

---

Cabinet Member

6<sup>th</sup> August 2018

**Name of Cabinet Member:**

Cabinet Member for Housing and Communities – Councillor Ed Ruane

**Director Approving Submission of the report:**

Deputy Chief Executive - Place

**Ward(s) affected:**

All

**Title:**

DRAFT Trees & Development Guidelines for Coventry Supplementary Planning Document (SPD)

---

**Is this a key decision?**

No.

This SPD provides draft technical guidance which supports the newly adopted Local Plan.

---

**Executive Summary:**

This SPD is intended to provide technical guidance and support to the Green Environment policies set out in Chapter 7 of the new Local Plan, in particular policies GE3 and GE4. To a lesser extent, it also builds upon some of the policies included in chapters; 9 (Heritage), and 11 (Environmental Management). The Local Plan provides the framework for determining planning applications across Coventry following its adoption on the 6<sup>th</sup> December 2017. This SPD has been developed by the Council's Planning and Housing Policy team, and is intended to provide a comprehensive overview of the requirements for applicants in the planning process where trees are involved.

The SPD is structured in a sequential order for an applicant preparing to submit a planning application which involves trees. It covers supporting technical detail around matters of:

- Land Surveys.
- Tree Surveys.
- Tree Constraint Plans.
- Arboricultural Method Statements.
- Capital Asset Value for Amenity Trees.
- Works to trees.
- Tree and root protection measures.
- Planting new trees.
- Accessing and moving around sites.
- Avoiding damage to trees.

**Recommendations:**

The Cabinet Member is requested to:

1. Approve an initial round of consultation on the draft Trees and Development Guidelines for Coventry SPD and associated appendix. The consultation is proposed to run for just over 6 weeks between Wednesday 8<sup>th</sup> August 2018 and Friday 21<sup>st</sup> September 2018.

**List of Appendices included:**

**Appendix 1-** DRAFT Trees & Development Guidelines for Coventry Supplementary Planning Document (SPD) and supporting appendices to the SPD.

**Background papers:**

None.

**Other useful documents:**

The Coventry Local Plan was adopted at full Council on the 5<sup>th</sup> December 2017, with adoption statements issued the following day. This SPD relates primarily to Chapter 7 of the Local Plan, which covers policies on the green environment, with reference to chapters 9 (Conservation and Heritage) and 11 (Environmental Management). The Local Plan can be viewed via the following link:

[http://www.coventry.gov.uk/downloads/file/25899/final\\_local\\_plan\\_december\\_2017](http://www.coventry.gov.uk/downloads/file/25899/final_local_plan_december_2017)

**Has it been or will it be considered by Scrutiny?**

No.

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No.

**Will this report go to Council?**

No.

**Report title:**

**Draft Trees and Development Guidance for Coventry Supplementary Planning Document (SPD)**

**1. Context (or background)**

1.1 This SPD is intended to expand upon and support the green environment policies set out in Chapter 7 of the Local Plan, with particular focus on policies GE3 and GE4. The Local Plan provides the framework for determining planning applications across Coventry following its adoption on the 6<sup>th</sup> December 2017. This SPD has been developed by the Planning and Housing Policy team to augment the tree protection, tree conservation and other related policies. The added technical support and guidance provided within the document will help all stakeholders to understand the Council's tree protection aims and objectives, and help applicants to provide the correct information and assess the right areas where tree protection and planting measures will be required, as early as possible in the planning process. This will not only save time and money, but will lead to better planning and stronger outcomes for green infrastructure. The SPD is split across 5 chapters, with the first chapter providing the introduction and the second context (introducing the legislation, guidance and policy important to tree conservation, and providing a brief overview of the importance of trees and history of trees in the city). The fifth and final chapter concerns the implementation, monitoring and review of the document. The following sections below summarise the middle two chapters provided within the SPD.

**1.2 Planning for Trees Pre-development (Chapter 3)**

The overall principle of this chapter is to provide detailed information on what is required by applicants prior to submitting a planning application on a site where trees are located. In due course it should partly be read in conjunction with the Council's emerging *Local Validation Requirements*. It has been broken down into sub-sections that relate to the specific individual documentation required by the planning authority to determine planning applications where trees are involved. This includes; land surveys, tree surveys, tree constraints plan, arboricultural method statements, and capital asset value for amenity trees. For each of these, there is an explanation as to what should be included and the standards it should meet to be considered acceptable. The chapter concludes with details around design criteria and actually applying for planning permission.

**1.3 Planning for Trees In-development (Chapter 4)**

This section sets out the standards the council expects to see developers, and any other individual or organisation, abide by when implementing works to and around trees. It includes detailed guidance concerning; tree works, tree protection measures, and root protection. The chapter then continues to explain what the Council expects to see when new planting is proposed; and how sites should be laid out and accessed to avoid damage to existing trees both at the time of development, and in future, as trees grow to maturity.

**2. Options considered and recommended proposal**

2.1 Two options have been considered in relation to this report. The first has formed the recommendations of this report and is to consult on a SPD to provide technical guidance and support to those submitting planning applications that involve matters of tree protection and conservation.

2.2 The second option is to not consult on this document and to rely solely on the policies in the Local Plan and how applicants interpret those policies. This option has not been

recommended as it would place greater reliance on how applicants use the new policies which could generate greater inconsistency in evidence submitted in support of applications, and lead to greater resource pressure for planning officers – in particular the Tree Preservation Officer – who manage day to day caseloads. As such, this technical guidance is important to the correct understanding of policies within the new Local Plan (in so far as they relate to the green environment). This level of detail was not provided within the Local Plan itself though as it would have extended the complexity and length of the Plan substantially and is not considered best-practice.

### **3 Results of consultation undertaken**

- 3.1 There has been no formal consultation to date on the draft Trees and Development Guidelines SPD. This will be the first time the council have sought any views or opinions on this document.
- 3.2 Notwithstanding, all the policies within the new Local Plan relevant to this SPD were subject to numerous rounds of consultation in recent years. In general these policies were well received. The primary comments came from stakeholders with an interest in the protection and preservation of the green environment, especially trees. The comments received relating to trees mainly focussed upon; trees often being overlooked when preparing planning applications, a lack of consideration to the impact upon trees in the decision-making process, and the loss of trees through their removal prior to the submission of planning applications. This SPD addresses all of these concerns.

### **4 Timetable for implementing this decision**

- 4.1 Subject to approval by the Cabinet Member it is proposed to consult on the draft SPD for just over 6 weeks between Wednesday 8<sup>th</sup> August 2018 and Friday 21<sup>st</sup> September 2018.
- 4.2 Following this round of consultation, all responses will be reviewed and the SPD will be updated and amended accordingly. A further round of consultation will then take place before the SPD can be formally approved. This is expected to take place over the autumn of 2018.

### **5 Comments from the Director of Finance and Corporate Services**

#### **5.1 Financial implications**

Unlike the Local Plan or an Area Action Plan, a SPD is not subject to public examination. It therefore does not incur the same level of costs as a higher level Plan. As such any costs associated with the delivery of this SPD will be met through existing budgets attributed to the Planning and Housing Policy team.

#### **5.2 Legal implications**

Supplementary Planning Documents are produced under the Planning and Compulsory Purchase Act 2004 (as amended) and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. This draft SPD has been produced in accordance with the relevant legislation and regulations. SPD's are subject to supporting evidence and consultation but are not publicly examined or subject to a Sustainability Appraisal. As such, their 'material weight' in planning terms is less than that of a Local Plan, Area Action Plan or other Development Plan Documents. Notwithstanding this, SPD's must be adopted by a resolution of the Local Planning Authority and are still important planning policy documents that provide technical

guidance and supporting information to those submitting planning applications. An SPD does not introduce new policy, instead it builds and expands upon those set out in the higher level plan (in this case the new Local Plan) to ensure they are interpreted and delivered in the most efficient and effective way.

## **6 Other implications**

None.

### **6.1 How will this contribute to achievement of the Council's Plan?**

- A prosperous Coventry: The SPD will support the delivery of the Green Environment policy, and partly the Heritage and Environmental Management policies in the Local Plan. It will provide technical guidance to ensure the Plan helps deliver enhanced green infrastructure. This will help to ensure Coventry remains a physically attractive place to live and invest;
- Citizens living longer, healthier, independent lives: The SPD promotes greater understanding and appreciation of the cities green environment. A place where trees are respected can bring about health benefits in the form of mental well-being and a higher quality of life;
- Making Coventry an attractive and enjoyable place to be: The SPD will support the green environment and environmental management policies in the Local Plan. It will provide technical guidance to ensure the Plan helps promote the protection of the natural aspect of our environment. This will help to ensure Coventry's urban setting remains an attractive location to live, work and visit;
- Making places and services easily accessible: The SPD will help to facilitate the accessibility of public transport and active travel by making routes more attractive to engage with either by foot, cycle, bus or train. In other words, it will play a role in helping to make the cities transport infrastructure more user-friendly especially when walking or travelling by bike.
- Encouraging a creative, active and vibrant city: Protecting and conserving the green environment, supported through this SPD, will facilitate an improved quality of life, encouraging a mix of reasons to come to the city.
- Developing a more equal city with cohesive communities and neighbourhoods: Trees have the ability to naturalise anywhere. This SPD looks to utilise that notion to ensure that trees can have an equalising effect across the city, and play a part in helping to remove the perceptions of the socio-economic standing of local residents.
- Improving the environment and tackling climate change: The successful implementation of this SPD will help seek to mitigate the impacts of development on the environment through the retention of trees and the role they play in supporting ecosystems and habitats, alongside the benefit of reducing the impact of climate change.

### **6.2 How is risk being managed?**

The primary risk associated with this SPD is the length of time it will take to formally adopt the SPD. Although the Draft SPD can be a material consideration from the moment it is published, its weight will be very low. As a result the Council will be reliant upon planning applicants to utilise the SPD at their own discretion and to their own benefit when developing planning applications. Based on the initial consideration of the affected policies of the Local Plan, and officers engagement with planning consultants via pre-application services and informal discussions, the publication of this SPD is actively awaited and encouraged. As such we consider this risk to minimal.

### **6.3 What is the impact on the organisation?**

No direct impact.

#### 6.4 Equalities / EIA

A full Equality and Consultation Assessment (ECA) was undertaken as part of developing the Local Plan. As this SPD supports the delivery and technical interpretation of policies within the Plan no further assessment has been undertaken. As part of that analysis, the Council had due regard to its public sector equality duty under section 149 of the Equality Act (2010).

A key priority of this SPD is to support the interpretation and effectiveness of the green environment policies within the new Local Plan. These policies focus on promoting greater protection to the natural environment.

#### 6.5 Implications for (or impact on) the environment

Key priorities of the Green Environment policy within the new Local Plan (and therefore this SPD) include the protection of trees, preservation of biodiversity and the landscape and planning for climate change. As such, this SPD seeks to have a positive impact upon the environment socially, environmentally and economically.

#### 6.6 Implications for partner organisations?

None.

#### Report author(s):

**Name and job title:** Ross Parker, Planning and Housing Policy Assistant and Robert Penlington, Tree Preservation Officer.

**Directorate:** Place.

**Tel and email contact:** 02476 832245 and 02476 831269.

[ross.parker@coventry.gov.uk](mailto:ross.parker@coventry.gov.uk) and [robert.penlington@coventry.gov.uk](mailto:robert.penlington@coventry.gov.uk)

Enquiries should be directed to the above persons.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
<b>Contributors:</b>				
Usha Patel	Governance Services Officer	Place	09/07/2018	11/07/2018
Mark Andrews	Planning and Housing Policy Manager	Place	09/07/2018	09/07/2018
Andrew Walster	Director, Street Scene and Regulatory Services	Place	09/07/2018	18/07/2018
Tracy Miller	Head of Planning and Regulatory Services	Place	09/07/2018	18/07/2018

<b>Names of approvers for submission:</b> (officers and members)				
Finance: Phil Helm	Finance Manager	Place	09/07/2018	13/07/2018
Legal: Rob Parkes	Team Leader (Place)	Place	09/07/2018	12/07/2018
Members: Councillor Ed Ruane	Cabinet Member for Housing and Communities	Place	16/07/2018	16/07/2018

This report is published on the council's website:  
[www.coventry.gov.uk/councilmeetings](http://www.coventry.gov.uk/councilmeetings)