

COMMITTEE REPORT 6

Planning Committee

02/06/2011

APPLICATION No. - OUT/2011/0326

Description of Development - Proposed redevelopment including demolition of the former Royal Mail sorting office, 50 Bishop Street and public car park to provide a food superstore, a health and fitness club and multi-storey car park. Stopping up of public highway, removal of footbridge over Ring Road and creation of at-grade crossing (Outline application all matters reserved)

Site Address - Ringway St Nicholas, Tower Street, Bishop Street

Applicant - Barberry Coventry Limited

Ward - Radford

RECOMMENDATION:

Planning Committee is recommended to grant planning permission subject to conditions and the completion of a Section 106 Agreement or Unilateral Undertaking not later than 5th June 2011 to provide a contribution of £75,000 towards canal towpath improvements to Coventry Canal. Failure to complete the agreement by this date may result in the application being refused.

INTRODUCTION:

Outline planning permission is sought for the redevelopment of the former Royal Mail sorting office, 50 Bishop Street and public car park to provide a food superstore, a health and fitness club and multi-storey car park. Also proposed are the Stopping-Up of public highway, removal of footbridge over the Ring Road and creation of at-grade crossing. Siting, access, appearance, scale and landscaping are to be submitted as reserved matters.

The proposal would necessitate the partial stopping up of Tower Street with the illustrative plans and supporting documentation highlighting this and indicating a large single building spanning much of the site area. The indicative plans suggest that the northern end of Bishop Street could be pedestrianised, with the existing junction (which allows one-way traffic southwards onto Bishop Street) to the ring-road closed and it is intended that access to private properties would be retained by means of Traffic Regulation Orders (TROs) from the south. The supporting documentation suggests that the car park would

be accessed from the eastern edge of the site whilst pedestrian accesses would be created to the north and southern ends of the building. The applicant has indicated that there would be approximately 585 car parking spaces, including 20 disabled and 22 'parent and child' spaces.

Whilst the applicant has submitted detailed illustrative plans it is important to note that these are indicative only and the details submitted at reserved matters may well be different. The plans are to give an indication of how the development may proceed and therefore the final scheme may differ and this is echoed in the Planning Statement which highlights that the various drawings submitted show only one of a number of potential design solutions.

The application site lies to the north east of the City Centre and extends to approximately 2.02 hectares. The site includes the large former Royal Mail sorting office (now vacant) and associated car parking/delivery areas, a two storey building with a vacant ground floor retail premises and occupied first floor gym and a City Council owned public surface car park with approximately 145 spaces. The site also includes parts of Bishop Street, Ringway St. Nicholas, Tower Street and Silver Street.

Ringway St. Nicholas bounds the site to the north including a cycle lane that runs adjacent to, albeit separated from the Ringway. Bishop Street itself, properties fronting Bishop Street and a junction with Lamb Street are located to the western boundary of the site. Junction 1 of the Ringway is situated beyond the north eastern boundary of the site and existing buildings used by AVIS car hire and a Nightclub are located immediately beyond the eastern site boundary. The AVIS building is a single storey brick building with a service yard; whilst the nightclub is a 3 storey brown brick clad building with no active frontages.

Silver Street and properties on that road are located to the south of the site and the application site includes an existing pedestrianised area between 50 Bishop Street, the Grade I Listed/Scheduled Ancient Monument 'Old Grammar School', fast food outlet and the Diplomat Public House.

The Royal Mail Sorting Office, constructed in the 1970s, was the main postal headquarters for Coventry and the surrounding area until recently and the facility ceased to be in operation in November 2010. It is 5 storeys in height, with the ground and first floors being double storey in height internally. A mesh fence currently demarks the boundary of the service area to the building. 50 Bishop Street is two storey in height and constructed partly from brick and partly concrete.

The surrounding area is mixed in terms of uses. The Coventry Canal Basin, which comprises offices, retail units, cafes, design studios and residential apartments, is located beyond the northern boundary of the site. Other residential development can also be found beyond the ring road to the north of the site, including a 17 storey high 1960s residential tower block (William Batchelor House). The Coventry Transport Museum and the listed former Grammar School are the most notable buildings bordering the site to the south whilst the large office buildings occupied by AXA can be found to the west.

Immediately surrounding the application site can be found buildings whose design, scale and use varies notably and these uses include retail premises, offices, food outlets, drinking establishments, and other commercial/industrial sites.

There is currently little in the way of soft landscaping or trees on the application site. The most notable trees are planted along the northern boundary of the site although there are no trees the subject of Tree Preservation Orders.

There are significant level differences across the site with the Ringway being approximately 8 metres higher than the lower end of Bishop Street. This has resulted in the construction of large retaining structures along the northern boundary to cope with a 5 metre fall across the Royal Mail site itself.

The applicant has provided parameters relating to the amount of development and its scale and these are set out below:

Amount

- A1 food retail 8,310 sqm
- A1 potential mezzanine 2,847 sqm
- Ancillary café 902 sqm
- Leisure 1,865 sqm
 - Total: 13,924 sqm
- 23,727 sqm car parking/plant areas/shared access areas
- Approximately 585 car parking spaces

Scale Parameters

- Limit overall height of building to 106.5 above ordnance datum – resulting in a building height relative to surrounding levels of between 19 and 27.5 metres
- The indicative dimensions of the building are 105 metres to the Ringway elevation and 130.5 metres to the Bishop Street elevation.

An Environmental Impact Assessment Screening Opinion has been provided by the local planning authority, concluding that an Environmental Impact Assessment is not required for the development.

To support the application an abundance of documents have been submitted and a summary of those documents has been provided below.

Summary of reports

The **Design and Access Statement** sets out the context of the application site highlighting a mix of uses in the locality and that the environment is undeniably urban. It indicates that there is no consistent use of materials in the locality with designs reflecting the fad in materials of their time. The documents states *“Given the prominent positioning of the application site, and that there is no clear design philosophy that has been implemented in the locality, it would seem appropriate for the new development to set its own design principles in terms of scale, massing and materials whilst being respectful of the historic buildings in the vicinity”*.

The document considers constraints and opportunities to the development. In considering one of these constraints, the report states *“The bridge crossing from the northern side of the Ringway imposes a visual barrier to the development, not only when travelling clockwise around the Ringway, but also for pedestrians from the north. It also does nothing for connectivity between the City Centre and the wider area, and in particular the Canal Basin development to the north”*. In looking at opportunities, the report highlights that the location of the site creates a great opportunity to link the Central Shopping Area and the Canal Basin by providing a development that will generate footfall between the two. It also considers the regeneration benefits that the development could bring by stating *“The focus of a new development in this location would provide the incentive for the wider regeneration of this part of the City Centre in the future, and the illustrative scheme wouldn’t prejudice the redevelopment of the surrounding sites by others for the betterment of the area”*.

The design and access statement explains the rationale behind the indicative design and layout. The document also contains a section on energy efficiency and sustainability and suggests how the proposed scheme could meet the requirements of the adopted Supplementary Planning Document ‘Delivering a more sustainable city’.

A **Planning Statement** submitted with the application highlights policy considerations relevant to the assessment of the application. The statement suggests that generally adopted planning policy for the site supports, promotes and encourages a mixed use approach to development in this area. The report also seeks to demonstrate how the proposal accords with the economic development aims of PPS4 and highlights how the development would bring employment to priority areas of the city. It identifies positive impacts arising in terms of employment, physical and socio-economic regeneration, design, accessibility of the location and improved connectivity between the city centre and canal basin.

In accordance with national planning policy, a **PPS4 Sequential Assessment and Impact Analysis** accompanies the application. The report concludes that the development meets various impact assessments that planning applications must be considered against. The sequential assessment concludes that there are no more central sites that are available, suitable or viable for the retail development and that developing a large floor plate within the primary shopping area is likely to be prejudicial to the City Council’s vision and masterplan for the central shopping area. It also highlights the accessible location of the site which allows for linked trips to the centre.

The impact analysis finds that the foodstore would not harm the vitality and viability of the city centre, would not have a significant impact on other centres within the city, is of an appropriate type and scale for its location and that it would not prejudice the extension of the Brandon Road district centre or the redevelopment of Cannon Park.

A **Transport Assessment** submitted with the application concludes that the development will have no material impact on the safety or operation of the adjacent highway network. Following discussions during the application process with the Local Planning Authority and Highway Authority the applicants have submitted various additional information to demonstrate that the proposal could be designed to avoid a detrimental impact upon the surrounding highway network in terms of traffic, public transport journey times and safety. A draft Travel Plan is provided within the document.

A **Statement of Community Involvement** highlights how the applicants have engaged with the community prior to submitting the application. The document confirms that the applicants mounted a press campaign and provided information on the project on its company website; set up a project website; presented its proposals to the Developer Forum attended by Councillors, stakeholders and members of the public; and held an exhibition of its proposals in Coventry Central Library for a week. The forum and exhibition were both advertised within the local newspaper and letters were sent to neighbouring properties and site notices were erected close to the site. During the consultation a number of concerns were raised although generally there appears to have been more positive responses than negative.

An **Ecological Survey** accompanies the application to check for protected species and consider how biodiversity could be accommodated within the new building(s). A Tree Survey, bats and nesting bird's surveys and desk-top ecological assessment are included within the report. The report concludes that bats and other protected species are very likely to be absent from the site and that there are 17 deciduous trees of moderate quality plus a small number of young trees which could be transplanted. It indicates that the site has a poor ecological setting and is of negligible biodiversity value. The report highlights that the development has the opportunity to enhance biodiversity through green roofs and native planting and recommends the retention of mature trees.

A **Noise and Air Quality Assessment** has been submitted in support of the application. The report concludes that whilst some noise will be generated by traffic and plant the new development would have a negligible impact on the existing noise climate providing that the recommendations of the report are implemented (attenuation to new plant to prevent excessive noise; noise barrier to service yard). The Air Quality section of the report highlights that although there would be an increase in traffic levels this is not expected to have a significant impact on local air pollution at the residential units. Recommendations are also provided for new ventilation systems which would exhaust at high level with high grade carbon filters, and located to negate smells at the nearby residential areas. A separate Air Quality Assessment goes into further detail and indicates that overall the significance of the change in air quality is 'slight adverse' at one modelled receptor and negligible for the remaining modelled receptors. To limit damage to air quality mitigation measures are recommended in the report.

The **Flood Risk assessment** submitted with the application seeks to address the flood risk posed to and from the proposed development. It highlights that

the River Sherbourne flows through the City Centre within a culvert and indicates that there is an area of Flood Zone 2 beyond the southern boundary of the site associated with this watercourse. The report states that the risk of fluvial flooding in this area is considered unlikely with a 0.1% chance of an occurrence each year. All other forms of flooding, including groundwater and infrastructure failure have been assessed and are also considered to be low. A surface water management strategy has been outlined to ensure surface water run-off from the site can be managed in a sustainable manner. The report concludes that overall the risk of flooding to the site is considered to be low and the proposal is fully in accordance with PPS25. The report indicates that it is likely that surface water run-off from the proposed development will discharge to a new drainage system, installed as part of the development, which will then in turn connect to the existing sewers around the site, predominantly in Tower Street, Bishop Street and Silver Street. It highlights that the drainage strategy will include measures to reduce surface water run-off rates from the proposed development by 20% of the existing run-off rates.

A **Primary Drainage and Services Appraisal** has been submitted to determine any potential constraints and 'abnormals' which might need to be taken into account when assessing the proposed development. The report indicates that Severn Trent Water have confirmed that the existing combined sewers in the vicinity of the site would have sufficient spare capacity to accommodate peak flows from the proposed development. It also highlights that Severn Trent Water have confirmed, in principle, that it is possible to build-over the existing 2470mm diameter combined sewer which runs beneath Tower Street. The report also suggests that it may be possible to divert both existing surface water and combined sewers and re-connect them to the existing sewers in the vicinity of the Bishop Street/Silver Street junction.

A **Site Waste Management Plan** has been submitted with the application. The report highlights that it is expected that all demolition materials from the sorting office will be retained onsite and ground levels built up and that a Site Investigation will inform the selection/feasibility of remediation technologies.

An **Archaeological Desk-Based Assessment** accompanies the application and highlights that the route of the 14th-15th century city wall went through the site. However, any below-ground remains are likely to have already been disturbed/destroyed and therefore neither further investigation nor specific mitigation are recommended in this location. As below ground archaeological remains of the former medieval street frontage of Bishop Street and Silver Street may be present and could be disturbed by the proposed development, a programme of trial excavation is recommended. The programme of mitigation is likely to involve preservation in situ of the majority of any remains, or where this is not possible by a programme of preservation by record. The report highlights that the scope and extent of any such scheme can only be decided once initial investigations have been undertaken.

A **Geoenvironmental & Geotechnical Desktop Study** is included within the submission documentation. The report highlights that there is sufficient risk to warrant a detailed risk assessment of unexploded ordnance. It also indicates

potential sources of contamination and highlights that underground storage tanks used for petrol and diesel storage are still present following previous uses of the site. The report considers that there is a medium-high risk in relation to the potential presence of contamination issues and recommends site investigation works which may subsequently require further investigation, assessment and reporting to inform the appropriate scope of remediation for the site.

RELEVANT PLANNING HISTORY:

Whilst there have been a number of planning applications relating to land contained within the application site, there are no applications that are particularly relevant to the assessment of this application.

RELEVANT POLICIES:

National planning policy guidance/statements

PPS1 – Delivering sustainable development
PPS1 Supplement – Planning and climate change
PPS4 – Planning for sustainable economic growth
PPS5 – Planning for the historic environment
PPS9 – Biodiversity and geological conservation
PPG13 – Transport
PPS22 – Renewable energy
PPG23 – Planning and pollution control
PPG24 – Planning and noise
PPS25 – Development and flood risk

Regional Planning Guidance 11 – West Midlands

UR1 – Implementing the urban renaissance – the MUAs
UR3 – Enhancing the role of the city, town and district centres
PA1 – Prosperity for all
PA11 – The network of town and city centres
QE3 – Creating a high quality built environment
T2 – Reducing the need to travel
T3 – Walking and cycling

Coventry Development Plan 2001 (CDP)

OS2 – Strategic regeneration sites
OS3 – Local area regeneration
OS4 – Creating a more sustainable city
OS6 – Change of land use
OS7 – Mixed use development
OS9 – Access by disabled people
OS10 – Planning obligations
EM2 – Air quality
EM4 – Flood risk and development
EM5 – Pollution protection strategy
EM6 – Contaminated land
EM8 – Light pollution
E8 – Redevelopment of existing employment sites
S1 – Shopping strategy

S11 – Edge-of-centre and out-of-centre retailing
 AM1 – An integrated, accessible and sustainable transport strategy
 AM3 – Bus provision in major new developments
 AM6 – Hackney carriage ranks
 AM8 – Improving pedestrian routes
 AM9 – Pedestrians in new developments
 AM10 – Traffic calming
 AM11 – Improving cycling facilities
 AM12 – Cycling in new developments
 AM13 – Cycle routes
 AM14 – Roads
 AM22 – Road safety in new developments
 BE2 – The principles of urban design
 BE7 – Gateways
 BE11 – Alteration or extension of listed buildings
 BE15 – Archaeological sites
 BE18 – Public art
 BE20 – Landscape design and development
 BE21 – Safety and security
 GE14 – Protection of landscape features
 GE15 – Designing new development to accommodate wildlife
 SCL1 – Social, community, leisure and indoor sports facilities
 SCL2 – Large social, community, leisure and indoor sports facilities
 SCL14 – Re-use of redevelopment of facilities
 CC1 – City centre strategy
 CC2 – A vibrant and entertaining market place
 CC6 – Warm and welcoming public spaces
 CC7 – Major environmental improvement schemes
 CC8 – Accessible to all
 CC12 – Distinctive areas
 CC34 – The Phoenix area
 CC40 – The ring road area
 CC42 – Bridges

Supplementary Planning Documents/Development Plan documents

SPD – Delivering a more sustainable city (adopted Jan. 2009)
 Coventry City Council Statement of Community Involvement (Nov. 2006)

CONSULTATION RESPONSES:

No objections from:

- English Heritage (although they have raised the importance of protecting the setting of listed buildings and the church spires)
- Urban Design Officer (subject to detailed design at reserved matters)

No objections subject to conditions or informatives from:

- Environment Agency
- Highway Authority (CCC)
- Severn Trent Water
- Warwickshire County Council Ecology
- Conservation and Archaeology Officer

- Environmental Protection Officer
- Tree Protection Officer

Comments neither clearly in support/opposition

- West Midlands Police (various detailed matters raised, which can be considered at reserved matters stage. No objection made to the principle)
- Centro (no objection in principle although have highlighted their preference for buses to run along Bishop Street rather than along Tower Street/Silver Street)
- Ramblers Association (support proposals to improve the pedestrian environment, although have concerns with the pedestrian crossing with the inherent dangers, noise and pollution)
- National Grid

Comments are awaited from:

- West Midlands Fire Service
- BT; NTL; E-On; British Gas Transco
- CV One

Any comments received will be reported as a late item.

Notification letters were sent to around 350 nearby properties on 10th March 2011 and further letters were sent to properties on 20th May 2011 following amendments to the application description. Any additional representations following the notification on 20th May will be reported through the late representations document. A notice was published in The Coventry Telegraph on 17th March and a total of 8 site notices were erected on Bishop Street, Tower Street, Silver Street, Cook Street and Leicester Row on 18th March 2011.

There have been both public representations in support and opposition to the proposals. 6 objections have been received, 2 of which appear to be from city residents, 2 from Tesco Stores Ltd and Spenhill Developments Ltd, 2 from Machine Mart and Bancroft Consulting Ltd acting on their behalf.

2 representations have been submitted by residents in support of the proposal whilst a further 2 representations raise comments but are neither clearly in support nor opposition to the development.

Supporting comments:

- The site is derelict, an eye-sore and gives a poor impression of the city from the Ring Road
- It will provide jobs for local people, and is located in a highly accessible location
- Regeneration opportunities for the site will be scarce given its constraints. Therefore, a large single occupier with entrances facing the residential areas and core shopping area is sensible
- A large scale supermarket will improve existing poor accessibility in the City Centre to a wide-range of fresh food products

- Linked trips, thus minimising extra trips – people who are already making trips to the central area for shopping, social, employment and entertainment needs will be able to combine their journey to include a visit to the food store
- Will encourage further city centre living and enliven this area later in the evening
- It is likely to encourage further redevelopment schemes in the locality
- The area is in need of regeneration and has fallen into a poor state
- Pleased that cycling provision has been considered
- Support the removal of the bridge

Comments in opposition from residents:

- Concern that there will not be linked trips. It appears to be an out-of-town shopping development in the city centre, consisting mainly of car parking
- The Plan policies support a far more mixed use for this area. This is a single use project with a token gesture unit underneath, primarily because of site topography
- It is contrary to planning policy for the City Centre which is to focus convenience shopping on the central shopping area. The development is isolated from the main retail area of the city centre and will not contribute to the diversity or attractiveness of the central shopping area
- There is no over-riding need for additional convenience retail provision within the city and there is therefore no reason to over-rule existing policy
- The removal of the bridge and replacement with at-grade crossing will create a dangerous environment for pedestrians. This is the case particularly by locating the crossing at a point where the slip road from Radford Road joins the Ring Road and traffic is beginning to filter left into the Foleshill Road lane
- There is no need to replace the bridge and recent investment in making the bridge accessible for disabled people will be wasted by this proposal. The bridge could be linked directly with the new development
- The pedestrian crossing will disturb the smooth flow of traffic on the ring road

Comments in opposition from Machine Mart and Bancroft Consulting Ltd:

- Overall, do not object to the principle of the development and appreciate the significant benefits it could bring to the local area. However, consider that the closure of Ringway/Bishop Street junction would be of significant detriment to the potential for Machine Mart to continue to operate successfully at this location
- Concerned that the existing access from the Ring Road onto Bishop Street is to be removed. This is the route the majority of customers use and the alternative would be an obstacle to customers as it would involve increased journey time which would be contrary to PPG13 guidance. Closing off Tower Street would also affect customers
- Pedestrianisation of the northern part of Bishop Street would result in conflict between customers to Machine Mart and shoppers

- If the proposal is to proceed in accordance with the indicative plans, the opening up of Silver Street would be helpful as it would allow an alternative route for customers to Machine Mart. Making Lamb Street two way would also be essential
- There are a number of flaws in the Transport Assessment, for example the impact on other ring road junctions in addition to junction 1 should have been assessed
- Highway safety concerns with the pedestrian crossing. Eastbound vehicles may pull off at speed at the lights to get ahead of vehicles and change lane which presents a significant highway safety concern for both pedestrians and other vehicles
- Concerns that drivers on the eastbound on-slip road would not have suitable visibility to see the lights
- Query over whether there is significant width for pedestrians to wait in the middle of the ring road and guidance suggests a staggered approach should be followed
- Information provided in the capacity assessment is unclear and therefore it is difficult to know whether the conclusions in the Transport Assessment are accurate
- There are no detailed calculations of the parking demand profile of the development. Without further information it is impossible to determine whether off-site parking problems would occur and if they did this could affect the parking at Machine Mart and discourage potential customers

Comments in opposition from Tesco Stores Ltd and Spenhill Developments Ltd:

- Consider that an outline application with all matters reserved is inappropriate as: it is a prominent gateway site to the city; owing to its close proximity of the site to a Grade I Listed Building; and given its substantial scale it could have a significant impact upon the character of the area
- Do not consider that the indicative design is of a sufficiently high quality to significantly improve this area of the city
- Greater scrutiny should be given to the impact the inclusion of the pedestrian crossing would have on the surrounding road network and pedestrian movement around the site
- Level of parking appears to be a substantial under provision relative to the parking standards contained within PPG13 which would require 863 spaces plus disabled provision for the foodstore alone. Even taking into account the location of the store, this is a considerable shortfall which could result in customers queuing back onto the highway network resulting in congestion and compromised safety. The applicant should be required to provide further justification for such a low level of provision
- It is questionable how many linked trips to the city centre there would be given the nature of the store and the poor pedestrian linkages to the city centre. Those operators with a large proportion of comparison goods would limit the propensity for customers to make linked trips into the city centre for such purchases

- The sequential assessment submitted is inadequate. As part of a thorough assessment, sites within other centres should also have been considered and there are a number of Major District and District Centres within Coventry which are capable of supporting large foodstores
- The applicant has not demonstrated a qualitative need for the development and therefore it is inappropriate to suggest that the need is 'locationally specific' and only consider the city centre primary shopping area
- There are a number of shortcomings and flaws in the Retail Impact Assessment, which has not demonstrated that the development will add rather than detract from the City Centre turnover. These include queries over: the extent of the catchment area of the development; assumptions about inflow trade appear too high and as a result the trade diversion and impact levels on the other existing foodstores within Coventry are likely to be underestimates; concerns over net/gross ratio assumptions; failure to take account of all retail commitments; the comparison goods impact assessment is considered to be inappropriate; the approach for convenience and comparison goods assessment needs to be consistent. Overall concern that the levels of impact forecast could potentially have a significant adverse effect on existing centres, and that the levels stated are likely to be underestimates. A more robust assessment which addresses these concerns should be submitted
- CDP Policy CC34 expresses a desire for a wider mix of uses than those being proposed
- The development does not reflect the concepts contained within the City Centre Masterplan, other than reference to the inclusion of a major foodstore
- Little regard has been given to the impact on the Grade I Listed Building, as there is no inclusion of a Heritage Statement or document of similar content
- No discussion has been had with prospective operators. In the absence of identified retailer interest, the promised job creation will not occur

Further general comments include:

- Consideration should be given to parking permits to residents at William Batchelor House on Leicester Row and these must be patrolled by Council workers during shopping hours
- It is a shame that no other retail units are provided at ground level
- Thought must be given to the restrictions of goods sold. Also, if the supermarket chain that occupies this site already has a presence in the city centre, consideration needs to be given to the impact the closure of the old site will have on the local area
- The existing Tower Street car park serves the surrounding area including churches meeting in the evenings and on Sundays. To prevent parking problems in the locality car parking facilities will need to be accessible 24 hours a day, 7 days a week to the general public and not restricted to users of the facilities within the proposed development

- The application will need to be looked at in conjunction with the other proposed development plans for the current Evening Telegraph buildings nearby
- Drivers may need to be policed on the Ring Road with the crossing in place
- Recommend adequate litter bins are included

APPRAISAL:

The main issues in determining this application are: the principle of the development; impact on highway network; design; and sustainability.

Principle of development

Regeneration/Economic Development

The site lies within the 'Phoenix' Strategic Regeneration Site as defined by the Coventry Development Plan (2001). Policy OS2 refers to Strategic Regeneration Sites and states that a mixed-use approach will be taken to these sites in order to achieve the best development for the city within a reasonable timescale. For this site, the Phoenix Initiative (Millennium Project), the sub-text to the policy suggests that the mixed-use approach includes:

- public spaces;
- retail with residential or office space above; and
- hotel extension.

The Phoenix Area is also a 'Distinctive Area' identified in Policy CC12. This policy indicates that although there will be a predominant use or uses within these areas, an overall mix of uses will be maintained and sought.

Phoenix Area policy CC34 states that the redevelopment of significant parts of this area for an overall mix of uses including major public spaces, leisure and recreation, small shop units, residential and employment uses will be promoted and encouraged.

The proposed development would offer significant regeneration benefits to this part of the city centre, which has been devoid of notable investment in recent years. The proposed scheme would involve the removal of a surface car park deemed surplus to requirements by the City Council, the demolition of a large unsightly building located in a prominent position within the city centre and the demolition of a further building of questionable quality. As a replacement, a new building of quality will be built which should improve the visual amenity of the area and there would be notable improvements to the public realm, improved linkages from the city centre to the canal basin and uses would be provided that are considered suitable in this location.

The proposal meets the objectives of Policies OS2, CC12 and CC34 by providing a mixed use development including retail and significant enhancements to the public realm. Whilst a scheme with a greater mix of uses would have been ideal, the applicants initially considered a more substantial mix of uses and found this not to be viable. The proposal does not include all of

the suggested uses in the policies, however the policies relate to an area substantially greater in size and the mix of uses should be across the wider site as a whole. Through providing different uses, the proposal compliments a recently lapsed planning permission for a mixed use office and residential scheme on a site to the west of Bishop Street and schemes currently under consideration between Upper Well Street and Bishop Street for mixed use development which include retail with residential and student accommodation above, office space, a hotel and student accommodation.

Policy OS6 states that except where specific proposals are shown on the proposals map, the general policies of the plan will apply and developments should be compatible with nearby uses. Policy OS7 of the CDP states that in order to encourage diversity and vitality within the City and minimise the need to travel, a mix of uses will be encouraged in appropriate locations, provided that the amenities and functional needs of existing and nearby uses will be protected. The remainder of this report will demonstrate that the proposal is compatible with nearby uses and that the development is proposed in a suitable location that minimises the need to travel without significantly detrimentally impacting upon nearby uses.

The City Council has consistently considered the redevelopment of the Phoenix Area for a range of uses to be acceptable. This can be seen through the current development plan policies, and through the previous draft Core Strategy (not adopted) and City Centre Action Plan (withdrawn).

The applicants in their Planning Statement have highlighted the support given in policies OS2 and CC34 to a redevelopment of the Phoenix Area for a mix of uses and have also indicated that the CDP appears to give site specific policies greater weight than general policies contained in the Plan. In their Planning Statement and the addendum to that report, the applicants maintain a stance that Policy E8 of the CDP is not a relevant consideration as this is a more general policy that 'points in a different direction' to the more site specific policies.

Whilst it should be considered in the context of site specific policies, officers consider that Policy E8 of the CDP, which seeks to prevent the loss of commercially viable employment sites where they come up for redevelopment, is still a relevant policy that must be considered in the determination of the application as the former Royal Mail sorting office and associated land were last used for a Class B use. The applicants have therefore submitted a Planning Statement addendum to satisfy officers in this regard.

The addendum highlights extensive marketing of the site for a period of six months between March and August 2010. During this time the site was advertised on an all enquiries basis in/on a number of suitable magazines/websites. The addendum indicates that if the reuse of the premises for employment was a realistic proposition then there would have been serious expressions of interest and offers to acquire the premises from investors or developers. The lack of interest is cited as being a consequence of the size; design; layout; specification; and location of the building. More specifically, had

there been any interested parties seeking Class B1 accommodation the scale, design and specification of the building would all likely to have been regarded as major obstacles.

The applicants have also stated that the evidence indicates that the premises are also not suitable for redevelopment where employment uses predominate. Had developers or Class B operators considered the site commercially viable, they would have made offers to acquire it during the marketing campaign. The evidence submitted to officers however indicates that the only offers made were by developers contemplating major retail led schemes.

In considering potential uses, the applicants conclude that the site does not suit Class B2 or B8 occupiers and that there is insufficient demand for class B1 floorspace to support the inclusion of it within the scheme. The applicants have also highlighted the extent of vacant B1 floorspace and the lack of delivery of planning permissions for employment development within the city.

Council surveyors have considered the assertions made by the applicants and concur with their statement regarding the potential reuse or redevelopment of the site for employment purposes. They have also highlighted that building a purpose built office development would likely be uneconomic. Whilst the addendum does not include financial appraisals to demonstrate the non-viability of employment uses on the site, officers consider that the marketing information submitted together with the site specific policies being of greater weight in the assessment of the application is sufficient in this instance.

The report states that there would be no job displacement or job losses owing to the Royal Mail having already departed from the site. Whilst not a traditional employment use, the proposed superstore use is an employment generating use that combined with the health and fitness club would create over 500 full time equivalent jobs and it is estimated that around 200 temporary jobs would be created during the construction period. Furthermore, the applicants have rightly highlighted that most, if not all, of the major foodstore operators recruit mainly from the local area and also target the long term unemployed first.

The projected level of recession-proof job creation in a time of economic uncertainty particularly in this area immediately to the south of defined 'Priority Areas' which have been identified as being in need of socio-economic and physical regeneration is welcomed by officers. Spon End/Radford, Foleshill and Hillfields are designated as priority areas by Policy OS3 of the CDP and therefore the proposal will help achieve the aims of that policy.

Policy EC10 of PPS4 states that local planning authorities should adopt a positive and constructive approach towards planning applications for economic development and further suggest that planning applications that secure sustainable economic growth should be treated favourably. Recent ministerial statements have also echoed this sentiment and are relevant in the assessment of the application.

Policy EC10 of PPS4 sets out criteria that all planning applications for economic development should be assessed against. This covers the following items: limiting carbon dioxide emissions; accessibility by a choice of means of transport and impact on transport network; impact of design; impact on economic and physical regeneration; and impact on local employment.

The applicants have demonstrated through their Design and Access Statement that measures to reduce carbon dioxide emissions have been considered and officers are content that it is possible for the development to be designed so as to minimise carbon emissions. The application site is highly accessible given its city centre location where it can be accessed by numerous bus services together with other modes of transport. The section on 'Impact on the highway network' will demonstrate that whilst the proposed development would have an impact upon the surrounding highway network, mitigation is possible to ensure that the development can proceed without detriment to the safety and free flow of traffic on surrounding roads. It is considered that the design can positively impact upon the area whilst the development would have significant positive impacts upon local employment and on the economic and physical regeneration of this area which has lacked investment for a number of years.

Overall, the development is considered acceptable in principle subject to the detailed considerations below. It would offer significant socio-economic and environmental regeneration benefits to this area of the city centre and may act as a catalyst for further development. A significant number of new jobs would be created at a time when unemployment is high and officers believe that in the current market this development is deliverable. The development would provide sustainable economic growth and therefore offers support the principle of development. The proposal accords with key development plan policies OS2, OS3, OS4 and CC34 together with Policy EC10 of PPS4 and relevant policies in the RSS.

Proposed Leisure use

The development would involve the loss of an existing health and fitness centre, although a larger provision will be incorporated into the development. The proposal therefore accords with Policy SCL14 which requires that where replacement facilities are intended, they should be located so that they may continue to serve their users conveniently. Furthermore, it highlights that the quality of the new provision should be equivalent or better than what is being replaced. Whilst officers have no control over the end user of the health and fitness club, the replacement centre would be located in close proximity to the existing premises and would be substantially larger and housed within a purpose built development. For these reasons, the proposal satisfies Policy SCL14.

Policy SCL1 and SCL2 of the CDP support the provision of social, community, leisure and indoor sports facilities in locations which are accessible to and meet the needs of the people of Coventry by a choice and means of transport. Policy SCL2 specifically encourages such uses within the City Centre and states that proposals will be considered on the basis of compatibility with nearby uses,

compatibility with other Plan policies and accessibility by a choice of means of transport. As this report will demonstrate, the proposal is acceptable in each of these respects and thus complies with Policies SCL1 and SCL2.

A fitness club of up to 1,865 square metres gross internal floorspace is proposed as part of the development. The fitness centre falls under a D2 use class as a leisure use. Leisure uses are classed as town centre uses and therefore in-centre locations are preferable. Whilst the site is considered to be an edge-of-centre location for retail purposes it is defined by PPS4 as in-centre when considering other town centre uses. The development therefore requires assessment under Policy EC10 of PPS4. As highlighted above, the proposal as a whole is considered to accord with Policy EC10 as it delivers sustainable economic development that has positive regeneration benefits. The proposed leisure use would be suitable in this highly accessible location and given the nature of the use and adjoining retail uses, it is envisaged that the use would be compatible with other uses within the development together with other neighbouring uses.

Proposed Retail use

A large food superstore is proposed of up to 12,077 square metre max gross floorspace. The food store would comprise the main trading floor with possible mezzanine above and a customer restaurant/café. In their Planning Statement, the applicants specify that the superstore would carry a full range of convenience goods sold off the shelf and from specialist counters and it would also sell a range of comparison goods. It is envisaged that if the full extent of floorspace is created, the net trading area would be approximately 6,700 square metres of which approximately 4,000 square metres would be dedicated to the sale of food and other convenience items.

The site is considered to be an edge of centre location as it is within 300m of the Central Shopping Area. Policy CC13 of the CDP identifies the central shopping area as the principal focus for shopping developments and this is consistent with Policy PA11 of the RSS which indicates that centres will be the focus for major retail developments. Policy S1 of the CDP highlights that the City Council will protect, maintain and enhance a hierarchy of Centres. New shopping developments proposed in the Plan are focused on the Central Shopping Area and other defined Centres. The policy states that further proposals for new shopping developments should be located within a defined Centre of appropriate scale and function and the sub-text states that if an 'in-centre' location is not available, the provisions of Policy S11 will be applied.

Whilst the Core Strategy was not adopted despite being found to be sound and subsequently a draft City Centre Area Action Plan was withdrawn, both identified the site as being within a shopping expansion area which were intended to provide for longer term shopping requirements (2021-2026), unless a need was identified earlier within the plan period to accommodate a type of retail development which could not be met within the Primary Shopping Area.

Given that the site has come forward for redevelopment now, any proposal must be considered primarily in the context of PPS4, in particular Policies EC10, EC14, EC15, EC16 and EC17. Policy EC10 is covered in the section above and the proposal is found to be acceptable in this respect. Policy EC14.3 requires sequential assessments to be submitted for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date development plan. Accordingly, a PPS4 Sequential Assessment and Impact Analysis has been submitted to support the application. Policy EC15 sets out criteria for local planning authorities to consider in the assessment of sequential assessments.

The sequential assessment highlights that there are currently no suitable premises or sites available for occupation or redevelopment within the Central Shopping Area and that it is unlikely that this situation will change in the foreseeable future. The report also suggests that the central shopping area is not a suitable location for a large food superstore and that to promote such a development within the core would be prejudicial to the City Council's vision and masterplan for the area by preventing other comparison goods developments from coming forward.

In their assessment, the applicants have highlighted that the Government's Practice Guidance states that the sequential approach is intended to achieve two important policy objectives: reducing the need to travel and facilitating linked trips, thereby reinforcing the vitality and viability of the existing centre. Officers agree with the assertion that the site is in a highly sustainable location and will reduce the need to travel, particularly by car. Furthermore, the site is located immediately adjacent to the primary shopping area (approximately 80m away) and there are no notable barriers to the connections between the two.

Officers consider that the sequential assessment is acceptable and justifiably demonstrates the non-availability of any sequentially preferable sites for a development of this size, in accordance with PPS4.

Officers have considered the objections raised by Tesco Stores Ltd and Spenhill Developments Ltd which in terms of the retail assessment, largely relate to issues around the impact of the development on existing centres. In response to comments that the figures of 15% of the proposed stores convenience goods turnover will be diverted from stores/facilities outside Coventry urban area and 30% for comparison goods, officers consider that these figures may be slightly overestimated. Nevertheless, in this instance this is considered unlikely to significantly change the impact results and thus further work in this respect is not considered to be required.

The submitted assessment highlights a 7.9% and 8.7% impact on Tesco stores located in the Major District Centres at Cannon Park and Arena Park. The objections consider that the impact has been underestimated and that is too high to justify an edge of centre development. The convenience turnover for the size of the store proposed has not in our view been under-estimated. Consideration has been given to a worst case scenario if the amount of trade diversion from outside Coventry urban area is reduced from 15% to 5% which

would mean the impact figures would increase to 9.5% and 8.7% respectively. Even in this circumstance, the residual turnovers are well within the range one would expect and there is no risk that either of these stores would close or this level of trade diversion would undermine the vitality and viability of the centres. Officers consider that these levels of impact would be acceptable in this instance, particularly as the City Centre does not have a large food superstore currently and the development will bring positive benefits to the food offer in the city centre.

Although concerns have been raised regarding the 60% net to gross ratio, officers consider this to be towards the middle of the range to be expected for food superstores (55% to 70%). In line with the assessment, a planning condition is recommended restricting the maximum of sales floorspace.

The assessment submitted by the applicants has based its forecasting of turnover for both comparison and convenience goods on the average sales density of the 4 largest operators. The objections have suggested that this underestimates the level of impact and it therefore insufficient. Officers consider this forecasting to be robust and reasonable and it is common practice to adopt the average sales density as whilst there is no end user identified it is extremely likely to be one of the largest 4 operators; hence an average figure would seem appropriate.

The application site is not in the primary shopping area and therefore an assessment of impact on other designated centres would be required, where the site allocation does not specify the amount or type of retail proposed. Officers agree with the objections that further consideration may need to be given to planned commitments and cumulative impacts, especially at Cannon Park, and this is something that we will seek the applicants to address prior to Planning Committee. It is considered however that the Tesco extension at Cannon Park will primarily affect out of centre superstores in the southern half of Coventry rather than designated centres and it is expected that the amount of additional convenience sales floorspace proposed is not expected to significantly change shopping patterns, or the impact figures. Members will be updated on this matter through the late representations document.

Subject to receipt of satisfactory information from the applicants regarding impact by taking account of planned commitments and cumulative impacts, officers consider that the impact assessment is robust and reasonable.

Policy S11 of the CDP states that proposals for edge-of-centre and out-of-centre retailing will only be permitted if it is demonstrated firstly that:

- there is a need for the proposal;
- more central sites are not suitable, viable and likely to become available within a reasonable time; and
- the proposed site is accessible by a choice of means of transport

In addition, proposals will be required to meet the following criteria:

- they should not have a harmful impact upon the vitality and viability of any defined Centre either alone or cumulatively;

- they should not have a significant harmful impact upon wider travel patterns and car use;
- they should be compatible with nearby users; and
- they should be compatible with other Plan policies.

An assessment of need is not necessary and has not been considered by the applicants as this is not a requirement in PPS4, which was adopted more recently than the CDP. As highlighted the sequential assessment demonstrates that more central sites are not suitable, viable or likely to become available within a reasonable time. This report demonstrates that the site is highly accessible by a choice of means of transport and that the development would not have a harmful impact upon wider travel patterns and car use. Retail provision is compatible with nearby uses and compatible with other plan policies. As highlighted subject to satisfactory additional information from the applicants regarding impact upon other defined centres, officers are content that the development will be acceptable in this respect. For these reasons, the proposal accords with Policy S11 of the CDP.

Policy EC15 of PPS4 requires local planning authorities to consider the scope for disaggregating specific parts of a retail or leisure development, including those which are part of a group of retail or leisure units, onto separate, sequentially preferable, sites. It does however state that local planning authorities should not seek arbitrary sub-division of proposals. The application proposes one large food superstore that would comprise around 60% convenience retail and 40% comparison retail. There are no smaller units proposed and officers recommend a condition preventing the subdivision of the retail store into smaller units as such subdivision would require a further detailed retail assessment and there may be more sequentially preferable sites for such units. In terms of disaggregating the uses, in this instance this applies solely to the retail floor space element of the proposal as the leisure use and café/restaurant are in an 'in-centre' location. Whilst it may be physically possible to disaggregate the comparison element of the superstore, this would likely result in the development being unviable from an operators perspective as the split between the two types of retail assessed reflects an average used in developments by the four largest retail operators. Such disaggregation therefore would potentially put the redevelopment of this brownfield site, located in a strategic regeneration area at significant risk.

Officers recommend that conditions are imposed upon any permission restricting the total level of retail provision to that specified in the application documentation. Furthermore, the condition will state that no more than 40% of goods to be sold shall be 'comparison' goods in order to accord with the submitted retail assessment and in the spirit of the application being a food superstore.

Impact on Highway network

The proposed development would introduce a large trip generating use to a site in close proximity to the inner city ring road. The site however has had a history of generating large vehicular movements owing to the presence of a public car

park and the former Royal Mail sorting office which at one time employed over 900 staff on a shift basis.

The applicants have indicated their intentions to remove the existing pedestrian bridge and its replacement with an at-grade crossing. The applicants also seek the part pedestrianisation of Bishop Street, the stopping-up of Tower Street and the re-opening to traffic of the southern end of Silver Street. A detailed Transport Assessment submitted with the application suggests that the development will have no material impact on the safety or operation of the adjacent highway network.

There are a number of relevant planning policies relating to transportation matters including PPS1 and PPG13 at the national level, Policy T2 and T3 of the RSS, and policies OS4, CC8, AM1, AM3, AM6, AM8, AM9, AM10, AM11, AM12, AM13, AM14 and AM22 of the CDP. These policies promote highway safety and the efficient movement of transport including public transport, encourage developments to be located in accessible locations and promote a range of means of transport and also convenient pedestrian routes.

The Highway Authority and Local Planning Authority have welcomed the principle of locating a large food superstore centrally and adjacent to the line of an existing high frequency public transport corridor and well used pedestrian corridor. The development is favourable when assessed against PPG13 which supports the development of appropriately located sites with good public transport connectivity and linkages into pedestrian and cycle routes, particularly where this would reduce the overall quantum of road based traffic. The development, given its location, also offers the welcome opportunity of linked-trips to city centre retail and leisure destinations.

The Highway Authority had raised concerns over elements of the Transport Assessment although significant liaison with the applicant's consultants has since been undertaken to the satisfaction of the Highway Authority and it is this information that is referred to in their consultation response.

The application is in outline with access details a reserved matter. The Highway Authority have rightly stated that whilst the application is outline only, to gauge the acceptability in principle and the affect that the development may have on the local highway and transport networks, some aspects of discussions and calculations have had to be relatively detailed and this has lead to a list of planning conditions being recommended.

Impact on Junction 1

The application site is situated in close proximity with Junction 1 of the city Ring Road. The junction is a traffic light controlled, four armed roundabout that intersects with the bottom of Foleshill Road, a key arterial route to and from the city centre.

The Highway Authority have stated that the junction modelling work that was submitted with the Transport Assessment required further work. Additional

information has been submitted following the initial submission and this addresses the issues. This principally concerns the three busiest periods on the highway network (weekday AM peak hour, and PM peak hour) and for retail trip demand (Saturday mid-day). The work demonstrates that Junction 1 of the Ring Road cannot satisfactorily accommodate the anticipated development traffic during the peak periods and highway improvements will be required.

The applicant's consultants have submitted and modelled a proposal that involves increasing the number of lanes on some approaches and within the circulatory carriageway. This proposal requires further detailed development, but is sufficient to demonstrate that there is at least one viable solution to accommodate the development traffic with minimal detrimental impact to general traffic through the junction. The Highway Authority and local planning authority consider that mitigation works are a necessary requirement to enable the development and it is therefore works to Junction 1 are recommended as a condition of any planning permission.

As part of the traffic management requirements associated with the development and re-modelling of Junction 1, directional signing will need to be amended and improved and car parking management signing also needs to be provided to reduce the likelihood of queues to the car parking backing up onto the highway network. This would need to be considered collectively and therefore a condition is recommended requiring details to be submitted as the scheme is designed and subsequent implementation of those approved details.

The works to junction 1 would ensure that the development complies with relevant development plan policies, notably CDP Policies AM1 and AM22. It would also accord with Policy AM14 of the CDP which promotes and encourages road improvements where they will assist economic regeneration, improve safety and enhance transport efficiency.

Removal of bridge and provision of at-grade crossing

Policy CC42 of the CDP promotes the construction and re-construction of bridges across the ring road including between Bishop Street and the Canal Basin to accommodate pedestrian and cycle traffic. Although the proposal would not provide for a new bridge, it would nevertheless meet the aims of the policy by seeking to improve pedestrian and cycle routes between the city centre and Canal Basin and officers consider that an at-grade crossing would best achieve this improved connectivity.

CDP policy CC40 supports proposals designed to make crossing the Ring Road easier, particularly for pedestrians and cyclists. It is considered that the proposed removal of bridge and its replacement with an at-grade crossing would make it easier for pedestrians and cyclists whilst also removing a physical barrier that may restrict movement and thus the development complies with the aims of this policy.

The proposal to remove the pedestrian bridge across the Ring Road and replace it with an at-grade crossing involves a number of issues. Junction 1 is

the only at-grade junction on the Ring Road and there is therefore already a break in traffic movement in this location. Given these circumstances, the Highway Authority have highlighted that this is the only location on the Ring Road at which it is technically feasible to provide a pedestrian crossing at-grade with minimal adverse impact on the free flow of traffic around it.

The applicant's investigations has examined how delay to traffic can be minimised and propose to achieve this through linking the signal timing of the crossing to the signal timing at Junction 1. The result would be that traffic travelling clockwise on the Ring Road would only stop at either the crossing or the junction but not both. There would be the introduction of limited delay on the anti-clockwise carriageway, although the Highway Authority are content that the applicants have demonstrated that queue lengths would not accumulate to an unacceptable level.

In terms of pedestrian delay in crossing, the average time that a pedestrian may have to wait to cross is countered by the reduced journey length through not having to cross the bridge. The applicant has submitted a revised drawing addressing initial comments from an independent Road Safety Auditor about the proposal. If this proposal is accepted, then significant further detailed work would be required to be undertaken, and therefore the Highway Authority and local planning authority recommend a condition requiring that these details are submitted at reserved matters stage.

The Ramblers Association have welcomed that surveys have been carried out concerning use of the footbridge and agree with the conclusions that the bridge is well used albeit poor in design. They have also expressed their desire to see the improvement of the pedestrian environment although have raised concern that replacing the footbridge with a pedestrian crossing will mean that pedestrians are brought into the vehicle environment, with the inherent dangers, noise and pollution. Officers appreciate the concerns raised by the Ramblers Association although do not consider that noise or pollution would be materially greater to pedestrians than the existing situation. Furthermore, an independent Road Safety Auditor has considered the proposal and has raised no objection at this stage.

Officers consider that the provision of an at-grade crossing would meet the aims of Policies AM8 and AM9 of the CDP which promote and encourage convenient and safe pedestrian routes and policy AM13 which supports cycle routes.

Public transport

In addition to more general 'access and movement' policies AM1 and AM22 of the CDP, policy AM3 is also relevant when considering the impact of development on public transport. The policy states that major new developments and highway schemes must facilitate the provision of safe, convenient and efficient bus services and highlights that to achieve this, developers will be expected to include or fund physical works and, in most cases, contribute to enhanced bus services.

Whilst the application is in outline only, the size of the superstore being applied for almost certainly dictates the stopping up of Tower Street (in part). The applicants have stated that the closure of Tower Street will be pursued via Section 247 of the Town and Country Planning Act if planning permission is granted. This stopping up would sever the strategic public transport corridor between the city centre and the north east of the city and therefore necessitates the re-routing of this corridor. The Highway Authority have highlighted that there are two basic ways to address this matter, one to the south of the development and one to the north.

In their indicative masterplan drawing, the applicant has shown the re-opening of Silver Street onto Bishop Street to which the Highway Authority has raised significant concerns. The Highway Authority have stated that the route is substandard in width and is of a tortuous alignment and furthermore that the direct mixing of public transport with development traffic on the Tower Street arm of Ring Road Junction 1 leads to some uncertainty in journey time reliability. Such concerns have also been raised by Centro, although they do not raise a formal objection to the application.

There are significant safety concerns around the junction of Silver Street and Tower Street, as buses travelling in both directions need to maximise their use of the carriageway (which would also require widening) and negotiate a very tight bend with limited forward visibility. At the same time, traffic accessing the development will be given a priority over public transport and the anticipated staggered arrival rate of vehicles will make the right turn manoeuvre difficult. There is also the need to re-open the vehicular connection between Silver Street and Bishop Street which potentially could act as barrier to pedestrian connectivity between the site and the city centre.

An alternative solution which has been discussed with Centro and the applicant's consultants is to divert the public transport corridor to the north of the development, probably through the opening of Bishop Street for buses which could cross/join the Ring Road. The technical benefits of this option are that it removes entirely the conflict between private vehicles and buses around the Silver Street/Tower Street junction and development access/egress. It takes public transport out of the Tower Street arm of the Ring Road Junction and away from what would be a tortuous route, which therefore removes the concerns about journey time reliability. This option would also allow Junction 1 to perform better as it can be optimised for dealing with vehicular traffic only. There are also wider benefits which can be achieved, such as a better public space at the south of the development that has more pedestrian priority and improved connectivity into the city centre, and also a more reliable journey time for the strategic public transport corridor. This proposed option would also accord better with wider redevelopment proposals including the current £9 million investment in the public realm in the city centre and also the city wide bus network review.

For the reasons above, the Highway Authority have stated that the development can be supported in transportation terms subject to a condition

which emphasises the provision of bus services along the full length of Bishop Street. They have also highlighted that without such a condition, significant concerns would remain over the use of Silver Street/Tower Street as a bus corridor, whilst also considered in conjunction with the proposed mitigation scheme to Junction 1.

Centro have confirmed that whilst the route for buses proposed by the applicant in their indicative plans has been demonstrated to be technically sound, from a strategic perspective, this would not be the preferred route for bus movement. They have highlighted their preference for an option to route buses across the Ring Road via Bishop Street and Leicester Row to be explored as the preferred routing option.

Officers are content from the information submitted that there can be an acceptable solution which will ensure appropriate bus routing whilst not adversely impacting upon the aim of the applicants to improve the public realm and pedestrian connectivity. In this respect, the proposed development complies with Policies AM1, AM3, AM8 and AM22 of the CDP. Whilst the pedestrianisation (save for access to existing properties) of Bishop Street as shown on the indicative plans would be welcome and improve the pedestrian environment and connectivity, the alternative option considered above would also allow for improvements to the public realm to the southern end of the site which would assist in linking the development to the central shopping area.

A condition is therefore recommended by officers requiring the reserved matters relating to access to provide details of bus routing along the lines of the preferred option of the Highway Authority and Centro, unless an alternative scheme can be demonstrated to achieve an acceptable accommodation of the public transport corridor. To accord with Policy AM3 of the CDP, the condition recommended will also require the developer to provide details of the location, type and provision of bus stops to serve the development and also details of taxi ranks, in particular to support people with mobility problems, in accordance with Policy AM6.

Extent of car parking

PPG13 supports developments in accessible locations such as this. It however highlights that to maximise the potential of such sites it is also important to ensure that the benefits are not eroded by an over-supply of parking.

An existing public car park comprising approximately 124 spaces operates from the site. The proposed development would remove that car park and provide car parking for nearly 600 vehicles. It is intended that the proposed car park would be operational 24/7 to serve the need of the users of the development (retail and leisure users) together with other surrounding uses. For example, the existing car park currently serves a number of nearby buildings, including the tourist attraction The Coventry Transport Museum.

Whilst the level of car parking proposed is considered acceptable, a condition is recommended by the Highway Authority to restrict the number of car parking

spaces within the development. For the purposes of scoping the potential impact of the store, a trip rate that is not suppressed by the size of the car park has been accepted, however the condition is recommended to limit the car park in size in order to aid the suppression of car trips to the site during the peak periods of the adjacent highway network.

Officers have considered the need for a condition to ensure the 24 hour opening of the car park to serve the development and other buildings in the immediate vicinity. However, such a condition is not considered necessary as there are already other car parks with capacity in the vicinity that have 24 hour opening and also it is likely that the car park operator would wish for the car park to be open anyhow given the financial benefits of doing so.

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Other highway considerations

The other issue to overcome with the stopping up of Tower Street is the accessibility of the existing developments between Bishop Street, Corporation Street and Upper Well Street. To overcome this, the development should undertake the return to two-way operation of Lamb Street. This requires physical amendments and Traffic Regulation Orders, and a condition is recommended requiring these alterations.

The Highway Authority have highlighted that the development overall involves a significant number of aspects that will affect the operation of the highway and transport networks, and the precise order that these aspects are undertaken in is critical. For example, Lamb Street would have to be returned to two-way prior to Tower Street being closed. For this reason, and to allow safe and organised usage of the highway and transport networks, a Phasing Plan should be submitted to and approved prior to commencement of works.

In the interests of encouraging the use of alternative modes of transport to the private car, and in accordance with the aim of creating a more sustainable city a condition is recommended requiring details of cycle and motorcycle parking and their subsequent provision. Cycle parking in new developments is strongly encouraged in policies AM11 and AM12 of the CDP together with SPD 'Creating a more sustainable city' and this condition will ensure that the development is in harmony with these policies. The provision of Real Time Passenger Information Boards within the building should also be provided and this can be ensured through a planning condition.

Whilst officers welcome the submission of a draft Green Travel Plan within the Transport Assessment, it is important that to be meaningful, such a document takes into account and is developed with the end user of the site. A condition is therefore recommended requiring the submission of a detailed Travel Plan prior to occupation of the site.

A resident of William Batchelor House requests that consideration be given to resident parking permits to serve residents in the immediate surrounding area. The Highway Authority have indicated that existing parking restrictions in the form of double yellow lines are sufficient and that the parking of surrounding

streets is already at capacity during the day/weekends and therefore the development would not have an impact over and above the existing situation. There is a private car park serving William Batchelor House and this should be managed to ensure that residents only are utilising the car park.

With regards to comments made by Machine Mart and consultants acting on their behalf, officers are satisfied that satisfactory assessment of the impact of the development in terms of Junction 1 and the pedestrian crossing has been undertaken at this stage and are also comfortable with the extent of car parking and are satisfied that vehicular and pedestrian access to Machine Mart can be maintained. To ensure the latter, a condition is recommended requiring the access details at reserved matters stage to include provision for such access. A condition is also recommended regarding the provision of two-way traffic along Lamb Street, as supported by Machine Mart.

In response to the comments regarding the content of the Transport Assessment, the document referred to in the objection is a non-mandatory guidance document and the scope of the assessment was agreed prior to submission with the Highway Authority based on various guidance and on their knowledge of the local network and the issues relating to it.

The mileage saving analysis presented by Bancroft Consulting Ltd fails to consider the overall impact of the development and does not include details of the significant saving in transport terms that will arise from locating a food superstore in this highly accessible location, which offers excellent opportunities for walking, cycling and public transport together with encouraging linked trips. Nevertheless, officers are content that the development will not significantly adversely impact the operation of Machine Mart and will recommend that the applicant consults with Machine Mart and other affected properties on Bishop Street over any subsequent reserved matters application to minimise the impact of the development.

Overall, officers are satisfied that the principle of the development has been demonstrated to be acceptable subject to further detailed submissions at the reserved matters stage. The proposals accord with relevant planning guidance and development plan policies, most notably Policies AM1 and AM22 of the CDP.

Design

The precise details of the development are not being assessed at this stage. However, consideration must be given to demonstrate how the extent of development being applied for might best be configured on site.

Indicative plans suggest a large building spanning much of the site in a multi-level format comprising three levels of parking in addition to the retail level. The roof level is shown as being for car parking which will help limit the scale of the building, whilst large roof areas to parts of the development fronting the ring road could be designed as 'green roofs'. The indicative plans demonstrate that

the car parking can be suitably screened from public areas without resulting in a building of a scale that is out of keeping in this city centre location.

Officers are content that the indicative scale of the development and erection of a large single building in this location are acceptable in principle and have the potential to enhance the visual amenity of the area if well designed. There are a plethora of different building styles in the locality and therefore the application site is an ideal opportunity to create a high quality development with limited constraints in terms of design and choice of materials.

There are limited residential properties in the vicinity of the application site, with the most notable residential areas being to the north of the Ring Road. Given the relationship of the application site to residential properties and owing to its city centre location where high density development of sizable scale is generally expected, the proposed development is considered acceptable in principle in terms of its impact on neighbouring amenity, subject to the detailed design at reserved matters.

Officers support the aims of the development in the creation of new and enhanced areas of public realm which accords with Policy CC6 of the CDP which encourages improvements to the environment of the city centre. The development would compliment public realm/highway improvements being delivered by the City Council through 'London 2012' investment into the city centre which combined should create an attractive environment for pedestrians in proximity to the development. The principle of the removal of the footbridge with an at-grade crossing is also supported, subject to the detailed highway considerations examined above. This will be a visual enhancement to the area and remove a physical barrier to the ease of pedestrian movement between the Canal Basin and the city centre and is likely to encourage the movement of pedestrians and cyclists in both directions for the mutual benefit of both destinations.

Whilst the detailed design of the development is not being assessed, officers are encouraged that the indicative designs show a pedestrian friendly development with entrance atriums to both the northern and southern ends of the site which also offer opportunities for design features of visual interest. The plans also suggest that there could be active frontage to Silver Street with the superstore restaurant being sited at the southern end of the development whilst access and frontage to the leisure and fitness unit could be sited to the Bishop Street elevation, thus maintaining the active frontage. The design shown on the submitted plans also suggests a vertical circulation core could be visible from Bishop Street whilst large atrium features could enliven the development to its northern elevation. All of these features would be welcomed by officers as active frontages having the potential to improve the aesthetics of development, whilst also providing natural surveillance which aids pedestrian safety.

The indicative plans suggest key landscaping/public art on the part of the site closest to Junction 1 of the ring road together with landscaping and screening of the service yard from the ring road. Officers welcome the provision of public art as highlighted by Policy BE18 of the CDP and quality landscaping adjacent

to Junction 1 which is an important 'gateway' to the city as confirmed by Policy BE7.

On the indicative plans, a service area is proposed to the east of the main building, which would enable foodstore deliveries to be made directly into the trading level. This location would also provide easy access for delivery vehicles from the ring road junction. The appropriate screening of the service area is of significant importance to the overall appearance of the development and officers will require at the detailed design stage satisfactory screening of the service area from public areas, regardless of its location. The screening of the service area in this location would preserve the long views of the Coventry spires and officers would again need to be satisfied at reserved matters stage that the development would not adversely affect the strategic views of the spires.

Indicative plans suggest the car park access being off Tower Street, which would be partially stopped-up. A twin circular, concentric screened access ramp would take vehicles up to the first parking level with ramps internally location within the car parking decks to service the second and third parking levels. Officers have no objection in principle to a concentric screened access ramp subject to the detailed design and would welcome an approach which limits the extent of external ramps.

Policy BE11 of the CDP seeks to protect the setting of listed buildings. Although the applicant has not provided a PPS5 Assessment assessing the impacts of the development on Heritage Assets, officers are content that the development can be designed so as not to adversely impact upon the setting of the nearby Grade I Listed and Scheduled Ancient Monument, Old Grammar School. Moreover, the development has the opportunity to enhance the setting of the listed building if well designed and would also involve the removal of the poorly designed building at 50 Bishop Street.

English Heritage have not raised an objection to the proposed development, although have highlighted that the development should be designed to ensure that the Grade I Listed Building and views of the church spires are protected. The Council's Conservation Officer has raised no objections. The layout, scale and appearance of the development are reserved matters and therefore the full impact of the development on this heritage asset will be assessed at that stage with permission unlikely to be granted if the impact is not acceptable.

Overall, for the reasons explored above, officers are satisfied that the proposed development has the potential to be well designed and play an important role in the physical regeneration and visual enhancement of the area. Subject to appropriate detailed design, the proposal should accord with the aims of Policies BE2 and BE20 of the CDP which promote good quality urban design and landscape design respectively.

Sustainability

Overarching CDP Policy OS4 promotes sustainable development and seeks to ensure the efficient use and re-use of land and buildings, whilst encouraging rational modes and patterns of travel and the promotion of the good stewardship of the natural and built environment. A development of this scale would make efficient use of the land and as highlighted above its highly accessible location will promote a range of transport modes. The development also has the potential to be well designed and incorporate sustainable technologies.

Although the demolition rather than re-use of existing buildings could be considered to be unsustainable, the redevelopment of the site represents an opportunity to provide a sustainable form of development. The application is in a highly accessible location which will encourage a range of modes of transport including walking and cycling and consideration of the use of SUDS and a commitment in the Design and Access Statement to provide 'green roofs' and other soft landscaping all promote sustainability

The applicants have considered energy efficiency and sustainability within their Design and Access Statement. This specifically has appraised the indicative scheme against the key themes for sustainable design and construction contained within the Council's adopted SPD 'Delivering a more sustainable city'.

One requirement of the SPD is that a minimum of 10% of the energy requirements of a development should be provided through the on-site generation of renewable energy. PPS22 and a supplement to PPS1 also promote and encourage the use of renewable energy sources. The report suggest initial energy demand reduction via passive measures to the building envelope such as use of natural ventilation and glazing that contributes to natural lighting whilst offsetting the impacts of solar gain. The statement envisages that the principle sources of renewable energy will come from photovoltaic and solar thermal systems mounted on unused roof area. It also indicates that the building could incorporate a Building Energy Management System to control the heating, lighting, ventilation, hot water supply and renewable energy interfaces to control the use of and save energy.

Officers are content with the energy efficiency and sustainability statement and recommend a condition is imposed requiring a detailed statement specifying measures, including in relation to renewable energy, to be submitted with the reserved matters application and for the development to subsequently proceed in accordance with those details. Subject to the submission of appropriate details at reserved matters stage, the proposal should accord with the aims of the SPD.

Cycle parking provision will be provided as part of the development and the development as a whole would promote a range of modes of transport including public buses, given its central location, and walking. As highlighted below, the

applicant will contribute £75,000 towards canal towpath improvements to encourage cycling and walking to/from the development.

The Coventry Primary Care Trust has provided comments on the application and broadly support the development aims. They have stated the need for a travel plan for the development (which is recommended by officers) and support any improvements and linkages between the national cycle network and Coventry Canal Basin (which again is covered through a planning obligation). They have also highlighted the need for appropriate cycle parking, and a condition is to be imposed requiring such details.

Overall, the proposed development has the potential credentials to contribute positively to sustainability aims and thus accord with Policy OS4 of the CDP together with relevant national planning policy.

Planning obligations

Policy OS10 of the CDP requires planning obligations and other forms of legal agreement to be used to further the Plan policies to ensure that development contributes to a regenerated, sustainable and high quality city, and enable development to proceed which might otherwise be unacceptable.

The applicant has agreed to enter into a Unilateral Undertaking to provide £75,000 towards canal towpath improvements to encourage cycling and pedestrian movements to and from the development.

The improvements are required to upgrade the existing towpath to meet the standards required to add the southern end of the towpath to the National Cycle Network.

Failure by the local authority to spend the contribution on the stated purpose within five years from implementation would require the funding to be returned to the developer.

There are no other obligations considered necessary to make the development acceptable in planning terms or that are directly related to the development and it is unlawful to require a planning obligation that does not meet these statutory tests. However, it should be highlighted that significant highway works are proposed as part of the development and the local planning authority considers that whilst these works could be required through a S106 agreement, in this instance planning conditions constitute a more appropriate mechanism for these requirements.

Other considerations

West Midlands Police have raised a number of detailed matters that need to be considered when looking at development proposals for the site. They have expressed some concern over the possible opening of Silver Street, the pedestrian crossing on the anti-clockwise carriageway of the ring road and the relationship of the nightclub with the site. Officers are content that these issues

can be suitably addressed at reserved matters stage and would welcome the involvement of the Police in any pre-application discussions prior to the submission of those details. The Police have requested that consideration be given to a review of lighting and CCTV within the area to provide full monitored coverage. Conditions are therefore recommended in terms of external lighting and provision of CCTV in the interests of safety, in accordance with Policy BE21 of the CDP.

Policy EM2 of the CDP states that where likely damage to air quality cannot be satisfactorily mitigated, development will not be permitted. The applicant has submitted an Air Quality Assessment and mitigation measures are recommended to minimise any damage to air quality. A condition is therefore required to ensure that the development proceeds in accordance with these mitigation measures.

Noise has been considered through a PPG24 Assessment. Environmental Protection officers are satisfied with the proposals in this respect and have no particular concerns about traffic noise in light of the report and traffic data, although may wish to see noise barriers around the service yard, dependent upon its location, at reserved matters stage. A condition is recommended regarding noise matters.

In accordance with national guidance in PPG23, Policy EM6 of the CDP states that development on or adjacent to contaminated land will be permitted only if any measures for remediation and protection required to ensure the health and safety of the development proposed and its users are identified and implemented. The Council's Environmental Protection officers have agreed the findings of the Geotechnical Assessment and require a full site investigation to be undertaken. Standard DCLG conditions are recommended with regards to contamination and a specific condition requiring an assessment for potential unexploded ordnance is also recommended.

Policy EM5 of the CDP states that proposals which could result in the pollution of water, air or ground, or pollution through noise, dust, vibration, smell, light, heat or radiation will only be permitted if:

- the health, safety and amenity of the users of the land and neighbouring land; and
- the quality and enjoyment of the environment are assured.

The policy goes on to state that proposals for uses which are sensitive to pollution will not be permitted close to existing or proposed potentially polluting uses or in their areas of influence. The above paragraphs on air quality, noise and contaminated land all highlight that the development is acceptable in terms of pollution impacts and thus complies with Policy EM5.

A Flood Risk assessment submitted with the application concludes that the risk of flooding to the site is considered to be low and the proposal is fully in accordance with PPS25. It highlights that the drainage strategy will include measures to reduce surface water run-off rates from the proposed development by 20% of the existing run-off rates. The Environment Agency raises no objection to the proposal subject to a drainage condition requiring specific

details. Severn Trent Water has no objection in principle to the development subject to a condition requiring detailed drainage plans for the disposal of surface water and foul sewage. Subject to such conditions, the proposal is considered to comply with Policy EM4 and EM6 of the CDP and PPS25.

The archaeological desk-based assessment submitted with the application has identified the site as having high potential for archaeological remains, particularly the area between Tower Street and Silver Street, dating from the early medieval period onwards. In harmony with PPS5 and CDP Policy BE15, a condition is recommended to ensure that a programme of archaeological work takes place ahead of the development and that the scheme subsequently proceeds in accordance with approved details.

The Design and Access Statement highlights that the development has the opportunity to enhance biodiversity through green roofs and native planting and recommends the retention of mature trees. Warwickshire County Council Ecology Unit has raised no objection to the application or the submitted Ecological Survey. The site is of limited ecological value and the bat survey has concluded that bats and other protected species are very likely to be absent from the site. The ecologists however recommend tree protection measures for trees to be retained to accord with CDP policy GE14 and also suggest a condition requiring a combined ecological and landscaping scheme to ensure no net biodiversity loss in accordance with PPS9 and in compliance with Policy GE15. The Council's Tree Preservation Officer also recommends the protection of trees and a condition is therefore required for the applicant to undertake a full tree survey.

Access for wheelbound people is encouraged by Policy OS9 of the CDP. A condition can be imposed requiring that the development allows appropriate access for wheelbound people including for wheelchairs and for pushchairs.

A condition is recommended requiring details of any external lighting that may be proposed on the scheme. This is to ensure a satisfactory visual appearance and to protect the amenities of nearby residents and road users, in accordance with Policy EM8 of the CDP.

To help prevent the spread of dust, in accordance Policy EM2, and mud on the surrounding road network, a condition is recommended requiring measures to be put in place during construction to minimise such adverse impacts.

CONCLUSION / REASON FOR APPROVAL

The outline application is considered acceptable in principle in terms of its impact upon the highway network and retail centres. It accords with a number of aims for the regeneration of the city centre and priority areas by providing welcome economic development and the associated employment. The development is considered to represent an efficient use of a highly accessible brownfield site and officers are satisfied that a suitable design of development can be achieved to positively contribute to the visual amenity of the area without resulting in harm to nearby heritage assets.

The reason Coventry City Council is granting planning permission is because the proposal accords with the aims of development plan policies as detailed in this report, together with SPD and PPS referred to in the report. There are no other material considerations that outweigh these policies.

SCHEDULE OF CONDITIONS

Condition(s)

- 1. The approval of the Council shall be obtained to the following reserved matters before any development is commenced viz:-
the layout of site and its relationship with adjoining development;
the scale of the building(s);
the appearance of the building(s);
the means of access to the building(s) and site;
the landscaping of the site.**
- 2. The development to which this permission relates shall begin within 3 years of the date of permission or within 2 years of the final approval of the reserved matters, whichever is the later.**
- 3. The reserved matters to be submitted in accordance with Condition 1 shall include details of all earthworks, mounding and the finished floor levels of all buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings.**
- 4. The reserved matters to be submitted in accordance with Condition 1 shall include details of how the 10% renewable energy requirement as set out in the Council's adopted Supplementary Planning Document 'Delivering a more sustainable city' is to be met. The information supplied shall include:
* an assessment of the development's projected energy requirements;
* full details of the renewable energy technology (or combination of technologies proposed); and
* an assessment of the estimated outputs, which then need to be compared with the demand figures in order to demonstrate that the 10% requirement has been met.**
- 5. The reserved matters to be submitted in accordance with Condition 1 shall include details of car, cycle and motorcycle parking facilities including disabled parking and bin storage areas to be provided within the development. The approved parking and bin store facilities shall be provided prior to occupation of the development in accordance with the approved details (or in any subsequently approved amendments) and thereafter those facilities shall remain available for use at all times unless alternative measures have been approved by the local planning authority.**

- 6. The proposed development shall be of a similar scale to that shown on the indicative elevation drawings: drawing numbers 4979-79 Rev A, 4979-80 and 4979-81 Rev A.**
- 7. The development shall be carried out only in full accordance with sample details of the external facing and roofing materials which shall have first been submitted to and approved in writing by the local planning authority.**
- 8. Before any development commences on site the following shall be submitted to and approved in writing by the local planning authority and any approved mitigation or protection measures shall be put into place prior to and remain in place during any construction work:**
 - a] a detailed scaled plan (to a scale and level of accuracy appropriate to the proposal) showing the position of every tree on the site, and every tree on land adjacent to the site (including street trees) that is likely to have an effect upon or be affected by the proposal (e.g. by shade, overhang from the boundary, intrusion of the Root Protection Area etc) with a stem diameter over the bark measured at 1.5 metres above ground level of at least 75 millimetres.**
 - b] a schedule of the trees surveyed as specified in paragraph 4.2.6 of British Standard BS5837 - Trees in Relation to Construction - Recommendations;**
 - c] an arboricultural implications assessment, arboricultural method statement and tree protection plan (to include protection measures during and after construction and any construction exclusion zones) (in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction) which shall also include any proposal for pruning or other preventative works.**
- 9. The development shall only be undertaken in accordance with details of both hard and soft landscaping works which shall first 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, gates and street furniture to be erected, specifying the colour of the railings, gates and street furniture; footpaths; and hard surfacing materials. The hard landscaping works shall be completed in full accordance with the approved details within 3 months of the first occupation of the development 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 or shrub which within a period of 5 years from the completion of the development dies, is removed or becomes seriously damaged 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.**
- 10. No development (other than demolition but excluding the removal of any foundations or sub structures) shall take place within the application site unless and until the following have been submitted**

to and approved in writing by the local planning authority:

i) a written scheme of investigation for a programme of archaeological evaluation, including post-excavation analysis and publication.

ii) a strategy for mitigating the impact of the development if archaeological remains are discovered, including post-excavation analysis and publication.

Once approved, the development shall only be undertaken in full accordance with those approved details (or any subsequently approved amendments).

11. Before any plant and machinery is used on the premises it shall be enclosed with sound-insulating material and mounted in a way which will minimise transmission of structure-borne sound in accordance with a scheme to be first submitted to and approved by the local planning authority.
12. Fume extraction and odour control equipment (including external ducting flues) shall be properly installed in their entirety in accordance with details first 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. Any external ducting shall be colour coated in accordance with the approved details within one month of its installation and any replacement or modification shall be colour coated to match within one month of its installation. The equipment shall be permanently operated and maintained in accordance with the manufacturer's specifications.
13. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall thereafter be carried out in accordance with the approved details.
14. No lighting or illumination of any external part of any building or the site shall be installed or operated unless and until details of such measures shall have been submitted to and approved in writing by the local planning authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details.
15. Before the building(s) hereby approved is first occupied provision for disabled people to gain access in and throughout that building shall have been made in accordance with details submitted to and approved in writing by the local planning authority. No alterations to such access arrangements shall thereafter be made without the prior approval of the City Council and any equipment forming part of such arrangement shall be kept available for use by disabled people.
16. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the local planning authority. The drainage details shall incorporate

Sustainable Drainage Systems (SUDS) including a long term management and maintenance plan, unless otherwise agreed by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

- 17. The overall net (trading) retail floorspace of the food superstore shall not exceed 6,705 square metres.**
- 18. No more than 40% of the net (trading) retail floorspace shall be in use for comparison goods retail.**
- 19. There shall be no subdivision of the food superstore hereby approved into smaller retail units.**
- 20. No goods of any description shall be kept, stored, sold, offered or displayed for sale, hire, lease or rental outside the building(s) the subject of this permission unless otherwise agreed in writing by the local planning authority.**
- 21. Prior to commencement of development, an off-site Highway Works Phasing Plan shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be completed in accordance the approved details of the plan.**
- 22. No building hereby permitted shall be occupied unless and until off-site highways works relating to Junction 1 of the Ringway are completed in their entirety in accordance with drawing no.12205-16 Rev C or a similar scheme otherwise agreed in writing by the local planning authority. The precise details of such works shall first be submitted to and approved in writing by the local planning authority.**
- 23. No building hereby permitted shall be occupied unless and until all off-site highway works are substantially completed and associated Traffic Regulation Orders are amended / revoked to ensure that Lamb Street returns to two-way operation, unless otherwise agreed in writing by the local planning authority.**
- 24. The development shall not have greater than 600 car parking spaces, unless otherwise agreed in writing by the local planning authority.**
- 25. Real Time Passenger Information boards shall be displayed in visible, convenient and appropriate places within the building(s) hereby permitted at all times whilst the buildings are occupied.**
- 26. No building hereby permitted shall be occupied unless and until Car Parking Variable Message Signs are installed on the key approaches to the site as part of the overall signing strategy related to the off-site highway works and linked into the City Council's UTMC network in accordance with details to be first submitted to and approved in writing by the local planning authority. The signs shall thereafter remain in use at all times unless alternative measures have been approved in writing by the local planning authority.**
- 27. The development hereby permitted shall be occupied until a Green Travel Plan, which shall also include details of the management of on-site car parking, has been submitted to and approved in writing by the local planning authority. The Green Travel Plan shall**

- subsequently be implemented in full accordance with the details contained within the document and once implemented it shall not be withdrawn or amended in any way without the prior written approval of the local planning authority.
28. The reserved matters relating to access to be submitted in accordance with Condition 1 shall include:
 - * The removal of the Pedestrian bridge across the Ringway known as 'The Canal Basin Bridge' and replacement with an at-grade crossing and the details of the proposed crossing
 - * Details of the junction of Silver Street and Tower Street and the relation of the proposed access and egress points to and from the car park
 - * Details of the access arrangements into and out of the Service Area
 - * Provision for bus services to run two-ways along the full length of Bishop Street and connection into Leicester Row unless an alternative scheme can be demonstrated to achieve satisfactory public transport routing in the immediate vicinity
 - * Provision for vehicular access for staff, customer and deliveries to properties on the western side of Bishop Street, north of Lamb Street
 - * Details of the location, type and provision of bus stops and taxi ranks serving the development
 - * Details of vehicle manoeuvring areas to the service area.

The approved details shall be implemented prior to the first occupation of the development and shall remain in place thereafter.
 29. The development shall proceed in accordance with the recommendations in Section 7 of the approved report reference 10047Acoustic Report/RT dated April 2011 prepared by Jonathan Richard Associates.
 30. The proposed development shall proceed in accordance with the recommendations of the approved Air Quality Assessment, report reference AQ0182 prepared by GEM Air Quality Ltd.
 31. 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.

- 32. Prior to commencement of development an unexploded ordnance survey shall be carried out at the site to establish whether there is any unexploded ordnance, the details of which shall be submitted to the Local Planning Authority for approval.**
- 33. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site and any report of the findings must be submitted to and approved in writing by the local planning authority prior to first occupation. The report of the findings, to be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', must include; (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risk to; human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monument; (iii) an appraisal of remedial options, and proposal of the preferred option(s).**
- 34. The development shall be undertaken in accordance with a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared which shall be submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.**
- 35. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced shall be submitted to and approved in writing by the local planning authority.**
- 36. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (No.33), and where remediation is necessary a remediation scheme**

must be prepared in accordance with the requirements of condition (No.34), which shall be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with condition (No.35).

LIST OF BACKGROUND PAPERS

PROPER OFFICER: Group Manager Planning and Building Control
Author: Andrew Cornfoot

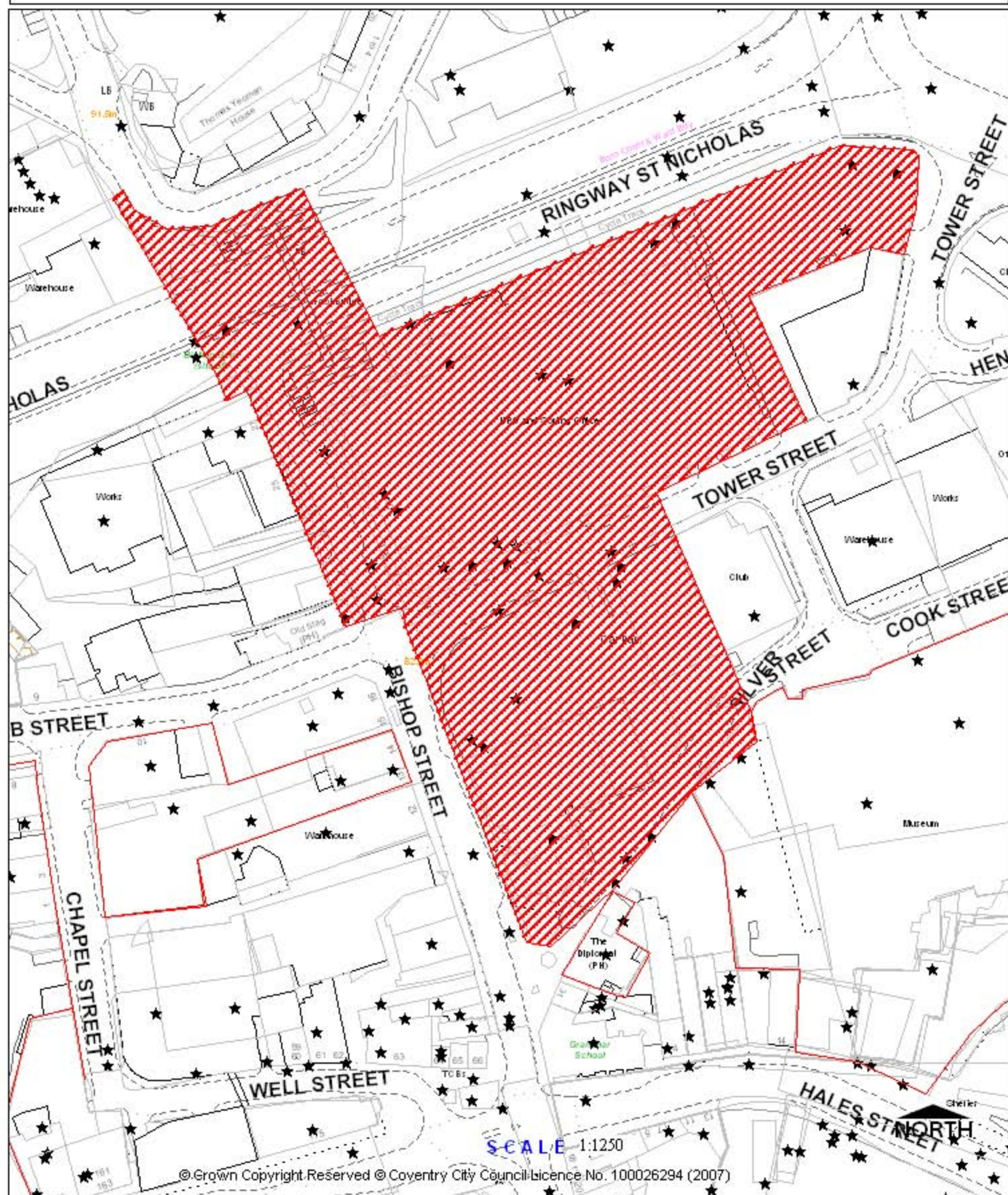
ALL BACKGROUND PAPERS OPEN TO PUBLIC INSPECTION at City Services & Development Directorate, Civic Centre 4, Much Park Street and www.coventry.gov.uk

Planning Application File: OUT/2011/0326
Coventry Development Plan 2001

SITE LOCATION PLAN

APPLICATION NUMBER OUT/2011/0326

LOCATION





Proposed Screen Wall Option 1 - Living Wall Proposal



Proposed Screen Wall Option 2 - Sandstone Proposal



Proposed Screen Wall Option 3 - Hedge Proposal



Proposed Screen Wall Option 4 - Sandstone & Panel Proposal

notes
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no.	date	revision
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client

Barberry Coventry Ltd

project

Bishop Gate
Bishop Street
Coventry

drawing

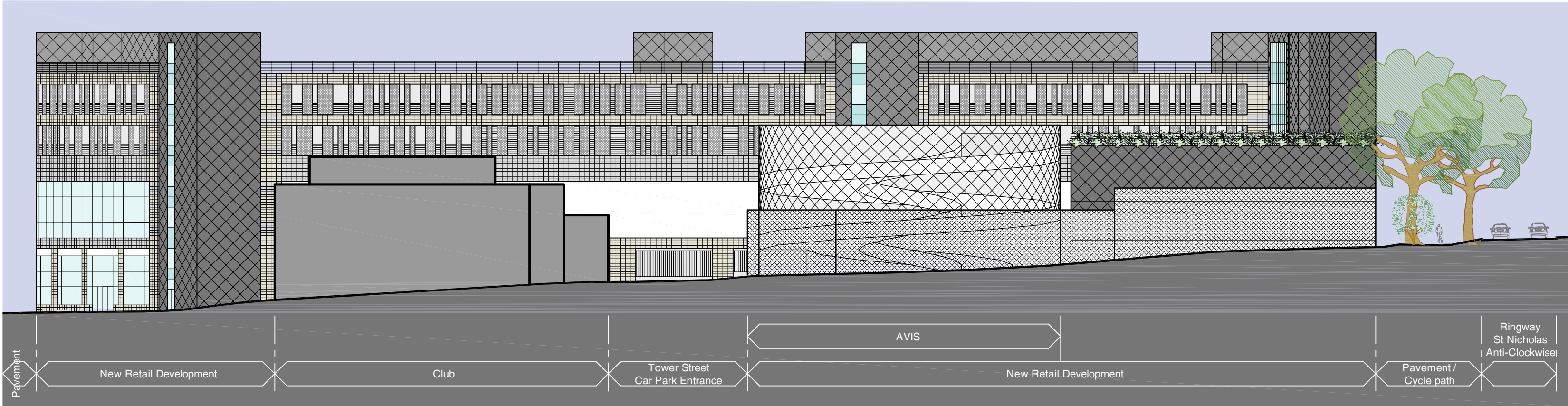
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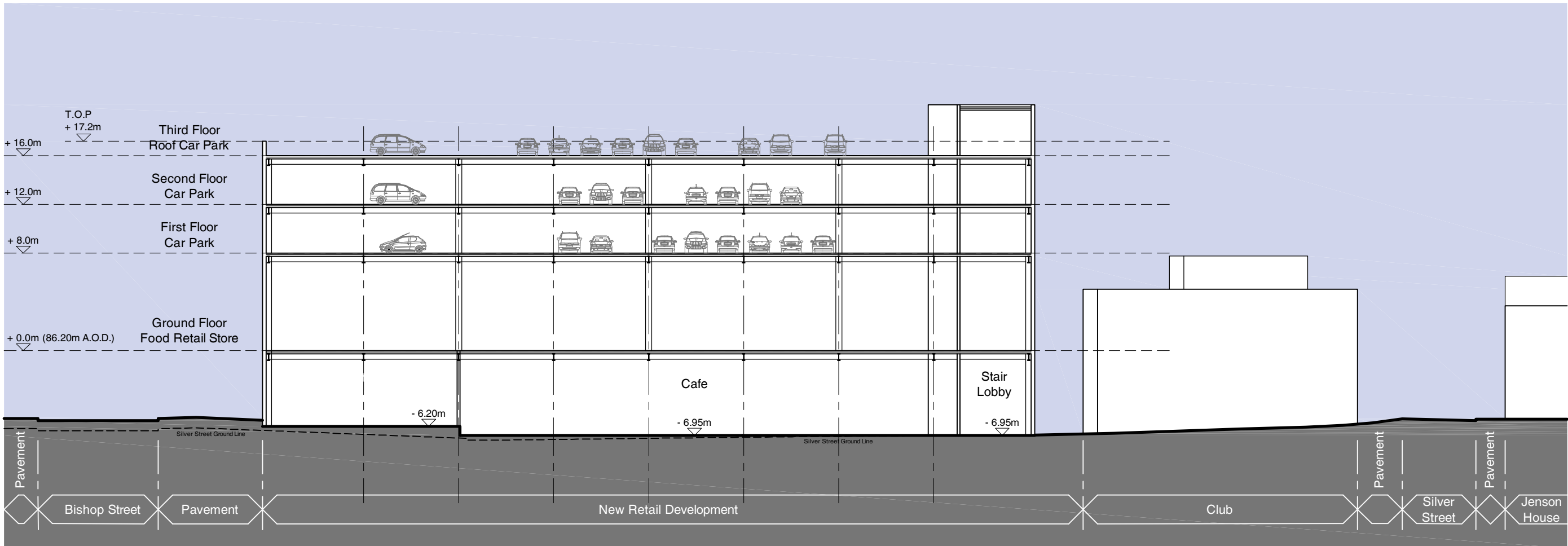
4979 - 90



Proposed Context Elevation to Silver Street & Tower Street



Proposed Context Elevation to Silver Street



Long Section Through New Building Parallel to Silver Street

A	17/2/11	Sections revised to reflect latest floor plans	mjl
no.	date	revision	by



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project

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drawing

Contextual Elevations &
Section to Silver Street &
Tower Street

scale 1:350 @ a1 drawn mjl

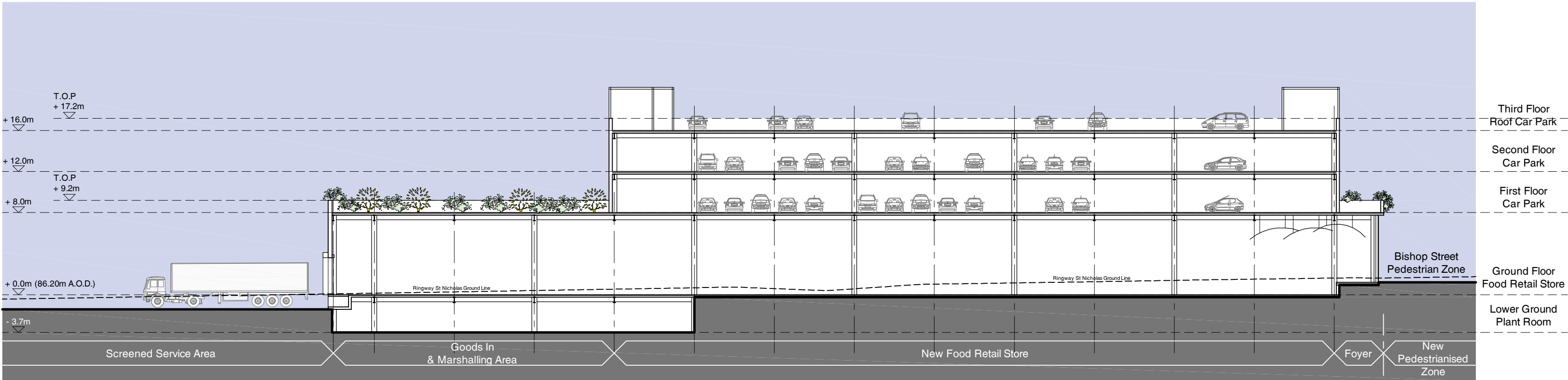
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no

4979 - 81 Rev A



Proposed Context Elevation to Ringway St Nicholas



Long Section Through New Building Parallel to Ringway St. Nicholas

no.	date	revision	by
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Bishop Gate
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Coventry

drawing

Contextual Elevation &
Section to
Ringway St Nicholas

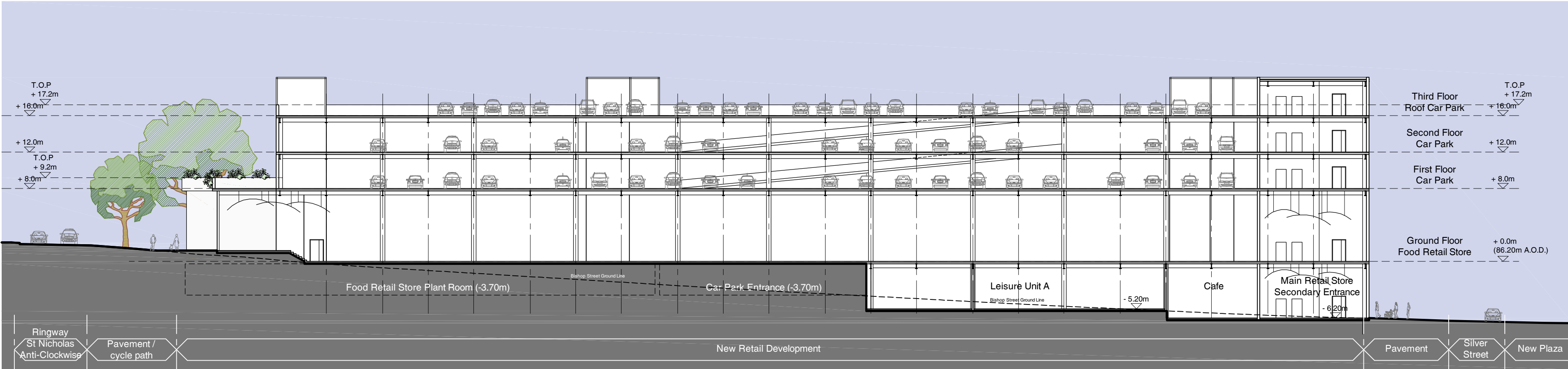
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checked date January 2011

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Proposed Context Elevation to Bishop Street



Long Section Through New Building Parallel to Bishop Street

A	17/2/11	Sections revised to reflect latest floor plans	mjl
no.	date	revision	by



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project
Bishop Gate
Bishop Street
Coventry
drawing

Contextual Elevation &
Section to Bishop Street

scale	1:350 @ a1	drawn	mjl
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4979 - 79 Rev A



Fig. 44 Artists Impression from Lower Bishop Street