

Crawley Borough Council

Minutes of Planning Committee

Monday, 25 April 2022 at 7.00 pm

Councillors Present:

R D Burrett (Chair)

A Belben, I T Irvine, K L Jaggard, S Malik, M Mwagale, S Raja and P C Smith

Officers Present:

Siraj Choudhury	Head of Legal, Governance and HR
Jean McPherson	Group Manager (Development Management)
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Officer

Apologies for Absence:

Councillors Z Ali and S Buck

1. Disclosures of Interest

No disclosures of interests were made.

2. Lobbying Declarations

The following lobbying declarations were made by councillors:-

All councillors present had been lobbied regarding item 7, Objections to the Crawley Borough Council Tree Preservation Order – Ewhurst Place No.1 – 08/2021, but had not expressed views on the application in advance of the meeting.

3. Minutes

The minutes of the meeting of the Planning Committee held on 4 April 2022 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2021/0766/TPO - Rear of 10 Graveney Road, Maidenbower, Crawley

The Committee considered report [PES/382a](#) of the Head of Economy and Planning which proposed as follows:

9972 oak – removal of lower stem growth up to crown break (amended description).

Councillors A Belben and Burrett declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, which sought consent for minor works to the stem of a protected oak tree.

The Committee then considered the application. A Committee member highlighted that the report did not give details of any notifications sent to neighbours of the site regarding the proposed works to the tree. The Officer clarified that there was no legal requirement to directly notify site neighbours regarding works to trees which are the property of the Council – notification was given via a site notice.

RESOLVED

Consent subject to conditions set out in report PES/382a.

5. Planning Application CR/2021/0817/TPO - Land Parcel Adjacent to 6 Somerville Drive, Pound Hill, Crawley

The Committee considered report [PES/382b](#) of the Head of Economy and Planning which proposed as follows:

Oak 143552 – section fell.

Councillors A Belben and Burrett declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, which sought the felling of a protected oak tree which was infected with advanced bleeding canker and had suffered considerable loss of its crown.

The Committee then considered the application. It was recognised that a replacement oak tree was proposed to be planted at the site of the existing tree and this was recommended to be a nursery-size specimen. It was queried whether a larger and more mature specimen with higher amenity value could instead be selected – the Planning Officer explained that nursery specimens were selected for cost reasons, but a request could be made for a larger specimen.

In response to a query regarding the replacement tree, the Planning Officer confirmed that care of the tree would be the responsibility of Crawley Borough Council; it would be checked as part of routine inspections of Council-owned trees.

RESOLVED

Consent subject to conditions set out in report PES/382b.

6. **Objections to the Crawley Borough Council Tree Preservation Order - Ewhurst Place No.1 - 08/2021**

The Committee considered report [PES/400](#) of the Head of Economy and Planning which sought to determine whether to confirm the Tree Preservation Order (TPO) – Ewhurst Place No.1 – 08/2021 – with or without modification for continued protection, or not to confirm the TPO.

Councillors A Belben, Burrett, and P Smith declared they had visited the site. Councillor Jaggard was familiar with the site but had not visited it recently.

The Group Manager (Development Management) provided a verbal summation of the application, which related to two groups of trees on land between the formal grounds of Ewhurst Place and Ifield Drive in Ifield. The land was the subject of a planning application for residential development which was yet to be determined. In November 2021 the trees were protected under a six month provisional TPO, which the Committee was now requested to confirm with a modification to omit one of the two tree groups (group A2) from the TPO. This was due to group A2 lacking the same level of visual amenity as group A1, as well as the potential pressure of regular trimming and maintenance in the event that any future development were to take place at the site. The trees in group A1 were considered to have significant amenity value and provide an important screen between Ifield Drive and Ewhurst Place and protection was therefore sought.

The Chair called for the Committee to take a brief adjournment to examine documentation that had been sent by the landowners to Committee members prior to the meeting.

Trevor Harman, on behalf of the landowners, spoke in objection to the TPO. Matters raised included:

- The landowners had sought to work with the Local Planning Authority to bring forward a planning application for new homes at the same site, which proposed a new planting scheme. Confirmation of the TPO on the existing trees would hinder these proposals.
- Only one of the existing trees was considered arboriculturally important, and the arboricultural report showed that the life expectancy of the majority of the trees was approximately 10 to 20 years.
- The historic value of the trees was queried; archaeological surveys from the 16th century did not show trees in the same location.

The Committee then considered the application. The following matters were raised as part of the discussion:

- Life expectancy of the trees. A query was raised regarding the rationale behind protecting trees with limited life expectancy; it was explained that a TPO requires a tree to be replaced with a new specimen when the protected tree dies. TPOs therefore also secure the replenishment of trees in the future and any landscape feature they contribute to.
- The trees' categorisation and amenity value. Several Committee members commented that the trees in group A1 were not of especially high amenity value and therefore queried the need for their protection. The Planning Officer explained that the majority of the trees were of a lower category, but their value was in the tree group as a whole, which made a valuable visual contribution to the area.
- The link between the TPO confirmation and the planning application at the same site. It was clarified that the two matters were separate – if the

Committee was to confirm the TPO this would not prevent the planning application from being determined. If the application required the protected trees to be removed, a mitigation/replanting scheme would need to be considered as part of the application along with other relevant planning considerations. If a separate application to remove the protected trees was made (outside of a planning application for development), there would be a requirement for the TPO to first be modified and a new specimen replanted.

- It was clarified that confirming the TPO would protect the trees from being removed or damaged without consent; any future works to the trees would require consent from the Local Planning Authority.

It was requested by Councillor Irvine that a recorded vote be taken on the application. The names of the Committee members voting for, against, or abstaining were as follows:

For the recommendation to consent: Councillors A Belben, Burrett, Irvine, Jaggard, Malik, Mwangale, and Raja (7).

Against the recommendation to consent: Councillor P Smith (1).

Abstentions: None.

RESOLVED

Confirm, with modification to remove tree group A2 from the TPO.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.14 pm.

R D Burrett (Chair)