

# Public Document Pack

5. **Late Representations** (Pages 3 - 10)

To be circulated at the meeting.

This page is intentionally left blank

## Late Representations Planning Committee 31<sup>st</sup> July 2025

Item No. 6	<b>Planning Ref:</b>	PL/2025/0000864/FUL
	<b>Site:</b>	School House Briton Road Coventry. CV2 4LF
	<b>Proposal:</b>	Change of use from residential dwellinghouse (Use Class C3) to children's nursery (Use Class E(f)).
	<p><b>CONSULTEE RESPONSE(S)</b></p> <p>Environmental protection have confirmed that given the opening hours, the proposed noise reduction plan would be acceptable.</p> <p>Highways have also raised no further concerns about the application in light of the additional information provided.</p> <p><b>APPLICANT RESPONSE</b></p> <p>The applicant has submitted an amended proposed site plan (Proposed Site Plan DWG PR201A), the only amendment is that the parking within the driveway is labelled as drop-off parking as opposed to the previous site plan which showed the driveway to be used for staff parking. This is to provide clarity following discussions about how the driveway will be utilised as part of the proposed use. The applicant has confirmed that the school car park cannot be used for parents to drop off children as it is allocated for staff. The driveway will be used for the purposes of drop-off facilities and existing staff will be redeployed for the operation of the nursery. The applicant has also confirmed that 85% of families live within a 10-minute walk of the school.</p> <p>The applicant has also confirmed that the school opening times are 8.50am to 3.15pm, this means that the nursery will run separate to core school opening and closing times.</p> <p>The nursery will also run in term times and will respect all normal school holidays, teacher training days and bank holidays.</p> <p><b>REPORT</b></p> <p>The matters raised above clarify and reaffirm how the site will be managed and how the impacts on the highway will be mitigated in accordance with Policy AC2. The proposed nursery will operate as part of the school and the conditions which have been added below seek to reaffirm that and ensure that it does not operate as a commercial nursery, separate from the primary school as this would have additional impacts on the highway.</p> <p><b>CONDITION</b></p> <p><b>Condition:</b> Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, as amended, or any Order revoking and re-enacting that Order with or without modification, the building shall be used only as a nursery (Use Class E(f)) of the Town and Country Planning (Use Classes) Order 1987 (as amended), or any Order revoking and re-enacting that Order with or without modification, and for no other purpose in Use Class E of the schedule to that Order.</p>	

	<p><b>Reason:</b> <i>It is considered necessary to strictly control the nature and intensity of the use of the site and only the approved use has been considered in establishing whether the proposal would have acceptable impacts in this location, and other uses would require further detailed consideration in accordance with Policies CO1, DE1, AC1 and AC2 of the Coventry Local Plan 2017 and the emerging Local Plan.</i></p>
--	---

	<p><b>Condition:</b> The proposed nursery hereby permitted shall be occupied solely in connection with, and ancillary to the existing primary school, Stoke Primary School, Briton Road, and shall not be sub-divided, sub-let or used as a separate premises from the main school.</p>
--	---

	<p><b>Reason:</b> <i>To safeguard the amenities of nearby occupiers in accordance with Policy DE1 and in the interests of highways safety and Policy AC1 and AC2 of the Coventry Development Plan 2017 and the emerging Local Plan.</i></p>
--	---



<p>Item No. 8</p>	<p><b>Planning Ref:</b> PL/2025/0000722/FULM</p> <p><b>Site:</b> Mercia Business Village, Torwood Close, Coventry, CV4 8HX</p> <p><b>Proposal:</b> Demolition of existing buildings and erection of purpose-built student accommodation (1,006 units) with access, car parking, landscaping and amenity space, plant, cycle storage and associated works</p> <p><b>FURTHER REPRESENTATIONS</b>  <b>Cllr John Blundell:</b> Objection, there are already a substantial number of PBSA sites to accommodate in excess of 3,000 students, with this application/pipeline increasing the total to 4,800. The University have communicated to the Westwood Heath Residents Association that there are not intended to be any reductions in on-campus accommodation which contradicts the case made for the current proposals/application. Residents have challenged the demand for the accommodation, and regard should be given to other existing stock within Earlsdon. The development as proposed will have a detrimental impact upon residential amenity and quality of life for nearby residential occupiers. A site visit should be undertaken to see/hear the scale of developments taking place within the Business Park.</p> <p><b>Third Party Representations:</b>  Following the issuing of the committee report, a further representation has been received from a neighbour whom has already made representations to the application of which is summarised as follows;</p> <ul style="list-style-type: none"> <li>- Incorrect data/information within student needs assessment</li> <li>- With existing permissions there is sufficient demand for the University's needs in the area</li> <li>- Contrary to the data collected within the Local Plan review</li> </ul> <p>The considerations in respect of demand for student accommodation, reference to existing accommodation/relevant planning history and impact upon amenity are all addressed within the published report.</p> <p><b>DEVELOPER CONTRIBUTIONS</b>  Within the published committee report reference is made to the ecology, trees and staff mobility credits being subject to further discussion ahead of planning committee, and that the relevant obligations will be set out via an update paper.</p> <p>The applicants have duly provided the additional/supplementary information required in respect of trees and ecology with the mobility credits being confirmed once the total number of FTE staff are confirmed. The CAVAT figure for the removal of trees is anticipated as a worst case scenario to be up to £53,172, this figure assumes that this is for total removal of the trees identified within the supporting arboricultural report. However, as set out within the committee report, given that a number of the trees are within tree pits under the car park, there are likely to be opportunities for re-siting within the development. As such it is recommended to accept this figure as an upto figure which will be re-calculated when the detailed landscaping scheme is put forward for approval via a discharge of condition. The amount collected for trees will also be subject to the projects/sites which the £361,494.10 secured for open space/parks improvements will be spent on to avoid double counting of contributions.</p> <p>The Ecological metric calculation has now also been provided based on the minor layout amendments. Again as a worst case scenario, with all landscaping removed and not replaced there would be a total requirement for 3.05 habitat units to be secured. This will very likely reduce when the landscaping scheme comes forward, the applicants have indicated that together with an enhanced landscaping scheme green roofs will be explored which could further enhance the provision on-site. It is therefore</p>
-----------------------	--

	<p>recommended that 3.05 habitat units are secured within the obligations/S106 agreement, which again will be required to be finalised and evidence of credits purchased provided prior to any condition being discharged in respect of biodiversity/habitat features.</p> <p><b>CONDITIONS</b></p> <p>Since the publishing of the committee report, a request has been made by the Council's Ecologist to amend the bat survey condition following further review of the bat survey undertaken. As the building has been classed as having 'low' potential for roosting bats, with no evidence of roosting bats or bat roosting features being found during the survey. Conditions 17 and 18 are not deemed proportionate in this case, and in line with best practice guidelines by the Bat Conservation Trust, it is recommended instead to require hand removal of roofing materials in the presence of an ecologist, with any works ceasing should any evidence of bats be found. The Ecologist has therefore recommended/requested the following condition:</p> <p>- Within any demolition of/or works to any roofspaces within existing buildings across the site, all roofing materials shall be removed carefully by hand in the presence of a qualified Ecologist. As part of the removal all reasonable precautions set out within the recommendations published by the Bat Conservation Trust should be followed. In the event that any evidence of bats are found then all works shall cease immediately while Natural England are notified for licensing advice. Notwithstanding any requirement for remedial work or otherwise, a qualified bat worker's report shall be submitted to and approved in writing by the Local Planning Authority within 30 days following completion of the supervised works to summarise the findings.</p> <p>Reason: To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2017, the emerging Local Plan and the advice contained within the NPPF.</p>
Item No. 9	<p><b>Planning Ref:</b> PL/2024/0001921/RVC</p> <p><b>Site:</b> Land Off Abbots Lane And Upper Hill Street Coventry. CV1 4DF</p> <p><b>Proposal:</b> Variation of condition No. 5 (approved drawings) imposed on planning permission reference OUT/2021/3576 granted on 16/10/2023 for full planning application of 212 dwellings (Class C3) served via access from Abbots Lane and Upper Hill Street; strategic landscaping and earthworks; temporary car parking; surface water drainage and all other ancillary and enabling works. Outline planning application for new residential development up to 478 units (Class C3); ancillary Class E development of up to 950 sqm of floorspace; strategic landscaping and earthworks; surface water drainage; and all other ancillary infrastructure and enabling site works with means of access to be taken from the connections from Abbots Lane and Upper Hill Street (part of the full application) for consideration; all other matters (layout, appearance, scale, and landscaping) reserved for subsequent approval.</p> <p><b>Clarification</b></p> <p>Further to the committee report the exact reasons given for refusal of the application OUT/2021/3576 by committee members were as follows:</p> <p>1. The proposals would result in an over-intensive development of the site, significantly beyond the allocation for this site set out within Policy H2 of the Local Plan and which:-</p> <p>i) By reason of scale and massing, would introduce high rise development in this residential area, most notably from the tower blocks, that is out of keeping with the</p>

	<p>character and scale of surrounding development which would have an over-bearing impact on the occupiers of adjacent residential occupiers and would be out of keeping with the established character of the area to the detriment of the visual amenities of the locality.</p> <p>ii) Would result in a significant increase in traffic movement with insufficient parking on site and activity from additional car usage and deliveries to the site for non-car users, resulting in a significant increase in demand for on-street parking in a locality where demand is already high and capacity limited and increased activity, to the detriment of the amenities of the occupiers of nearby properties.</p> <p>iii) Would result in an increase in vehicle usage in an area where there are existing air quality issues that are subject to a Ministerial Direction for Air Quality to the detriment of existing residents.</p> <p>The proposals are therefore considered contrary to Policies AC3 and the Parking Standards at Appendix 5, DE1, H3 and EM7 of the Coventry Local Plan 2017 and the principles of the National Planning Policy Framework</p> <p>2. Notwithstanding the viability assessment, the proposals fail to deliver affordable housing as part of the planning application and insufficient evidence has been submitted to demonstrated that this will be delivered through external funding. As such the proposals fail to provide the infrastructure to meet the needs of development and are therefore contrary to Policies H6 and IM1 of the Coventry Local Plan 2017 and the principles of the National Planning Policy Framework, paragraphs 34 and 122.</p> <p>3. The proposal is for high rise residential apartments which is not considered to provide a satisfactory housing mix that will deliver family housing (with associate private gardens/amenity space) and as such is considered contrary to Policy H4 of the Coventry Local Plan 2017.</p> <p><b>Additional Supporting Information</b></p> <p>Since the publishing of the committee report a Road Safety Audit for the egress out onto Upper Hill Street has been submitted by the applicant.</p> <p><u>Highway Comments on the RSA</u></p> <p>The road safety audit indicates there are no significant safety concerns with the proposed access onto Upper Hill Street. One problem was identified which related to the condition of the carriageway, and the suggested solution is for the carriageway within the vicinity of the access to be resurfaced, which highways would be content with. The alterations to the access that will be required can be dealt with at the Technical Approval (S278) stage.</p>						
Item No. 11	<table border="1"> <tr> <td data-bbox="240 1552 491 1592"><b>Planning Ref:</b></td><td data-bbox="491 1552 1485 1592">PL/2025/0000689/PAEC</td></tr> <tr> <td data-bbox="240 1592 491 1632"><b>Site:</b></td><td data-bbox="491 1592 1485 1632">Land Adjacent Corpus Christi Church Langbank Avenue Coventry.</td></tr> <tr> <td data-bbox="240 1632 491 1783"><b>Proposal:</b></td><td data-bbox="491 1632 1485 1783">Erection of: 22.5m lattice mast with headframe (galvanised grey steel), 12No. antennas (RAL7035 grey), 4No. dishes (2No. 300mm; 2No 600mm) (RAL7035 grey) and 7No. cabinets (RAL7035 grey) and ancillary development.</td></tr> </table> <p><b>APPLICANT RESPONSE</b></p> <p>A question was directed to the applicant regarding the removal of any equipment that the proposed mast will replace. The applicant has provided the following response:</p> <p><i>"Cornerstone have previously deployed a base station on the pylon structure north of St Jude's Crescent, south of the railway line, with VMO2, (Cell Ref: VMO2 37333), as the host operator and Vodafone Limited being the sharing operator. However, for reasons outlined in the 'site selection and design considerations' information provided in below and in the attached <b>Appendix D</b>, the amount and weight of equipment</i></p>	<b>Planning Ref:</b>	PL/2025/0000689/PAEC	<b>Site:</b>	Land Adjacent Corpus Christi Church Langbank Avenue Coventry.	<b>Proposal:</b>	Erection of: 22.5m lattice mast with headframe (galvanised grey steel), 12No. antennas (RAL7035 grey), 4No. dishes (2No. 300mm; 2No 600mm) (RAL7035 grey) and 7No. cabinets (RAL7035 grey) and ancillary development.
<b>Planning Ref:</b>	PL/2025/0000689/PAEC						
<b>Site:</b>	Land Adjacent Corpus Christi Church Langbank Avenue Coventry.						
<b>Proposal:</b>	Erection of: 22.5m lattice mast with headframe (galvanised grey steel), 12No. antennas (RAL7035 grey), 4No. dishes (2No. 300mm; 2No 600mm) (RAL7035 grey) and 7No. cabinets (RAL7035 grey) and ancillary development.						



*required for 5G purposes means that it is no longer possible to utilise such structures; hence why a replacement is now being sought."*

The applicant has also recirculated the photomontages provided which indicate the visibility of the proposed mast relative to surrounding natural features and the built environment. These have been attached to these representations.

### **NEIGHBOUR RESPONSE(S)**

Since the committee report was published, 2no. additional responses have been received from neighbours raising the following material planning considerations, as noted the nature of the application means that the Local Planning Authority are only able to assess the impact on the siting and appearance of the proposal:

- The proposed mast would have an overbearing and dominating visual impact, introducing yet another large, industrial feature in close proximity to residential homes, schools, and other sensitive community settings. This contradicts local and national policy.

The following matters were also raised which are not considered to be material to the determination of this application:

- The proposal poses potential health risks to nearby residents which are particularly sensitive receptors.
- There is no demonstrable need for 5G coverage in this location.
- The proposal fails to respond appropriately to the section 44-50 of the Localism Act 2011 which in summary states that each public body must work to improve the economic, social, environmental, and cultural well-being.

### **REPORT**

In response to the comments made by neighbours, the officer refers back to the assessment made in the committee report which has been circulated to elected members which demonstrates how the siting and appearance of the development accord with Policy DE1 and C2 of the Coventry Local Plan 2017.

Concerning the other matters raised, as noted, these are not relevant to the siting and appearance of the proposal and therefore cannot be considered by the Local Planning Authority when considering whether or not to grant prior approval for the installation of the proposed electronic communications equipment. The officer wishes to highlight once again in considering these matters that paragraph 123 of the NPPF states that: *'Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.'*

Further information pursuant to these matters are contained within the officer's assessment outlined in the committee report.

This page is intentionally left blank