
COMMITTEE REPORT 8

Planning Committee

01/09/2005

Report of Head of Development Regulations

APPLICATION No. - 48001/S

Description of Development - Residential development and community use (Use class D1) with associated access, infrastructure & landscaping (outline with means of access being discharged).

Site - Land at corner of Bennetts Road Exhall Road

Applicant - Prologis Developments Ltd

Ward - Bablake Keresley

INTRODUCTION

- The purpose of this report is to consider the above application, which straddles the administrative boundaries of Coventry and Nuneaton and Bedworth.

RECOMMENDATION

- Planning Committee are recommended to delegate the grant of planning permission to the Head of Development Regulations, subject to the completion of an Agreement to secure: the marketing of the land set aside for D1 community uses for five years, provision of affordable housing, the provision of open space on the site and a contribution towards community facilities; appropriate details of sound attenuation and subject to the conditions set out in the attached schedule.

DESCRIPTION OF APPLICATION SITE

- 4.35ha site, of which 1.16ha lies within Coventry, the remainder within Warwickshire (Nuneaton and Bedworth Borough Council's jurisdiction).
- The Coventry land lies within the north east of the Prologis Park Business Park, with the Bennetts Roads smart (restricted access) junction to the south. The railway head and large industrial units lie to the east and new housing to the northeast. There is a ranch-fenced boundary to Bennett's

road to the east, with fields and the Coventry Colliery Sports and Social Club beyond.

- Bennett's road forms the Green Belt boundary and boundary with Ancient Arden designated countryside.
- The land comprises of mainly grassland and trees. A landscaped band of trees and bushes adjoins the Smart junction.
- A footpath runs within the northern part of the Coventry land, with Newlands Cottage to the immediate north, part of this land is owned by Coventry City Council.
- The Nuneaton and Bedworth site contains the foundations and gardens of the former Newlands house, which is in City Council ownership, plus land extending as far as Exhall road with a number of mature trees and shrubs within the centre of the site.
- The application site excludes the library and Police house, but includes an area of open space on the corner of Exhall Road/ Bennett's road, owned by Nuneaton and Bedworth Borough Council.

PROPOSAL

- The application seeks outline permission for residential development on the majority of the site, but with 500sqm of land being set aside for community uses within use class D1, which includes day centres, crèche gym and other non-residential institutional uses.
- All matters are reserved except access (which is being discharged in part to indicate where junctions, footpaths and cycle ways link into the site).
 - The Indicative framework Plan that accompanies the application shows vehicular access points from Exhall Road and Woods Piece (the road into the modern housing estate to the east). Both vehicular accesses lie within Warwickshire. Footpath and cycle accesses are proposed to link the site to Prologis Park and to Bennett's road.
- A three storey mixed residential block is indicated to run along the southern boundary of the site.
- Structural landscaping is proposed for the Bennett's road boundary and to the Smart junction/Prologis Park.
- A circular access road will link the Coventry land with the rest of the site. An area of centrally located trees and shrubs are to be retained within the Nuneaton land and the land on the corner of Bennett's road and Exhall road is to be retained as open space.
- The application is accompanied by a Planning Statement, a Retail Feasibility Study (December 2002), a Commercial Viability Study, a Transportation Assessment; an Ecological Walkover Study and an Environmental Report, an Addendum to the Planning Statement and a Revised Noise Assessment dated April 2005.
- The Transport Assessment indicates that when the Coventry and Nuneaton applications are taken together, the whole site could accommodate up to 160 dwelling units (at 30-50 dwellings per hectare).

RELEVANT PLANNING HISTORY

- 48001 and 48001/A: Outline permission for redevelopment of land for employment purposes (B1: office, research, light industries; B2 general

industrial and B8 storage and distribution); A1 (retail); and A3 (food and drink); residential development, local centre, countryside park; with associated road and rail infrastructure and landscaping approved subject to a section 106 agreement on 1st October 1999.

- The outline planning permission and subsequent Implementation Plan for Prologis park indicated approximately 2.8ha of the current site to be allocated as a local centre to provide 465sqm of A1 retail use and possible community uses including A3 (Food and Drink). The section 106 agreement, which accompanied the outline permission required that the Developer market the retail land and make it available for a retail operator for five years from commencement of Development or until 75% of the floor space was occupied.
- 48001/N: A previous outline scheme for residential development and associated access, infrastructure and landscaping on this site was withdrawn on 22nd September 2003.
- 48001/S: A scheme submitted in October 2004 for outline residential permission only on the site this has been withdrawn following negotiations and this application substituted.
- The application has been the subject of a screening opinion in accordance with the procedure set out under The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. Under delegated powers it was determined that an EIA was not required as the proposal is deemed:
 - not to be within a sensitive area as defined by Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales 1999);
 - not to be of not more than local significance;
 - not to be environmentally sensitive or located in an environmentally sensitive locations. There are environmentally sensitive locations within the immediate vicinity.
 - and would not result in an unusually complex or potentially hazardous environmental effect.
- Nuneaton and Bedworth B.C. considered their application for the site on 3rd August 2005 and resolved that on completion of a section 106 agreement, the application be approved subject to conditions.

DEVELOPMENT PLAN POLICIES

- CDP; H4, BE2, BE9, GE6, H9, AM22, AM12, AM17, AM22, AM9, BE2, BE20, BE3, E6, E8, EM5, EM6, GE14, GE9, H10, H12, H9, OS10, OS2, OS5, SCL13.
- RPG: PA2; PA6; PA13; QE3; QE6;
- SPG: Design Guidelines For Development in Coventry's Ancient Arden May 1995 and the Coventry Urban Design Guidance September 2004.
- PPG; PPS1, PPG3; PPG4; PPS6.

STATUTORY CONSULTATION RESPONSES

- Keresley Parish Council: No objections, Members felt that the boundary wall of Newlands House adjacent to Bennett's road should be retained as it is a

piece of local history as was Newlands House which was the house of the owner of the mine, Mr William Fen.

As there were funds available in the outline plans for community funding the question was asked would the developer agree to provide a monument to the memory of Coventry Colliery and all people who had connections with the pit during its lifetime – this was to be sited adjacent to what was the pit driveway opposite the Keresley Sports and Social Club, Bennett's Road.

The Parish Council would like to know if funding is still available.

- Severn Trent Water: have no objections subject to a condition detailed drainage/sewerage works being carried out in accordance with an agreed scheme.
- West Midlands Fire service: no objections subject to compliance with building regulations.

PUBLIC RESPONSES

- Notification letters were sent to residents on Bennett's road, the Colliery Sports and Social Club and nearest businesses on Prologis Park.
- Site and press notices were posted on 9th June 2005.
- No third party comments have been received in respect of the current application.

ISSUES

- Policy OS2 of the Coventry Development Plan 2001 defines Prologis Park as a strategic regeneration site where a mixed-use approach will be taken to achieve the best development for the City within a reasonable timescale.
- The application site was previously part of the land allocated for a local centre under the original outline permission for the site, with an area of land to be set aside for a retail store of not more than 465sqm gross internal floor space. A possible public house or food and drink use was also suggested.
- A Retail Feasibility Study has been submitted as part of the application and this indicates that the development of a retail centre is not viable in the location shown and could undermine the existing retail centre within Keresley Village at Rathbone Close. Further marketing information has been submitted which supports the view that whilst the site has been marketed it is unlikely to be developed for a retail use or food and drink/public house use.
- Prologis park is designated under policy E6 as a Principal Employment site, where any mixed use is expected to be predominantly employment based. This would therefore be the preferred use for this site.
- The current application has included an economic report and details of site restrictions and current market conditions that suggest that a B1 office/light industrial or Research and Development user is also unlikely to come forward for the site and the proximity to existing housing off Woods Piece makes it unsuitable for General Industrial or warehouse uses.
- Whilst the predominant land use will be housing, the Coventry site is proposed to accommodate some quasi-employment/possible social use via the proposed provision of 500sqm of Use Class D1 (Non-residential institutions) A commitment to making the land available for a reasonable

time limit (five years) and to market it for this time would be required via a section 106 agreement.

- Policy H9, in dealing with windfall housing sites indicates that proposals for housing development on sites not identified will be permitted subject to:
 - Compatibility with nearby uses;
 - the provision of an attractive residential environment;
 - convenient pedestrian access to local facilities;
 - being well served by public transport; and
 - compatibility with other plan policies
- The development will adjoin a principal employment site, used for 24-hour operations and with a rail siding 35 metres to the southeast. It is important if residential development is to be permitted then it should not impede the operation of the business park.
- A noise assessment has been submitted, this suggests that noise exposure could be an issue, unless mitigation measures are implemented. A three-storey development wrapping around the southern boundary with single aspect housing has been suggested as part mitigation. A noise barrier would also be needed to screen the end of the railway siding (up to 4 metres in height). Although this application is in outline form, clearly the design of the three-storey block and barriers will be critical to the success of the scheme. A high quality solution that reflects the sites potential prominence from Bennett's road and Prologis Park will be required in accordance with Policy BE2. Further conditions may also be necessary to ensure satisfactory living conditions are provided and maintained.
- Bennett's road, will provide an attractive aspect for residential development and this will be enhanced by the incorporation of an area of open space and trees within the centre of the site. In order to respect the Green Belt (policy GE6) and Coventry's Ancient Arden countryside from which the site will be conspicuous, conditions will be required to ensure structural landscaping, incorporating Arden species is provided. An ecological survey of the site did not provide evidence of protected species being present, but suggested conditions in respect of tree felling and the potential ecological enhancement of the site via native planting, which would accord with Arden guidelines.
- In sustainability terms the proposal does represent development of previously developed land. The site is well served by the bus services provided as part of the Prologis Park redevelopment, and footpath and cycle links are proposed to link into Prologis Park.
- To accord with Policy H10, 25% of the proposed housing will need to be designated as affordable housing (75% rented and 25% shared ownership).
- A contribution towards education provision will also be required.
- Keresley Parish Council has requested a monument to the colliery be provided. The applicant has suggested no objection in principle to this request. The applicant has suggested that they are prepared to contribute existing community or sports facilities commensurate to the demands created by development, including off site play space. Any funds for off site works would need to be subject to a legal agreement.
- The applicants are also proposing to retain the existing red brick wall on Bennett's road, in the County at the Parish Council's request.

- Vehicular access is proposed off Exhall Road and Woods Piece. No vehicular access is proposed from Bennett's road.

CONCLUSION

- It is considered that the site can be developed in a way that will support the underlying principles of the regeneration zone and would not compromise the development of Prologis Park. The development could bring positive benefits through land set aside for community uses and a community contribution to the area. It is therefore recommended that permission be granted subject to a legal agreement and the conditions stated.

SCHEDULE

Condition(s)

- 1. The approval of the Council shall be obtained to the following reserved matters before any development is commenced viz:-
the siting of the buildings
the design of the buildings
the external appearance of the buildings
the means of access to the buildings
the landscaping of the site.**
- 2. Application for approval of the matters referred to in Condition One above must be made within 3 years of the date of this permission.**
- 3. The development to which this permission relates shall begin within 5 years of the date of permission or within 2 years of the final approval of the reserved matters, whichever is the later.**
- 4. There shall be no means of vehicular access to the site from Bennetts Road or the Bennetts Road Smart access.**
- 5. The development hereby permitted shall at all times comply with the following requirements and the Indicative Framework Plan Figure 1 reference 7067/FO11/UK/001/U accompanying this permission ("The Plan") and shall include:**
 - i) 10 metre structural landscape band(s) to Bennetts Road site boundary ;**
 - ii) 10 metre structural landscape band(s) to the southern boundary linking to the Prologis Business park**
 - iii) the retention of all existing trees**
 - iii) a site for a 500sqm building to be used for use for a purpose within Use Class D1 of the Town and Country Planning (Use Classes) Order 2005;**
 - iv) Cycle and pedestrian routes into and linking the site to Prologis Park Business Park and Bennetts Road,**
 - (v) the retention of the existing footpath from Bennetts Road adjacent Newlands Cottage.**
 - vi) A building to act as a noise buffer.**

- 6. No building work shall commence until drainage works, incorporating sustainable drainage principles and including any necessary off site works, have been agreed and completed in all respects in accordance with details to be submitted to and approved by the local planning authority.**
- 7. No building work shall be commenced on site until a remediation method statement detailing how on site contamination will be addressed has been submitted to approved in writing by the Local Planning Authority. This shall include details of the ventilated sub-floor void, gas protection membrane and cover layer. Thereafter the development shall be constructed in accordance with the approved details.**
- 8. A scheme for protecting the proposed dwellings from noise from the adjoining highways, railway sidings and business users shall be submitted to and approved in writing by the local planning authority. Such scheme shall provide for adequate ventilation when windows are closed. The dwellings shall not be occupied until the approved scheme or any subsequently amended scheme has been implemented in full.**
- 9. Not less than 25% of the residential units shall be affordable and furthermore 5% of the residential units shall be capable of adaptation in accordance with the Life Time Living Standards.**
- 10. Dropped kerbs and ramps, suitable for wheelchairs and prams, shall be provided (to the specification of the local planning authority) in the footways at all major pedestrian crossing points and at road junctions at the time such footways are constructed.**
- 11. The development shall proceed only in accordance with detailed 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, 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.**
- 12. No development shall commence until details of the proposed phasing of the development including plans showing the boundaries of each phase, the constituent uses, buildings, access arrangements and landscaping within each phase and the interim surface and boundary treatment of any part of the site not included within the first phase have been submitted to and approved in writing by the local planning authority. Once approved the development shall be carried out only in full accordance with such approved phasing details or any approved amendments.**
- 13. The existing trees and shrubs indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any trees or shrubs removed without such consent or dying, or being severely damaged or diseased within five years from the substantial completion of development shall be replaced, as soon as practicable with trees and shrubs of such size and species details of which must be submitted to and approved by the local planning authority.**

Reason(s)

1. To comply with Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.
2. To comply with Section 92 of the Town and Country Planning Act 1990.
3. To comply with Section 92 of the Town and Country Planning Act 1990.
4. In the interests of vehicular and pedestrian safety in accordance with Policy AM22 of the Coventry Development Plan 2001.
5. To accord (coupled with planning obligations) that the development accords with the basis for assessment of traffic and environmental effects and other matters and that the benefits and effects reflect those which justified the grant of planning permission in accordance with policy OS2, H9, GE6, GE14, AM9, AM12, AM22 and SCL3 and BE2 of the Coventry Development Plan 2001.
6. To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policies OS4 and EM6 of the Coventry Development Plan 2001.
7. To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Development Plan 2001.
8. In the interests of the amenities of the future occupiers of the residential properties and to ensure the effective working of the Prologis Park in accordance with Policies OS2, EM6, EM5 and OS7 of the Coventry Development Plan 2001.
In the interests of the amenities of the future occupiers of nearby properties in accordance with Policy EM5 and OS7 of the Coventry Development Plan 2001.
9. To accord with policy H11 and OS8 of the Coventry Development Plan 2001.
10. To ensure that a pavement crossing is available for use when the development commences thereby enabling safe and convenient access to and egress from the site in the interests of the safety of road users and pedestrians in accordance with Policy AM9 of the Coventry Development Plan 2001.
11. In the interests of highway safety and the amenities of the occupiers of nearby properties in accordance with Policy AM1 of the Coventry Development Plan 2001.
12. To ensure that, in the event of the development being carried out on a phased basis, satisfactory access, car parking and landscaping provision is incorporated within each phase, in the interests of public safety and visual amenity in accordance with Policies GE6; AM17, AM22 & BE2 of the Coventry Development Plan 2001.
13. To protect those landscape features which are of significant amenity value to the area in accordance with Policies OS4, GE6 and GE14 of the Coventry Development Plan 2001.

LIST OF BACKGROUND PAPERS

PROPER OFFICER: Head of Development Regulations

AUTHOR: Lesley Wroe - Planning Control Manager (024) 7683 1225

PAPERS OPEN TO PUBLIC INSPECTION (all at City Development Directorate, Civic Centre 4, Much Park Street)

Planning Application File: 48001/S

Coventry Development Plan 2001

CASE OFFICER : Suzanne Clear

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Revisions:

- REV. J. ML 04/11/16 BUILDING HEIGHTS AND POSSIBLE ROAD LAYOUT SHOWN INDICATIVELY
- REV. K. ML 04/11/17 NBBC PLOT REVISED.
- REV. L. ML 05/02/14 OPEN SPACE INDICATED, POSSIBLE NURSERY & SURGERY INDICATED
- REV. M. JFB 05/03/07 Additional 22 trees with Tree Preservation Orders indicated
- REV. P. ML 05/03/24 Bennetts Road access indicated, access from turning head to 'Smart Junction' revised.
- REV. Q. ML 05/04/27 POSSIBLE SURGERY REVISED
- REV. R. ML 05/05/06 RESIDENTIAL / COMMUNITY FACILITY BLOCK REVISED, ADDITIONAL ACCESS FROM EXHALL ROAD INDICATED.
- REV. S. ML 05/05/12 BENNETTS ROAD VEHICULAR ACCESS OMITTED, NEW ACCESS SHOWN OFF EXHALL ROAD.
- REV. T. ML 05/07/22 POTENTIAL D1 USE SITE IDENTIFIED
- REV. U. ML 05/08/02 SITE FOR POTENTIAL D1 USE OMITTED



 Residential	 Proposed access shown indicatively	 Existing/Proposed footpath/cycleway	 Structural Landscaping	 Visibility splays to proposed access points	 Council Boundary	 Indicative footpath/cycleway to Prologis Park
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Project:	Land at Exhall Rd/Bennetts Rd inc. Plot F ProLogis Park, Coventry
Title:	Indicative Framework Plan Figure 1
Drawn by:	ML
Date:	05/2005
Scale:	1:2000@A3
Project no.:	7067
Feasibility no.:	F011
Prologis ID:	UK
Drawing no.:	001
Revision.:	U



Coventry, ProLogis Park, Indicative Framework Plan, Fig. 1. 7067F011-V001U

STEPHEN GEORGE & PARTNERS ARCHITECTS & PLANNERS 1 MONKSPATH HALL ROAD SOLIHULL W MIDLANDS B90 4FY T: 0121 224 8718 F: 0121 224 8759

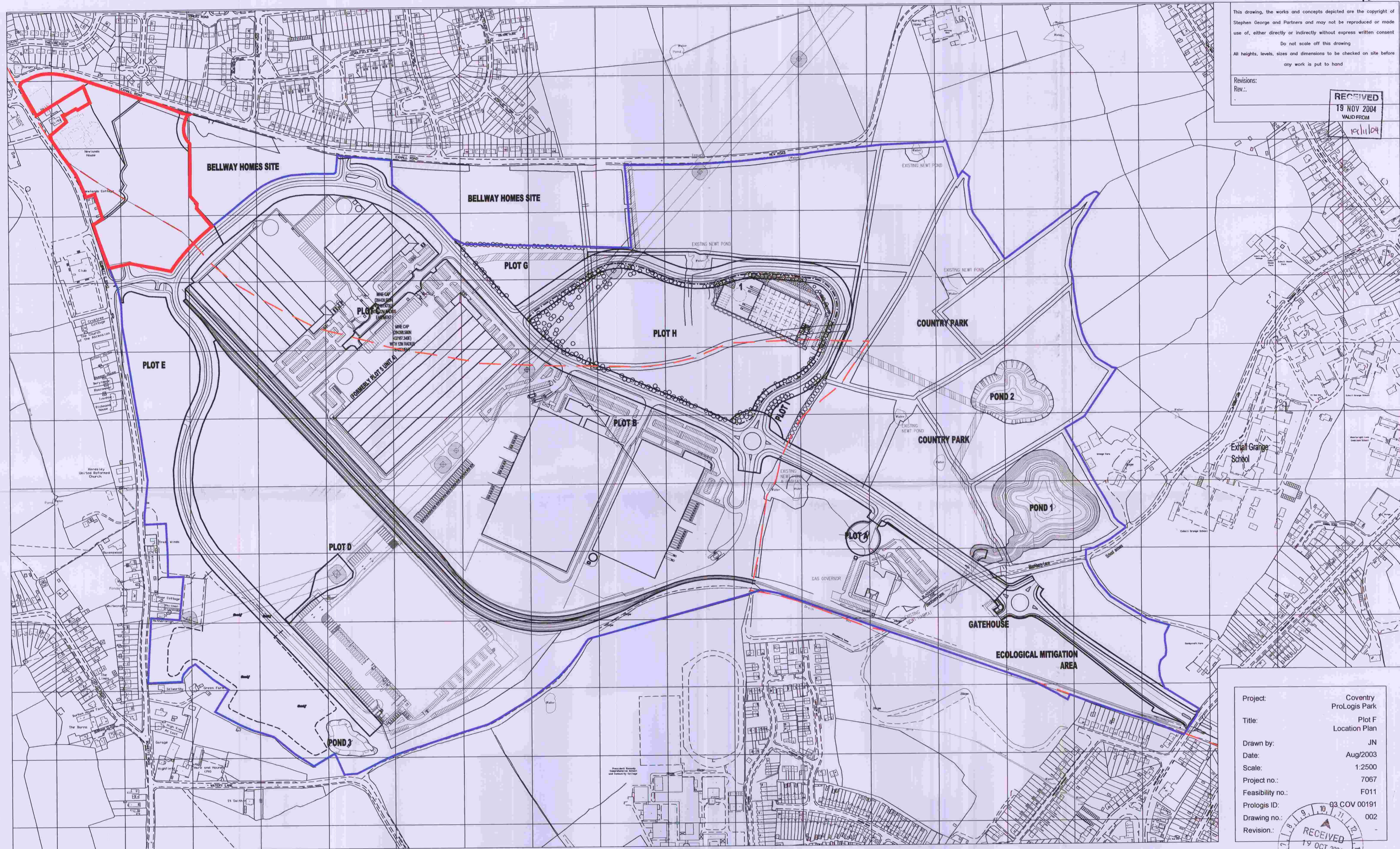


cad ref. 7067F011-001

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Revisions:
Rev.:

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19/11/04



Project:	Coventry ProLogis Park
Title:	Plot F Location Plan
Drawn by:	JN
Date:	Aug/2003
Scale:	1:2500
Project no.:	7067
Feasibility no.:	F011
Prologis ID:	03 COV 00191
Drawing no.:	002
Revision:	

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19 OCT 2004
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Coventry Prologis Park Plot F Location Plan

7067F011 002



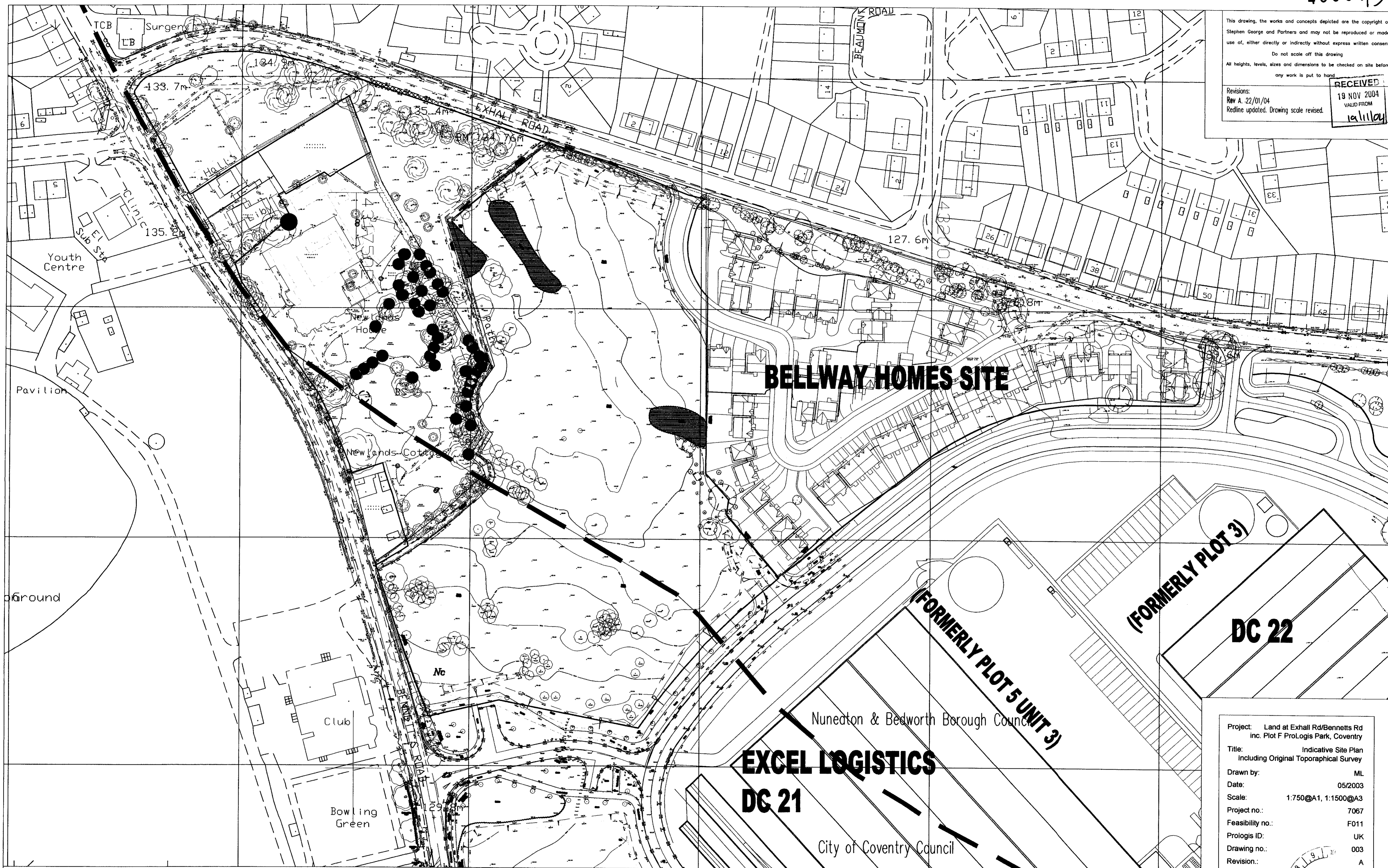
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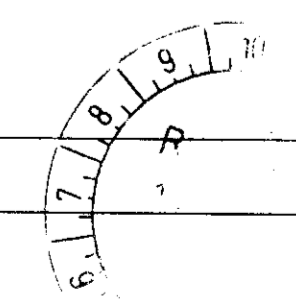
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Revisions:
Rev A. 22/01/04
Redline updated. Drawing scale revised.

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12/11/04



Project: Land at Exhall Rd/Bennetts Rd inc. Plot F ProLogis Park, Coventry
Title: Indicative Site Plan Including Original Topographical Survey
Drawn by: ML
Date: 05/2003
Scale: 1:750@A1, 1:1500@A3
Project no.: 7067
Feasibility no.: F011
Prologis ID: UK
Drawing no.: 003
Revision: A

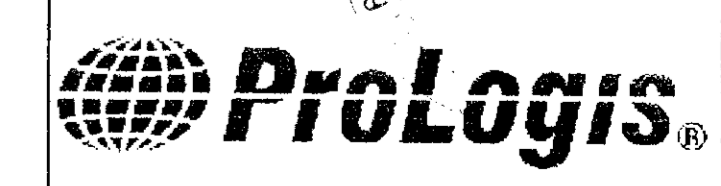


SGP

Coventry, ProLogis Park, Plot F, Inc. Topographical Survey

7067F011-003A

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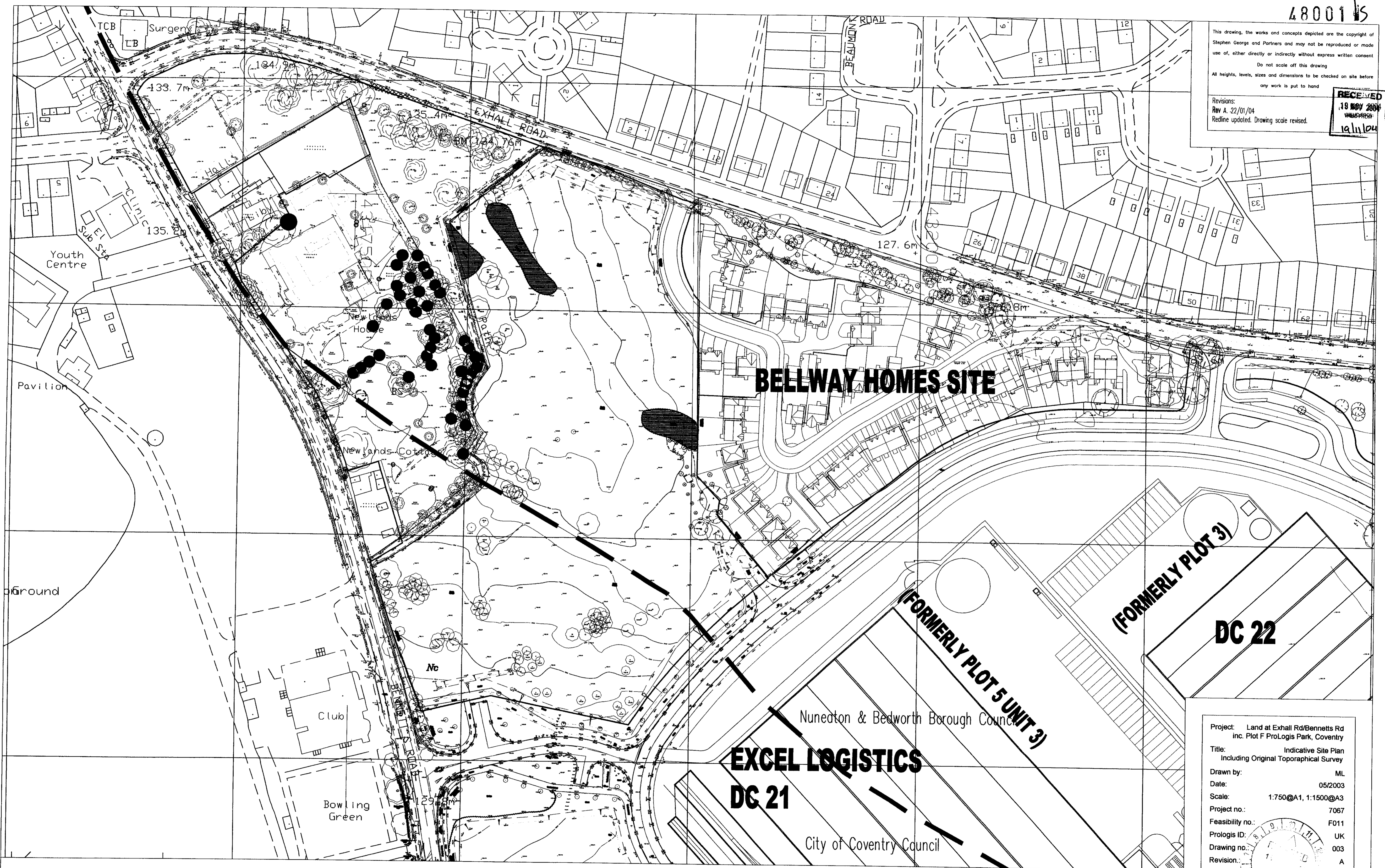
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Revisions:
Rev A. 22/01/04
Redline updated. Drawing scale revised.

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19/11/04



Project: Land at Exhall Rd/Bennetts Rd inc. Plot F ProLogis Park, Coventry

Title: Indicative Site Plan Including Original Topographical Survey

Drawn by: ML

Date: 05/2003

Scale: 1:750@A1, 1:1500@A3

Project no.: 7067

Feasibility no.: F011

Prologis ID: UK

Drawing no.: 003

Revision: A

SGP.

Coventry, ProLogis Park, Plot F, Inc. Topographical Survey

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