

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

9th 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]