

**APPEALS AND REVIEWS COMMITTEE
13TH MARCH 2019**

PRESENT: The Chair (Councillor Capleton)
The Vice Chair (Councillor Hunt)
Councillors Cooper, Hachem and Miah

Mr and Mrs Jordan (objectors)

Team Leader Natural & Built Environment
Solicitor
Democratic Services Officer (NA)

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

22. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the Committee held on 18th February 2019 were received and noted.

23. QUESTIONS UNDER OTHER COMMITTEE PROCEDURES 12.8

No questions were submitted.

24. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

25. BOROUGH OF CHARNWOOD (THE OLD CHAPEL, 9 WYSALL LANE, WYMESWOLD) TREE PRESERVATION ORDER 2018

A report of the Head of Strategic Support was submitted setting out details of the Tree Preservation Order served on the above site, the objection received to the Order and the comments of the Head of Planning and Regeneration on the issues raised by the objection (item 5 on the agenda filed with these minutes).

The Council's Legal Representative assisted with the consideration of the report.

The Team Leader for Natural and Built Environment presented the case as the representative for the Head of Planning and Regeneration.

No objectors were present.

The Committee considered this matter in accordance with the "Procedure for Considering Objections to Tree Preservation Orders" set out in the Council's Constitution and on the agenda for this meeting.

RESOLVED that the Borough of Charnwood (The Old Chapel, 9 Wysall Lane, Wymeswold) Tree Preservation Order 2018 be confirmed with a minor modification to correct the schedule to state Hawthorne instead of Holly for T2.

Reason

Having considered, in accordance with the procedure set out in the Council's Constitution, the objection to the Order, the Committee considered that the reasons put forward for not protecting the trees did not outweigh the contribution it made to the amenity of the area and that the tree should therefore be protected with the modification cited above.

26. BOROUGH OF CHARNWOOD (1 BROWNHILL CRESCENT, ROTHLEY) TREE PRESERVATION ORDER 2018

A report of the Head of Strategic Support was submitted setting out details of the Tree Preservation Order served on the above site, the objection received to the Order and the comments of the Head of Planning and Regeneration on the issues raised by the objection (item 6 on the agenda filed with these minutes).

The Council's Legal Representative assisted with the consideration of the report.

Both the Head of Planning and Regeneration's representative and the objectors attended the meeting to put forward their cases and answer the Committee's questions.

The Committee considered this matter in accordance with the "Procedure for Considering Objections to Tree Preservation Orders" set out in the Council's Constitution and on the agenda for this meeting.

RESOLVED that the Borough of Charnwood (1 Brownhill Crescent, Rothley) Tree Preservation Order 2018 be confirmed, with modification to the order to remove the Spruce tree (T3) listed on the schedule.

Reason

Having considered, in accordance with the procedure set out in the Council's Constitution, the objection to the Order in respect of the Spruce tree (T3), the Committee felt it offered little amenity value in its setting and decided to remove it from the Tree Preservation Order. In respect of the two Pines, the Committee were content that they should remain protected as their amenity value outweighed any reason to remove them from the Order.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 24th June 2019 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Appeals and Reviews Committee.