
COMMITTEE REPORT 4b

Planning Committee

16/02/2006

Report of Head of Development Regulations

APPLICATION No. - 46810/J

Description of Development - Development of local centre comprising community centre building incorporating changing facilities and equipment store, retail store block with residential accommodation above, an equipped play area, a floodlit multi use games area, car parking, servicing, access and highway arrangements, landscaping and associated works (revised site layout, retail / residential block design, and landscaping details).

Site - Land Between Capmartin Road & Daimler Road

Applicant - The Radford Consortium & Adderbury Hawkstone (Daimler Green)

Ward - Radford

INTRODUCTION

- The purpose of this report is to consider the above application.

RECOMMENDATION

- Planning Committee is recommended to grant planning permission.

DESCRIPTION OF APPLICATION SITE AND SURROUNDING AREA.

- The application site relates to plot 4b (as shown on phasing plan ref. 22222P/102H) within Daimler Green, which is roughly situated between the playing fields and King Automotive Systems, at the head of Alverley Road, and includes the bowling club car park.

DETAILS OF PROPOSAL.

- Application for full permission in respect of proposals for Plot 4b.
- Submission of revised details for the local centre comprising:
 - a revised design for the retail/ residential block, which is reduced in height from 15.6m to 14.5 m, 24 flats are still proposed, but the number of shops is reduced from to 5 to 3, (unit 1. [A3] = 129 sq.

- m; unit 2 = 204 sq. m. and unit 3. = 250 sq. m. An enclosed refuse storage area is provided for the commercial premises.
- The proposed commercial block is re-sited so as to increase the separation from the dwellings opposite in Highley Drive from 20 metres to 26m.
 - The building is to be finished in red facing bricks, with white plank weatherboard cladding and dark grey roof tiles. Metal railings are to be colour coated white.
 - A total number of 142 parking spaces are to be provided. This represents a reduction of seven parking spaces to that previously proposed, but nonetheless provides a facility of:
 - 8 spaces in front of the shops {inc. 1 orange badge};
 - 22 overspill spaces,
 - 32 numbered spaces for residents {inc. 1 orange badge},
 - 24spaces {inc. 1 orange badge} to serve the bowling club, sited within a separate fenced/ gated car park adjacent to the Bowling Club; and
 - 56 spaces {inc. 5 orange badge} to serve the remainder of the centre;
 - The proposed hours of opening are, between 05:00 hours and 23:00 hours, Monday to Saturday and between 06:00 hours and 22:00 hours on Sundays or Bank Holidays.
 - Deliveries are proposed between 07:00 hours to 17:00 hours Monday to Saturday, and 08:00 hours to 12:00 noon on Sundays and Bank Holidays.
 - The remainder of the local centre proposals which are unchanged include:
 - The identification of a site for a possible surgery (or subject to marketing, A1, A2, A3, or B1 use), situated between head of cul-de-sac in Alverley Road and Multi Use Games Area
 - access and highway arrangements;
 - landscaping incorporating, fencing / gates in various part of the development inc. the perimeter of the Bowling Club car park;
 - areas of public open space; and Lighting.

RELEVANT PLANNING HISTORY.

- Outline planning permission granted (46810/E) 19 August 2004 to revise the masterplan for the redevelopment of Daimler Green to provide: - Residential, open space, retail, community and changing rooms, building for Use Class, A1 (shops), A2 (financial and professional services); A3 (food and drink); B1 (business) or D1 (non residential institutions) including surgery, multi – sports court, car parking, landscaping and associated roads (Approved Masterplan Ref. 22222P/101J & Approved Phasing Plan Ref. 22222P/102H).
- Permission was subject to a S. 106 Agreement, which was signed on 12.08.04.
- The revised master plan incorporated two areas of land vacated from the GWK industrial premises, and amongst the revisions thus prompted for the masterplan were:

- Creation of an additional housing phase (3D) to comprise 34 two and three bedroom dwellings west of GWK, incorporating an area for play and an emergency access for GWK;
- An informal area for play (LAP) to the west of GWK;
- Multi-purpose flood lit pitches to the south of GWK;
- A doctors surgery (the original site for this to be replaced by housing);
- A community building (500 sq. m.) incorporating changing facilities;
- A car park for the local shopping/recreational/community facilities;
- An element of retailing (600 square metres – the remainder to be located on site of former Fire Station); and
- A small area of public open space.
- The revised S. 106 agreement included requirements for the marketing of the areas identified for local shopping within use classes A1; the surgery; use classes A2 (Financial and Professional), A3 (Hot food catering establishments), B1 (Offices/ R&D/ Light Industrial), D1 (Non-residential institutions), and a mixed live-work/ training use.
- The Masterplan provides the possibility for flats above the retail shops, and the Community building/changing facilities, building, and subsequent report back to Planning Committee.
- Members will recall that proposals for the development of local centre for the Daimler green development were reported to Planning Committee on 9th June 2005.
- The scheme comprised:
 - A four storey mixed use building (maximum height of 15.6m) having a setback of 20 m. from the residential properties opposite in Highley Drive, incorporating:
 - 5 number retail units on the ground floor for A1, A2, A3, B1 and D1 uses (subject to marketing); (4 x 92 sq. m. {1000sq. ft} plus 1 x 185.8 sq. m. {2000 sq. ft.}), to be used or D1 (subject to marketing), with rear and side service accesses;
 - 24 No. 1, 2, and 3 bedroom residential units on upper floors ranging in size from 60 sq. m. to 83 sq. m. with access to the flats from the rear, 35 residential parking spaces within an overall parking provision of 149 car parking spaces (including 8 orange badge spaces) to serve the centre, flats and Bowling Club.
 - A community centre building with net floor area of 567 sq. m. and a capacity for 400 people (plus 8 staff), incorporating changing facilities to accommodate 60 people. The proposal included an equipment store, bun store, bin and cycle storage;
 - a local equipped play area (LEAP);
 - a floodlit multi use games area (MUGA);
 - provision of land sited between head of cul-de-sac in Alverley Road and MUGA, backing onto the King Automotive access road for a possible surgery (or subject to marketing, A1, A2, A3, or B1 use),
 - access, highway, and landscaping details incorporating public open space and lighting.
- Numerous letters expressing objections to the proposals were received from local residents. Councillor Skipper also submitted a petition bearing 214 signatures at the Committee Meeting, and Mr. Dhami (Chair Daimler Green

Residents Association) spoke on behalf of the petitioners opposing the proposals.

- The key concerns were identified as being; the proposed A3 uses, and the height, massing and appearance of the commercial building. Members resolved to adjourn the consideration of the proposals pending further discussions to enable further negotiations between officers and the applicant, on these issues. As a consequence of those negotiations the proposals have materially changed and the original proposals have therefore been withdrawn and this proposal substituted

RELEVANT PLANNING POLICIES

- CDP: AM17, AM22, BE2, BE20, H8, H12, S9, OS3;
- PPG;PPS1, PPG 3, PPG 13, PPG 17;
- SPG: Urban Design Guidance; Draft Car Parking Strategy.

STATUTORY CONSULTATION RESPONSE.

- None.

PUBLIC RESPONSE.

- Notification letters were sent on this revised proposal to all known occupied dwellings in Daimler Green, and the Sports and Social Club where a copy of the drawings were deposited for convenient viewing by local residents.
- Site notices were posted on 19th December 2005 in Highley Drive, Alverley Road, and the pedestrian link running along the east of the Green between both these roads.
- A total of 33 letters of objection have been received from Daimler Green residents and in addition, two letters of objection bearing 29 and 49 signatures apiece was also received. The issues raised are summarised as follows:
 - Adequate shopping facilities, including hot food takeaways, exist nearby in Radford Road, and Jubilee Crescent District Centre, and are not needed in Daimler Green;
 - The development of this land to include retail shops, a floodlit sports area and community centre will dramatically alter the quiet and safe area that people are used to;
 - The development would increase traffic generation to the site, which would erode pedestrian safety, and the amenity and safety of householders and children playing in the vicinity;
 - The retail premises will cause disturbance to surrounding residents encouraging youths to congregate around the shops;
 - If the shops are to be open late at night the level of noise disturbance will be increased, therefore hours of opening should be restricted to normal business hours (08.30 am – 6.00 pm);
 - If the retail stores cease trading and the units become derelict they could become the catalyst for anti-social behaviour and vandalism, to the detriment of the amenity of the estate.
 - The shop should face onto the sports field, and not onto the residential properties in Highley drive;
 - No new buildings in the estate should exceed the height of the 3 storey buildings already constructed;

- The size of the 4 storey building has not been reduced, in these new proposals therefore the same relationship remains between the 4 storey building and 2 storey dwellings opposite;
- A3 (catering uses) are not wanted on the estate, because they will encourage unwanted visitors, and create smells and litter;
- The masterplan for the development of this area should be revised, taking into consideration the opinions of Daimler Green residents;
- The design alterations, and set back do not reduce the scale and massing of the commercial building;
- The relocation of the entrance of the A3 unit from the frontage in Highley drive to the side of the commercial building is simply moving the likelihood of youths congregating, from the front of the building to the side, and acknowledges the potential for the creation of this problem;
- The amended proposals do not fit in with the surrounding area and contradicts Policies BE2, H12, and S11 of the development plan.
- The removal of the commercial building's canopy will make little or no difference to avoiding anti-social behaviour.
- A further survey into the opinions of Daimler Green Residents concerning these revised proposals, was conducted by Mr. Dhami, the Chair of the Daimler Green Resident's Association. A total of 53 residents participated and the results are summarised as follows:
 - 92% of respondees oppose any form of A3 uses;
 - 88% of respondees have concerns with the length of the opening hours;
 - 97% of respondees were still concerned for anti-social behaviour issues;
 - 80% of respondees do not believe the height and mass of the commercial building has been fully addressed;
- The survey also revealed that residents were not opposed to the principle of shops, but did not want shops that would bring potential future problems. The survey indicates that the preferences for shops expressed through the findings of their previous survey remained the same, which in ascending order are for a:
 - Newsagent;
 - Hairdresser;
 - Post Office;
 - Convenient store;
 - Bank;
 - Chemist/ Grocer/ Florist;
- The survey showed residents were concerned that the car parking facilities had decreased as a result of the re-siting of the commercial building; and that the LEAP was too near to the commercial building, raising concerns over its security and propensity for anti-social behavioural abuse.
- Further notification letters were sent to local residents on 31st January 2006, owing to the receipt of further revised details (materials for the residential / shops building, ground floor shop layout, and landscaping). Any further

representations received as a result of this before 16th February will be reported at the meeting.

ISSUES.

- Your CDP allocates this site as a key housing site and in the original permission granted the conditions and obligations requiring local shopping facilities.
- The submitted details are in accordance with the requirements of the original permission, which reflected the approved planning brief, which sought to create an urban village. Fundamental to the concept for the development was the village green, community facilities and an express requirement for land to be reserved for local shops and a doctor's surgery.
- Furthermore the design framework centred development around a village green, with Leisure and shopping and community uses located next to the Green. The design concept also sought to achieve landmark buildings with size, massing, scale and details reflecting the importance of their location within Daimler Green.
- The original masterplan and subsequent amendments have all indicated the location of the shops and the doctors surgery now proposed and all anticipated that there would be food and drink uses.
- Following on from the previous proposals, and discussions to reduce the impact of the proposed commercial building, the number of shop units has been reduced to 3, the total retail floor area does not exceed the 600 sq. m. maximum stipulated in the masterplan, and no individual shop exceeds the 250 sq. m.
- The applicant has indicated that the units could be open from 5 am to 11 pm weekdays, 6am and 10pm on a Sunday or Bank Holidays, with deliveries proposed within 7am-7pm weekdays and 8am – 12 noon Sundays and bank holidays. The applicant has explained that these hours are necessary in order for the shops to fulfil the convenience-shopping role required by the masterplan and legal obligation, and although this has prompted objections from some local residents, any restriction to these hours will undermine the marketability and viability of the shops.
- Policy S9, which is the relevant Policy for consideration of the shopping facility, includes a requirement for local shops to be compatible with nearby uses. However, since the retail floor areas accord with parameters set out in Policy S9, the shops will not exceed the role acknowledged in your CDP of providing convenience/ top-up shops within a residential area. I therefore consider that the proposed shops are compatible with surrounding uses, and are in accordance with the requirements of the masterplan and s.106 obligation for the development.
- The proposals for the community building remain unchanged from the previous proposals. The building is to have a function room hall floor area of 404 sq. m., which accords with the requirements of the masterplan (up to a maximum of 500 sq. m.) An additional area of 161.5 sq. m. is incorporated within the community building to accommodate changing facilities.
- Parking provision for the flats accord with CDP requirements for a minimum of 1 space per flat (occasional visitor parking accommodated within the overflow parking area) and notwithstanding any occasional visitor parking,

the remainder of spaces will be available to serve the centre (inc. the Bowling club).

- Whilst the parking requirement will vary in respect of the nature of the shop uses, given that they will not exceed 250 sq. m. in size, parking provision will mainly be required on merit.
- The use of the car to access the centre is not a fundamental necessity, given that the centre is located close to the centre of the Daimler Green development, and is therefore within easy walking distance of local residents (Orange badge facilities are provided for mobility disabled), and secure cycle parking facilities are to be installed to cater for cyclists.
- I consider that sufficient parking is provided to cater for the daily operational needs of the centre.
- The comments raised by residents have been passed onto the developers, who indicate that the rationale for the layout of the centre includes the following considerations:
 - The Multi Use Games Area (MUGA) was sited so as to minimise its potential impact on residential dwellings, and its floodlighting is designed to ensure minimum glare to the adjoining properties. It will maintain an average luminance of 350 lux. The developer has indicated willingness to accept planning conditions to control stipulating direction of floodlights and luminance.
 - The hours of use of the facilities will depend upon the opening of the hours and procedures that the Trust determine to be appropriate as well as any opening hours imposed by condition.
 - The areas of POS included in the proposals conform to the approved masterplan, and will provide amenity to local residents, particularly of the flats who will not have private gardens. They also ensure the greening of the urban environment whilst providing a buffer between residential dwellings and the GWK factory.
 - The Community hall will have its own working procedures for entry/exit of visitors to the building, whilst the car park, highways and access have been designed to accommodate the required capacity for team sports. The access and car parking facilities include capacity for coach and/ or minibus parking, and an overflow car park has been provided for maximum flexibility.
 - The surgery building is not part of the proposal, other than its siting, which conforms with the approved masterplan, which also provides for alternative uses if there is no demand for a surgery use, and that therefore the principal of the use of this part of the site has already been established by the outline permission.
 - The shared context of the car parking facilities between the local centre uses is a typical relationship and is designed so as to avoid conflict, since it has an access off Highley Drive to present ease of movement and to link the residents of the surrounding estate, and also to allow for deliveries, council collections, servicing and coach parking without causing detriment to highway safety or causing congestion within the car park area.
 - In conformity with the approved masterplan, the Bowling Club has been provided with an individual car park, mainly due to the

geography of the club's location in comparison to the local centre, and also considering that a car park adjacent to the club would better provide for any disabled visitors.

- Bin stores are positioned as close to the commercial building and the community centre building so possible so as to facilitate management by their users, and ensure defensibility.
- Following the removal of the front canopy, amended bollard design and A3 unit relocation, the Police Architectural Liaison Officer now supports the design of the shop/ residential building.
- As previously reported, the shop/ residential building, has attracted considerable objection from local residents, including those living opposite in Highley Drive and these objections question the need for such facilities and raising concerns regarding the design.
- The inclusion of a commercial centre, with local shops and facilities, was one of the founding principles for the redevelopment of the site, and this principle was established together with the siting of the commercial centre within phase area 4a of the development, as part of the masterplan approved under outline planning permission ref. 46810/E.
- Local residents are particularly concerned that none of the commercial uses be used for food and drink (Classes A3-A5) and consider that there are already in the locality sufficient outlets to meet the need. Your CDP recognises that such uses can result in harm to amenity and therefore looks for proposals to be located within defined centres.
- The nature of food and drink uses are such that they can, particularly if opening late into the evening, result in disturbance through the congregation of youths, car doors banging and smells and litter.
- There are residential units proposed above the shops but the building is designed to mitigate any potential disturbance. The front lay-by provides 8 spaces which experience suggests are normally sufficient for take away outlets. If there were a restaurant use then the larger car parking areas are closely located to be convenient for use.
- The siting of the commercial building has been revised so as to increase the separation distance for the dwellings opposite in Highley Drive from 20m to 26m. Given the finite area of the site, it was considered by the developer that any further set back would significantly erode the parking provision for the centre.
- The houses in Highley Drive opposite the commercial building will be 26 m. away. They may inevitably experience some reduction in amenity arising from the use of the shops, whether used for A1 purposes (which would include such uses as an off license) or A3 -A5 uses (restaurants/cafés, drinking establishments, hot food takeaways), all of which accord with the masterplan for the development of the centre.
- In view of this, the entrance to the proposed A3 unit has been relocated to the side of the commercial building, to reduce the external effects of such use on the residents opposite.
- A condition is recommended to ensure that any food and drink outlet has fume extraction and odour control equipment, and that this be maintained for the duration of the catering use at the premises, and used at all times when cooking operations are carried out.

- Policy H12 (Design and Density of Development) requires a high standard of design for new housing development, and provides that proposals will be considered on the basis of (amongst other factors) the relationship between buildings and spaces; building details, such as proportion, massing and materials, and the enhancement of the character and quality of the local environment.
- The four storey commercial building, is proposed to be sited on the south side of Highley Drive, set back approximately 16.5 m from the road, and 26 m overall from the houses on the opposite side of Highley Road.
- The increased set back from Highley Drive provides the scope for improved tree and shrub planting to soften the visual environment of the immediate area. A string of 6 trees are to be planted across the front of the commercial building, which will form a linear pattern of trees extending from the Green, across the frontage of the commercial building, and extending along Highley Drive to envelope the area of public open space up to the access for the overspill parking facility. These trees are to be planted with a minimum girth size of 18 – 20 m, ('extra heavy standard' trees) which will typically result in the introduction of new trees between 4.25 and 5m in height.
- The trees will therefore create an immediate impact on the surrounding area, and a planning condition will be imposed to ensure that the trees are maintained for the initial 5-year period after planting, which will ensure their establishment.
- Some of the tree planting around the area of public open space adjacent to the overspill car parking facility has been removed to ensure surveillance of this area is achieved. To promote greater safety for the use of this area.
- As established under the approved masterplan, the character of development in Highley Drive had always been intended to comprise a mixture of forms, with residential development on the southern side of the road, and a mixture of commercial and residential development in the form of flats on the south side of the road as part of the location for local community facilities.
- Within this context, the proposed commercial building is not therefore inappropriate in my opinion, and I consider that the proposals do not conflict with either policy BE2 nor H12 of your CDP.
- The overall massing of the building has been revised to reduce the extent of the fourth storey, by a number of design amendments, including the introduction of dormers, and the reduction in height of the two feature gable elements on the front elevation, and the introduction of hipped ended roofs to soften the profile of building when viewed from the side and rear.
- The proposed facing materials are considered satisfactory, and therefore accord with Policy BE2.
- The submitted details include a bus lay by in Highley Drive in front of the shops. This accords with CDP Policy AM3 to facilitate the provision of a bus service for the development, and is consistent with the approved masterplan for Daimler Green.

CONCLUSION

I recommend that permission be granted subject to conditions

SCHEDULE

Condition(s)

- 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. Floodlighting to the Multi Use Games Area shall only be installed in full accordance with details submitted to and approved in writing by the local Planning Authority.**
- 3. No food and drink use (Classes A3 - A5 of the Schedule to the Town and Country Planning [Use Classes] Order 2005) shall commence from any of the units hereby permitted unless and until fume extraction and odour control equipment (including external ducting flues) has been installed in full accordance with details submitted to and approved in writing by the local planning authority and such installation shall have been inspected by the City Council, before the use hereby permitted commences. Thereafter the equipment shall be permanently maintained in a satisfactory condition and be operated at all times when cooking is carried out.**
- 4. No use shall commence of any of the bulidings hereby permitted 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**
- 5. The development shall be carried out only in full accordance with samples of the facing , roofing and surfacing materials which shall have been submitted to and approved in writing by the Local Planning Authority.**
- 6. The railings and gates hereby permitted shall have been colour coated within one month of installation.**
- 7. None of the development hereby permitted shall be occupied until the scheme of landscaping indicated on drawing Nos. 24326/300F, 24326/302C, 22817/315E or any amendments approved in writing, the Local Planning Authority, has commenced, and which shall include measures to protect all existing trees and hedgerows during the course of the development.**
- 8. None of the development hereby permitted shall be occupied until the scheme of 'hard' landscaping of the site, including all walls, fencing and surfacing materials shown on drawing Nos. 24326/301C, 24326/302C, 24326/300E, 24252/101F, 22817/315E (or in any subsequent amendments approved in writing by the Local Planning Authority) has been completed.**
- 9. All planting , seeding or turfing as comprised in the details hereby permitted shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced as soon as practicable by trees or shrubs of similar size and species to those originally required to be planted.**
- 10. The siting, design and construction of all access roads/ footpaths/ access crossings shall be in accordance with Section 38 details as approved by the Local Highway Authority.**

11. The commercial premises hereby permitted shall be used only between 05.00 hours and 23.00 hours Monday to Saturday and between 06.00 hours and 22.00 hours on Sundays or Bank Holidays.
12. Deliveries to the commercial premises hereby permitted shall take place between 07.00 hours to 17.00 hours Monday to Saturday and 08.00 to 12 noon on Sundays and Bank Holidays.
13. The Local Equipped Area for Play (LEAP) shall be constructed and landscaped in accordance with details to be submitted and approved in writing by the Local Planning Authority and the play equipment shall be installed in full accordance with the approved details.
14. The details of the street bollards to the front of the commercial units shall be submitted to and approved in writing by the local Planning Authority, and thereafter maintained and colour coated in accordance with the approved details.

Reason(s)

1. To comply with Section 91 of the Town and Country Planning Act 1990.
2. To ensure that floodlighting is installed to enable the adequate use of the multi use games area, whilst providing satisfactory safeguards to residential amenity, in accordance with Policy EM8 of the Coventry Development Plan 2001.
3. To ensure that the amenities of the occupiers of nearby properties are not adversely affected, in accordance with Policy EM 5 of the Coventry Development Plan 2001.
4. To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity, in accordance with Policy AM 17 of the Coventry Development plan 2001.
5. To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality, in accordance with Policy BE2 of the Coventry Development Plan 2001.
6. To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality, in accordance with Policy BE2 of the Coventry Development Plan 2001.
7. To ensure a satisfactory standard of appearance of the development in the interest of the visual amenities of the area, in accordance with Policies BE20 and GE14 of the Coventry Development Plan 2001.
8. To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policy BE2 of the Coventry Development Plan 2001.
9. To ensure a satisfactory standard of appearance of the development in the interest of the visual amenities of the area in accordance with Policy BE20 of the Coventry Development Plan 2001.
10. To ensure satisfactory provision of access facilities in the interest of amenity, convenience and traffic, in accordance with Policies AM9 and AM22 of the Coventry Development Plan 2001.
11. In the interests of the residential amenity, in accordance with Policy S6 of the Coventry Development plan 2001.

12. Deliveries to the commercial premises hereby permitted shall take place between 07.00 hours to 17.00 hours Monday to Saturday and 08.00 to 12 noon on Sundays and Bank Holidays.

13. To ensure the provision of a suitable play area facility, in accordance with CDP Policy GE9 of the Coventry Development plan 2001.

14. To ensure a satisfactory standard of appearance of the development and prevent anti-social behaviour, in accordance with Policy BE2 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: 46810/J

Coventry Development Plan 2001

Regional Planning Guidance for the West Midlands, RPG11, June 2004

CASE OFFICER : Rowan Reid