



Coventry City Council

Westbury Homes (Holdings) Ltd
Pendeford Homes
Pendeford Business Park
Wobaston Road
Wolverhampton
WV9 5NH

TOWN & COUNTRY PLANNING ACT 1990 TOWN & COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Application No. : **49734**
Registered on : **07 December 2001**

Applicant : **Westbury Homes (Holdings) Ltd**

Re Site at : **Land At Plots 1 And 2 Ten Shilling Drive Off
Westwood Heath Road**

Description of Development : **Residential development**

Delegated Decision on 28 March 2002

Coventry City Council as Local Planning Authority **GRANT** permission for the development proposed in your application, a copy of which is attached to this notice, subject to the following condition(s) :-

CONDITIONS

1. The development to which this permission relates must be begun not later than the expiration of 5 years from the date of this permission.
2. No development shall commence until samples of the external facing, roofing and paving materials proposed to be used in the construction of the dwellings and sub station hereby permitted have been submitted to and approved in writing by the local planning authority.

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Once approved the development shall be carried out only in full accordance with such approved details or any approved amendments.

3. The existing hedges along the eastern boundary of the site indicated on the approved plan No.SA-3B to be retained shall not be cut down, grubbed out or otherwise removed or topped or lopped so that the height of the hedges falls below 2.4m at any point without the written consent of the local planning authority. Any hedges removed without consent or severely damaged shall be replaced with hedging, trees and/or shrubs of such size and species details of which must be submitted to and approved by the local planning authority. Any hedge, tree and shrub dying or becoming seriously diseased within five years from the substantial completion of development shall be replaced as soon as practicable with hedging, trees or shrubs of such size and species details of which must be submitted to and approved by the local planning authority.

4. Any landscaping including boundary treatment, paving and footpaths indicated on the approved drawings No.01-77-01 & No.01-77-02 shall be completed in all respects, with the exception of tree and shrub planting, within three months of the first use of any of the buildings and the trees and shrubs shall be planted within six months of that first use. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the substantial completion of the scheme shall be replaced as soon as practicable, by trees or shrubs of similar size and species to those originally required to be planted.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected, constructed or improved or altered such as to place the structure in front of the forwardmost part of any dwellinghouse fronting a highway or footpath without the written approval of the local planning authority.

6. None of the dwellings hereby permitted shall be occupied until the car parking provision for that dwelling has been completed in full accordance with the approved drawings made available for use by the



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occupant of and visitors to that dwelling. That parking provision shall thereafter remain available for that use.

7. Any garage erected under this permission shall be used only for a purpose incidental to the use of that dwelling with which it is provided and such use shall include the garaging of a private motor car.

8. The development shall not be commenced until drainage works have been carried out in accordance with details to be submitted to and approved by the local planning authority.

9. No development shall commence until measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway have been implemented in accordance with written proposals which shall have been submitted to and approved in writing by the local planning authority. Such approved measures shall thereafter continue while construction operations are taking place.

10. No dwelling shall be occupied until street lighting has been provided on the means of access serving that dwelling in accordance with details submitted to and approved by the City Council.

11. The windows to be formed in the east facing elevations of the dwellings proposed on plot numbers 15, 19 and 24; the south facing elevations of the dwellings proposed on plot numbers 13, 21, 39 and 41; and the west facing elevations of the dwellings proposed on plot numbers 9, 43, 44 and 48 shall only be glazed or re-glazed with obscure glass.

12. No windows or openings (apart from any shown on the approved drawings) shall be formed in the north facing elevations of the dwellings proposed on plot numbers 22, 39 and 44; and the east facing elevation of the dwelling proposed on plot number 11, without the written approval of the local planning authority.

13. The existing reservation located adjacent to the eastern boundary of the site shall be retained at a width of 7 metre in full accordance with the details indicated on the approved plan No.SA-3B, and shall not be removed or altered in any way without the prior written approval of the local planning authority.

REASONS FOR CONDITIONS



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1. To comply with Section 91 of the Town and Country Planning Act 1990.
2. To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy BE2 of the Coventry Development Plan 2001.
3. To protect that hedging which is of significant amenity value to the area in accordance with Policies OS4 & GE14 of the Coventry Development Plan 2001.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GE9, BE2 & BE20 of the Coventry Development Plan 2001.
5. That have regard to the layout and general nature of the proposed development it is important to ensure no development is carried out except with the permission of the City council, which would detract from the appearance of the area and affect the amenities of adjacent properties in accordance with Policies H12 & BE2 of the Coventry Development Plan 2001.
6. To ensure adequate parking provision within the development in the interests of the amenities of the locality and highway safety in accordance with Policies AM17, AM22 & H12 of the Coventry Development Plan 2001.
7. To ensure that the garage is not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties and to ensure adequate car parking provision is maintained on site in the interests of highway safety in accordance with Policies AM17, AM19 & AM22 of the Coventry Development Plan 2001.
8. To ensure the satisfactory drainage of the site in accordance with Policy EM4 of the Coventry Development Plan 2001.
9. In the interests of highway safety and the amenities of the occupiers of nearby properties in accordance with Policy EM8 of the Coventry Development Plan 2001.
10. To ensure a satisfactory standard of development within the site in accordance with Policy BE2 of the Coventry Development Plan 2001.
11. To ensure the amenities of adjoining properties are not detrimentally affected through overlooking or loss of privacy in



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accordance with Policies BE2 & H4 of the Coventry Development Plan 2001.

12. To ensure the amenities of adjoining properties are not detrimentally affected through overlooking or loss of privacy in accordance with Policies BE2 & H4 of the Coventry Development Plan 2001.

13. To ensure the satisfactory appearance of the footpath in accordance with Policy AM8 of the Coventry Development Plan 2001.

INFORMATIVES

- For the avoidance of doubt, this decision relates to the following drawings, letters or associated documentation that may have been submitted with the application and which are enclosed with this notice.

3000/71; 3000/50; 3000/58; 3000/57; V; EL; GARA/WR2; L; FO; AN; FU; H; SK-3B; LOC/1; 01-77-01; S; B; 01-77-02; SUBSTATION 1A; SLAB/1

* Enclosed with this decision notice are any comments that have been received concerning this permission.

* If you require advice on landscaping or TPO matters the City Development Directorates Landscape Team will provide you with assistance.

* This planning permission has imposed restrictions on the development you can undertake within the application property. If you wish to undertake any other works or uses then a further planning permission may be required.

* Some/all of the hedges to be retained as part of the development will remain the responsibility of the future householder and they should be advised of their responsibility to ensure the highway is not obstructed.

- **This is not an approval under the Building Regulations.**

This permission is given under the Town & Country Planning Act 1990 (as amended) and the Town & Country Planning (General Development Procedure) Order 1995 (as amended) and is subject to due compliance with the Building Regulations, local Acts and Regulations and with all other relevant statutory provisions in force in Coventry and nothing herein contained is to be regarded as dispensing with such compliance beyond the extent

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herein specified. This permission does not modify or affect any personal or restrictive covenant applying to the land or any right of any person entitled to the benefit thereof.

• **Appeal Rights :-**

If you are aggrieved by the decision of the City Council to grant permission for the proposed development subject to conditions, you can appeal to the Secretary of State for the Environment, Transport and the Regions under Section 78(1) of the Town and Country Planning Act 1990 (as amended). An appeal must be made within **six** months of the date of this notice.

The forms to be used in an appeal can be obtained from the Planning Inspectorate, Chartroom, Hawk Wing, Room 3/23 Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or you can access their website on **www.planning-inspectorate.gov.uk**

The Secretary of State can allow a longer period for the giving of a Notice of Appeal, but will not normally be prepared to use this power unless there are special circumstances.

The Secretary of State may not consider an appeal if it appears that the local planning authority could not have granted planning permission for the proposed development due to statutory requirements, to the provisions of a development order or to any directions given under an order. The Secretary of State will not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

- If permission to develop land is granted subject to conditions, whether by the City Council or an appeal by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or may be permitted. In these circumstances, the owner may serve a purchase notice on the City Council requiring the Council to purchase the interest held in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a referral of the

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application to the Secretary of State. The circumstances in which such compensation is payable are set out in Section 114 & 120 and related provisions of the Town and Country Planning Act 1990.

- If any part of the development for which planning permission is hereby granted affects the means of access to a building then your attention is drawn to Section 46 of the West Midlands County Council Act 1980 under which the Council must reject plans deposited in accordance with building regulations unless those plans show:

a) that there will be adequate means of access for the fire brigade to the building, or as the case may be, to the building as extended;

and

b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

- **FURTHER APPROVALS**

If one or more of the conditions listed in this decision notice require you to submit further information to the City Council for approval then in **all** instances those details are to be submitted to :-

Planning Control (CC4/2.01),
City Development Directorate,
Tower Block,
Much Park Street,
Coventry CV1 2PY

The receipt of such details will be acknowledged and a further decision notice will be issued following full consideration of these additional matters.



RECEIVED
11 DEC 2001
VALID FROM
7.12.01

SCHEDULE: 49734

V	VERWOOD	5 BED DET	- 5
Fu	FULBORN	5 BED DET	- 5
L	LINTON	5 BED DET	- 6
H	HARDWOOD	5 BED DET	- 5
E	ELLWOOD	5 BED DET	- 7
S	SNAPTHAM	4 BED DET	- 5
B	BRENTWOOD	4 BED DET	- 5
Fo	FORE	4 BED DET	- 8
A	ANIL	4 BED DET	- 5
TOTAL:			51

AREA: 6.6 ACRES NETT.
(2.67 HECTARES).
DENSITY: 7.73 UNITS/ACRE NETT (DUAL).

- KEY:
- EXISTING TREES/HEDGES RETAINED. (SUBJECT TO SURVEY).
 - PROPOSED FEATURE PLANTING. (SUBJECT TO DETAIL DESIGN).
 - COURTYARD COBBLED PAVING.
 - SHARED SURFACE ACCESSWAY ROAD WITH COBBLED PAVED FINISH.
 - GRANITE FINISH DRIVEWAYS. (WALKWAY ACCESS TO SERVICE/REAR).
 - TRAFFIC CALMING. (INDICATIVE AND ACTING DETAILS TO BE DEVELOPED WITH DETAILS BY ARCHITECT).
 - DUAL ASPECT HOUSES / ADDITIONAL GARAGE WINDOWS.
 - 1.8m HIGH SCREEN WALLS.
 - 1.8m HIGH CLOSE BOARDED FENCING.
 - 1.8m HIGH HITT & MISS FENCING.
 - 1.2m HIGH POST-RAIL FENCING.
 - 1.2m HIGH DWARF WALL.
 - 1.8m HIGH PICK-UP PARKING FENCING.

REV. B: PLOTS 12 & 51, BRACKENBURY HEDGEROWS IN PROPOSED FOOTPATH ADJACENT TO A. A. FENCING.
REV. A: LAYOUT REVISED IN ACCORDANCE WITH L.A. PLANNING OFFICERS COMMENTS. NOV 01.

Revisions

Site: WESTWOOD HEATH ROAD, COVENTRY.

Drawing: SKETCH APPRAISAL LAYOUT.

Date: NOVEMBER 2001
Scale: 1:500
Drawn By: FB
Checked By:

Drwg. No: SK-3B.

DESPATCHED
28 MAR 2002

CITY OF COVENTRY
APPROVED FOR
PLANNING PURPOSES
ONLY
NO BUILDING REGULATIONS
APPROVAL MAY ALSO BE
REQUIRED