



Please ask for: Dave Gower

Direct line: 01788 533634

E-mail: david.gower@rugby.gov.uk

Application Reference: R22/0546

Date: 29-Jun-2022

Dear Mr Owen,

**Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation) (England) Regulations 2012
Trees in a Conservation Area**

REFERENCE NO:

R22/0546

DATE OF APPLICATION

30-May-2022

APPLICANT:

Justin Owen, Thurlaston Parish Council

AGENT:

n/a

SITE ADDRESS:

North side of Beech Drive between highway and boundary of 1 The Gardens, Thurlaston.

PROPOSED TREE WORKS:

Works to various trees.

I refer to your recent notice of intention to undertake works to tree(s) within a Conservation Area.

I can confirm that consent has been granted for the following works:

- T1 - Pine. Prune lowest secondary branches (crown lift) to achieve 5.5 metres clearance from ground level to facilitate passage of high sided vehicles. Reduce lowest over extended canopy spread to the south by 3 metres to blend in with upper crown. Remove dead wood.
- T2 - Western Red Cedar - Prune lowest branches (crown lift) to achieve 3 metres clearance from ground level. Remove large diameter drooping lower limb. Remove dead wood and split branches in upper canopy. Cut back to fence line.
- T3 & 4 - Holly - Prune lowest branches (crown lift) to achieve 2.5 metres clearance from ground level. Reduce height by 3 to 4 metres.

IMPORTANT – PLEASE READ THE NOTES ATTACHED TO THIS DECISION NOTICE

T5 - Holly – Remove and replace with fruiting tree. Tree in poor condition.
T6 - Holly - Crown lift 5 metres to clear highway. Height reduction by 3 to 4 metres.
T7 - Apple tree - Formative prune cut back from property and highway. Remove small separate tree growing from base.
T8 - Lilac - Remove and replace with fruiting tree.

In order to comply with the statutory requirements laid down in Section 214 of the Town and Country Planning Act 1990 the intended works will be entered onto the Council's public register of intended tree works within Conservation Areas for the required six weeks.

This six weeks notice period commenced with the receipt of your notice by this office and will expire on 11-Jul-2022. After this date you will be able to commence the above tree works.

The above authorization lasts for two years from the date of this letter. If the intended works are not undertaken within this time you are required to re-notify us in writing.

Yours sincerely

Dave Gower
Tree Officer

IMPORTANT – PLEASE READ THE NOTES ATTACHED TO THIS DECISION NOTICE

Notes:**Bats and Trees**

If mature trees are likely to be affected by the works, (e.g. by felling or lopping work), it is important to survey these trees for the presence of bats, prior to works commencing. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, the latter of which deems them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used. In considering planning applications that may affect European Protected Species, the Local Authority is bound by the Conservation of Habitats and Species Regulations 2010 to have regard to the Habitats Directive when exercising their functions.

Breeding bird note

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season, lasts approximately from March to September, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked for their presence immediately before work starts, especially if during the breeding season.

Application for tree works: works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in a conservation area.

Town and Country Planning Act 1990

Privacy Notice

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Please be aware that once you have downloaded this form, Planning Portal will have no access to the form or the data you enter into it. Any subsequent use of this form is solely at your discretion, including the choice to complete and submit it to the Local Planning Authority in agreement with the declaration section.

Upon receipt of this form and any supporting information, it is the responsibility of the Local Planning Authority to inform you of its obligations in regards to the processing of your application. Please refer to its website for further information on any legal, regulatory and commercial requirements relating to information security and data protection of the information you have provided.

Local Planning Authority details:



Publication of applications on planning authority websites

Information provided on this form and in supporting documents may be published on the authority's planning register and website.

Please ensure that the information you submit is accurate and correct and does not include personal or sensitive information. If you require any further clarification, please contact the Local Planning Authority directly.

If printed, please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes and help text as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title:		First name:	
Last name:			
Company (optional):	Thurlaston Parish Council		
Unit:		House number:	
		House suffix:	
House name:	95 Stocks Lane		
Address 1:	Thurlaston		
Address 2:			
Address 3:			
Town:	Rugby		
County:	Warwickshire		
Country:			
Postcode:	CV239JU		

2. Agent Name and Address

Title:	Mr	First name:	Justin
Last name:	Owen		
Company (optional):			
Unit:		House number:	
		House suffix:	
House name:	Beaconsfield		
Address 1:	Main Street		
Address 2:	Thurlaston		
Address 3:			
Town:	Rugby		
County:	Warwickshire		
Country:			
Postcode:	CV239JS		

3. Trees Location

If all trees stand at the address shown in Question 1, go to Question 4. Otherwise, please provide the full address/location of the site where the tree(s) stand (including full postcode where available)

Unit:		House number:		House suffix:	
House name:					
Address 1:					
Address 2:					
Address 3:					
Town:					
County:					
Postcode (if known):					

If the location is unclear or there is not a full postal address, either describe as clearly as possible where it is (for example, 'Land to the rear of 12 to 18 High Street' or 'Woodland adjoining Elm Road') or provide an Ordnance Survey grid reference:

Description:

Trees are located on the north side of Beech Drive between the highway and boundary of 1, The Gardens, Thurlaston, CV23 9LS. Grid Reference: SP 46879 71181

Ownership of the land is unknown to Thurlaston Parish Council and there has been no maintenance plan for this area for at least 20 years.

4. Trees Ownership

Is the applicant the owner of the tree(s): ☐ Yes ☒ No
If 'No' please provide the address of the owner (if known and if different from the trees location)

Title:		First name:	
Last name:			
Company (optional):			
Unit:		House number:	
House name:			
Address 1:			
Address 2:			
Address 3:			
Town:			
County:			
Country:			
Postcode:			

Telephone numbers

Country code:	National number:	Extension number:
Country code:	Mobile number (optional):	
Country code:	Fax number (optional):	
Email address (optional):		

5. What Are You Applying For?

Are you seeking consent for works to tree(s) subject to a TPO? ☐ Yes ☒ No

Are you wishing to carry out works to tree(s) in a conservation area? ☒ Yes ☐ No

6. Tree Preservation Order Details

If you know which TPO protects the tree(s), enter its title or number below.

7. Identification Of Tree(s) And Description Of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out. Continue on a separate sheet if necessary. You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work. Where trees are protected by a TPO, please number them as shown in the First Schedule to the TPO where this is available. Use the same numbers on your sketch plan (see guidance notes).

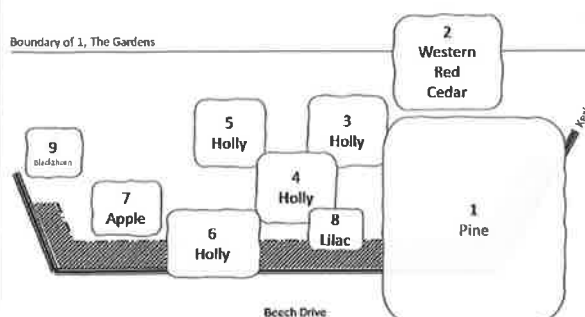
Please provide the following information below : tree species (and the number used on the sketch plan) and description of works. Where trees are protected by a TPO you must also provide reasons for the work and, where trees are being felled, please give your proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

Eg. Oak (T3) - fell because of excessive shading and low amenity value. Replant with 1 standard ash in the same place.

The ownership of the land upon which the trees are located is unknown. The trees have become overgrown and some are obstructing the highway. Others, particularly the pine and western red cedar, are overbearing and block sunlight from adjacent properties.

Thurlaston Parish Council has sought advice and quotes from three professional arborists. The trees in question have been labelled with aluminium tags to aid identification. The location of each tree and proposed works, are given below:

7. Identification Of Tree(s) And Description Of Works continued ...



Tree 1 Pine

Crown lift 5.5m above highway (for safety reasons)
Remove dead wood (for aesthetic and safety reasons)
Reduce south side of crown by 3m (safety reasons)

Tree 2 Great Western Cedar

General observation Trees 1 and 2 provide mutual protection from the elements.
Remove low lying large branch at the trunk. (Reasons of dead wood and open up the area)
3-metre crown lift. (reasons of maintenance)
Cut back from the fence line (reasons of effect on neighbouring property)
Tidy and remove dead wood (reasons of maintenance)

Trees 3 and 4 Holly

Raise crown height by 2.5 meters.
Reduce height by 4 metres
Formative prune, general tidy up, remove dead wood.

Tree 5 Holly

Remove (reason, lack of form, overrun with Ivy)
Potentially replace with flowering apple / cherry tree.

Tree 6 Holly

Height reduction by 4 metres
5-metre crown lift to reveal stem (to promote highway safety.)
Formative prune to remove spurious growth (to promote healthy growth)

Tree 7 Apple (inspection confirmed there are two trees closely adjacent)

Apple tree formative prune and cut back from property.
The second tree to be removed.

Tree 8. Lilac

To be removed and potentially replaced with flowering cherry as part of landscaping.

8. Trees - Additional Information

Additional information may be attached to electronic communications or provided separately in paper format.

For all trees

A sketch plan clearly showing the position of trees listed in Question 7 must be provided when applying for works to trees covered by a TPO. A sketch plan is also advised when notifying the LPA of works to trees in a conservation area (see guidance notes). It would also be helpful if you provided details of any advice given on site by an LPA officer.

For works to trees covered by a TPO

Please indicate whether the reasons for carrying out the proposed works include any of the following. If so, your application must be accompanied by the necessary evidence to support your proposals. (See guidance notes for further details)

1. **Condition of the tree(s)** - e.g. it is diseased or you have fears that it might break or fall:

☐ Yes ☐ No

If YES, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.

2. **Alleged damage to property** - e.g. subsidence or damage to drains or drives.

☐ Yes ☐ No

If YES, you are required to provide for:

Subsidence

A report by an engineer or surveyor, to include a description of damage, vegetation, monitoring data, soil, roots and repair proposals. Also a report from an arboriculturist to support the tree work proposals.

Other structural damage (e.g. drains, walls and hard surfaces)

Written technical evidence from an appropriate expert, including description of damage and possible solutions.

Documents and plans (for any tree)

Are you providing separate information (e.g. an additional schedule of work for Question 7)?

☒ Yes ☐ No

If YES, please provide the reference numbers of plans, documents, professional reports, photographs etc in support of your application. If they are being provided separately from this form, please detail how they are being submitted.

Please see the following documents, attached:

Map of Location

Pinus Negra - Low Canopy over highway

9. Authority Employee / Member

It is an important principle of decision-making that the process is open and transparent. For the purposes of this question, "relating to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the local planning authority.

Do any of the following statements apply to you and/or agent? ☐ Yes ☒ No

With respect to the authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

If Yes, please provide details of their name, role and how you are related to them.

10. Application For Tree Works - Checklist

Only one copy of the application form and additional information (Question 8) is required. Please use the guidance and this checklist to make sure that this form has been completed correctly and that all relevant information is submitted. Please note that failure to supply precise and detailed information may result in your application being rejected or delayed. You do not need to fill out this section, but it may help you to submit a valid form.

Sketch Plan

- A sketch plan showing the location of all trees (see Question 8) ☒

For all trees

(see Question 7)

- Clear identification of the trees concerned ☒
- A full and clear specification of the works to be carried out ☒

For works to trees protected by a TPO

(see Question 7)

Have you:

- stated reasons for the proposed works? ☐
- provided evidence in support of the stated reasons? in particular:
 - if your reasons relate to the condition of the tree(s) - written evidence from an appropriate expert ☐
 - if you are alleging subsidence damage - a report by an appropriate engineer or surveyor and one from an arboriculturist. ☐
 - in respect of other structural damage - written technical evidence ☐
- included all other information listed in Question 8? ☐

11. Declaration - Trees

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant:

Or signed - Agent:



For Thurlaston Parish Council

Date (DD/MM/YYYY):

26 05 2022

(This date must not be before the date of sending or hand-delivery of the form)

12. Applicant Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

13. Agent Contact Details

Telephone numbers

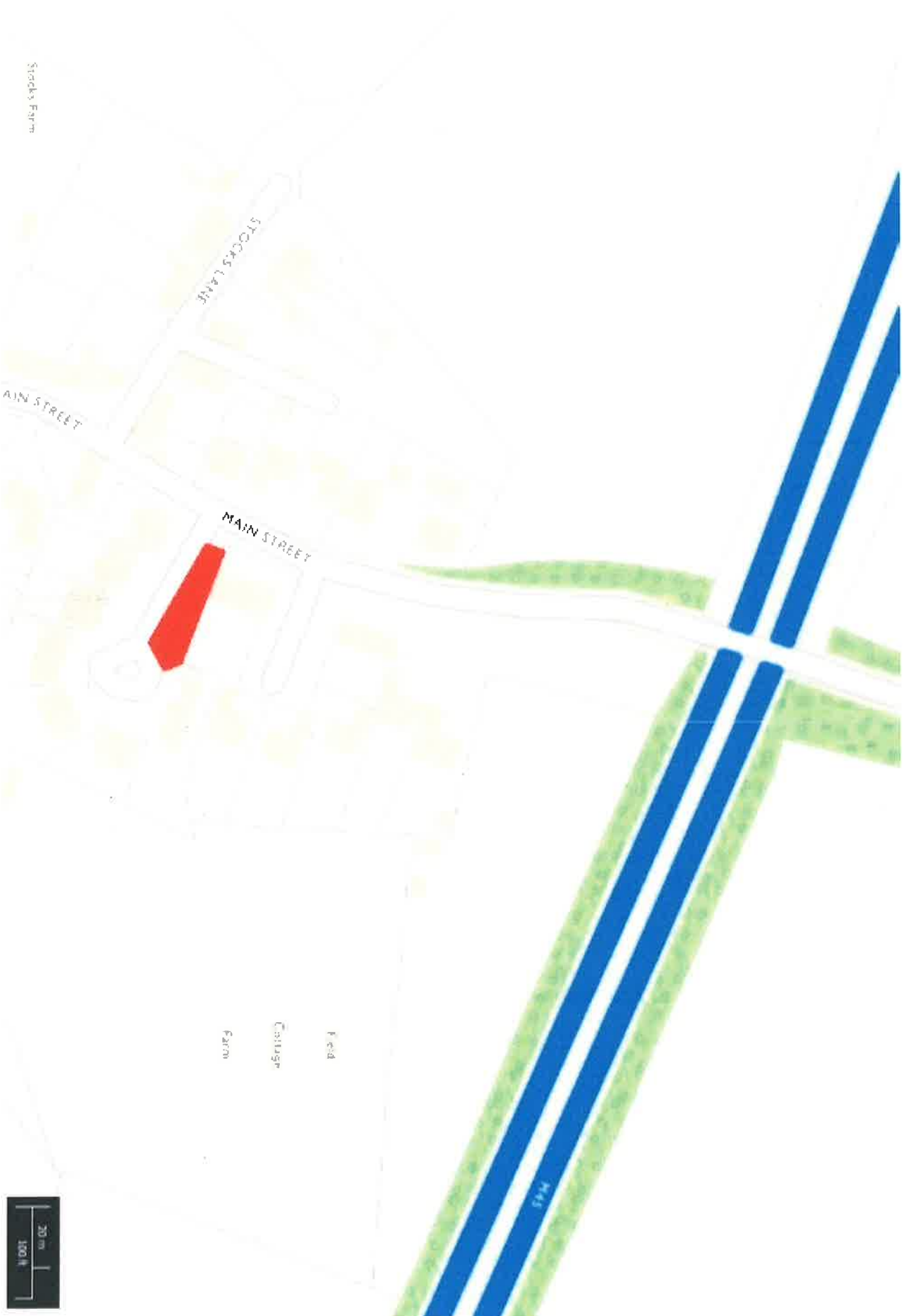
Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

Map of Location



Pinus Negra - Low Canopy over highway

