

## Crawley Borough Council

### Planning Committee

Agenda for the **Planning Committee** which will be held in **Ashurst Main Hall - The Charis Centre**, on **Monday, 25 April 2022** at **7.00 pm**

Nightline Telephone No. 07881 500 227



**Chief Executive**

**Membership:**  
Councillors

R D Burrett (Chair), S Buck (Vice-Chair), Z Ali, A Belben, I T Irvine,  
K L Jaggard, S Malik, M Mwagale, S Raja and P C Smith

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The order of business may change at the Chair's discretion

## Part A Business (Open to the Public)

	Ward	Pages
<b>1. Apologies for Absence</b>		
<b>2. Disclosures of Interest</b>		
In accordance with the Council's Code of Conduct, councillors are reminded that it is a requirement to declare interests where appropriate.		
<b>3. Lobbying Declarations</b>		
The Planning Code of Conduct requires that councillors who have been lobbied, received correspondence, or been approached by an interested party regarding any planning matter should declare this at the meeting which discusses the matter. Councillors should declare if they have been lobbied at this point in the meeting.		
<b>4. Minutes</b>		5 - 8
To approve as a correct record the minutes of the Planning Committee meeting held on 4 April 2022.		
<b>5. Planning Application CR/2021/0766/TPO - Rear of 10 Graveney Road, Maidenbower, Crawley</b>	Maidenbower	9 - 12
To consider report PES/382a of the Head of Economy and Planning.		
<b>RECOMMENDATION to CONSENT.</b>		
<b>6. Planning Application CR/2021/0817/TPO - Land Parcel Adjacent to 6 Somerville Drive, Pound Hill, Crawley</b>	Pound Hill North & Forge Wood	13 - 16
To consider report PES/382b of the Head of Economy and Planning.		
<b>RECOMMENDATION to CONSENT.</b>		

		<b>Pages</b>
<b>7.</b>	<b>Objections to the Crawley Borough Council Tree Preservation Order - Ewhurst Place No.1 - 08/2021</b>	Ifield 17 - 26
	To consider report PES/400 of the Head of Economy and Planning.  <b>RECOMMENDATION</b> to CONFIRM with modification.	
<b>8.</b>	<b>Supplemental Agenda</b>	
	Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.	

**With reference to planning applications, PLEASE NOTE:**  
Background Paper:- Crawley Borough Local Plan 2015-2030

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## Crawley Borough Council

### Minutes of Planning Committee

Monday, 4 April 2022 at 7.00 pm

#### Councillors Present:

R D Burrett (Chair)

S Buck (Vice-Chair)

Z Ali, A Belben, I T Irvine, K L Jaggard, S Malik, M Mwangale 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

Hamish Walke                              Principal Planning Officer

#### Apologies for Absence:

Councillor S Raja

#### Also in Attendance:

Councillor B J Burgess

### 1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Irvine	Planning Application CR/2021/0693/FUL – Hedley House, 225 Three Bridges Road, Three Bridges, Crawley (Minute 4)	Personal Interest – Cabinet Member for Housing

### 2. Lobbying Declarations

The following lobbying declarations were made by councillors:-

Councillor Burrett had received correspondence from a Ward Councillor for Three Bridges regarding application CR/2021/0693/FUL, but had not been directly lobbied and 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 8 March 2022 were approved as a correct record and signed by the Chair.

### 4. Planning Application CR/2021/0693/FUL - Hedley House, 225 Three Bridges Road, Three Bridges, Crawley

The Committee considered report [PES/381a](#) of the Head of Economy and Planning which proposed as follows:

Change of use from a six person house in multiple occupation (C4) to a hostel (sui generis) for six people to be managed by Crawley Homes.

Councillors Ali, Burrett, Jaggard, and P Smith declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application for a change of use, which related to a detached two storey, six bedroom house in Three Bridges. The Officer gave detail of the various relevant planning considerations as detailed in the report, which suggested that the proposed hostel would help meet Crawley's need for accommodation for homeless people and would not cause significant harm to neighbouring amenity.

Nikki Hargrave spoke on behalf of the applicant, Crawley Borough Council, in support of the application. Matters raised included:

- There was a growing need for accommodation for those finding themselves homeless; temporary accommodation such as nightly paid hotels were not a sustainable option. Multiple occupancy vacant properties were a good alternative.
- No change was to be made to the building itself nor to the number of occupants. The application sought only a change of use.
- The proposed hostel would be managed by the Council's Hostels Team, who would carry out welfare visits and weekly health and safety checks.

Brenda Burgess, Ward Councillor for Three Bridges, spoke on behalf of residents in objection to the application. Matters raised included:

- Neighbours of the site had described anti-social behaviour at the property under its current use, and had raised concerns that this could be exacerbated under the proposed new use.
- Clarity was sought over the number of occupants housed in each room.
- It was important to neighbours of the site that the property be regularly monitored by the applicant.

The Committee then considered the application. Following a query regarding the possible provision of a seventh bedroom within the property, the Planning Officer highlighted the importance of a large communal space for tenants to use for dining, relaxing, and socialising with one another. The Committee noted that the design of the house lent itself to six individuals sharing communal facilities rather than multiple family units with in-room amenities. It was confirmed that the property was proposed to be used by six people and that this was to be controlled by a condition; if approved, the number of occupants would not be able to be changed without the Local Planning Authority varying that condition. Tenants were not to be allocated a fixed term of residency at the dwelling, but were to be able to stay indefinitely. It was noted that the proposal sought to prevent homelessness.

It was recognised that the management of the proposed hostel by Crawley Borough Council would allow the property to be monitored and any issues addressed more easily and efficiently than under the current use.

The Planning Officer confirmed that no physical changes to the building were proposed as part of this application. Any future changes would require a separate planning application.

## **RESOLVED**

Permit subject to conditions set out in report PES/381a.

### **5. Planning Application CR/2022/0008/FUL - 45 Shaws Road, Northgate, Crawley**

The Committee considered report [PES/381b](#) of the Head of Economy and Planning which proposed as follows:

Erection of single storey side extension with pitched roof.

Councillors Ali, Burrett, and Jaggard declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, which sought permission for the addition of a bedroom and en-suite bathroom to an end-of-terrace house in Northgate. The Officer gave detail of the various relevant planning considerations as detailed in the report, which concluded that the proposed extension was in keeping with the character of the dwelling and was not considered to have a harmful impact on neighbouring properties.

The Committee then considered the application. The proposal's impact on car parking provision was discussed – it was recognised that two off-street parking spaces were proposed to be created on the existing hardstanding along the front of the house (an increase of one compared to the current off-street provision). A query was raised as to whether the space was sufficient for two cars due to the adjacent fence and the steps at the dwelling's front door. The Officer clarified that the fence was to be removed and the resulting space of approximately 11m x 3m was considered sufficient for two cars; standard parking spaces were 4.8m x 2.4m.

In response to a query from a Committee member, it was confirmed that the grassed area of land adjacent to the dwelling (edged in blue on the location plan) was within the applicant's control but was not considered to be within the boundary of domestic curtilage of the property and so functioned as amenity space.

## **RESOLVED**

Permit subject to conditions set out in report PES/381b.

### **Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 7.48 pm.

**R D Burrett (Chair)**

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# Agenda Item 5

**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 25 April 2022  
REPORT NO: PES/382(a)

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**REFERENCE NO: CR/2021/0766/TPO**

**LOCATION:** [REAR OF 10 GRAVENEY ROAD, MAIDENBOWER, CRAWLEY](#)  
**WARD:** Maidenbower  
**PROPOSAL:** 9972 OAK - REMOVAL OF LOWER STEM GROWTH UP TO CROWN BREAK  
(AMENDED DESCRIPTION)

**TARGET DECISION DATE:** 14 December 2021

**CASE OFFICER:** Mr R. Spurrell

**APPLICANT'S NAME:** Crawley Borough Council  
**AGENT'S NAME:**

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## **PLANS & DRAWINGS CONSIDERED:-**

Drawing Number	Revision	Drawing Title
168400		Tree Plan

## **REASON FOR REPORTING TO COMMITTEE:-**

Crawley Borough Council is the applicant.

## **PLANNING HISTORY:-**

- 1.1 The tree is protected by the Maidenbower Number 1 Tree Preservation Order 1990 (P 16.15.09), tree number T2 – oak.

## **PLANNING POLICY:-**

- 2.1 This application must be considered in the context of Part VIII of the Town and Country Planning Act 1990 and The Town and Country Planning (Tree Preservation) (England) Regulation 2012.
- 2.2 National Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas.
- 2.3 The Council's Green Infrastructure Supplementary Planning Document (2016) is a non-statutory document.

## **PLANNING CONSIDERATIONS:-**

- 3.1 The determining issues in this application are the effect of the proposal on the health, character and appearance of the tree and the level of amenity that it provides within the surrounding area.
- 3.2 The tree is located on Maidenbower Lane, adjacent to the rear boundary of 10 Graveney Road.

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Contribution to public visual amenity                      Good – the tree is part of a line of trees that runs along Maidenbower Lane from Mayes Close northwards and is important for its amenity value for the users of right of way and to screen the rear gardens of the adjoining houses to the east.

Estimated remaining contribution                              100+ years

Are works justified?    Yes

3.3      The tree has some low epicormic growth on the stem which is encroaching into the garden of 10 Graveney Road. The works proposed (removing lower stem growth) are very minor and are considered to have little to no impact on the health or amenity of the tree. The works would improve light levels and reduce the sense of encroachment into the relatively small garden of 10 Graveney Road.

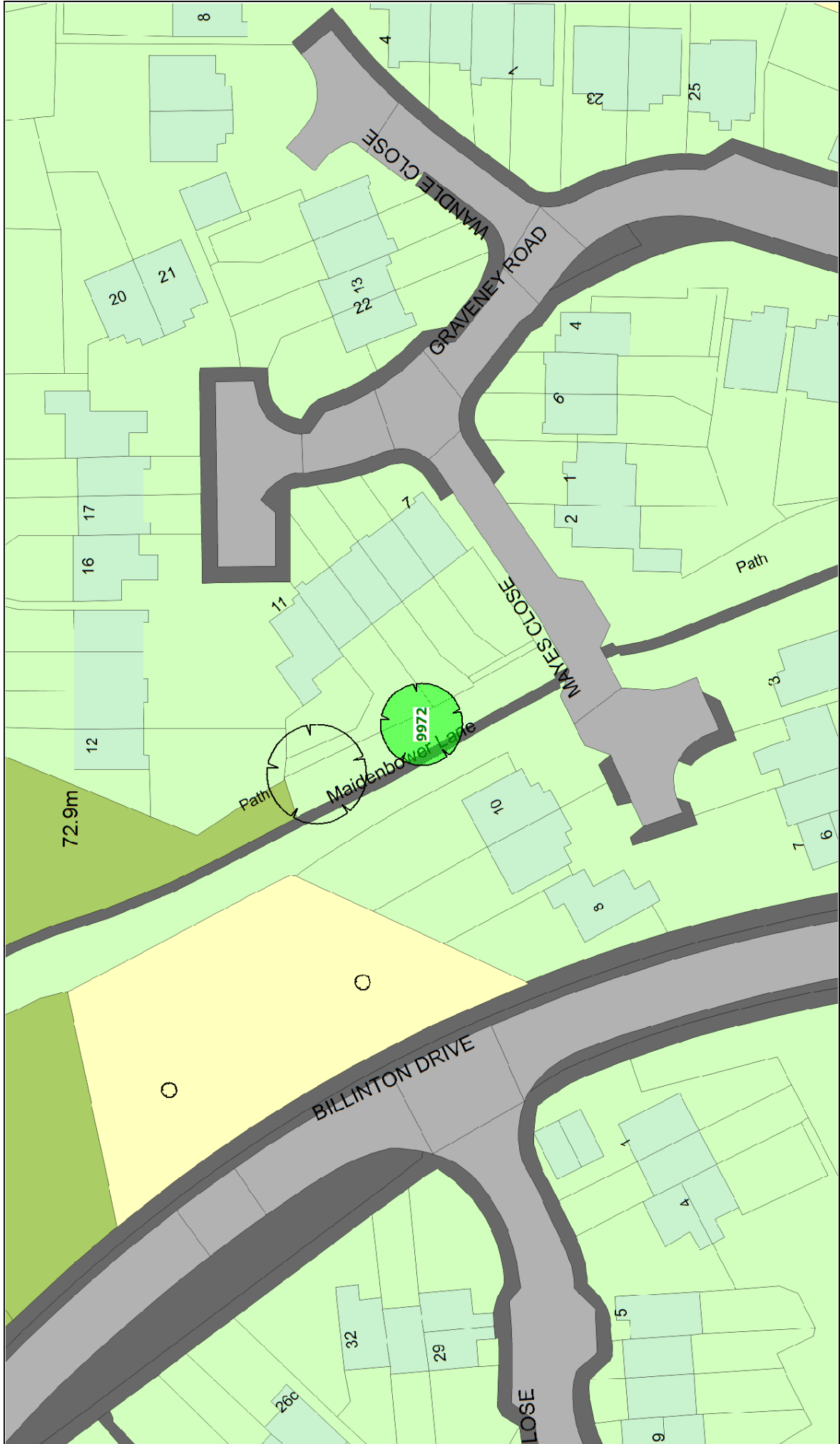
3.4      The proposed works are considered justified.

## **RECOMMENDATION RE: CR/2021/0766/TPO:-**

CONSENT - Subject to the following condition(s):-

1.      This consent is valid for a period of two years from the date of this notice and shall only be carried out once.  
REASON: To enable the Local Planning Authority to control the works in the interests of good tree management in accordance with Regulation 17 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2.      All works should be carried out in accordance with BS3998: 2010 'Tree Work Recommendations'.  
REASON: In the interests of visual amenity and to ensure the continuing health of the tree(s) in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.

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# Agenda Item 6

**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 25 April 2022  
REPORT NO: PES/382(b)

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**REFERENCE NO: CR/2021/0817/TPO**

**LOCATION:** [LAND PARCEL ADJACENT TO 6 SOMERVILLE DRIVE, POUND HILL, CRAWLEY](#)  
**WARD:** Pound Hill North & Forge Wood  
**PROPOSAL:** OAK 143552 - SECTION FELL

**TARGET DECISION DATE:** 3 January 2022

**CASE OFFICER:** Mr R. Spurrell

**APPLICANT'S NAME:** Crawley Borough Council  
**AGENT'S NAME:**

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## **PLANS & DRAWINGS CONSIDERED:-**

<b>Drawing Number</b>	<b>Revision</b>	<b>Drawing Title</b>
CBC0001		TPO - Oak - Land Parcel Adjacent 6 Somerville Drive- Planning report.pdf

## **REASON FOR REPORTING TO COMMITTEE:-**

Crawley Borough Council is the applicant.

## **PLANNING HISTORY:-**

- 1.1 CR/2014/0606/TPO - T174 (OAK) - CROWN REDUCE BY NO MORE THAN 2M OF CURRENT BRANCH LENGTH, T173 (OAK) - CROWN REDUCE BY NO MORE THAN 1.5M OF CURRENT BRANCH LENGTH

## **PLANNING POLICY:-**

- 2.1 TPO REF: 16.07.04, TPO NUM: T171
- 2.2 This application must be considered in the context of Part VIII of the Town and Country Planning Act 1990 and The Town and Country Planning (Tree Preservation) (England) Regulation 2012.
- 2.3 National Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas.
- 2.4 The Council's Green Infrastructure Supplementary Planning Document (2016) is a non-statutory document.

## **PLANNING CONSIDERATIONS:-**

- 3.1 The determining issues in this application are the effect of the proposal on the health, character and appearance of the tree and the level of amenity that it provides within the surrounding area.

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## 3.2 OAK 143552 - SECTION FELL

Contribution to public visual amenity with 90% of the crown dead                      Limited – the tree is moribund and in severe decline

Estimated remaining contribution                      0 yrs

Are works justified?                      Yes

3.3 The tree is located on Crawley Borough Council owned amenity land adjacent to 6 Somerville Drive. The tree is infected with advanced bleeding canker which has resulted in approximately 90% of the crown dying. Bleeding canker effects the sapwood of the tree resulting in crown death – when advanced, as in this case, it can affect enough of the stem to impact and kill the entire crown. It is likely that other stressors have contributed. It is therefore considered that the tree requires removal for safety reasons.

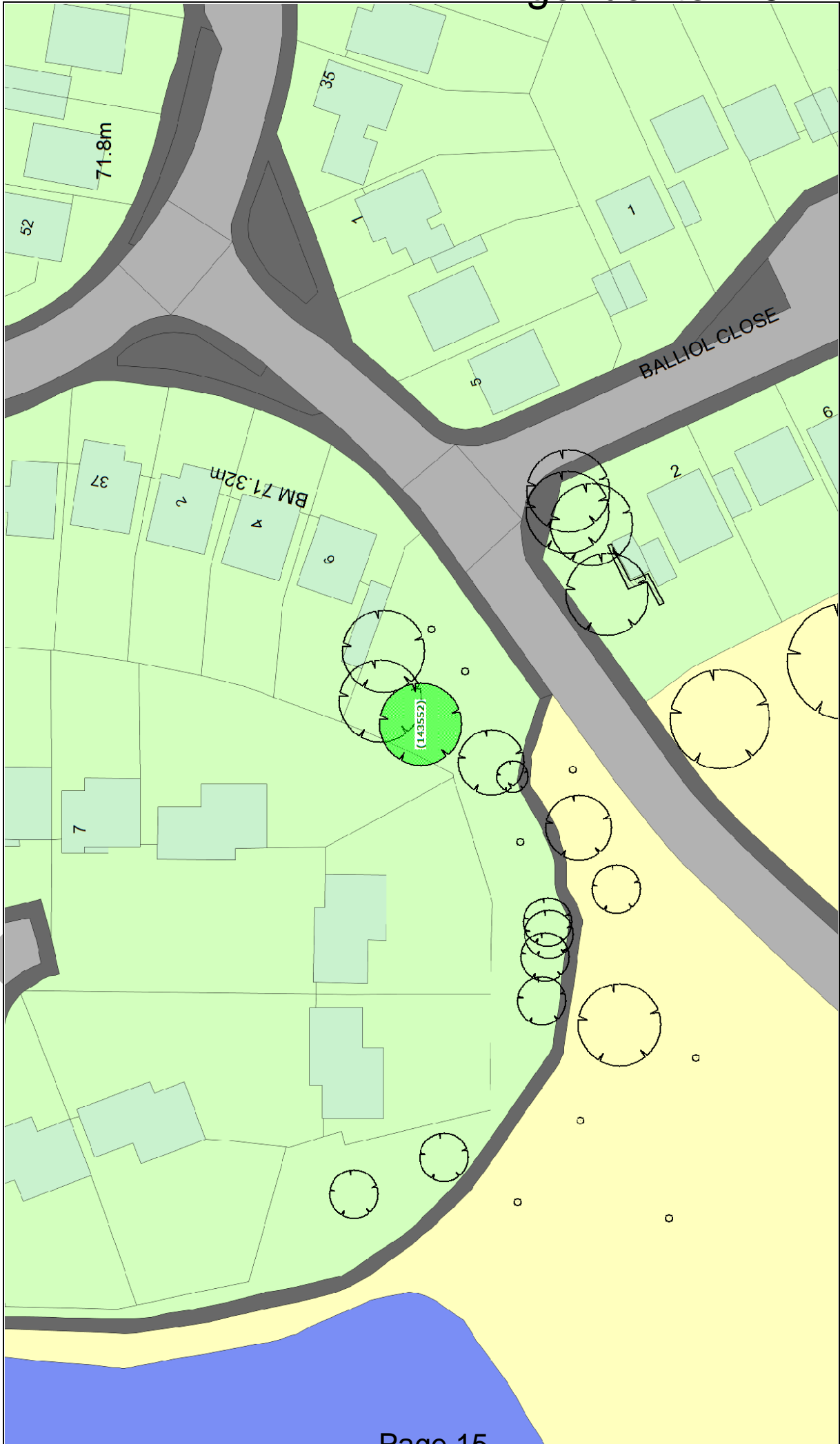
3.4 The tree should be replaced with another oak tree in a similar location. The chances of the replacement tree becoming infected with bleeding canker are negligible and the replacement can therefore be planted close by. Due to the space available it will not be necessary to grind out the stump and replace in exactly the same position, rather the replacement tree can be planted further forward, towards the middle of the land as there is plenty of space available.

### **RECOMMENDATION RE: CR/2021/0817/TPO:-**

CONSENT - Subject to the following condition(s):-

1. This consent is valid for a period of two years from the date of this notice and shall only be carried out once.  
REASON: To enable the Local Planning Authority to control the works in the interests of good tree management in accordance with Regulation 17 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. All works should be carried out in accordance with BS3998: 2010 'Tree Work Recommendations'.  
REASON: In the interests of visual amenity and to ensure the continuing health of the tree(s) in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.
3. Within 12 months of the felling of the tree, the owner of the land shall plant an Oak tree, in a location as close to the felled tree as practical and within the land adjacent to 6 Somerville Drive. The tree shall be not less than nursery standard size and conform to British Standard 39036: 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.

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# Agenda Item 7

## Crawley Borough Council

Report to Planning Committee  
25 April 2022

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

Report of the Head of Economy and Planning – *PES/400*

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#### 1. Purpose

- 1.1 This report presents the Ewhurst Place No. 1 - 08/2021 Tree Preservation Order. The Committee is requested to consider the objections received and determine whether to confirm the Tree Preservation Order with or without modification to continue protection, or not to confirm the Tree Preservation Order.

#### 2. Recommendation

- 2.1 It is recommended that the Committee CONFIRMS the Tree Preservation Order Ewhurst Place No. 1 - 08/2021 with modification. The modification is to omit A2.

#### 3. Reasons for the Recommendation

- 3.1 The trees are considered to have good landscape amenity value in the area.  
The trees provide an important visual screen.  
The trees are clearly visible from the public view points.  
The trees have historic value in their setting.

#### 4. Background

- 4.1 The Tree Preservation Order (TPO) was served in response to the planning application for the erection of 4 x three bedroom semi-detached dwellings with surrounding landscaping on land to the front of Ewhurst Place, Ifield Drive, Ifield (ref: CR/2021/0571/FUL). Ewhurst Place is a Grade II\* listed building and a scheduled monument located off Ifield Drive in Ifield. There is also a Grade II listed bridge on site. The proposed development site of approximately 970m<sup>2</sup> currently forms part of the curtilage of Ewhurst Place and is an area of undeveloped land adjacent to Ifield Drive to the front/south of Ewhurst Place.
- 4.2 The trees that are the subject of this TPO are identified in two areas. Those in area A1 are a mixed group of numerous trees that run along the northern boundary of the proposed development site and provide a partial screen which allows glimpses of Ewhurst Place when viewed from Ifield Drive. The trees that form A1 make up part of a larger belt of trees that continues around the boundary of Ewhurst Place. This wider belt of trees is very important as a screen between the areas of newer development (those of Ifield Drive, Ardingly Close and Climping Road) and Ewhurst Place and provides a backdrop to the 'new town' development in the area. A belt of trees around the boundary can be identified on aerial photos from 1947 and it is therefore considered to have some historic value in regard to the setting of Ewhurst Place. Area A2 consists of a line of conifers that run along the eastern boundary of the proposed development site with 14 Ifield Drive. These trees offer some screening value from the site however they are considered to be of relatively low quality and provide little amenity to the wider area. It is therefore proposed to omit area A2 from the TPO and confirm it with this modification.

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- 4.3 If the development was to be undertaken the trees would be proposed to be removed to accommodate the gardens, and they would be replaced with regimented lines of trees such as jaquemont birch and magnolia that it is considered would be completely out of character in this setting. A site visit has been undertaken to assess the trees and it is considered that the trees are of high amenity value as a group. It was therefore decided to protect the trees in order to ensure their protection going forward and to allow the Local Planning Authority control over any works to them that may be proposed.
- 4.4 The provisional TPO was made on 26<sup>th</sup> November 2021 and remains provisionally in force for a period of six months, until 26<sup>th</sup> May 2022. If the TPO is confirmed, the protection becomes permanent. If the TPO is not confirmed it ceases to have effect.
- 4.5 It is considered that these trees make an important contribution the green amenity of the area and their loss would have a detrimental impact on amenity. The serving of the TPO on these trees seeks to prevent this.

## 5. Notification/Consultation/Representation

- 5.1 A Council must, as soon as practicable after making a TPO and before it is confirmed, serve a copy of the order and a prescribed notice on persons interested in the land affected by the TPO. The Council therefore served a copy of the provisional TPO and notice on all the owners/occupiers of the land and other interested parties as set out below.

Owners and occupiers of the land:

- Ewhurst Place, Ifield Drive, Ifield, Crawley, RH11 0AD
- The owner/occupier, Dower Cottage, Ifield Drive, Ifield, Crawley, West Sussex, RH11 0AD

Owners and occupiers of adjoining land affected by the TPO:

- Location RH10 Ltd, St James House, 46 High Street, Old Amersham, HP7 0DJ
- MAJ Architects, Andreas, Mill Lane, Felbridge, East Grinstead, RH19 2PE
- The owner/occupier, 14 Ifield Drive, Ifield, Crawley, RH11 0AE
- The owner/occupier, 32 Ifield Drive, Ifield, Crawley, RH11 0AE

- 5.2 The Council is required to consider any objections or representations made within 28 days of the date of the TPO. The notification period for objections ended on 31<sup>st</sup> December 2021. Confirmation of the TPO is required within six months of the date upon which it was provisionally made.
- 5.3 One representation has been received from the owners of Ewhurst Place objecting to the TPO. The full objection letter is provided with this report at Appendix A. A summary of the objections is set out below.

Visual Amenity/Landscape and Screen Value:

- *Any applicable planting in [A1] is not accessible to the public and was planted by our late mother to provide privacy for our family when using the swimming pool.*
- *The [replacement] planting that will be in place [will continue] to provide this privacy from the development and will progressively enhance the attractiveness of the area over time.*
- *We fail to understand how leylandii could possibly be classified as having landscaping amenity value. Leylandii are not of any specific interest or importance and we believe that leylandii are often considered to be a nuisance rather than have landscaping amenity value of any kind.*
- *Over the years we have needed to restrict the height [of A2] so as not to block the light to the neighbouring house.*
- *The leylandii are too close to the fence/boundary and exhibit signs of ill health which makes them both a nuisance and a risk to our neighbour's property. The landscaping plan provided with the planning application shows the much more suitable planting that is intended. The landscaping scheme will enhance the attractiveness of the area, not detract from it.*

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- *The proposed tree loss does not contravene Policy CH3 of the Crawley Borough Council Local Plan.*
- *Replacement tree planting will mitigate the impact of the proposed removals and progressively enhance the attractiveness of the area over time and so comply with the general thrust of Policy CH6 of the Local Plan.*

## Historic Value:

- *We fail to understand what evidence you used to apply this classification to the designated areas. The planting in this area was done by our late mother in the late 1990s/early 2000s. There is no significant age to anything planted in this area and there is no historical significance attached to the planting or its relation to Ewhurst Place.*

## **6. Amenity Value/Assessment**

- 6.1 Trees do not need to be accessible to the public in order to provide visual amenity. The trees are clearly visible to public from Ifield Drive and as such provide significant visual amenity in the area. The trees in area A1 have good cohesive strength as a group and are considered to be attractive and visually important despite each tree being of unremarkable quality individually. A1's group value is greater than the sum of its parts.
- 6.2 It is considered that the proposed replacement planting would be inadequate to offset the loss of the existing trees. The species choice is poor and inappropriate and is not in keeping with the character of the area and it would not be sufficient to match or exceed the current level of amenity currently being provided by the trees in A1.
- 6.3 It is accepted that the leylandii that make up area A2 are of low quality and contribute little to the visual amenity of the area and for this reason it is recommended that A2 should be omitted from the TPO should it be confirmed.
- 6.4 With regard to the objector's comments that the proposals would comply with Local Plan policy CH3, consideration needs to be given to paragraph 3.5 of the Green Infrastructure SPD, which provides detailed guidance in regard to the application of this policy in relation to trees. It states that *"trees of moderate to low value should not automatically be considered for removal as they may play a useful role in site screening or as an important habitat feature"*. It is considered that the existing trees within A1, due to their group screening value and their contribution as a wildlife and habitat feature, would have considerably higher value than what could be provided by the proposed planting scheme. The loss of the trees is therefore considered to conflict with policy CH3 of the Local Plan.
- 6.5 With regard to the objector's comments in regard to Local Plan Policy CH6, paragraph 3.7 of the Green infrastructure SPD states that *"tree planting and replacement standards requires landscape proposals to include at least one new tree for each new dwelling, of an appropriate species. This is to contribute to the appearance of the town"*. The tree species proposed in the landscaping plan are considered inappropriate; they are not in keeping with the character of the area and will not enhance the green amenity or character of the town. It is considered that the replanting scheme would be inferior to the existing tree screen due to the poor and inappropriate species choice as well as the formal and regimented layout with several trees of the same species planted in rows. Policy CH6 also requires that the replacement planting replaces the loss of biodiversity provided by the existing tree stock. The proposed replanting scheme does not do this and would not replace the kind of biodiversity provided by an established naturalised tree group as is currently seen in A1.
- 6.6 Notwithstanding the current trees in A1 may have been planted more recently, aerial photos dating back to 1947 and earlier maps indicate that there have been trees at A1, and indeed as a belt around Ewhurst Place, and have provided amenity for a significant period of time.

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## 7. Implications

### *Human Rights Act 1998*

- 7.1 The referral of this matter to the Planning Committee is in accordance with Article 6 of the Human Rights Act 1998, the right to a fair hearing, which is an absolute right. Those persons who made representations in objection to the TPO are entitled to attend the Planning Committee meeting and to make any further verbal representations at the meeting. The Planning Committee must give full consideration to any such representations.

### *Article 8 and Article 1 of the First Protocol*

- 7.2 The right to respect for private/family life and the protection of property – also needs to be considered. These are qualified rights and can only be interfered with in accordance with the law and if necessary to control the use of property in accordance with the law and if necessary to control the use of property in accordance with the general interest.

### *Planning legislation*

- 7.3 The law relevant to the protection of trees is set out in Part VIII of the Town and Country Planning Act 1990 as amended and the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

## 8. Background Papers

- 8.1 The Crawley Borough Council Tree Preservation Order Ewhurst Place No. 1 - 08/2021

Contact Officer: Russell Spurrell  
Direct Line: 01293 438033  
Email: [russell.spurrell@crawley.gov.uk](mailto:russell.spurrell@crawley.gov.uk)

# Agenda Item 7

## SCHEDULE

### SPECIFICATION OF TREES

#### Trees Specified Individually (circled in black on the map)

Reference on Map	Description	Situation
NONE		

#### Groups of Trees (within a broken black line on the map)

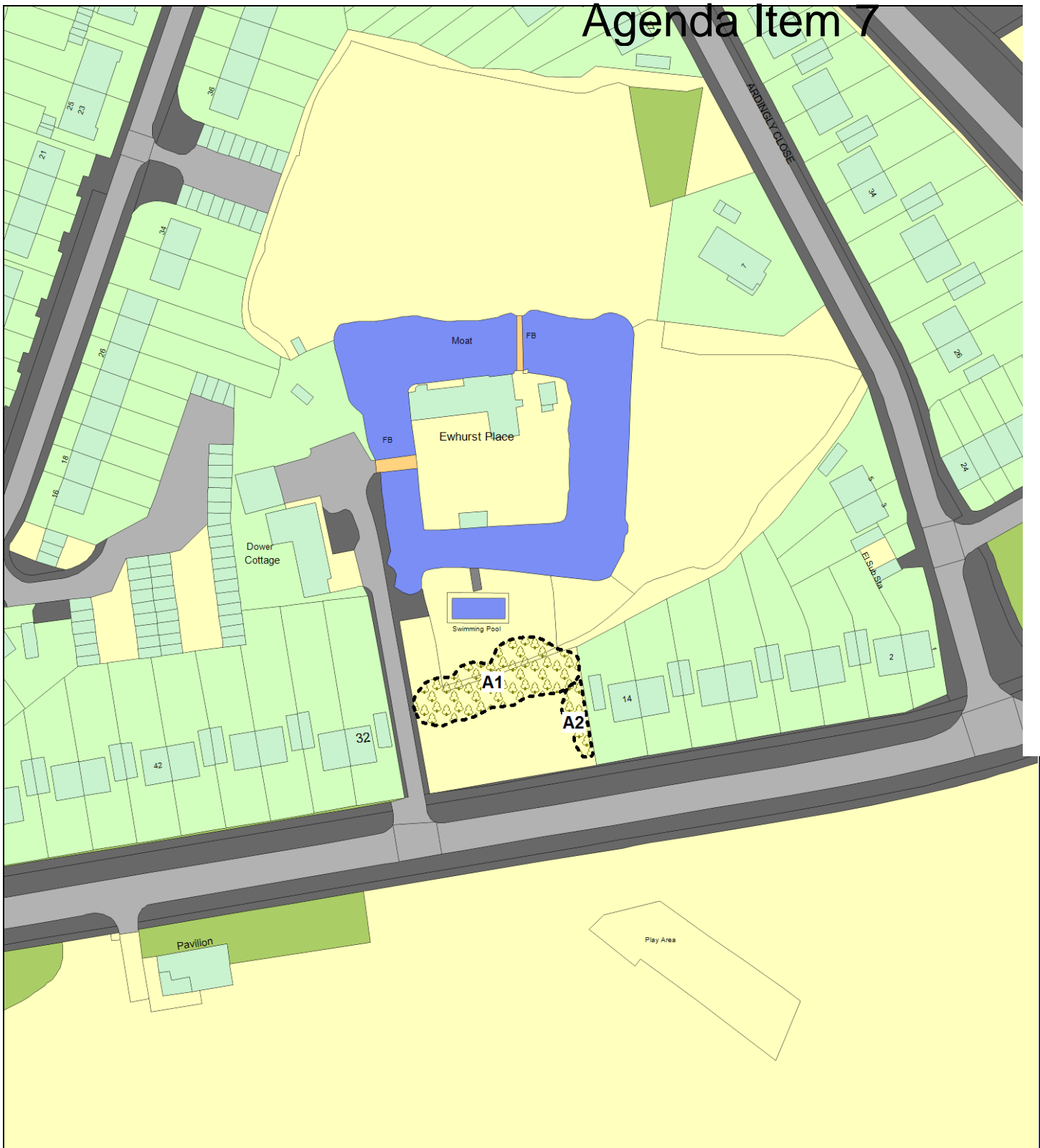
Reference on Map	Description	Situation
NONE		

#### Woodlands (within a continuous black line on the map)

Reference on Map	Description	Situation
NONE		

#### Reference to an Area (within a dotted black line on the map)

Reference on Map	Description	Situation
A1	The numerous trees of whatever species standing within the area bounded by the dotted black line.	Grid Ref: TQ-25870-37457
A2	The numerous trees of whatever species standing within the area bounded by the dotted black line.	Grid Ref: TQ-25888-37447



Ewhurst Place Playing Field

**Tree Preservation Order No 08/2021**

**Ewhurst Place No. 1**

**Clem Smith**

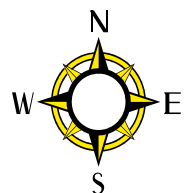
**Head of Economy and Planning Services**

*The scale shown is approximate and should not be used for accurate measurement.*

Scale 1:1250

Date 05/04/2022

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Ewhurst Place  
Ifield Drive  
Crawley  
Sussex  
RH11 0AD

Mr R Spurrell  
Tree Officer  
Development Control  
Crawley Borough Council  
Town Hall  
The Boulevard  
Crawley  
RH10 1UZ

Your Ref: 08/2021

9<sup>th</sup> December 2021

Dear Mr Spurrell,

**Re: The Crawley Borough Order Ewhurst Place No. 1**  
**Dated: 25th November 2021**

As the executors of the estate of [REDACTED] we formally object to the Provisional Tree Preservation Order served on Ewhurst Place, Dated 25 November 2021. Four points describe why the TPO has been served. We object to all reasons specified.

In May 2021, a preliminary ecological appraisal was conducted by PJC Consultants Ltd on behalf of Location RH10 Ltd for the parcel of land which contains the 2 designated areas of the TPO. The report was produced in accordance with NPPF – more specifically Chapter 15 'Conserving and Enhancing the Natural Environment' as well as the Crawley Borough Local Plan 2015-2030 (Crawley Borough Council, 2015).

Also In May 2021, an Arboriculture Impact Assessment was conducted by County Tree Surgeons Ltd in line with the recommendations set out in British Standard B55837-2012 "Trees in relation to design, demolition and construction - Recommendations"

Both, PJC Consultants report on their ecological appraisal and County Tree Surgeons report were submitted to Crawley Borough Council as part of the planning application for the site.

The 2 designated areas in the TPO are described in the ecological appraisal as follows, (we have inserted your reference to clarify how the appraisal applies to the TPO):

Your Ref A1

A1.a. Scattered scrub supporting solely bramble *Rubus Fruticosus* agg. was located along the Site's northern aspect

A1.b. Broadleaved scattered trees were located along the northern and eastern boundaries of the Site and included elm *litmus Procera*, holly *ilex Aquifolium*, bay laurel *Laurus Nobilis* and yew *Taxus Baccata*.

Your Ref A2

A2.a. Coniferous scattered trees were located at the Site's northern and eastern aspects and included solely Leyland cypress Cupressus x Leylandii.

A2.b. Introduced shrub was located at the Site's south-eastern aspect and included the following species, snowberry Symphoricarpos sp. and English ivy Hedera Helix.

The Arboriculture Impact Assessment provides a very detailed description of all the trees in the area. Additionally, there is an important summary which highlights that the principal arboricultural feature of the site is to be retained. The trees listed for removal are all category C1 and will not result in the loss of attractive or important features which make a positive contribution to the area.

The Arboriculture Impact Assessment also reaffirms on page 6 that *'with the exception of the off-site Monterey Pine (No3), which makes some contribution to the skyline in long-ranging views across Ewhurst Playing Field to the south of the site, the size, quality and prominence of the existing tree stock are unlikely to meet the criteria of Paragraph 007 of the current government guidance on the making of a TPO'*. The report by CTS goes on to outline Paragraph 007 as follows: *'Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order they should be able to show that protection would bring a reasonable degree of public benefit in the present or future'*.

With reference to the 4 specific points of the provisional TPO

## 1. Good landscape amenity value in the surrounding area

Your Ref A1; Any applicable planting in this area is not accessible to the public and was planted by our late mother to provide privacy for our family when using the swimming pool.

Your Ref A2; We fail to understand how Leylandii could possibly be classified as having landscaping amenity value. The Leylandii were planted as hedging by our late Mother. Over the years we have needed to restrict the height so as not to block the light to the neighbouring house (No. 14 ifield Drive). Leylandii are not of any specific interest or importance and we believe that Leylandii are often considered to be a nuisance rather than have landscaping amenity value of any kind. They should not be subject to a TPO.

The Leylandii are too close to the fence/boundary line and exhibit signs of ill health which makes them both a nuisance and a risk to our neighbour's property.

The landscaping plan provided with the planning application shows the much more suitable planting that is intended to replace the Leylandii. The planting scheme will enhance the attractiveness of the area, not detract from it.

## 2. Important visible screen between future properties

Your Ref A1; The elm, holly, laurel and yew hedging in this area were planted by our late mother to provide our family with some degree of privacy from the road when using our swimming pool.

The Arboriculture Impact Assessment and the landscaping plan for the development that was provided with the planning application shows the planting that will be in place to continue to provide this privacy from the development and will progressively enhance the attractiveness of the area over time. The Arboriculture Impact Assessment describes this in detail.



3. Clearly visible from the Public Highway.

There is a 1.56m high, close boarded fence that is the border between the field and the pavement in Ifield Drive. The pavements on either side of the road are at differing heights and the road is at a much lower level than either pavement.

The use of the term "clearly visible" is subjective and dependent on location and/or method of transport. However, as stated in the arboricultural impact assessment:

- a. The proposed tree loss does not contravene Policy CH3 of the Crawley Borough Council Local Plan 2015-2030.
- b. Replacement tree planting will mitigate the impact of the proposed removals and progressively enhance the attractiveness of the area over time, and so comply with the general thrust of Policy CH6 of the Crawley Borough Council Local Plan 2015-2030.
- c. None of the retained trees require pruning, there will be no adverse impact on the character or appearance of the site as a result of the proposals. Therefore, the proposals comply with Policy CH3 of the Crawley Borough Council Local Plan 2015-2030 in this regard.

4. Historic value in their setting.

We fail to understand what evidence you used to apply this classification to the designated areas. The planting in this area was done by our late mother in the late 1990s/early 2000s. There is no significant age to anything planted in this area and there is no historical significance attached to the planting or its relation to Ewhurst Place in general as it is a modern addition.

The landscaping plan for the development which was submitted with the planning application clearly shows how a much improved planting scheme will provide screening between our property and the development and additionally enhance the attractiveness.

In summary, we object to the TPO becoming permanent as no evidence has been provided to substantiate the claims made in the classifications.

Any concerns, that may exist regarding changing or removing existing planting do not appear to have taken into account the Arboriculture Impact Assessment report or the landscaping planting scheme that was submitted with the planning application. This should have been taken into consideration prior to serving the TPO. The landscaping scheme is very sympathetic to the surroundings, enhances the attractiveness of the site and provides any necessary screening between properties.

We are also extremely concerned that you find it necessary to impose a TPO order on land that has been successfully and responsibly managed by the same family for 75 years. We have taken great care in selecting the developer for this site and at all times ensured that the works will result in enhanced attractiveness of the area.

We are more concerned that no consultation or site visit, at least not one with our knowledge or consent has taken place prior to the issue of this order and that all of the submitted expert reports appeared to have been ignored.

Please ensure that all future communications are addressed to me [REDACTED] and not [REDACTED] as this causes unnecessary distress.

We look forward to hearing your response to our objection in due course.

Yours sincerely

[REDACTED]

[REDACTED]