

# Public Document Pack

5. **Late Representations – 21 July 2022** (Pages 3 - 12)

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## Late Representations Planning Committee 21 July 2022

Item No. 8	<p><b>Application No. - FUL/2021/3395</b></p> <p>Description of Development - Demolition of No.79 &amp; No.81 Meadow Road and erection of 57no. dwellings with associated landscaping, car parking and new access.</p> <p><b>Site Address</b> - Land at Meadow Road</p> <p><b>Consultation</b></p> <p>On the basis that the application is unviable for any contributions, Education colleagues have raised an objection to the application.</p> <p>Officers are mindful of the Education responsibilities the City Council have; however, it is considered in the planning balance the provision of 100% affordable homes outweigh the lack of education contributions on this occasion.</p> <p><b>Additional/Amended S106 clauses</b></p> <p>As noted within the Committee report, and above, the application is for 100% affordable homes of which 25% will be for First Homes.</p> <p><u>Amended Conditions</u></p> <p>Condition No.3 states</p> <ul style="list-style-type: none"> <li>i) No development shall commence unless and until a deed of easement has been entered into, submitted and approved in writing by the local planning authority. The deed of easement shall safeguard a public right of way, in perpetuity from the application site to the land to the north, as shown edged yellow on the attached plan.</li> <li>ii) Prior to the first occupation of the development hereby permitted, the proposed footpath connections into the existing pedestrian footpaths within the land to the north of the site, shall be completed in strict accordance with the approved details, as shown on – Amended DRAWING - Site Layout - Drawing No.D01 Rev Zb. The new footpaths and connections shall be retained and shall not be removed or altered in any way.</li> </ul> <p>Condition No.3 as amended</p> <ul style="list-style-type: none"> <li>i) No development shall commence unless and until a legal agreement has been entered into, submitted to and approved in writing by the local planning authority. The legal agreement shall safeguard the following footpaths, in perpetuity: <ul style="list-style-type: none"> <li>a) The footpaths from the application site to the land to the north, known as the Houldsworth Crescent Local Wildlife Site; and</li> </ul> </li> </ul>
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	<p>b) The footpaths within the Houldsworth Crescent Local Wildlife Site; as shown edged yellow on the attached plan</p> <p>ii) Prior to the first occupation of the development hereby permitted, the proposed footpath connections into the existing pedestrian footpaths within the land to the north of the site, shall be completed in strict accordance with the approved details, as shown on – Amended DRAWING - Site Layout - Drawing No.D01 Rev Zb. The new footpaths and connections shall be retained and shall not be removed or altered in any way.</p>
<p>Item No. 7</p>	<p><b>Application No. - FUL/2022/0561</b></p> <p>Description of Development - Reconfiguration and refurbishment including partial demolition of the former Woodlands Academy School site to provide a new Special Educational Needs and Disability (SEND) School, together with associated hard and soft landscaping, artificial playing pitch and engineering works</p> <p><b>Site Address</b> - Former Woodlands School Broad Lane</p> <p><b>Consultation</b></p> <p><u>Highways</u>: Following further information submitted by the applicant, the Local Highway Authority were re-consulted and responded with no objection to the application as they considered that the new school will not constitute a significant change in the current land use and therefore will not have an impact on the local highway network. The refurbished site will provide 67 parking spaces for staff and visitors, with suitable provisions for pickup and drop-off for students that require private vehicle, minibus or taxi transport due to their needs. The proposed site layout and parking are considered to be acceptable. As the school will cater for SEND students it is anticipated that they will not cycle and therefore no cycle parking facilities have been provided for students. There will however be covered and secure cycle parking provided on the site for staff and visitors in excess of the required standard.</p> <p><b>Assessment</b></p> <p>The applicants were asked for an update on the work they have been doing to try and address Sport England’s objection and the following response has been provided:-</p> <p><i>“The project team have been liaising with Sport England for over 18 months outlining the Woodlands Project and its educational and wider community benefits.</i></p> <p><i>As part of improving the community led sports element of the education led project increasing the all year-round sporting options the project had suggested including the delivery of a 3G pitch. This was discussed with Sport England on many occasions. Although they saw that this proposal would provide versatility,</i></p>

*based on their assessment they did not consider it as being mitigation for the loss of any natural grass pitches.*

*However, despite this and subject to funding, the project team clearly saw a wider strategic benefit to the inclusion of a 3G pitch for the city, as part of a package of other additional works as mitigation for loss of grass pitches. As such although the 3G pitch was not specifically required by Sport England it has been included within the planning application.*

*The suggested location of the proposed 3G pitch utilises an area within the Woodlands school grounds which had previously been laid as a 'Redgra' pitch (all weather surface). The 'Redgra' is no longer used and is overgrown and unmaintained.*

*Sport England's holding objection in regard to the 3G pitch is seeking detailed design information, confirmation of any loss of green space, its location relative to other pitches and whether it will afford greater community use as it may not be served by floodlights.*

*Although a full design specification has not been provided at this stage, the project team have confirmed to Sport England and included within the planning documentation that the pitch, if provided, will be full sized and that it will be built in accordance with FA guidelines as recommended/required by Sport England. It is anticipated that the actual specification of the pitch could be conditioned should planning permission be granted.*

*Sport England have stated that the plan fails to display the existing and proposed pitch layouts. The project team believe that the plans produced and provided to Sport England show the required information. A plan has been produced which shows how the 3G will fit on the site of the existing 'Redra' and demonstrates how much surrounding green space will be lost as a result. This was produced at the request of Sports England. The location of the 'Redgra' pitch, relative to surrounding pitches, has also been shown on a separate plan incorporated within the Playing Pitch Impact and Mitigation report which has been provided (June 2022).*

*Sport England are concerned that light, ecology and noise assessments may not have been considered in relation to the use of the proposed 3G. These concerns have been considered and as a consequence it is not proposed to include for floodlighting and therefore evening use in the darker months of the year. However, despite this, information has been included within the PPIAM report to demonstrate that the facility, if delivered, has the ability to provide variety and significant increased community and team use.*

*The project team feel that they have provided the information required to confirm that the pitch is deliverable and that the design will be appropriate and considerate of its location. Further design information could be sought via planning condition if required."*

Officers consider that the delivery of the pitch and the detailed matters can be satisfactorily dealt with by Planning Conditions.

**Additional Conditions**

	<p>20. Prior to occupation of the development hereby approved specification details of the 3G pitch shall be submitted to and approved in writing by the Local Planning Authority. The submitted detail shall include: surface type, containment measures for microplastics, fencing heights, pitch construction and details of any proposed lighting and shall include a plan that displays the existing and proposed playing field pitch layouts.</p> <p>To safeguard the site for communitiy use in accordance with Policy DE1 of the Coventry Local Plan 2016.</p> <p>21. No fixed plant and/or machinery shall be operated unless and until details of the fixed plant and/or machinery, including any mitigation measures, has been submitted to and approved in writing by the Local Planning Authority. The rating level of the noise emitted from the plant and machinery shall not exceed the current background noise level at the nearest off-site residential receptor, which has been agreed with the Local Planning Authority to be &lt; 38 dB LAR,T in the daytime (07:00-23:00) and &lt; 27db LAR,T at night time (23:00-07:00). The measurements and assessment shall be made within one metre of the closest sensitive receptors in according to BS 4142:2014. All details shall be carried out as approved prior to first occupation of the development and any mitigation measures shall remain in place thereafter and shall not be removed or altered in any way.</p> <p>To safeguard the amenities of the adjoining occupiers of the development in accordance with Policy DE1 of the Coventry Local Plan 2016.</p>
<p>Item No. 9</p>	<p><b>Application No. - OUT/2022/0548</b></p> <p>Description of Development - Outline planning application with all matters reserved except for access for the demolition of all school buildings and construction of up to 129 residential dwellings, together with associated landscaping and infrastructure works</p> <p><b>Site Address</b> - Woodfield School Hawthorn Lane</p> <p><b>Amended Recommendation</b></p> <p>Planning Committee are recommended to delegate the grant of planning permission to the Strategic Lead for Planning subject to the Secretary of State not wishing to intervene and subject to Natural England removing their objection and subject to conditions and the completion of a s106 Legal Agreement to secure the contributions summarised in this report.</p> <p><b>Consultation</b></p> <p><u>Highways</u> - Following further information submitted by the applicant, the Local Highway Authority were re-consulted who confirmed that the traffic flows and junction analysis outputs have been redone with traffic volumes that are acceptable. The junction capacity analysis shows that the Broad Lane / Hawthorne Lane junction will have sufficient capacity with the proposed</p>

development and therefore the Local Highway Authority have no objection to the application.

Noise / Environmental Protection - Following the applicant resubmitting the noise assessment to take account of the impact from the Power league pitches, the Council's Environmental Protection Officer confirmed this information is acceptable and should be conditioned so the glazing and ventilation specs comply with the recommendations as a minimum. A condition will also be required for a close boarded fence along the boundary of the site and the Muga pitches which should be installed prior to occupation and maintained in its entirety after installation. This is to protect the amenity of the area for proposed residents along this northern boundary in accordance with H3, HW1, and DS3 of the local plan.

### **Appraisal**

To be included in the 'Ecology' section of the report:

Initial discussions have started between Natural England and the applicant in relation to Natural England's objection on the grounds of the impact on Tile Hill Wood SSSI. Further discussions will be needed to further demonstrate further mitigation measures on the SSSI, however, as the application is in outline with all matters reserved apart from access, a condition will be attached that will require the applicant to relay their discussions with natural England and for the layout to be submitted at reserved matters stage to reflect the requirements of Natural England.

### **Developer Contributions**

Biodiversity - off setting contribution: £376,573, broken down as follows:

Using Warwickshire BIA:

Site area: 4.20 ha

Current value of site = **7.42** Biodiversity units

Contribution required for offset = **£257,846**

Potential landscaping on site (assumes 15m buffer alongside woodland)

Future value of site = **4.38** biodiversity units

Overall loss= **-3.04** units

Contribution required for offset = **£118,727**

Any mitigation scheme should include minimum of 4.4 units within the site (mostly from the buffer along the SSSI) **and** minimum 3.5 units offsite (ensuring a net gain)

The 3.5 units could be delivered in many different way eg 0.5ha of woodland (1.33 units) + 0.5ha of wildflower grassland (2.22) units within the Coundon Gap

This figure is maximum. It will need to be re-calculated at the reserved matters stage to take account of the actual development area, on-site landscaped areas and any increase in the buffer required to the SSSI.

#### Coventry and Warwickshire CCG

A request has been made for £111,005 for improvements to off-site primary medical care and healthcare facilities.

#### **Additional Conditions**

23. As a minimum the glazing and ventilation specifications should comply with the recommendations set out in Environmental Noise Assessment ref. 220715 Rev. R02, dated 15/07/2022.

***Reason:** To safeguard the amenity of residents in accordance with H3, HW1, and DS3 of the Coventry local plan.*

24. Prior to occupation of the development hereby approved, details of an acoustic close boarded fence running along the length of the northern boundary of the site that faces onto the former Woodlands School site / Power league land shall be submitted to and approved in writing by the Local Planning Authority. The acoustic fence shall be installed prior to occupation of the development and maintained in its entirety after installation.

***Reason:** To safeguard the amenity of residents in accordance with H3, HW1, and DS3 of the Coventry local plan.*

#### **Amended Condition (amendments in bold)**

19. Together with any reserved matters application, the following shall be submitted (and shall include trees within Tile Hill Wood):

a) a Tree Constraints Plan (5.1-5.3) **in accordance with BS 5838 i.e. to show all the tree constraints superimposed upon a proposed layout. There must be no construction either below or above ground level, within the SSSI buffer zone. The woodland edge trees that are located within 10m from the woodland boundary will need to be identified to the tree survey individually.**

b) Arboricultural Impact Assessment (5.4) to assess the direct and indirect implications of trees upon the proposal and visa-versa, including locations for under-ground/ over-ground services, level changes within RPA's etc.;

c) Arboricultural Method Statement (6.1); and

d) a Dimensioned Tree Protection Plan **showing distances from trunks and woodland boundary to the tree protection barriers and** to include protection measures during and after construction and any construction exclusion zones (in accordance with 5.5/ Table B.1), site monitoring (6.3) of British Standard BS5837:2012 - Trees in relation to design demolition and construction -



	<p>Recommendations, which shall also include any proposal for pruning or other preventative works.</p> <p><b>e) Long term management plan for the natural regeneration of species within the Buffer.</b></p> <p>The approved mitigation and / or protection measures shall be put into place prior to the commencement of any works and shall remain in place during all construction work.</p> <p><i><b>Reason:</b> To protect those trees which are of significant amenity value to the Conservation Area and which would provide an enhanced standard of appearance to the development in accordance with Policy GE3, GE4 and HE2 of the Coventry Local Plan 2016.</i></p>
<p>Item No. 10</p>	<p><b>Application No. - OUT/2022/0552</b></p> <p>Description of Development - Outline planning application with all matters reserved except for access for the demolition of all school buildings and construction of up to 24 residential dwellings, together with associated landscaping and infrastructure works</p> <p><b>Site Address</b> - Woodfield Primary School Stoneleigh Road</p> <p><b>Consultation</b></p> <p><b>Appraisal</b></p> <p><u>Added at the end of the 'Noise' section:</u>  The Environment Protection Officer in their consultation response has noted that there is insufficient information relating to plant noise limits / measurements, details of the full noise measurements undertaken, an assessment of railway noise and the noise mitigation measures for each property. While an updated Environmental Noise Assessment has been submitted by the applicant to address the concerns raised, the full raw noise data is still being worked on and will be conditioned as being required prior to commencement of development.</p> <p><u>Added at the end of the 'Contaminated Land' section:</u>  In relation to ground contamination, the Environmental Protection Officer queries the gas testing regime undertaken, and requests further testing of soils near the surface on a plot-by-plot basis as recommended within the submitted Site Investigation Report. By virtue of the application being in Outline it is considered that sufficient information has been presented in relation to ground conditions and contamination to enable determination of the planning application. Further details relating to construction and any remediation required will be conditioned.</p> <p><b>Amended Condition</b></p> <p>Condition 7 shall include a further bullet point to ensure that the report of the findings must include:</p>

	<p>- further testing of soils near the surface on a plot-by-plot basis as recommended within the submitted Site Investigation Report.</p> <p><b>Additional Condition</b></p> <p>22. Notwithstanding the noise assessments submitted, no development shall commence unless and until a noise assessment has been submitted to and approved in writing by the Local Planning Authority. The noise assessment shall include results for LAeq, LA10, and LA90 noise descriptors, together with a calculated arithmetical average for the LAeq. Full noise measurements are required for all monitoring undertaken, including LMax values. Railway noise needs to be included along with the source of plant noise and for it to be demonstrated what the noise mitigation measures are for each property. The assessment will demonstrate by calculation that internal noise levels for each proposed residential property meets the 'Good' criteria set out in British Standard 8233 'Sound Insulation and Noise Reduction for Buildings' together with any mitigation measures that are required to achieve this. The report shall also demonstrate that outdoor garden and leisure areas associated with this development meet the 55dB limit as required by the World Health Organisation (WHO). Prior to the first occupation of the buildings any necessary mitigation measures shall have been implemented in full accordance with the recommendations of the noise assessment and thereafter shall not be removed or altered in any way.</p> <p><i>Reason:</i> To protect the amenities of future occupiers from road traffic noise and general disturbance in accordance with Policy H3 of the Coventry Local Plan 2016.</p>
<p>Item No. 12</p>	<p><b>Application No. - FUL/2022/0613</b></p> <p>Description of Development - Application for change of use of No.60 from single dwelling to religious education centre (Use Class F1) in connection with use of No.62 Somerset Road</p> <p><b>Site Address - 60 Somerset Road</b></p> <p>Letter received from Abrar Aziz – Head of As-Suffa Charity on 19/07/2022</p> <p>Summarised as:</p> <p>Al Falah Education has supported the charity over the last 10 years in relation to feeding the homeless and housing rough sleepers, as well as with fundraising. The centre provides a platform for locals to donate and raise funds to support this work. The extension will help Al-Suffa's cause and that of the local community.</p>

<p>Item No. 13</p>	<p><b>Application No. - FUL/2022/1351</b></p> <p>Description of Development - Change of use from E class to adult gaming centre (sui generis)</p> <p><b>Site Address</b> - 241 Walsgrave Road</p> <p><b>Additional Representations</b></p> <p>Councillors Caan and Hayre have objected to the change of use for the following reasons:</p> <ul style="list-style-type: none"> <li>• The area has become dirty due to litter everywhere, fly tipping, feels polluted and dangerous, this is degrading our area.</li> <li>• We and residents in this area feel litter, broken glass, fly tipping, begging, drug dealing does not help the community.</li> <li>• We and residents feel the state of the shopping area is getting worse, there are only a few shops left, there are many takeaways, pawn shops and nail bars.</li> <li>• There are already two betting shops, this with the alcohol shops in the area will not improve residents' wellbeing.</li> <li>• Independent shops, banks have gone and replaced by betting shops.</li> <li>• We and residents feel the area is dangerous and don't feel safe to work in this area.</li> <li>• There are horrendous parking issues.</li> <li>• We do not feel this proposal will benefit any other businesses.</li> </ul> <p>We are against this proposal as we don't feel this will improve our area and won't help families who are trying to raise their children here.</p>
<p>Item No. 14</p>	<p><b>Amendments/Updates to the Planning Committee Procedure Rules</b></p> <p><u>Planning Committee Procedure rules</u></p> <p>Since the agenda was published, further amendments are proposed to the document contained within the reports pack.</p> <p>4.5 has been emended to include exceptional applications and now reads:-</p> <ul style="list-style-type: none"> <li>• for any other development that the Chair determines is a major or exceptional application</li> </ul> <p>10.3 has been amended to reflect the wording in para 10.1 and now reads:-</p> <p>The Chair, in consultation with the appropriate Cabinet Member and the Planning Manager will determine the appropriate structure of the meeting and will be responsible for the smooth running of the Forum. Appropriate Planning Officers of the City Council will be in attendance.</p> <p>10.5 is proposed to be deleted</p> <p>(10.5) Notes will be taken at meetings of the Development Forum and a summary of the discussions will be kept on file which will be open to public inspection.</p>

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