councillors Stone and Thomas declared they had visited the site.

The Principal Planning Officer (Valerie Cheesman) provided a verbal summation of the application and the following update:-

Amended Condition 3:

3. *No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed dwellings and details of the acoustic vents for plots 1 and 2 have been submitted to and approved by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.*

Mr Peter Rainier, the Agent, addressed the Committee in support of the application.

The Committee then considered the application. In response to issues raised, the Principal Planning Officer:-

- Indicated that in terms of the proposed path to Plot 5, the materials to be used for that footpath (which a Councillor suggested should include anti slip materials due to potential overshadowing from trees), would be subject to control by condition..
- Commented that the protection of gutters to prevent them from being blocked by leaves was not something that would normally be required. The proposals were deemed to be acceptable, and this was a matter that a Member could raise with Crawley Homes.
- Advised that whilst the proposed gates located within the rear gardens were not identified in the Site Plans, they were clearly shown in the Landscaping Scheme, which had to be adhered to.

- Indicated that the proposed seven replacement trees, to be planted within the gardens of the application site, would be of suitable size and appropriate for that setting, and would be maintained by tenants.

RESOLVED

Permit, subject to:

- (i) The conclusion of a Section 106 Agreement to secure on site affordable housing for Social Rent.
- (ii) The Conditions set out in report PES/247 (a), and the updated Condition 3 above.

Note

Councillor Crow, who had apologised for his late arrival to this meeting, later advised that because at the point of his arrival consideration of this application had already been well under way, he felt it was not appropriate for him to vote on the application, and thus had not taken part in that voting process.

5. Planning Application CR/2017/1057/FUL - BCL House, Gatwick Road, Northgate, Crawley

The Committee considered report PES/247 (b) of the Head of Economic and Environmental Services which proposed as follows:

Demolition of existing showroom and redevelopment of site to B1 Office with associated parking and landscaping.

Councillors B J Burgess, Jaggard, P C Smith and Tarrant declared they had visited the site.

The Principal Planning Officer (Marc Robinson) provided a verbal summation of the application and the following updates:-

- Although at this stage a Bird Hazard Management Plan had not been submitted, the Applicant had agreed to make that submission, and this matter was reflected in Condition 15.
- That with regard to paragraph 5.22 of the report, the reference to “five new silver birch trees” should be deleted and replaced with “five new lime trees”.

Mr John Browning addressed the Committee in objection to the application, whilst Mr Steve Sawyer, representing the Manor Royal BID Company, addressed the Committee in support of the application. Many of the objections raised reflected those detailed in the report, including those on the grounds of height, scale and siting and the visual impact these issues would have upon Tinsley Lane. In addition, there were concerns raised on grounds including: loss of light and privacy, landscaping, increased traffic and parking, and impacts on highway safety.

The Committee then considered the application. The Committee discussed the issues arising, including the comments raised by the speakers and concerns raised by objectors. Some Members expressed their own concerns regarding this application, including in particular those in relation to the scale of the proposed development and

the further intensification of development in the Manor Royal Buffer Zone. In response to issues and concerns raised, the Principal Planning Officer:

- Acknowledged that the proposed building, due to its height and scale, would have an adverse impact on residential amenity through its impact upon the outlook from nearby dwellings. The proposed building has been designed to reduce its impact by stepping upwards away from the residential properties and would have screening from the proposed landscaping. The distance from the building to the facing neighbouring houses and the existing relationship to the road would not result in the development creating a harmful loss of privacy, a loss of light or a significant overbearing impact.
- Advised Members that the nearby Northwood Park site had planning permission to be redeveloped to a more significant height and similar overall scale to the application now before the Committee.
- Indicated that new trees to be planted would be big enough (4 to 5m in height) and multi stemmed, to help screening at the early stage of their planting.
- Explained that the existing and proposed trees, together with planting on the roof terraces, would reduce views from the proposed building further and significantly soften the appearance of its rear elevation.
- Considered that the proposals would have no material impact in reducing the effectiveness of residents' solar panels.
- Emphasised that external lighting would be covered by condition, with trees and other screening measures proposed to help mitigate any associated light pollution. Should, however, there be any such pollution emanating from the proposed site, this would be investigated by the Council's Environmental Health Team.
- Confirmed that the ongoing maintenance of landscaping would be controlled by condition through the submission of a landscape management plan.
- Commented that car parking controls already in place within Tinsley Lane would further help to limit parking in that residential area.
- Explained that the proposed level of car parking for the application site was considered acceptable by the Local Highway Authority and broadly met the Council's standards.
- Confirmed that access to the proposed site would be from Gatwick Road towards the southern end of the site, and would form a left in left out access.
- Emphasised that any potential harm caused to residential amenity had to be considered alongside the significant economic benefits of the scheme and by its high design quality.

The Committee continued to consider carefully the application information including the concerns raised, but in so doing took into account all material considerations associated with this Scheme.

RESOLVED

Delegate to the Head of Economic and Environmental Services to **Permit**, subject to:

- (i) The submission of an ecological report demonstrating the acceptability of the scheme to the satisfaction of the Local Planning Authority and the inclusion of any related conditions.
- (ii) The satisfactory conclusion of a Section 106 agreement to secure:
 - the contribution of £261,600 towards Gatwick Road highways improvements.
 - the Manor Royal Public Realm contribution of £13,274.

- the developer signing up to the Developer and Partner Charter.
- (iii) A potential revised Bird Hazard Management Plan condition.
- (iv) The Conditions set out in report PES/247 (b).

6. Planning Application CR/2018/0069/FUL - 15 Chatfields, Gossops Green, Crawley

The Committee considered report PES/247 (c) of the Head of Economic and Environmental Services which proposed as follows:

Erection of a single storey wrap around side and rear extension (amended plans received).

Councillors Jaggard and Stone declared they had visited the site.

The Principal Planning Officer (Marc Robinson) provided a verbal summation of the application.

The Committee then considered the application. An issue was raised regarding the potential for a window on the southern elevation, and forming part of the application, to be converted in future to a door to form a separate unit of accommodation. In response, the Principal Planning Officer emphasised that the annexe could only be used as ancillary accommodation to the dwelling and referred to Condition 4 which required that the development proposed "shall not at any time be used as a separate unit of accommodation". Any change of use to a separate dwelling would be a breach of planning control. With regard to the potential conversion of the window to door it would not be considered reasonable to limit a householder from altering this part of their dwelling where it would not result in harm to any recognised material considerations.

RESOLVED

Permit, subject to the Conditions set out in report PES/ 247 (c)

7. Planning Application CR/2018/0075/RG3 - Northgate Playcentre, Woodfield Road, Northgate, Crawley

The Committee considered report PES/247 (d) of the Head of Economic and Environmental Services which proposed as follows:

Formation of two external openings on north western elevation of building.

Councillors Stone and Thomas declared they had visited the site.

The Principal Planning Officer (Valerie Cheesman) provided a verbal summation of the application.

The Committee then considered the application.

RESOLVED

Permit, subject to the Conditions set out in report PES/247 (d).

8. Exempt Information – Exclusion of the Public

RESOLVED

That in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraphs specified against the item.

9. To consider the expediency of enforcement and legal action in respect of unauthorised alterations to Flint Cottage, Brighton Road, Tilgate, a Grade II listed building

(Exempt Paragraphs 6a – Notice, and 6b – Order)

The Committee considered report PES/294 of the Head of Economic and Environmental Services. The report requested the Committee to consider whether the Council should issue and serve Listed Building Enforcement Notices under Section 38(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and to refer this case to the Head of Legal and Democratic Services to consider bringing a prosecution against the owner under Section 9 of the Planning (Listed Building and Conservation Areas) Act 1990.

In considering further the issues associated with this matter, the Committee took the opportunity to convey its thanks and appreciation to the Officers concerned, including in particular Steve Pincott (Senior Planning Investigations Officer) and Deborah Gardner (Listed Building Consultant) for the significant work and commitment they had undertaken as part of their related investigations, and for bringing the case to the attention of the Committee.

RESOLVED

- (i) That this case be referred to the Head of Legal and Democratic Services to consider commencing a prosecution against the person named in paragraph 2.1 of report PES/294, and to take any other action as appropriate, in respect of the unauthorised works in 2015 and 2017 comprising the replacement of 12 windows, 5 doors, 2 vertical sliding Box sash windows and the erection of a porch.
- (ii) That the Head of Economic and Environmental Services be authorised to serve Listed Building Enforcement notices to require steps to be taken to restore Flint Cottage to its former state or to a condition considered appropriate by Officers in consultation with the Council's Listed Building Consultant in relation to the following unauthorised works:
 1. Unauthorised single storey extension on the east side of the main house.
 2. Unauthorised extension on west side of house contrary to plans submitted and approved.
 3. Porch on the front (N) elevation, not in compliance with plans submitted and approved.
 4. Porch to the rear (S) elevation of main house, not in compliance with plans submitted and approved.
 5. Two side windows over the front door reduced in size contrary to plan submitted, a material change to the building.

6. Removal of historic fabric and the formation of two new windows. One on the 1st floor on the west elevation with a shutter; one on the 1st floor on the east elevation.
7. Cementous mortar on various locations over the entire building having removed the historic fabric.
8. Removal of the rear chimney stack.
9. All original and historic guttering has been removed and replaced with modern UPVC guttering.
10. Original historic slate roof tiles have been replaced with modern Redland 49 tiles.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.50 pm

I T IRVINE
Chair