



Coventry City Council

Mr Paul Miller  
Alphaworks  
Alphatower Suffolk St Queensway  
BIRMINGHAM  
B1 1TT

---

**TOWN & COUNTRY PLANNING ACT 1990  
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (ENGLAND) ORDER 2015**

---

Application No. : **FUL/2019/0255**  
Registered on : **04/03/2019**  
  
Applicant : **Mr Martin C Rush**  
  
Re Site at : **The Scout Hut Kenthurst Close**

---

Description of Development: Demolition of the existing Scout Hut and erection of a replacement structure for the Scouts; erection of detached outbuilding and associated works

Decision of Planning Committee on 11/04/2019

---

Coventry City Council as Local Planning Authority **GRANT** permission for the development proposed in your application, subject to the following condition(s): -

**CONDITIONS AND REASONS**

1. The development hereby permitted shall begin no later than three years from the date of this permission.

**To comply with Section 91 of the Town and Country Planning Act 1990.**

Application Number FUL/2019/0255  
Despatched on 25/04/2019  
DNFAC (feb2011)

Page 1

**Tracy Miller**  
Head of Planning



Coventry City Council

2. The development hereby permitted shall be carried out in accordance with the following approved documents: Location/Block Plan - Drawing No: 001 P1 Proposed Site Plan - Drawing No: 003 P1 Proposed Ground Floor Plan - Drawing No: 100 P2 Proposed First Floor - Drawing No: 110 P2 Proposed Elevations - Drawing No: 200 P2 Proposed Elevations - Drawing No: 201 P2 Proposed Sections - Drawing No: 400 P1

**For the avoidance of doubt and in the interests of proper planning.**

3. The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other 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; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority.

**In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies AC1, AC3, EM1 and DE1 of the Coventry Local Plan 2016.**

4. The development hereby permitted shall be carried out only in strict accordance with details of a scheme for the provision of surface water drainage incorporating infiltration SuDS or attenuation techniques. There must also be consideration of features such as green roof technology for the management of surface water peak and total flows, biodiversity and water filtering, in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.
  - I. A detailed strategy for the long-term maintenance of the SuDS and other surface water drainage systems on site.
  - II. Development discharge rates for the individual projects on the site to be managed to Qbar greenfield rates or 5 l/s whichever is greater.



Coventry City Council

The discharge rates for brownfield sites shall be considered as greenfield in accordance with the SFRA.

III. Provisions must be made for the drainage of the site to ensure there are no temporary increases in flood risk, on or off site, during the construction phase

IV. Evidence that receiving water bodies or sewers are capable of accepting the attenuated flows specified by the Lead Local Flood Authority and that this will not exacerbate the flood risk on or off site. This will include capacity calculations and outcomes, not just the correspondence from Severn Trent Water Ltd in isolation, accepting the point discharges. Evidence of existing sub catchments within the site are needed to support the connectivity survey and confirm the acceptability of proposed point discharges to the watercourses and infrastructure sewers. This must be submitted to, and agreed by, the Local Planning Authority and Lead Local Flood Authority.

V. The surface water flood mapping indicates that the site is vulnerable to surface water flooding. An appropriately scaled flood risk assessment is required to establish the risk to the development, as well as the appropriate mitigation measures.

VI. Mapping of the 1 in 100 year surface water flood extents is required, to indicate the exceedance and conveyance flows to inform building floor level design and general ground levels, and to consider flood flow routing off site. This must be submitted to, and agreed by, the Local Planning Authority and Lead Local Flood Authority.

VII. The development must be considered for the implementation of permeable paving or similar permeable material for the management of total surface water flows, and water filtering in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.

VIII. Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway.

IX. Where new or redevelopment site levels result in the severance, diversion or the reception of natural land drainage flow, the developer shall maintain existing flow routes (where there are no flood risk or safety implications) or intercept these flows and discharge these by a method approved by the Local Planning Authority.

**To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies DS3 of the Coventry Local Plan 2016.**

**Tracy Miller**  
Head of Planning



Coventry City Council

5. The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the dwellinghouse hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations.

**To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DE1 of the Coventry Local Plan 2016.**

6. The development shall be carried out only in full accordance with details of the external facing and roofing materials which shall be submitted to and approved in writing by the local planning authority.

**To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policy DE1 of the Coventry Local Plan 2016.**

7. The hard surface in relation to the off-street car parking within the curtilage of the building shall be made of permeable materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the house and such provision shall be retained thereafter.

**To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the**



Coventry City Council

**good stewardship of the natural and built environment in accordance with Policies DS3 of the Coventry Local Plan 2016.**

8. The dwellinghouse shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times unless otherwise agreed in writing by the local planning authority.

**In the interests of highway and pedestrian safety in accordance with Policies AC1 and AC3 of the Coventry Local Plan 2016.**

9. The photovoltaic panels to be installed on the roof slope of the building hereby permitted, shall when no longer needed for micro regeneration, be removed as soon as reasonably practicable unless otherwise agreed in writing by the local planning authority.

**To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policy DE1 of the Coventry Local Plan 2016.**

10. The Scout Hut shall be used for any purpose in connection with the activities of the 21st Coventry (Eastern Green) Scout Group & for a playgroup of no more than 30 children only and for no other purpose, including any other purpose within class D2 & D1 (respectively) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification.

**To ensure that the building is not used in a manner prejudicial to or likely to cause nuisance to occupiers of nearby properties in accordance with Policies DS3 & DE1 of the Coventry Local Plan 2016.**

In determining the application Coventry City Council have made the decision in a positive way to foster the delivery of sustainable development, working proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. The decision has been taken having regard to the impact of the development, and in particular to the policies and proposals in the adopted Coventry Local Plan 2016 set out below, and to all relevant material considerations, including the National Planning Policy Framework, and Supplementary Planning Guidance.

**Tracy Miller**  
Head of Planning



Coventry City Council

The City Council have worked in a seamless and timely manner to undertake the necessary liaison and negotiation with the applicant, third parties and statutory consultees (at the application and pre-application stages) to look for solutions which seek only high quality sustainable development.

Policy AC1: Accessible Transport Network  
Policy AC3: Demand Management  
Policy CO2: Re-Use of or Redevelopment of Facilities  
Policy DE1: Ensuring High Quality Design  
Policy DS3: Sustainable Development Policy

## INFORMATIVES

You are advised that if your proposal involves works covered by the Party Walls etc Act 1996. You are recommended to seek independent advice. Booklets are available from the Planning Advisory Desk & HMSO. Please be aware that if any part of the development (such as foundations, guttering, windows, ventilation systems or pipes etc.) overhangs or encroaches onto land or buildings outside of your ownership; or involves works and / or access to land or buildings outside of your ownership; you will need the owner's permission before undertaking any development. The granting of planning permission does not override or authorise the breach of any private ownership rights; and any development undertaken without the consent of the landowner and in breach of any private ownership rights could give rise to civil proceedings brought by the owners of those rights.

- **Protected species**

A number of European Protected Species are found in Coventry. Please be aware that any development may have implications and / or adverse impact on species and habitats which are protected by the Wildlife & Countryside Act 1981; the Habitat Regulations 1994; the Conservation of Habitats & Species Regulations 2010 and by other European Legislation. The permission given by this notice does not override the protection afforded to these species and their habitats. Please be aware that it is the developers / landowners / contractors responsibility to ensure that any work being carried out will not harm any protected species. For more information on protected species please visit <http://www.naturalengland.gov.uk>.

If evidence of protected species is found, work should stop immediately while Natural England (01453 764450) is contacted for advice on the best way to proceed. If any conditions concerning protected species are attached to this decision you are advised to contact the Planning Department at Coventry City



Coventry City Council

Council on [ecology@coventry.gov.uk](mailto:ecology@coventry.gov.uk) before commencing development or submitting any necessary discharge of conditions applications.

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

This permission is given under the Town And Country Planning (Development Management Procedure) (England) Order 2010 (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 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 Department of Communities and Local Government 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.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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 them.

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



Coventry City Council

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 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: -

Development Management,  
Coventry City Council  
PO Box 15  
Council House  
Coventry CV1 5RR.

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

Application Number FUL/2019/0255  
Despatched on 25/04/2019  
DNFAC (feb2011)

Page 8

**Tracy Miller**  
Head of Planning





Coventry City Council

## • MINING INFORMATIVE

The proposed development lies within a coal mining area (either an area of old workings or active and future workings, or an area of proved coal resources) and therefore could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Application Number FUL/2019/0255  
Despatched on 25/04/2019  
DNFAC (feb2011)

Page 9

**Tracy Miller**  
Head of Planning



Coventry City Council

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

**Tracy Miller**  
Head of Planning