

Crawley Borough Council

Minutes of Planning Committee

Tuesday, 20 March 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:

Roger Brownings	Democratic Services Officer
Kevin Carr	Legal Services Manager
Jean McPherson	Group Manager (Development Management)

1. Disclosures of Interest

The following disclosure of interest was made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor P C Smith	CR/2017/0880/FUL - First Choice House, London Road, Northgate, Crawley (Minute 4)	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District.

2. Lobbying Declarations

The following lobbying declaration was made by Members:-

Councillors Boxall, Crow, Irvine, Joyce, P C Smith and Thomas had been lobbied regarding application CR/2017/0880/FUL.

3. Minutes

The minutes of the meeting of the Committee held on 27 February 2018 were approved as a correct record and signed by the Chair, subject to the following matter:-

With regard to Minute 4 (Planning Application CR/2016/0972/FUL - 44 Goffs Park Road, (formerly Oakhurst Grange), Southgate, Crawley), Councillor Jaggard referred to text included in the eighth bullet point listed (at the top of page 71 of the minutes) which related to securing obscure glazing for some of the application's Block A

windows. In response to the Councillor's comments on this matter, it was agreed that Officers would speak to the associated Case Officer (who had presented the application to the Committee) to ensure that he would send an email response to the Councillor to further clarify the issues she had raised.

4. Planning Application CR/2017/0880/FUL - First Choice House, London Road, Northgate, Crawley

The Committee considered report PES/246 (a) of the Head of Economic and Environmental Services which proposed as follows:

Conversion of ground floor associated storage into 12 flats

Councillors Jaggard, P C Smith, Tarrant and Thomas declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application. In so doing the Group Manager referred to a letter recently received from the Agent (dated 15 March 2018). In response to issues raised in that letter, the Group Manager:-

- Indicated that an amended plan had now been received which addressed the layout of the 1 bedroom flat. With the revised layout replacing a bath with a shower, this now technically met the minimum nationally described space standards. As a result of this alteration, the amended Refusal reason 1 would read as follows:-
 1. The proposed development, by reason of the insufficient and poor quality proposed outdoor amenity space areas and the poor outlook from the proposed flats, would be severely detrimental to the amenities of future occupiers of the development. The proposed scheme is therefore contrary to Policies CH3 and CH5 of the Crawley Borough Local Plan 2015-2030 and the guidance set out in the Urban Design Supplementary Planning Document.
- Indicated that comments made on external amenity space were inaccurate. The existing flats did have access to the amenity areas shown on the plans. These areas were not landscaped, but were hard surfaced, had some chairs and washing lines and that these were being used. The only real change proposed was some planting. This would improve the amenity space's appearance, but not its area. As the report indicated, the areas available were limited for the total number of flats in the building, would be overshadowed, and were close to the vehicular access route, so were not suitable for children.
- Commented that the outlook from the flats would be slightly improved by virtue of the proposed planters but, particularly to the front and north, would still be poor - as explained in paras 5.8-5.11 of the report.
- The inconsistency in flat numbers, as referred to in the report, and further highlighted in the letter (with still no floor plans made available to establish exactly how many units were at the site), did not hinder the determination of this planning application.
- Considered that the site was unquestionably a very noisy location and this matter had been considered by the appeal Inspector at the Appeal Hearing in 2016 when an application relating to the same site for 12 flats had been

refused. The appeal was considered against the former Core Strategy and Local Plan. At the appeal the Environmental Health Department did concede that there could be a technical solution to the problem of noise, however, the information provided suggested that this could only be achieved by ensuring windows were fixed closed. The Local Planning Authority did not consider that this provided a suitable environment for future occupiers.

- Explained that furthermore, the Inspector considered that the noise issue in combination with the other issues to do with the design, such as internal space standards and poor communal living environment, would make the development unacceptable for future occupiers.
- Emphasised that, since the 2016 Appeal Hearing the Local Planning Authority had a new Local Plan with a detailed policy ENV11 which sought to protect the noise environment, and which had been updated to address the known health impacts from such an environment. The application proposal did not comply with this policy.
- Confirmed that between the application being considered at this meeting and the 2016 Hearing, there had been another application refused on noise grounds. The applicants did not appeal that refusal or provide any new information to address the refusal reason imposed by the Local Planning Authority. The noise issue was therefore still considered a valid refusal reason in this case.

Ms Julia Mitchell, the Agent, addressed the Committee in support of the application.

The Committee then considered the application. In response to issues raised, the Group Manager:-

- Indicated that the difference between the consideration of this application and that previously of an existing development (which had similarities in terms of ground floor flats located next to a main road), was that the Local Planning Authority now had a new Local Plan which focussed more on the noise impacts on health.
- Emphasised that the Council's Environmental Health Officer had raised very strong concerns about noise levels for this particular development as now proposed, and the severely harmful impact that these noise levels would have upon residents' health and wellbeing.
- Considered that with the front of the flats being close to the main road, without a street environment, and with existing accommodation above, the application could not be refused for security reasons.

In their further consideration of this application, Members felt that due to high noise levels, poor outlook, disturbance from vehicle movements and lack of acceptable outdoor amenity space, the proposal would provide residential accommodation incapable of meeting decent standards,

RESOLVED

Refuse, for the reasons listed in report PES/246 (a), and the amended reason 1. above.

5. Planning Application CR/2017/1019/TPO - Land adjacent to the Museum, The Tree, 103 High Street, Northgate, Crawley

The Committee considered report PES/246 (b) of the Head of Economic and Environmental Services which proposed as follows:

T16.6.9A - Horse Chestnut: remove for safety reasons

T16.6.9T2 - Horse Chestnut: reduce by up to 1.5m all round in accordance with BS3998 2010 and carry out resistance test every 18 months to monitor condition.

Councillors Jaggard and Tarrant declared they had visited the site.

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

The Committee then considered the application. In response to issues raised, the Group Manager:

- Confirmed that Condition 3 would be amended to clarify the size of the replacement tree as follows (the underlined text refers):-
 3. Within 12 months of the felling of the tree which shall include the removal of the stump and as much root material as practical, the owner of the land shall plant a Hornbeam tree, in the same location as the felled tree. The tree shall be not less than 25cm in girth (equating to approximately 4.5 - 5.5 metres in height) and conform to British Standard 3936: Nursery stock specification. In the event that the tree dies within five years following such planting, it shall be replaced with a similar tree in a similar position during the next planting season.
REASON: In the interests of the amenity of environment of the locality in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.
- Explained that as this was a Council application, it was required to be considered by the Committee.
- Explained that the two trees concerned were highlighted by stars on the TPO location plan (and bordered by a red line), whilst the 3rd tree indicated on the plan, which was not protected, was not part of the application.
- Emphasised that the Council's Amenity Services had undertaken a good deal of work to produce some convincing evidence that the trees were in decline.
- Indicated that Amenity Services did have a system for monitoring trees generally.
- Indicated that the replacement Hornbeam tree was more resistant to infection and was not susceptible to bacterial canker.

RESOLVED

Consent, subject to the Conditions set out in report PES/246 (b), and the updated Condition 3 above.

6. Planning Application CR/2018/0131/RG3 - The Barn, Tilgate Nature Centre, Tilgate Park, Crawley

The Committee considered report PES/246 (c) of the Head of Economic and Environmental Services which proposed as follows:

Erection of single storey side extension on southern elevation.

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

The Committee then considered the application.

RESOLVED

Permit, subject to the Conditions set out in report PES/246 (c).

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.10 pm

IT IRVINE
Chair