

## Crawley Borough Council

### Minutes of Planning Committee

Tuesday, 8 March 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, S Raja and P C Smith

#### Officers Present:

Siraj Choudhury                      Head of Legal, Governance and HR

Marc Robinson                      Principal Planning Officer

Jess Tamplin                      Democratic Services Support Officer

Hamish Walke                      Principal Planning Officer

#### Absent:

Councillor M Mwangale

### 1. Disclosures of Interest

The following disclosures of interests were made:

<b>Councillor</b>	<b>Item and Minute</b>	<b>Type and Nature of Disclosure</b>
Councillor Jaggard	Objections to the Crawley Borough Council Tree Preservation Order – 6 Wilson Close – 07/2021 (Minute 4)	Personal Interest – had correspondence with interested parties and had previously expressed an opinion on the matter.  Councillor Jaggard left the room for this item.

### 2. Lobbying Declarations

No lobbying declarations were made.

### 3. Minutes

The minutes of the meeting of the Planning Committee held on 8 February 2022 were approved as a correct record and signed by the Chair.

#### **4. Objections to the Crawley Borough Council Tree Preservation Order - 6 Wilson Close - 07/2021**

Councillor Jaggard left the room for the duration of this item.

The Committee considered report [PES/398](#) of the Head of Economy and Planning which sought to determine whether to confirm the Tree Preservation Order (TPO) – 6 Wilson Close – 07/2021 – with or without modification for continued protection, or not to confirm the TPO.

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

The Principal Planning Officer (MR) provided a verbal summation of the application, which related to two trees on an area of amenity land alongside a road in Maidenbower. In October the trees were protected under a six month provisional TPO, which the Committee was now requested to confirm. The trees were considered to have significant amenity value and contribute to the character of the area, which otherwise did not benefit from many green spaces.

Guy Penn, a neighbour of the site, spoke in objection to the TPO. Matters raised included:

- The large stature of the trees which led to a loss of daylight to nearby houses.
- Neighbours of the site wished to trim the trees, so had enquired about their status. The subsequent making of the provisional TPO had been a hindrance to the desired works.
- Neighbours of the site had received varying information and there had been miscommunications with the Council regarding the TPO, which had led to an unclear process.

In response to the comments made, the Head of Legal, Governance & HR summarised the background to the item, including the enquiries made about the trees by residents (through Councillor Jaggard) and by other neighbours of the site. The timeline of the making of the provisional TPO was set out and it was confirmed that a TPO can be made at any time, provided there is justification for doing so. In this case the TPO was made in order to protect the trees from felling and to better control any future works to the trees. Applications for works to protected trees were still able to be submitted and would be considered. The statutory timescale for a tree works application was eight weeks but this varied depending on the circumstances of individual cases.

The Committee then considered the application. A Committee member sought clarification on the size of the trees, and it was confirmed that the species were medium-sized and would not grow to be as large as substantial species such as oak or beech.

Following a query from a Committee member, it was heard that the land was owned by Taylor Wimpey. Responsibility for maintaining the trees ultimately fell to the landowner who had made no applications for works to the trees. In general, significant works could not be undertaken without a landowner's consent, however minor works could be undertaken by others in exceptional circumstances or where there were safety concerns (e.g. the Highways authority was able to trim branches overhanging a highway in an emergency, damaged branches were able to be removed if hazardous). Deadwood was able to be removed without requesting permission.

The importance of preserving green spaces and the amenity value of the trees was highlighted. It was also noted that the Council's communications with neighbours of the site could have been handled more effectively; Committee members expressed sympathy toward the residents affected.

**RESOLVED**

Confirm, without modification.

**5. Objections to the Crawley Borough Council Tree Preservation Order - The Tweed - 06/2021**

The Committee considered report [PES/396](#) of the Head of Economy and Planning which sought to determine whether to confirm the Tree Preservation Order (TPO) – The Tweed – 06/2021 – with or without modification for continued protection, or not to confirm the TPO.

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

The Principal Planning Officer (MR) provided a verbal summation of the application, which related to a group of trees on a piece of land off Tweed Lane, within Ifield Village Conservation Area. In September 2021 ten trees at the site were protected under a six month provisional TPO, which the Committee was now requested to confirm. During this time consent to fell two of the trees was granted and replacement trees were due to be planted and protected under the TPO. Various works to several of the other trees had also been permitted.

The Committee then considered the application. A Committee member noted the potential loss of wildlife habitats and suggested that an ecological report could form part of the Committee's consideration of TPOs. The Planning Officer confirmed that the removal of trees did not absolve landowners of their responsibility toward protected species; this was covered by separate legislation.

Clarification was sought regarding the trees to be felled – the Planning Officer confirmed that trees T3 and T10 had consent to be felled.

It was recognised that objections to the TPO had previously been raised, but negotiations between the Local Planning Authority and the owners and neighbours of the site had since been successful. The trees were considered to have high amenity value and their preservation was deemed important.

**RESOLVED**

Confirm, without modification.

**Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 7.50 pm.

**R D Burrett (Chair)**