

Crawley Borough Council

**Minutes of Planning Committee**

Tuesday, 20 November 2018 at 7.30 pm

**Councillors Present:**

I T Irvine (Chair)

R S Fiveash (Vice-Chair)

M L Ayling, A Belben, N J Boxall, B J Burgess, K L Jaggard, S Malik, T Rana, P C Smith, M A Stone, K Sudan and J Tarrant

**Officers Present:**

Kevin Carr	Legal Services Manager
Valerie Cheesman	Principal Planning Officer
Mez Matthews	Democratic Services Officer
Hamish Walke	Principal Planning Officer

**Apologies for Absence:**

Councillor G Thomas and L Vitler

**Councillor Sudan**

The Chair welcomed Councillor Sudan to the meeting following her recent appointment. The Chair expressed the Committee's thanks to Councillor Skudder, a former member of the Committee, for the work he had undertaken as a Committee member.

**1. Disclosures of Interest**

No disclosures of interests were made.

**2. Lobbying Declarations**

The following lobbying declarations were made by Councillors:

Councillors A Belben, Boxall, B Burgess, Irvine, Jaggard, Malik, P Smith and Sudan had been lobbied regarding application CR/2018/0433/FUL.

Councillor Fiveash had been lobbied regarding report PES/308: Objections to the Crawley Borough Council Tree Preservation Order - Yew Tree to Rear of 28 Church Street – 12/2018.

### **3. Minutes**

The minutes of the meeting of the Planning Committee held on 22 October 2018 were approved as a correct record and signed by the Chair.

### **4. Planning Application CR/2018/0343/FUL - 44 Albany Road, West Green, Crawley**

The Committee considered report PES/287(c) of the Head of Economy and Planning which proposed as follows:

Demolition of an existing bungalow and erection of 3 x 2.5 storey terraced houses with associated parking.

Councillors A Belben, Fiveash, Jaggard, P Smith, Sudan and Tarrant declared they had visited the site.

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

Mr David Street addressed the meeting in objection to the application, reflecting the concerns detailed in the report especially those relating to parking and overdevelopment. Mr Steve Wood (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 (HW) acknowledged that Albany Road suffered from some on-street parking and manoeuvring problems. He reminded the Committee that those parking issues were already in existence and it was not for the proposed development to address or solve existing parking and manoeuvring issues. The Committee was advised, when taking its decision, to consider whether the scheme would, in its own right, have a significant additional impact and the Committee had to consider the application that had been submitted.

#### **RESOLVED**

**Permit** subject to:

1. Completion of a Section 106 Agreement to secure a £10,000 contribution towards the off-site provision of affordable housing as set out in report PES/287(c).
2. The conditions and informatives set out in report PES/287(c).

### **5. Planning Application CR/2018/0433/FUL - Land of the Former White House Building and Adjacent Car Park Area, London Road, Langley Green, Crawley**

The Committee considered report PES/287(d) of the Head of Economy and Planning which proposed as follows:

Erection of a two storey building falling within use class B8 (storage or distribution) along with associated landscaping, ancillary first floor office area, parking and service area (amended description and amended plans received).

Councillor Jaggard, P Smith and Stone declared they had visited the site.

The Principal Planning Officer (VC) provided a verbal summation of the application. The Committee was advised that, following publication of the report, a statement had been received from West Sussex County Council as Local Highway Authority in response to the objection received from Metrus (occupiers of The Atrium). The statement supplied by the Local Highway Authority:

- Stated its awareness of the concerns raised by The Atrium in relation to the access arrangements.
- Stated that the access to the site is an existing access from the A23 which was already in use.
- Drew attention to the swept path analyses. Highways contended that although for larger vehicles there might be some encroachment over the centre line for certain movements, this was not considered to be an unacceptable highway safety risk warranting refusal.
- Commented that the internal layout was privately owned and that vehicles travelled at low speeds on the site. Highways considered that the issue of priority could be overcome by the use of 'give way' signs and lines on the application site. It was the Highways Authority's preference that on the internal private access route, vehicles leaving the application site give way to vehicles accessing and leaving the adjacent site (The Atrium).
- Referred to the National Planning Policy Framework which stated that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". WSCC Highways was of the opinion that there was no planning policy basis on which the application could be refused on transport grounds

In addition, WSCC Highways had provided an updated consultation response, confirming that they had no objection to the application, that the dropped kerb and tactile paving was required on both sides of the access, the internal access arrangements required signage and lines, this was a pre-existing access and so a Road Safety Audit was not required and that the parking arrangements were sufficient and met the standards.

The Principal Planning Officer advised the Committee that a revision was suggested to Condition 8 and that a new Condition 21 was proposed as follows:

Revised Condition 8

8. Notwithstanding the details shown on the proposed site plan numbered 002 Rev F, the development shall not be occupied until full details of the dropped kerbs and tactile paving to the north and south of the mouth of the access to London Road have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details prior to occupation and thereafter retained.

REASON: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy IN3 of the Crawley Borough Local Plan 2015-2030.

### New Condition 21

21. The development shall not be occupied until the vehicle priority arrangements between the development site and The Atrium to the north have been provided in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority.

REASON: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy IN3 of the Crawley Borough Local Plan 2015-2030.

A further objection had been received from The Atrium requesting that the application be withdrawn or conditions imposed restricting the size and number of vehicles to cars and vans only, raising concerns about the introduction of heavy goods vehicle movements on site and the risk to other vehicle users and pedestrians. The Atrium queried whether a Road Safety Audit had been undertaken, queried the number of HGV movements, referred to HGV parking and the need for the dropped kerbs on both sides of the access.

Ms Emma Andrews (on behalf of Metrus, the occupiers of The Atrium) addressed the meeting in objection reflecting the concerns outlined in the report and their further representation. Mr Aaron McCaffrey (the agent) addressed the Committee 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:

- Confirmed that the swept path analyses illustrated that there might be some encroachment over the centre line by heavy goods vehicles but the Committee was reminded that West Sussex County Council Highways had expressed the view that those manoeuvres were not considered to be an unacceptable highway risk and did not warrant a reason for refusal.
- The application, if permitted, would be subject to the conclusion of a Section 106 Agreement to secure financial funding. The request by a Committee member for those monies to be allocated to path improvements and connecting the site to the cycle network to the south could be requested and taken into account during negotiations.

### **RESOLVED**

**Permit** subject to:

1. Completion of a Section 106 Agreement to secure the financial contributions of £5,870 for the Manor Royal Public Realm Contribution set out in report PES/287(d).
2. The conditions and informatives set out in report PES/287(d), and the revised and additional condition above.

### **6. Planning Application CR/2018/0139/FUL - Town Hall, The Boulevard, Northgate**

The Committee considered report PES/287(b) of the Head of Economy and Planning which proposed as follows:

Erection of a District Energy Centre building and associated control room/store, underground pipe work route to provide heating and electricity to the buildings

included within the wider Town Hall Redevelopment Master Plan and other developments within Crawley Town Centre.

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

The Principal Planning Officer (HW) provided a verbal summation of the application. He also provided an explanation of how a district energy centre operates and the benefits of such a scheme.

Ms Lisa Da Silva (the agent) addressed the Committee in support of the application.

The Committee then considered the application and, in particular, raised concerns regarding air quality, noise levels and the proximity of the proposed flats to the proposed plant building. In response to the various planning issues and concerns raised by the Committee, the Principal Planning Officer:

- Advised that the scheme was predicted to save 213 tonnes of carbon per year if the Town Hall development, Kilnmead development and 11-13 The Boulevard were connected to the plant and that this figure would increase if other developments also connected.
- Confirmed that the capacity of the proposed plant could be expanded in the future should the need arise. Such expansion in capacity would not require the physical space of the plant to be increased.
- Clarified that current underground services and tree roots had been taken into account when planning the pipework for the proposed plant.
- Stated that the location of the thermal store was included in the plans.
- Confirmed that Environmental Health was satisfied that the noise produced by the proposed plant could be mitigated. Measurements from existing plants had been used to determine the expected level of noise and Environmental Health had advised that additional insulation could be provided if necessary. The Committee noted that it would only be possible to obtain exact noise levels once the plant had been built and a site specific noise survey had been completed.
- Confirmed that a limited number of flats would face the proposed plant, however those flats would already look towards the western and southern elevations of the significantly higher multi-storey car park. Officers did not consider that the proposal would significantly worsen the outlook from that which had been previously approved in the outline planning permission. The Committee also noted that any windows facing the proposal were likely to be secondary.
- Advised that the height of the flue had been increased at the request of Environmental Health, to address air quality issues associated with the former lower flue height. The Committee also noted that Selective Catalytic Reduction (SCR), which would abate the more harmful gases, was proposed and that air quality tests would be conducted once the proposal was in place.
- Clarified the different types of noise that could be emitted.
- Confirmed that, should any physical revisions to the scheme be required as a consequence of new Regulations coming into force in December 2018, any such changes to the scheme might need to be resolved through future planning applications.

## **RESOLVED**

**Permit** subject to conditions and informatives set out in report PES/287(b).

**7. Planning Application CR/2017/0519/FUL - The Imperial, Broadfield Barton, Broadfield, Crawley**

The Committee considered report PES/287(a) of the Head of Economy and Planning which proposed as follows:

Demolition of the existing public house and associated flats and the erection of a five storey mixed use development consisting of 7 x one bedroom and 12 x two bedroom flats, 1 x drinking establishment (A4 use) and 2 x retail units (A1 use), with lower ground floor parking (amended description and plans).

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

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

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

**RESOLVED**

**Permit** subject to the conditions set out in the earlier report (PES/240(d) which had been considered by the Planning Committee on 9 October 2017.

**8. Planning Application CR/2018/0557/FUL - 27 Crabbet Road, Three Bridges, Crawley**

The Committee considered report PES/287(e) of the Head of Economy and Planning which proposed as follows:

Erection of 2 no. one bedroom flats (amended plans received).

Councillor A Belben declared he had visited the site.

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

The Committee then considered the application and, following a query from a member of the Committee, the Principal Planning Officer acknowledged that the proposed front projection of the development protruded further forward than the neighbouring properties. However, the Committee was advised that the building line along the road was staggered to take account of the street's curvature, and that, whilst not ideal, officers were of the opinion that the proposal could not be refused on those grounds.

**RESOLVED**

**Permit** subject to:

1. The completion of a Section 106 Agreement to secure a financial contribution of £14,420 towards off-site provision of affordable housing as set out in report PES/287(e).
2. The conditions and informative set out in report PES/287(e).

**9. Objections to the CBC Tree Preservation Order - Yew Tree to rear of 28 Church Street - 12/2018**

The Principal Planning Officer (VC) introduced report PES/308 of the Head of Economy and Planning which sought to determine whether to confirm the Tree Preservation Order (TPO) with or without for continued protection or, not to confirm the TPO.

Councillor Fiveash declared he had visited the site.

Having considered the issues raised in the report, the Committee agreed to confirm the TPO without modification.

**RESOLVED**

**Confirm** the Tree Preservation Order Yew Tree to the Rear of 28 Church Street – 12/2018 without modification.

**Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.20 pm

**Chair**