

Crawley Borough Council

Minutes of Planning Committee

Tuesday, 5 June 2018 at 7.30 pm

Councillors Present:

I T Irvine (Chair)

R S Fiveash (Vice-Chair)

A Belben, N J Boxall, B J Burgess, K L Jaggard, S Malik, T Rana, R Sharma, A C Skudder, P C Smith, M A Stone, J Tarrant and G Thomas

Also in Attendance:

Councillors D Crow, M G Jones, B J Quinn, M W Pickett and C Portal Castro

Officers Present:

Kevin Carr	Legal Services Manager
Jean McPherson	Group Manager (Development Management)
Clem Smith	Head of Economic & Environmental Services
Hamish Walke	Principal Planning Officer

Apologies for Absence:

Councillor L Vitler

1. Welcome

The Chair welcomed those present to the first meeting of the forthcoming municipal year, especially newly elected Councillors and those Councillors returning to the Committee.

2. Disclosures of Interest

No disclosures of interests were made.

Following a query from a Committee Member, and with particular reference to the Town Hall application, CR/2017/0997/OUT, item 6 on the agenda for this meeting, the Legal Services Manger advised that all members of the Committee had received a briefing note prior to the meeting regarding pre-determination and bias. It was each Councillors' responsibility to consider the advice provided and declare any relevant interest accordingly. Further guidance relating to predisposition, predetermination and bias were contained within the Code of Conduct on Planning Matters.

3. Lobbying Declarations

The following lobbying declaration was made by a Councillor:

Councillor J Tarrant had been lobbied regarding application CR/2017/0974/FUL.

4. Minutes

The minutes of the meeting of the Committee held on 9 April 2018 were approved as a correct record and signed by the Chair.

5. Planning Application CR/2017/0974/FUL - Zurich House, East Park, Southgate, Crawley

The Committee considered report PES/281 (a) of the Head of Economic and Environmental Services which proposed as follows:

Demolition of existing building and erection of a new part 3 and part 4 storey building comprising 56 apartments (30 x one bed and 26 x two bed) together with 56 car parking spaces and landscaping (amended description and amended plans received)

Councillors Boxall, Jaggard, Sharma, Stone and Tarrant declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application and provided the following updates:

- The following clerical corrections, relating to plans and drawings in the report, should be made to reflect the following:
 - Plan 051603-ESH-P11 related to the proposed 1st floor plan
 - Plan 051603-ESH-P12 related to the proposed 2nd floor plan
 - Plan 051603-ESH-P13 related to the proposed 3rd floor plan
- An additional drawing relating to the parking layout had been submitted. It was confirmed that the layout did not alter the design. Further illustrative material had also been submitted to support the revised application such as coloured elevations.
- Two further objections had been received since publication of the report:
 - One raised no additional objections to those outlined in the report
 - The second representation included video clips of parking in East Park. The video had been viewed and forwarded to West Sussex County Council (WSCC), although it was not possible to display them on the website. Following consideration of the video clips, WSCC had stated that the information did not change WSCC's opinion and recommendation on the application.

Mr Con O'Driscoll, Councillor Pickett (Ward Councillor for Southgate) and Councillor Jones (Cabinet Member for Housing), addressed the Committee in objection to the application, whilst Mr Philip Allin, the Agent, addressed the Committee in support of the application. Many of the objections raised reflected those detailed in the report, including parking issues, refuse collection and the potential impact on the character of the area. In addition, there was also concern expressed regarding the consultation process relating to the application.

The Committee then considered the application. The Committee discussed the issues arising, including the comments raised by the speakers and concerns raised by objectors. In response to issues and concerns raised, the Group Manager (Development Management):

- Advised that the development was a housing allocation and accorded with the Crawley Borough Local Plan 2015-2030.
- Emphasised that the design of an application did not necessary need to match the surrounding buildings and that in addition the Planning Inspector had identified the location as a 'transitional site'. The site was not within close proximity to the local conservation areas and these would not be harmed by the development.
- Confirmed that the application site was not located within the controlled parking zone, and as such residents of the development would therefore not be entitled to apply for parking permits.
- Stated that visitor parking to the site was included within the parking standard against which the application was assessed, and that the number of parking spaces provided complied with Crawley Borough Council's Policies.
- Clarified that refuse would be collected from the front of the site and that the Refuse and Recycling Team had confirmed this to be acceptable.
- Advised that reference within the Urban Design SPD to recommended separation distance between dwellings related to the rear windows of opposing properties and that the distance detailed in paragraph 5.15 of the report referred to the front facing windows of the dwellings. Those separation distances were considered adequate and provided a greater distance between facing dwellings than other premises in the vicinity.
- Emphasised that the level of consultation undertaken in relation to the application exceeded that required for such a development.

RESOLVED

Permit, subject to:

- (i) The conclusion of a Section 106 agreement as set out in Paragraphs 6.4 and 6.5 of report PES/281 (a)
- (ii) The conditions set out in report PES/281 (a)

6. Planning Application CR/2017/0997/OUT - Town Hall, The Boulevard, Northgate, Crawley

The Committee considered report PES/281 (b) of the Head of Economic and Environmental Services which proposed as follows:

A hybrid application comprising:

- (a) detailed application for demolition of the existing council offices and civic hall, and erection of a replacement town hall, offices and a public square, and associated access, car parking, landscaping and ancillary works.
- (b) outline application for residential development comprising up to 182 units including commercial space with details of access, all other matters reserved (layout, scale, landscaping and appearance).

Councillors Boxall, Fiveash, Irvine, Jaggard, Sharma, Skudder, P Smith, Stone, Tarrant and Thomas declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application and the following updates:

Replacement Condition 1:

i) Details of the appearance, landscaping, layout, and scale (hereinafter called 'the reserved matters') in relation to the Block B development comprising up to 182 residential units including commercial space shown on drawing 764-CPA-ZA-SK-010 Rev P1 submitted on 17 May 2018 shall be submitted to and approved in writing by the Local Planning Authority before any development on the Block B site begins and the development shall be carried out as approved.

ii) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
REASON: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.

Replacement Condition 21:

Notwithstanding the plans hereby approved, a scheme for proposed signage, artwork and other features to create a clear and legible environment for users of the development and to create a strong civic identity for the Town Hall element of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of the Town Hall and office building hereby approved and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: To enable the Local Planning Authority to control the development in detail to achieve a user friendly environment, to define a clear civic character to the Town Hall element of the scheme and to achieve a development of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

Replacement Condition 31:

Within three months of the first occupation of the Town Hall and office building (Block A) hereby approved, a copy of a post-construction report, verifying that the development has achieved the minimum Energy and Water standards for BREEAM 'Excellent', shall be submitted to and agreed in writing by the Local Planning Authority.

REASON: In the interests of sustainable design and efficient use of water resources in accordance with policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030.

Mr Charles Crane addressed the Committee in objection to the application, whilst Mr Peter Rainier, the Agent, addressed the Committee in support of the application. Many of the objections raised reflected those detailed in the report, including the design, the amenities of the flats and the heritage of the Town Hall building.

The Committee then considered the application. The Committee discussed the issues arising, including the comments raised by the speaker and concerns raised by objectors. A number of Councillors expressed their own concerns regarding the application, including in particular those in relation to the design, loss of the historic Town Hall building, overshadowing, proximity to the District Heat Centre, vehicular access, parking provisions within the multi storey car park, sustainability and renewable energy, civic accommodation within the new Town Hall and impact on the streetscene and the use of a hybrid application. In addition, a Councillor queried whether an additional condition was required relating to the provision of broadband for the flats.

In response to issues and concerns raised, the Principal Planning Officer:

- Advised that, should the District Heat Centre be granted planning permission and be delivered, the application could meet the energy and water standards for BREEAM 'Excellent' without solar panels. Should the District Heat Centre not be delivered, solar panels could be installed to meet BREEAM 'Excellent.' Any proposal to site solar panels on the roof of the new Town Hall would require approval by Gatwick Airport/NATS.
- Confirmed that West Sussex County Council (WSSCC) had not raised any concerns regarding the proposed disabled parking at the front of the site.
- Advised that the majority of traffic movements to/from the site would be along Exchange Road, into the multi storey car park.
- Advised that the Transport Assessment suggested there would be sufficient parking in the multi storey car park for staff, residents, office workers and shoppers. In addition, the recent Town Centre parking survey raised no concerns regarding the wider provision for parking.
- Confirmed that the provision for amenity space, screening, tree replacement and distance of separation between the buildings would be dealt with under reserved matters.
- Provided further information relating to the nature of hybrid planning applications, outline planning permission and reserved matters.
- Acknowledged that a condition relating to broadband would normally be included for a development such as application (b). It was suggested to the Committee and agreed that a condition be inserted as follows:

Broadband condition:

Provision shall be made for combined television reception facilities and superfast broadband to serve all units within the residential development and commercial space (Block B) hereby approved in outline only in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved facilities shall be made available to each individual unit prior to that unit being first brought into use.

REASON: In the interests of visual amenity, to help reduce social exclusion and to allow good access to services in accordance with policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.

At the request of Councillor B Burgess, and in accordance with Council Procedure Rule 25.5, the names of the Councillors voting for and against the proposal above were recorded as set out below:

For the Proposal:

Councillors Fiveash, Irvine, Malik, Rana, Sharma, Skudder, P Smith, Stone and Thomas (9).

Against the Proposal:

Councillors A Belben, Boxall, B Burgess, Jaggard and Tarrant (5).

Abstentions:

None.

With the vote being 9 for the proposal and 5 against the proposal, the proposal was therefore CARRIED, and it was

RESOLVED

Permit, subject to:

- (i) The conclusion of a Section 106 agreement to secure the provision of affordable housing units, and financial contributions towards Memorial Gardens, Southgate Play Areas, additional tree planting; implementation and operation of a District Energy Centre; two on-street car club bays; car club vehicle and/or membership, Car Park Management Plan and Developer and Partner Charter all as detailed in report PES/281 (b).
- (ii) The conditions set out in report PES/281 (b), and the three replacement conditions and additional condition above.

7. Proposed Deed of Variation to Planning Application CR/2016/0662/FUL Relating to Nos. 11-13 The Boulevard, Crawley

The Principal Planning Officer introduced report PES/299 of the Head of Economic and Environmental Services, which set out proposed changes to the completed Section 106 Agreement prepared pursuant to planning permission CR/2016/00662/FUL and the reasons for the proposed amendments. Those changes, which were not minor variations to the legal agreement, required the approval of the Planning Committee.

The proposed changes related to the delivery of affordable housing within the proposed development at Nos. 11-13 The Boulevard. The changes were necessary to secure appropriate and acceptable affordable housing provision on the site, taking account of the current planning application (CR/2017/0997/OUT) on the adjoining Town Hall site which was considered earlier in the meeting (minute 6 refers).

RESOLVED

That the making of a Deed of Variation, to reflect the changes set out in Paragraph 5.1 to report PES/299, be approved.

8. Planning Application CR/2018/0205/ADV - Queens Square, Northgate, Crawley

The Committee considered report PES/281 (c) of the Head of Economic and Environmental Services which proposed as follows:

Advertisement consent for the erection of 1 x internally illuminated free standing digital sign.

Councillors Boxall, Jaggard, P Smith, Stone and Tarrant declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application and advised that an amended condition on illuminance levels was recommended as follows:

Amended Condition (automatic dimming feature)

The advertisement hereby approved shall be operated at all times with an automatic dimming feature which adjusts levels of illuminance to take account of variations in natural lighting conditions to the satisfaction of the Local Planning Authority. The level of illuminance shall not exceed 2,500 cd/m² at any time.

REASON: In the interests of visual amenity and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030, the Urban Design Supplementary Planning Document and the West Sussex County Council Illuminated Signs Standing Advice.

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

- Acknowledged the need to be mindful about additional street furniture gradually cluttering up the newly renovated Queens Square and stated that officers did not consider that this single digital sign would create visual cluttering.
- Did not envisage that the digital sign would create a significant physical obstruction taking account of other street furniture in the square.

RESOLVED

Consent, subject to the conditions set out in report PES/281 (c) and the additional condition above.

9. Planning Application CR/2018/0229/TPO - 13 Keymer Road, Southgate, Crawley

The Committee considered report PES/281 (d) of the Head of Economic and Environmental Services which proposed as follows:

Oak - reduce height and crown radius by 1.5m to appropriate growth points.

Councillor Tarrant declared she had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application.

The Committee then considered the application.

RESOLVED

Consent, subject to the conditions set out in report PES/281 (d).

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 10.07 pm

Chair