

Crawley Borough Council

Minutes of Planning Committee

Tuesday, 25 September 2018 at 7.30 pm

Councillors Present:

I T Irvine (Chair)

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

Also in Attendance:

Councillor R D Burrett, R A Lanzer and A Pendlington

Officers Present:

Kevin Carr	Legal Services Manager
Valerie Cheesman	Principal Planning Officer
Mez Matthews	Democratic Services Officer
Jean McPherson	Group Manager (Development Management)

Apologies for Absence:

Councillor B J Burgess, R S Fiveash and L Vitler

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor A Belben	CR/2018/0128/OUT Land adjacent to 3 Coronet Close, Pound Hill, Crawley (Minute 4)	Personal Interest – Was a member of the Pound Hill Residents Facebook Group, but had not been active in discussions relating to the application.
Councillor A Belben	CR/2018/0242/OUT Land adjacent to 3 Coronet Close, Pound Hill, Crawley (Minute 5)	Personal Interest – Was a member of the Pound Hill Residents Facebook Group, but had not been active in discussions relating to the application.

Councillor Thomas	Appeal against non-determination of planning application CR/2017/0879/FUL – R/O George Hotel, 56-58 High Street, West Green, Crawley (Minute 8)	Personal Interest – Was a Council nominated member on the Central Crawley Conservation Area Advisory Committee, who had submitted a representation in relation to the application. He did not recall attending a meeting where the application had been discussed.
----------------------	---	--

2. Lobbying Declarations

The following lobbying declarations were made by Councillors:

Councillors A Belben, Boxall, Jaggard, Skudder, P Smith, Tarrant and Thomas had been lobbied regarding report PES/303 - appeal against non-determination of planning application CR/2017/0879/FUL: R/O George Hotel, 56-58 High Street, West Green, Crawley.

3. Minutes

The minutes of the meeting of the Planning Committee held on 30 July 2018 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2018/0128/OUT - Land Adjacent to 3 Coronet Close, Pound Hill, Crawley

The Committee considered report PES/285(c) of the Head of Economy and Planning which proposed as follows:

Outline application (access, layout and scale to be determined with appearance and landscaping reserved) for 2no. 3 bed semi-detached dwellings and 3no. 4 bed detached dwellings (amended plans received).

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

The Group Manager (Development Management) provided a verbal summation of the application and reminded the Committee that a provisional woodland tree preservation order had been served on the site on 13 February 2018 in response to alerts from local residents that trees within Burleys Wood were being felled following a site visit by the Arboricultural and Enforcement Officers. That Tree Preservation Order had been confirmed by the Committee at its meeting held on 30 July 2018 and, in addition, the Forestry Commission had served a restocking notice to replace the trees lost from the site. In addition, the Committee's attention was drawn in particular to the planning history of the site, the relevant planning policies and the main planning considerations when determining the application.

The Group Manager (Development Management) advised the Committee that refusal reason 5 should be amended as follows:

Amendment to refusal reason 5 (additional wording in bold):

5. Notwithstanding the loss of Ancient Woodland is considered to be unacceptable in principle, **if** the principle of development was considered to be acceptable the

proposal by reason of its layout and close proximity to the area of Ancient Woodland to the east, would result in an unacceptable relationship with the trees and fails to include a 15m buffer zone to the **remaining** Ancient Woodland, contrary to Policies CH2, CH3 and ENV2 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework (2018).

Councillor Pendlington (Ward Councillor for Pound Hill South and Worth) addressed the Committee and spoke in objection to the application, reflecting the concerns detailed in the report. Councillor Pendlington specifically stated that:

- If approved the proposed development would result in a loss of open space;
- The proposed development would result in a loss of light for residents;
- The ancient woodland should be protected.

Councillor Lanzer (Ward Councillor for Pound Hill South and Worth) addressed the Committee and raised the following additional points of objection:

- The layout of the proposed development would be cramped for both the existing residents and occupiers of the proposed development;
- The loss of ancient woodland was unacceptable, especially the felling of trees without a felling licence;
- The new development did not meet the planning requirement that there be a distance of least a 15m between woodland and any new development.

The Committee then considered the application and voted unanimously that the application be refused.

RESOLVED

Refuse, for the reasons listed in report PES285(c) and amended refusal reason 5 above.

5. Planning Application CR/2018/0242/OUT - Land Adjacent to 3 Coronet Close, Pound Hill, Crawley

The Committee considered report PES/285(d) of the Head of Economy and Planning which proposed as follows:

Outline application (access, layout and scale to be determined with appearance and landscaping reserved) for a children's day nursery (use class d1) (amended plans received).

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

The Group Manager (Development Management) provided a verbal summation of the application and reminded the Committee that the planning history, and many of the relevant planning policies and planning considerations were identical to that of planning application CR/2018/0128/OUT which had been considered by the Committee earlier in the meeting, although this application proposed a different use of the land.

The Group Manager (Development Management) advised the Committee that refusal reason 6 should be amended as follows:

Amendment to refusal reason 6 (additional wording in bold):

5. Notwithstanding the loss of Ancient Woodland is considered to be unacceptable in principle, **if** the principle of development was considered to be acceptable the proposal by reason of its layout and close proximity to the area of Ancient Woodland to the east, would result in an unacceptable relationship with the trees and fails to include a 15m buffer zone to the **remaining** Ancient Woodland, contrary to Policies CH2, CH3 and ENV2 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework (2018).

Councillor Pendlington (Ward Councillor for Pound Hill South and Worth) addressed the Committee and spoke in objection to the application, reflecting the concerns detailed in the report and those she identified as part of her presentation in relation to application CR/2018/0128/OUT. In addition Councillor Pendlington raised concern regarding the level of potential traffic movement within the area.

Councillor Lanzer (Ward Councillor for Pound Hill South and Worth) addressed the Committee and stated that any proposed development should support bio-diversity. In addition to the objections he had identified as part of his earlier presentation in relation to application CR/2018/0128/OUT, he asserted that the proposal:

- Would result in over intensification of the area;
- Did not provide adequate parking;
- Would create highway problems.

The Committee then considered the application and voted unanimously that the application be refused.

RESOLVED

Refuse, for the reasons listed in report PES285(d) and amended refusal reason 6 above.

6. Planning Application CR/2016/0858/ARM - Phase 3, Forge Wood (North East Sector), Crawley

The Committee considered report PES/285(b) of the Head of Economy and Planning which proposed as follows:

Approval of reserved matters for phase 3 employment building, car parking, internal access roads, footpaths, parking & circulation areas, landscaping and other associated infrastructure & engineering works pursuant to outline planning permission CR/2015/0552/NCC for a new mixed use neighbourhood.

Councillor Boxall declared he had visited the site.

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

- A representation had been received on behalf of the Operators at Crawley Goods Yard stating that they deemed the application acceptable if all conditions detailed in report PES/285(b) were imposed and with a S106 legal agreement to link it to the residential proposals.

- In line with varied Condition 34 of the original outline application, the noise mitigation scheme had been submitted to the Council as Local Planning Authority the previous week and would be considered by officers in due course.

Laura Humphries (the Applicant) addressed the meeting in support of the application.

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

- Advised that proposed mechanical ventilation was for the residential units in the adjacent parcels. The levels of ventilation required by each unit were dependent upon the location of each dwelling, its internal layout and the noise environment.
- Informed the Committee that the location of the employment building and associated access road was part of the Masterplan for the neighbourhood.
- Reminded the Committee that Condition 34 of the outline permission would secure a suitable noise environment for residents of the adjacent dwellings. The Committee also noted that condition 12 of the current application required approval of a sound insulation scheme for the employment building itself.
- Explained that the original outline application did not restrict the times at which heavy goods vehicles could enter the site. However, noise levels from the commercial activities would be controlled by condition 37 on the outline permission.
- Advised that, once the development had been completed, the main roads within the site would be adopted by West Sussex County Council (WSCC). Details of the road surface material would be ascertained during the WSCC highways adoption process. The main roads would service a bus route and so the surface material would be suitable for heavy vehicles.
- Confirmed that some parking bays within the adjacent residential development would be allocated to specific housing units, whilst others would be available for visitor parking. Conditions relating to parking provision for the commercial building which met the relevant parking standards were included within the officer's recommendation should the Committee be minded to approve the application.

RESOLVED

Approve the Reserved Matters application, subject to:

1. The conclusion of a Section 106 agreement as set out in Paragraph 6.4 of report PES/285(b)
2. The conditions and informatives set out in report PES/285(b).

7. Planning Application CR/2015/0718/ARM - Phase 2b, Forge Wood, (Northeast Sector), Crawley

The Committee considered report PES/285(a) of the Head of Economy and Planning which proposed as follows:

Approval of reserved matters for Phase 2b for 169 dwellings and related works pursuant to outline permission CR/2015/0552/NCC for a new mixed use neighbourhood.

Councillor Boxall declared he had visited the site.

The Principal Planning Officer provided a verbal summation of the application and provided the Committee with the following update:

- Amended plans had been submitted to address the outstanding issues referred to in the report.
- A representation had been received on behalf of the Operators at Crawley Goods Yard stating that they deemed the application acceptable if all conditions detailed in report PES/285(a) were imposed, there was a S106 legal agreement to link it to the employment building and that the internal layout of plots 113 – 116 were revised.
- In line with varied Condition 34 of the original outline application, the noise mitigation scheme had been submitted to the Council as Local Planning Authority the previous week and would be considered by officers in due course.

Laura Humphries (the Applicant) addressed the meeting in support of the application.

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

- Advised the Committee that one bedroom window on six properties in block 7 would be sealed shut and vented via a mechanical ventilation system. It had not been possible to alter the layout of those properties to enable all windows to open. Detailed information relating to the mechanical ventilation system were contained within the noise mitigation scheme for condition 34 which had been submitted to the Council and would be considered by officers in due course.
- Confirmed that the communal garden of Flat Block 7 would be maintained by the landlord.
- Advised that the management company would be responsible for maintaining the drainage features.
- Notified the Committee that the objection received from the Environment Agency related to flood risk. Forge Wood, as a whole, had required a site-wide drainage strategy and therefore a Flood Risk Assessment for this individual sub-phase was not required. No further comments had been received from the Environment Agency. Long term management of the drainage features would be undertaken by the management company.
- Stated that the application site provided housing which had a low carbon footprint and increased sustainability. Although additional renewable energy sources, such as solar panels, had not been submitted as part of the application; that did not prevent such additions being installed at a later date.
- Advised that although some of the garden sizes fell below the guidance, overall the layout was considered to be acceptable.
- Explained that the separation distances between dwellings were considered acceptable with the majority of windows either not overlooking other dwellings or being off-set.

RESOLVED

Approve the reserved matters application subject to:

1. Completion of a S106 Agreement as set out in Paragraph 6.5 of report PES/285(a)
2. The conditions and informatives set out in report PES/285(a)

**8. Appeal against Non-Determination of Planning Application
CR/2017/0879/FUL - R/O George Hotel, 56-58 High Street, West Green,
Crawley**

The Committee considered report PES/303 of the Head of Economy and Planning which explained the circumstances in relation to planning application CR/2017/0879/FUL for which an appeal was now underway. The appeal had been lodged on the grounds that the Local Planning Authority had failed to determine the application within the statutory time frame. Although the Planning Committee was no longer in a position to formally determine the planning application, the report set out the officers' concerns with the application and the grounds on which they considered the planning appeal should be defended.

The report provided an opportunity for the Committee to consider the merits of the application, comment on the refusal reasons and the officer's appraisal of the scheme and consider whether there should be any other issues added or removed from the Local Planning Authority's draft appeal statement attached as Appendix 1 to report PES/303.

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

The (Group Manager (Development Management) provided a verbal summation of the application and the officer's report. The Committee was advised that, whilst officers supported the principle of development on the site, they had significant concerns regarding the impact the proposal would have on 10 Ifield Road, the High Street Conservation Area and the George Hotel which were all heritage assets. In addition it was considered that the development was unacceptable in the street scene and surroundings due to its scale, massing and design. The development's design, layout and proximity to the public footpaths/roads, outlook and separation between buildings would also create an inadequate environment for any future occupier of the development. The layout and design of the development did not mitigate the harmful noise impacts on potential future occupiers. The development would also have a harmful impact on future neighbouring residential occupiers. Sustainability policies had not been demonstrated.

Lynda Wyer (the Agent for the application) addressed the Committee in support of the application. Ms Wyer explained how, in her opinion, the Council had not provided timely advice with regard to the application and as a result the application had not been determined within the statutory time frame. She also considered that the case officers concerns with the application were contrary to the pre-application she had been provided with. The applicant had therefore taken the decision to lodge an appeal.

The Committee then considered whether it would have approved the application, had it been brought before the Committee for determination. The Committee was of the opinion that, as a whole, the Council had a good record of pre-application engagement with applicants and that the development before them was inappropriate to the surrounding area and inadequate in design. The Committee agreed the Committee would have been minded to refuse the application for the reasons set out in report PES/303.

RESOLVED

1. That the report be noted;
2. Agreed that, if the application had been determined by the Planning Committee, it would have been minded to refuse it on the 8 reasons set out in Section 6.1 of report PES/303.

9. Planning Application CR/2018/0177/FUL - Former Depot Adjacent to South West Corner of Goffs Park, Old Horsham Road, Southgate, Crawley

The Committee considered report PES/285(e) of the Head of Economy and Planning which proposed as follows:

Installation of substation and close boarded fencing enclosure.

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

The Principal Planning Officer provided a verbal summation of the application and advised that since publication of the report, the applicant had provided confirmation of the finish which would be used to stain the timber fencing and as such condition 3 should be revised to read:

Revised Condition 3:

The timber fencing enclosure for the substation hereby permitted shall be finished in the following dark stain 'Cuprinol Ultimate Garden Wood Preserver in 'Autumn Brown' as set out in the email dated 17th September 2018.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a structure of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

With regards to the impact on adjacent trees, the Arboricultural Officer found the submitted details acceptable and suggested condition 5 would control this aspect.

The Committee then considered the application.

RESOLVED

Permit subject to the conditions set out in report PES/285(e).

Closure of Meeting

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

Chair