

**Minutes of a meeting of Planning Committee
held on Thursday, 13th June, 2019
from 7.00 - 7.31 pm**

Present: G Marsh (Chair)
P Coote (Vice-Chair)

G Allen	E Coe-Gunnell White	A MacNaughton
P Budgen	J Dabell	M Pulfer
R Cartwright	R Eggleston	N Walker

Absent: Councillor D Sweatman

1 TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillor Sweatman.

2 TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

Councillor Budgen declared a disclosable pecuniary interest in DM/19/1352 – 4 Wyngates, Copthorne Bank, Copthorne, Crawley, RH10 3QX as he is the agent for the applicant. He will remove himself from the meeting for the duration of discussion and voting on this item.

3 TO CONFIRM THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 22 MAY 2019.

The Minutes of the meetings of the Planning Committee held on 22 May 2019 were agreed as a correct record and signed by the Chairman.

4 TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.

None.

5 DM/19/1270 - 51 OAKLEY LANE, HASSOCKS, BN6 8BB

The Chairman confirmed that the application for works to 4 Ash trees covered by a Tree Preservation Order was before the Committee as it is submitted by the relative of a serving Councillor. He noted that there were no public speakers and no objections contained in the report and confirmed with Members that they were content to proceed without a presentation from the Officer.

The Chairman took Members to the recommendation to approve which was moved by Councillor MacNaughton and agreed unanimously.

RESOLVED

That permission be granted subject to the condition set out in Appendix A of the Officer Report.

(Councillor Budgen left the Chamber at 7.05 in advance of the next item.)

6 DM/19/1352 - 4 WYNGATES, COPTHORNE BANK, COPTHORNE, CRAWLEY, RH10 3QX

Caroline Grist, Planning Officer introduced the application for the removal of the existing conservatory with replacement double storey rear extension. She noted that although there would be some views of the extension from the street, the size and scale of the extension was deemed proportionate. The nearest property is 3 Wyngates which is separated by a fence and detached garage and it is the Officers recommendation that the overall design and separation distance will have no harm to the neighbouring amenity.

The Chairman noted that there were no public speakers and took Members to the recommendation to approve which was moved by Councillor Coote and agreed unanimously.

RESOLVED

That planning permission be approved subject to the conditions outlined at Appendix A of the Officer Report.

(Councillor Budgen returned to the Chamber at 7.09.)

7 TP/19/0005 - BUTCHERS SHAW, ARDINGLY, RH17 6UB

Nick Rogers, Business Unit Leader for Development Management introduced the report to consider whether or not to confirm a new Tree Preservation Order (TPO) TP/19/0007 on a woodland known as Butchers Shaw in Street Lane, Ardingly. He noted that the site currently as a TPO in place and the Council has 6 months to confirm the order or it will lapse.

He confirmed that the site is in a conservation area and designated as Ancient Woodland. The Conservation status allows protection to larger trees but not ones of less than 75mm diameter and concerns have been raised about the removal of smaller trees and continued erosion of the understorey. The Ancient Woodland designation does not afford direct protection to the trees but the NPPF describes it as 'irreplaceable habitat' therefore indicating the importance the Government places on such an area. In summary, the Tree Officer has concerns that the incremental removal of smaller trees has harmed the understory and the TPO would allow for protection of these younger trees and allow for some natural regeneration. It would not preclude maintenance work but these would need to be justified in the interests of beneficial woodland management through an application.

The Chairman spoke as Ward Member, noting that the Forestry Commission has granted a felling licence on the site for 30% thinning of the trees. The Business Unit Leader confirmed that this overrides the TPO. The Chairman noted that past and present Chairman of the Parish Council's Planning Committee are against the TPO as they feel the woods are managed correctly, however he acknowledged that there is a benefit to the TPO protecting the smaller trees.

Councillor MacNaughton also spoke as Ward Member highlighting that as the Local Planning Authority, the Council is required to protect Ancient Woodland, and not just the trees, but the ground around it. Having the TPO in place would allow the Council to retain control of what happens on site, and approval to remove trees could still be granted if appropriate.

Members acknowledged that this is a difficult decision as there are pros and cons to both sides of the decision. In response to questions from a member, the Business Unit Leader clarified that a partial order could not be made as a woodland order is designed to cover the whole site. He also confirmed that should there be damage caused as a result of the implementation of the Felling Licence, the Council would only prosecute if it was deemed to be deliberate. He clarified that the TPO was put in place following concerns raised by a local resident and the Tree Officer following a site visit. It was originally planned to be put before the Committee earlier in the year, but inaccuracies in the extent of the previous TPO plan needed to be resolved.

In response to a Member's query, it was advised that there would be no cost to the applicant or the Council in setting up or ongoing maintenance of the woodland as a result of a TPO. There is no fee for an application for works to trees subject of TPO's.

A Member queried what controls would remain in place if the TPO was not confirmed. As the site is a conservation area, it is covered by conservation legislation but this does not protect the smaller trees. If the TPO is confirmed, the applicant can still manage the understory, with the involvement of the Council's Tree Officer and an appropriate application.

Councillor MacNaughton moved that the order be confirmed and this was seconded by Councillor Walker.

The Chairman took Members to the recommendation which was agreed 8 in favour and 3 against.

RESOLVED

That the order be confirmed.

8 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

The meeting finished at 7.31 pm

Chairman