



### Planning Committee

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**Time and Date**

2.00 pm on Thursday, 3rd August, 2017

**Place**

Committee Room 3 - Council House

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1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Members Declarations of Contact on Planning Applications**

Members are reminded that contacts about any planning applications on this agenda must, unless reported to this meeting by the Head of Planning, be declared before the application is considered.
4. **Minutes of the Meeting held on 13 July 2017** (Pages 3 - 8)
5. **Late Representations** (Pages 9 - 10)

To be circulated at the meeting.
6. **Outstanding Issues**

There are no outstanding issues.
7. **Application S73/2017/0902 - Land at Plots 1, 2 and 3, and part of Plot 4 Lyons Park, Coundon Wedge Drive** (Pages 11 - 30)

Report of the Head of Planning and Regulation
8. **Application FUL/2017/0661 - Land to the east of The Old Fire Station, Chetton Avenue** (Pages 31 - 52)

Report of the Head of Planning and Regulation
9. **Application OUT/2015/3601 - Land to Rear of 42-68 Wyken Way** (Pages 53 - 66)

Report of the Head of Planning and Regulation
10. **Neighbourhood Plan Submission Draft - Willenhall** (Pages 67 - 132)

Report of the Head of Planning and Regulation

11. **Appeals Progress Report** (Pages 133 - 156)  
Report of the Head of Planning and Regulation
12. **Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**

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Martin Yardley, Deputy Chief Executive (Place), Council House Coventry

Wednesday, 26 July 2017

Note: The person to contact about the agenda and documents for this meeting is Usha Patel, tel: 024 7683 3198

Membership: Councillors N Akhtar, P Akhtar, R Auluck, R Bailey, S Bains, G Crookes, J McNicholas, C Miks, K Mulhall (Deputy Chair), P Seaman (Chair) and D Skinner

By invitation: Councillor L Bigham

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting  
OR if you would like this information in another format or language please contact us.

**Usha Patel**

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**Coventry City Council**  
**Minutes of the Meeting of Planning Committee held at 2.00 pm on Thursday, 13 July 2017**

Present:

Members: Councillor P Seaman (Chair)  
Councillor N Akhtar  
Councillor P Akhtar  
Councillor R Auluck  
Councillor S Bains  
Councillor G Crookes  
Councillor J McNicholas  
Councillor C Miks  
Councillor K Mulhall (Deputy Chair)

Other Members: Councillors A Khan, Lakha, J Mutton, M Mutton

Employees (by Directorate):

Place: L Albrighton, O Aremu, A Coulthard, C Horton, T Miller  
U Patel

Apologies: Councillor R Bailey and D Skinner

## **Public Business**

### **16. Declarations of Interest**

Councillor Mulhall declared an "Other Interest" in the matter referred to in Minute 24 (Application HH/2017/0707 – 88 and 90 Owenford Road). He withdrew from the meeting during the consideration of this item.

### **17. Exclusion of Press and Public**

**RESOLVED** that, under 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the item of business referred to in Minute 26 below relating to "enforcement Report" on the grounds that this item involves the likely disclosure of exempt information as defined in Paragraphs 2, 6(a) and 7 of Part 1 of Schedule 12A of that Act.

### **18. Members Declarations of Contact on Planning Applications**

There were no declarations of contacts.

### **19. Minutes of Previous Meeting held on 15 June 2017**

The minutes of the meeting held on 15 June 2017 were signed as a true record.

20. **Late Representations**

The Committee noted a tabled report which summarised the representations and responses on the following:

<b>Application No.</b>	<b>Site</b>	<b>Minute No.</b>
FUL/2017/0756	Little Cedars Meadfoot Road	22
HH/2017/0707	88 and 90 Owenford Road	24

21. **Outstanding Issues**

There were no outstanding issues.

22. **Application FUL/2017/0756 - Little Cedars Meadfoot Road**

The Committee considered a report of the Head of Planning and Regulation detailing the above application to demolish the existing building and erection of residential building with 11 units (mix of 1 bed and 2 bed units) with external space provided for each unit. The application was recommended for approval subject to conditions.

The Committee also considered a petition objecting to the application, bearing 42 signatures, which had been submitted by Councillor Lakha, a Binley and Willenhall Ward Councillor. Councillor Lakha attended the meeting together with the petition spokesperson and spoke in respect of the petition. Councillor J Mutton, also a Binley and Willenhall Ward Councillor attended the meeting and spoke in respect of his objections to the application. A registered speaker attended the meeting and spoke in respect of her objections to the application. The applicant's agent attended the meeting and spoke in support of the application.

The late representations report tabled at the meeting provided further clarification on the proposal and detailed additional correspondence received and an additional condition proposed by the Council's Drainage Engineer.

**RESOLVED that planning permission be granted in respect of Application FUL/2017/0756 subject to conditions outlined in the report and the late representation report and subject to the completion of a legal agreement relating to NHS contributions, failure to complete the agreement by 26/07/2017 may result in the application being refused.**

23. **Application FUL/2017/0519 - Edgwick Park Industrial Estate Canal Road**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the demolition of an existing warehouse to develop new commercial units (Class B1, B2, B8) and an indoor go karting facility (sui generis use); widening of existing entrance, parking and manoeuvring areas and associated landscaping. The go karting track will utilise electric vehicles only. The application was recommended for approval.



The Committee also considered a petition objecting to the application, bearing 62 signatures, which had been submitted by Councillor A Khan, a Foleshill Ward Councillor. Councillor Khan and the petition spokesperson attended the meeting and spoke in respect of the petition. The applicant's agent also attended the meeting and spoke in support of the application.

Following consideration of the report and matters raised at the meeting, Members considered that given the proximity of the residential properties to the site and the potential disruption that may be caused by late deliveries, they were minded to amend Condition 12 so that 'no deliveries shall be taken or despatched from the site before 07:00 or after 22:00 or at any time on Sunday or Bank/Public Holiday'. Furthermore an additional condition was proposed, seconded and adopted by Members in relation to the submission of a noise management plan.

**RESOLVED that planning permission be granted in respect of Application FUL/2017/0519 subject to conditions outlined in the report, the amended Condition 12 as detailed above and the additional condition in relation to the submission of a noise management plan.**

24. **Application HH/2017/0707 - 88 and 90 Owenford Road**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for a two storey rear extensions and loft conversions at both 88 and 90 and two storey side extension to 90. The application was recommended for refusal for the reasons stated in the report.

The late representations report provided further clarification on the reasons for refusal and detailed an additional reason for refusal.

Councillor M Mutton, a Radford Ward Councillor attended the meeting with the applicant and spoke in support of the application.

Following consideration of the report and matters raised at the meeting, Members proposed that the application be deferred to a future meeting to allow the applicant time to submit amended plans in response to concerns about design and to ensure that all application formalities such as the bat survey had been dealt with appropriately. This was seconded and adopted. Members further proposed, seconded and adopted that, if through negotiations an acceptable scheme is designed, then the Head of Planning and Regulation be delegated authority to approve the scheme subject to conditions.

**RESOLVED:**

- 1. That the consideration of planning application HH/2017/0707 be deferred to allow further negotiations on design and consideration of ecology to achieve a scheme that meets the development plan policies.**
- 2. That if an acceptable scheme is designed, authority be delegated to the Head of Planning and Regulation to issue the decision notice to approve the scheme subject to conditions.**

3. That if an acceptable scheme is not designed, the application be resubmitted to the Planning Committee for determination on 31 August 2017.

(Note: Councillor Mulhall left the meeting for the consideration of this item and did not take part in the decision making).

25. **Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**

There were no other items of public business.

26. **Enforcement Report**

The Committee considered a report of the Director of Finance and Corporate Services and Head of Planning and Regulation, which requested the Committee to consider whether or not the City Council as local planning authority should instigate the appropriate enforcement action in respect of the breaches of planning control as identified within Table 1 of the report.

This report was in accordance with the Constitution which requires that all planning enforcement actions and prosecutions be authorised by Planning Committee.

**RESOLVED that Planning Committee:**

- (1) **Delegate authority to the Head of Planning and Regulation and the Director of Finance and Corporate Services to serve the appropriate enforcement and other statutory notices in respect of the following properties as identified within Table 1 (Notices and Prosecutions):**

- (a) 250 Windmill Road
- (b) 14 Wren Street
- (c) 12 Wren Street
- (d) 677 Foleshill Road
- (e) 164 & 166 Aldermans Green Road
- (f) 20 Matlock Road
- (g) 4 Astley Avenue
- (h) 15 Astley Avenue
- (i) 7 Clinton Road – Section 215 Notice (not Enforcement Notice)
- (j) 7 Wappenbury Close
- (k) 110a Jobs Lane
- (l) Harlequin Court, The Avenue
- (m) 244 Birmingham Road
- (n) Land rear of 230/232 Leicester Causeway – Enforcement Notice and Section 215 Notice
- (o) 147 Profitt Avenue
- (p) 355 Sewall Highway – Section 215 Notice and/or Enforcement Notice
- (q) 433 Foleshill Road

**2. Delegate authority to the Head of Planning and Regulation and the Director of Finance and Corporate Services the formal prosecutions of the cases set out in Table 1 (Notices & Prosecutions) should negotiations fail; and**

**3. Delegate authority to the Head of Planning and Regulation and the Director of Finance and Corporate Services the formal prosecution of cases whereby enforcement and other statutory notices as identified within Tale 1 (Notices & Prosecutions) have not been complied with, and the undertaking of works in default to secure compliance where appropriate.**

**27. Any other items of private business which the Chair decides to take as matters of urgency because of the special circumstances involved**

There were no other items of private business.

(Meeting closed at 5.20 pm)

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## Late Representations Planning Committee 3 August 2017

Item No. 7	<p><b>Application No. - S73/2017/0902</b></p> <p>Description of Development - Variation of Condition 2 (drawing numbers) and Condition 16 (updated noise report) imposed on planning permission reference FUL/2016/2397 granted planning approval on 19.12.2016 for the erection of a storage and distribution unit (use class B8) with ancillary offices, mezzanine floor, gatehouse, plant and associated infrastructure including service yard, internal roads, parking, vehicle pick-up/drop-off, landscaping, boundary treatment, hardstanding and related works.</p> <p><b>Site Address</b> - Land at Plots 1, 2 and 3, and part of Plot 4 Lyons Park Coundon Wedge Drive</p> <p><b>Consultation</b> One additional neighbour representation received raising an objection to the application. No new issues raised.</p> <p>CCC Lighting Team – lighting design complies with statutory guidelines.</p> <p><b>Appraisal</b> The table on page 15 included within the appraisal section of the report should be amended. With reference to the site plan, the amendment should read ‘Revised car park layout <i>including amendment to the position of the bus stop and taxi drop off area</i>’.</p>
Item No. 8	<p><b>Application No. - FUL/2017/0661</b></p> <p>Description of Development - Erection of 8 dwellings (6 two storey dwellings and 2 bungalows) with associated landscaping, parking and access</p> <p><b>Site Address</b> - Land to the east of The Old Fire Station Chetton Avenue</p> <p><b>Appraisal</b> In order to overcome concerns received relating to anti-social behaviour, the applicant has provided a revised location plan indicating adjoining land to the south-west as edged blue, meaning it is under the same ownership, and proposes a new lockable security gate between the rear wall to plot 3 and the fence to the western edge of the footpath leading to the nursery. Officers have sought to alleviate concerns raised in this regard and consider this to be acceptable.</p> <p>On page 33 of the agenda the word ‘estate.’ has been omitted from the sentence. For clarity the sentence should read:</p> <p>a) Loss of attractive open space/green space which provides an attractive entrance to the Daimler Green estate. Importance has been placed on green space in the estate.</p> <p><b>Additional/Amended Conditions</b> Amendments to Condition 12 to refer to amended Proposed Site plan drawing ‘14071_E’ and introduction of a further plan ‘Site Location Plan (as amended to include blue line)’.</p>

	<p>A further condition (13) is proposed stating the following:</p> <p>Prior to the commencement of any dwelling on the site full details, including height, appearance and siting, of lockable security gate(s) to be installed between the application site and the existing boundary fence to the western side of the existing footpath leading to the nursery and installation dates shall submitted to and approved in writing by the Local Planning Authority. The gate(s) shall be installed in accordance with the approved details and maintained thereafter.</p> <p>Reason - In the interests of designing out crime and to minimise the potential for the use of this area for anti-social behaviour and in the interests of the visual amenities of the area in accordance with Policies BE2 and BE21 of the Coventry Development Plan 2001.</p>
<p>Item No. 9</p>	<p><b>Application No. - OUT/2015/3601</b></p> <p>Description of Development - Outline application with some matters reserved for the demolition of 58 Wyken Way and erection of 5 houses (access and layout submitted)</p> <p><b>Site Address</b> - Land To Rear of 42-68 Wyken Way</p> <p><b>Consultation</b> Colleen Fletcher MP has written to support residents of Little Field, Stubbs Grove and Wyken Way, who are concerned about the impact of the development upon the area and their quality of life. The areas of concern include: loss of privacy; loss of security from having existing security gates removed; loss of green space and disruption during construction. The letter also refers to an application at Tallants Road, which was refused last year and is cited as a precedent.</p> <p><b>Appraisal</b> The specific issues mentioned above are all discussed in the committee report. The application referred to at Tallants Road was refused due to unresolved ecological, highway, design and amenity issues and does not act as a precedent for a decision on this site.</p>

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	S73/2017/0902
<b>Site:</b>	Land at Lyons Park, Coundon Wedge Drive
<b>Ward:</b>	Bablake
<b>Applicant:</b>	Goodman Real Estate
<b>Proposal:</b>	Variation of Condition 2 (drawing numbers) and Condition 16 (updated noise report) imposed on planning permission reference FUL/2016/2397 granted planning approval on 19.12.2016 for the erection of a storage and distribution unit (use class B8) with ancillary offices, mezzanine floor, gatehouse, plant and associated infrastructure
<b>Case Officer:</b>	Rebecca Grant

**SUMMARY**

The application relates to the former Jaguar Cars site at Browns Lane. Planning permission was granted on 24<sup>th</sup> November 2016 for the erection a distribution unit with ancillary offices and associated infrastructure. This application proposes to vary two conditions imposed upon this planning permission. Condition 2 relates to approved drawing numbers and Condition 16 relates to a noise report, the variation is sought in order to make minor changes to the approved scheme which in turn requires an alteration to the noise mitigation.

**KEY FACTS**

<b>Reason for report to committee:</b>	Representations from more than 5 properties
<b>Conditions proposed to be varied:</b>	Condition 2 relates to drawing numbers and Condition 16 relates to the approved noise report
<b>What do the changes to Condition 2 relate to?</b>	Introduction of second floor mezzanine, alteration to the layout of the car park, minor alterations to the elevational appearance of the unit
<b>What do the changes to Condition 16 relate to?</b>	Updated noise report to take account of alterations to car park, introduction of mezzanine level and planning approval at Highfield House.
<b>Are there any changes to the approved reversing alarms at night?</b>	No – the previous application proposed no tonal reversing alarms at night.

**RECOMMENDATION**

Planning committee are recommended to grant planning permission subject to conditions.

**REASON FOR DECISION**

- The proposal is high quality design improving the character of the area
- The proposal will not adversely impact upon highway safety
- The proposal will not adversely impact upon the amenity of neighbours
- The proposal accords with Policies OS3, OS4, OS5, OS9, EM2, EM3, EM4, EM6, EM9, EM9, AM1, AM3, AM9, AM12, AM22, BE1, BE2, BE20, BE21, GE1, GE11, GE14 and GE15 of the Coventry Development Plan 2001, together with the aims of the NPPF.

## BACKGROUND

### **APPLICATION PROPOSAL**

The application relates to full planning permission reference FUL/2016/2397 which granted consent for a distribution unit in November last year.

This S73 application seeks to vary Condition 2 and Condition 16 of planning permission FUL/2016/2397 relating to the approved documents and plans and the approved noise report.

The application proposes the following amendments:

1. The introduction of second floor plant level/mezzanine alongside external building alteration;
2. Alterations to the northern car park and internal highway arrangement, including:
  - Bus stops to be moved to the south west end to ensure safe movement of the staff within the site;
  - Car park layout to be re-planned to allow bus route to run around the perimeter roadway of car park and to create safer pedestrian routes; and
  - Island design revised to allow for better circulation of HGV's; and
3. Updated Noise Assessment to take into account the alterations to the northern car park, introduction of mezzanine floor area and planning approval at Highfield House.

### **SITE DESCRIPTION**

The application relates to part of the former Jaguar Cars site at Browns Lane in Allesley. That part of the site set aside for employment development has been re-named as Lyons Park and this application is for a site which occupies an area of 12.75 hectares.

The site is bounded to the south east and south west by open countryside which forms part of the Coundon Wedge and is designated as Green Belt. The River Sherbourne runs through these areas of open countryside. Immediately adjacent to these boundaries and outside of the application, but within the ownership of the applicant, are areas of screen tree planting which are covered by a Tree Preservation Order (TPO). Beyond this open countryside lie residential properties on Ramsay Crescent to the south east which are at least 180m from the application site and on Butt Lane to the south west which are at least 180m from the site.

To the north west of the application is the Jaguar Sports & Social Club, beyond which are the residential dwellings on St Helen's Way. To the north east are the recently approved industrial units (FUL/2014/2105). To the north of the site are dwellings which are situated in Seashell Close.

The application site occupies high ground, rising above the open countryside to the south east and south west and also occupies an elevated position above Staircase Lane to the east.

Access to the site is from Coundon Wedge Drive with an access road to service the whole Lyons Park site.

### **PLANNING HISTORY**

There have been a number of historic planning applications on this site; the following are the most relevant:



<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
55011	Redevelopment of former Jaguar site with a mixed use proposal including B1, B2 units and residential development (outline application discharging means of access comprising internal road network and engineering operations for on-site ground works	Approved 23.11.2009
FUL/2011/1435	Construction of new storage and distribution warehouse (B8 use) with new access, parking and service yard	Refused 21.10.2011
FUL/2016/2193	Earthworks, including cut and fill process for the creation of level ground conditions	Approved 27.10.2016
FM/2016/2397	Erection of a storage and distribution unit (Use Class B8) with ancillary offices, mezzanine floor, gatehouse, plant and associated infrastructure including service yard, internal roads, parking, vehicle pick-up/ drop-off, landscaping, boundary treatment, hard standing and related works	Approved 24.11.2016

## ***POLICY***

### ***National Policy Guidance***

National Planning Policy Framework (NPPF). The NPPF published in March 2012 replaced all previous national planning policy and sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The NPPF promotes sustainable development and good design is recognised as a key aspect of this.

The National Planning Practice Guidance (NPPG) 2014, this adds further context to the NPPF and it is intended that the two documents are read together.

### ***Local Policy Guidance***

The current local policy is provided within the Coventry Development Plan 2001 (CDP) relevant policy relating to this application is:

- OS3 – Local Area Regeneration
- OS4 – Creating a more sustainable city
- OS5 – Achieving a High Quality City
- OS9 – Access by Disable People
- EM2 – Air Quality
- EM3 – Water Resources and Quality
- EM4 – Flood Risk and Development
- EM5 – Pollution Protection Strategy
- EM6 – Contaminated Land
- EM8 – Light Pollution
- EM9 – Waste Strategy

AM1 – An Integrated, Accessible and Sustainable Transport Strategy  
AM3 – Bus Provision in Major New Developments  
AM9 – Pedestrians in New Developments  
AM12 – Cycling in New Developments  
AM22 – Road Safety in New Developments  
BE1 – Overall Built Environment Strategy  
BE2 – The Principles of Urban Design  
BE20 – Landscape Design and Development  
BE21 – Safety and Security  
GE1 – Green Environment Strategy  
GE6 – Control over Development within the Green Belt  
GE11 – Protection of SSI's, LNR's and Coventry Nature Conservation Sites  
GE14 – Protection of Landscape Features  
GE15 – Designing New Development to Accommodate Wildlife

### ***Emerging Policy Guidance***

The Draft Local Plan 2016 to 2031 has been submitted to the Inspectorate, examination hearings and consultation on modifications has concluded and the Inspectors report is currently awaited. Whilst the policies do not hold significant weight at this time, they will gain weight as the local plan continues through the process. Policies within the draft local plan that are relevant include:

DS1 – Overall Development Needs  
JE1 – Overall Economy and Employment Strategy  
JE5 – Location of R&D, Industrial and Storage/Distribution Development  
JE7 – Accessibility to Employment Opportunities  
GB1 – Green Belt and Local Green Space  
GE1 – Green Infrastructure  
GE3 – Biodiversity, Geological, Landscape and Archaeological Conservation  
GE4 – Tree Protection  
DE1 – Ensuring High Quality Design  
AC1 – Accessible Transport Network  
AC2 – Road Network  
AC3 – Demand Management  
AC4 – Walking and Cycling  
AC5 – Bus and Rapid Transit  
AC7 – Freight  
EM1 – Planning for Climate Change Adaption  
EM2 – Building Standards  
EM3 – Renewable Energy Generation  
EM4 – Flood Risk Management  
EM5 – Sustainable Drainage Systems  
EM6 – Air Quality  
EM7 – Waste Management

### ***Supplementary Planning Guidance/ Documents (SPG/ SPD):***

SPG Design Guidelines for New Residential Development  
SPD Delivering a more sustainable city

### ***CONSULTATION***

No Objections subject to conditions received from:  
Environmental Protection (CCC)

Tree Officer (CCC)  
Highways (CCC)  
Drainage (CCC)  
Urban Design (CCC)  
National Air Traffic Service  
West Midlands Fire Service  
Environment Agency

At the time of writing the report formal comments have not been received from:  
West Midlands Police  
Ecology  
Severn Trent  
Centro

Immediate neighbours and local councillors have been notified; 10 site notices were posted around the site on 06/06/2017. A press notice was displayed in the Coventry Telegraph on 01/06/2017.

246 representations have been received objecting to the proposal. The following representations have been received raising the following material planning considerations:

- a) Will additional noise insulation be provided to those properties that will be affected by the potential noise disturbance?
- b) The previous noise mitigation bund was ineffective.
- c) Note that the noise measurements were taken in September and May when the trees that boarder the site to the Butt Lane side are in full foliage and offer additional acoustic screening. During the winter months this is not the case.
- d) The following questions have been raised with regards to the noise report:

Section 5 – why has there been no assessment along Butt Lane when this was used on the previous survey?

Section 5.3 page 19 – suggest that the timing of shift changes be further examined.

Section 5.3 page 19 – like to see more details about where the point or line sources for traffic noise have been located within the model.

Section 5.4 – fixed plant noise limits. Given the lack of details as to the plant to be included, what assurances have there been that these limits on plant noise will be followed?

Section 5.5 – Is this normal day traffic? What is the effect on road traffic noise during night time period?

Section 6 – what assurances have there been that these mitigation measures will be implemented?

Section 6 – any improvement to the double glazing will be drastically reduced during the summer months when windows are often open during the night.

The following representations have been received raising material planning considerations but not for consideration under this application:

- e) The use of reserving alarms at night will make the development intolerable upon residents, particularly as the site will operate 24 hours a day, 7 days a week.
- f) Health and Safety measures concerning safe vehicle movements have not suddenly changed. Believe that the original information and statements made in

relation to the use of non-tonal reversing alarms at night was deliberately inaccurate, misleading and without the proper consideration of current H&S guidance.

- g) Although reversing tonal alarms are common place in commercial and logistic parks, the business here needs to remember that they are in the middle of a residential area. Could exclusion zones be set up around the bays and a banksman be employed?
- h) White noise reversing alarms must be installed on all vehicles.
- i) As very close neighbours to Townsfield, the night noise rating levels there are already predicted to exceed background noise levels by 5dB. Adding to this level of noise pollution by allowing reversing alarms is unacceptable.
- j) The plot is much nearer to housing than the previous Jaguar plant and the edge closest to residents was offices and car parking for staff so not in used for 24 hours a day.
- k) Questions the reduction in the number of jobs generated by the development.
- l) To reduce anti-social noise being created from its operation, the previous occupant of the site (Jaguar Cars) had lowered an area of the site by some 6m. The current occupier has back-filled this area creating a facility that will be seen through the deciduous screening. How many more requests/relaxations?

The following representations have been received raising the following non-material planning considerations:

- m) The development will make our houses unsellable.

An online petition has been submitted signed by over 200 people. The petition states the following:

“We ask Coventry Council Planning Committee to refuse application S73/2017/0902 for Amazon Warehouse, Lyons Park, which would amend conditions allowing lorries to use reversing alarms throughout the night. This is on the grounds of noise nuisance and health to local residents who should to be able to sleep in their own homes undisturbed.

When Amazon was given permission last November for their warehouse and up to 500 Lorries every 24 hour period, strict condition were put on this so that during the night lorries couldn't use their reversing alarms. This was out of respect for local residents. This application is to vary that condition so that alarms can be used continually throughout the night. We ask that it is rejected.”

A further petition has been submitted with 46 signatures objecting to the application, it states:

“We the undersigned ask Coventry City Council Planning Committee to refuse application S73/2017/0902 for Amazon Warehouse, Lyons Park, which would amend conditions allowing lorries to use reversing alarms throughout the night. This is on the grounds of noise nuisance and health to local residents who should to be able to sleep in their own homes undisturbed”.

Councillor Birdi objects to the principle of changing the condition as imposed at the time of the approval of the application.

Councillor Singh objects to the application due to the likely noise impacts on residents which are unacceptable during night time hours. There needs to be conditions in place to

ensure there is no such disturbance at night due to alarms, vehicle noise, traffic disruption and noise from working activity.

Any further comments received will be reported within late representations.

**APPRAISAL**

The principle of the development has been established through the granting of planning permission FUL/2016/2397 for the distribution unit and associated infrastructure. It should be noted that there are many comments that relate to matters that are not for consideration in this application. Given that the principle has been established, the appraisal will only focus on the information that has been submitted to vary Conditions 2 and 16 and matters relevant to it.

Condition 2 lists the approved drawing numbers.

Condition 16 reads “The development hereby permitted shall proceed in accordance with details contained within Section 6.2 of the Noise Assessment prepared by Ramboll Environ. Once implemented the details contained within the Noise Assessment shall thereafter be retained”.

The reason for the condition reads “In the interest of protecting the amenity of future occupiers of the development and occupiers of nearby properties in accordance with Policy EM5 of the Coventry Development Plan 2001”.

The main issues in determining this application are therefore firstly the acceptability of the changes in drawings reflecting amendments to the design and layout of the site and secondly amendments to the noise report.

**Changes to the design and layout**

Condition 2 lists the approved drawing and documents. The table below compares the approved drawings against the proposed with a brief explanation of the changes

Approved drawing/document	Amended plan reference	Amendment
Noise Assessment prepared by Ramboll Environ	UK15-23526_Noise Impact Assessment April 2017	Updates on mitigation section for the alterations to the northern car park, introduction of mezzanine floor area and update on the height of Highfield House.
Site Plan 3726-4-100P8	3726-4-A100P23	Revised car parking layout
Unit Plan 3726-4-A200P8	3726-4-A200P29	Introduction of second floor plant level to hubs alongside external building alterations including louvers
Office Plan 3726-4-A201P6	3726-4-A201P28	Introduction of second floor plant level to hubs alongside external building alterations including louvers
Roof Plan 3726-4-A202P4	3726-4-A202P15	Introduction of louvers second floor plant level
Elevations and Sections 3726-A301P10	3726-A301P23	Bridge tower reduced in height by approximately 2.6m
Plans Hub Offices	3726-4-A207P6	Not previously submitted

Stair pods		
Unit Plan	3726-4-A208p5	Not previously submitted
Unit Plan	3726-4-A209P4	Not previously submitted
External Lighting Layout	Rev B	Plan not previously submitted (takes into account revised car park layout)
External Lighting Layout	Rev B	Plan not previously submitted (takes into account revised car park layout)

The alterations to the car park layout are to ensure the safety of passengers and drivers within the site. The alterations include changing the orientation of the car parking spaces and amending the position of the bus and taxi drop off area to ensure that it is closer to the distribution unit.

The proposals to the unit will amend the external envelop of the building by the addition of a second floor extension to the approved projecting 'hubs' located on the north east and south west elevations. Whilst the height of these sections will be increased, they will not project above the height of the building and they only relate to a small section of the overall building.

The introduction of the second floor plan level will increase the total floorspace by 2.6% which represents a minor scale change. The changes help to facilitate the operational activities of the future occupier.

It is not considered that the amendments to the layout of the car park layout and the elevational changes to the unit will materially adversely impact upon the overall design of the scheme or the amenity of neighbouring properties.

The agent has confirmed that the additional floorspace will be occupied by machines/robots and consequently the traffic impact associated with the proposal is not materially different to the flows previously assessed through the full planning permission. As such, the proposed amendments will not have any transport impacts on the highway network.

The Highway Officer has raised no objections to the proposed changes stating that the impacts of the development are not severe.

Overall, the design has sought to balance the institutional requirements of this type of development with the need to minimise impact on the environment, and ensure the building is well integrated within the existing industrial park.

***Changes to Condition 16 relating to the noise report***

CDP Policy EM5 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 approved Noise Report (prepared by Ramboll dated September 2016) for the scheme confirmed the following levels of mitigation to allow acceptable operation:

- 5.5m high cantilevered barrier along the north-western edge of the car park (top 2m of the barrier cantilevered 1m into the site);
- 6m high barrier/bund along the entire south-western edge of the service years;

- 3m high barrier on top of bund adjacent to sprinkler tanks; and
- No tonal reversing alarms at night.

The applicant was also prepared to offer the occupants of Townfields and Highfield House improved glazing so that they can better prevent noise from the proposed development from entering their bedrooms at night.

Due to the occupier's operational needs, a further noise assessment has been carried out to confirm the level of additional mitigation required; to ensure that the predicted noise levels associated with the following are acceptable and in accordance with noise legislation:

- i) The ability to use the mezzanine for installation of plant; and
- ii) Operational changes to the parking and internal highway layout.

The updated noise report submitted in support of the application confirms that these changes are acceptable with regards to noise, with the following revised mitigation measure that is already set at 3m in total height (as per the approved scheme):

- i) Inclusion of a 5.25m high barrier on top of the bund adjacent to sprinkler tanks.

The application therefore proposes to amend the wording of Condition 16 to ensure that the development is in accordance with the amended noise report – *“The development hereby permitted shall proceed in accordance with details contained within Section 6.2 of the Noise Assessment prepared by Ramboll Environ (ref. UK15-23526\_Noise, Issue No. 6, April 2017). Once implemented the details contained within the Noise Assessment shall thereafter be retained”*.

The majority of representations have all raised concern with the use of reversing alarms at night time. The approved noise report permitted the use of non-tonal reversing alarms at night time. This application does not propose to alter this.

Environmental Protection Officers are satisfied with the approach taken in the noise report and suggest the same conditions which were imposed on the original planning approval in relation to mitigation measures, plant noise limits and requirement for a verification assessment to confirm the effectiveness of the mitigation measures once the development is completed. The proposal is considered to be in accordance with Policy EM5 of the Coventry Development Plan 2001.

### **Conclusion**

In terms of the principle of amending Conditions 2 and 16, the application is considered to be acceptable.

Overall the proposals are considered acceptable in terms of their impact upon noise pollution, impact upon trees, impact upon highway safety and urban design and in accordance with Policies within the Coventry Local Plan 2001.

### **CONDITIONS/REASON**

1. The development hereby permitted shall be carried out in accordance with the following approved documents;  
 Planning Statement prepared by Turley Design and Access Statement prepared by Turley Landscape and Visual Statement prepared by pHp Architects Arboricultural Survey and Tree Constraints Plan prepared by Barry Chinn Associates Flood Risk Assessment prepared by Barry Chinn Associates Transport Statement prepared by

Lawrence Walker Ltd Preliminary Ecological Assessment prepared by Ramboll  
 Environ Noise Assessment prepared by Ramboll Environ dated 28.04.2017  
 Air Quality Assessment prepared by Ramboll Environ Energy Statement prepared  
 by Yonder Consulting Land Condition Review prepared by Rambol Environ Lighting  
 Layout and Statement prepared by Hoplophane Site Plan 3726-4-100 P23  
 Location Plan 3726-4-A101 P2 Application Red Line Plan 3726-4-A102 P2 External  
 Materials 3726-4-A103 P7 Unit Plan 3726-4-A200 P29 Office Plan 3726-4-A201  
 P28 Roof Plan 3726-4-A202 P15 Gatehouse Details 3726-4-A210 P2 Elevations  
 and Sections 3726-4-A301 P23  
 Elevations and Sections A3 Viewing 3726-4-A301A P1 Long Sections 3726-4-  
 A400P10 Montage View Sheet 1 3726-4-A401 P5 Montage View Sheet 2 3726-4-  
 A402 P4 Tree Constraints Plan Sheet 1 1703/16 01 Tree Constraints Plan Sheet 2  
 1703/16 012 Tree Retention, Removal and Protection Plan (Sheet 1 of 2) 1703/16  
 03 C Tree Retention, Removal and Protection Plan (Sheet 2 of 2) 1703/16 04 C  
 Illustrative Landscape Concept Plan Sheet 1 1703/16 05 E Illustrative Landscape  
 Concept Plan Sheet 2 1703/16 06 B  
 Illustrative Landscape Sections Sheet 1 1703/16 07 B Illustrative Landscape  
 Sections Sheet 2 1703/16 08 B Highway Standard Details P038-16-0812 2001  
 Typical Cross Section P038-16-0812 2002 GA Access Road P038-16-0812 2003  
 Illustrative Landscape Concept Long Section 09D  
 Unit Plan 3726-4-A208 P5  
 Hub Office Stairpods 3726-4-A207 P6  
 Unit Plan 3726-4-A209 P4  
 Cover letter from agent dated 8 May 2017  
 Email from Matt Royal (Noise Consultant) dated 7 June 2017  
 External lighting layout 4032/E/500B  
 External lighting layout 4032/E/501B

**Reason:** *For the avoidance of doubt and in the interests of proper planning.*

2. The development shall be carried out in full accordance with the materials schedule which was approved under planning permission DC/2017/0314 on 31.03.2017.

**Reason:** *To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policy BE2 of the Coventry Development Plan 2001.*

3. Notwithstanding the skip and pallet area indicated on drawing 3726-4-A103 P7, no storage shall take place in the open on any part of the site unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** *In the interests of the visual amenities of the locality and adjacent Green Belt and to minimise the potential for noise nuisance to nearby residents from activity within the site in accordance with Policies BE2, GE6 and EM5 of the Coventry Development Plan 2001.*

4. The landscaping including boundary treatment, paving and footpaths as set out on the approved drawings shall be completed in all respects, with the exception of tree and shrub planting, within the first planting season following the first use of any of the units hereby permitted and the trees and shrubs shall be planted within six months of that first use. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the substantial



completion of the scheme shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

**Reason:** *To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE2 & BE20 of the Coventry Development Plan 2001.*

5. The unit hereby permitted shall not be occupied unless and until cycle parking and cycle shelters, motorcycle parking and vehicle/pedestrian access from the main site access spine road for that unit have been provided in accordance with the approved application documentation. Thereafter such parking and accesses shall be available at all times for their intended use.

**Reason:** *In the interests of highway safety and the promotion of sustainable transport choices in accordance with Policy AM22 of the Coventry Development Plan 2001.*

6. The unit hereby permitted shall not be occupied unless and until the access, turning areas and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained, free of loose stone and otherwise constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and these areas shall be thereafter retained and kept available for those uses at all times.

**Reason:** *In the interest of highway safety and to ensure the free flow of traffic using the adjoining highway in accordance with Policy AM22 of the Coventry Local Plan 2001.*

7. If any Travel Plan review identifies the lack of electric vehicle charging points as a barrier to staff travelling by electric car, additional charging points shall be provided within 6 months of the date of that review in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority. Thereafter such electric vehicle charging points shall remain available for use at all times.

**Reason:** *A lower level of electric vehicle charging points are to be provided than the Supplementary Planning Document 'Delivering a More Sustainable City' recommend and therefore additional electric vehicle charging points should be required if there is an identified need with the aim of creating a more sustainable city in accordance with Policies OS4 and AM12 of the Coventry Development Plan 2001.*

8. The unit hereby permitted shall not be occupied unless and until the bin storage facilities for the unit has been provided in accordance with the details approved under planning permission DC/2017/0314 on 31.03.2017. Thereafter such facilities shall remain in place at all times.

**Reason:** *To safeguard residential and visual amenity in accordance with Policies BE2 and EM5 of the Coventry Development Plan 2001.*

9. Construction of the unit hereby permitted shall incorporate all those energy efficiency and renewable energy generation features as detailed in the Energy Statement prepared by Yonder Consulting forming part of the approved application documentation unless otherwise approved in writing by the local planning authority. Thereafter such features shall remain in place at all times.

**Reason:** To aid sustainable development by ensuring that at least 10% of the development's energy requirements are provided through the on-site generation of renewable/low carbon energy and in the interests of the visual amenities of the area in accordance with Policies OS4 and BE2 of the Coventry Development Plan 2001.

10. The development shall be carried out in full accordance with the Construction and Management Statement which was approved under planning permission DC/2016/3129 on 15.02.2017.

**Reason:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies AM1, EM5 and BE2 of the Coventry Development Plan 2011.

11. Within 3 months of the development hereby approved being brought into use, a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall identify a package of proposed measures and targets consistent with the aim of reducing reliance on the car and encouraging the use of sustainable transport.

**Reason:** To promote sustainable transport choices in accordance with Policies EM2 and AM1 of the Coventry Development Plan 2001.

12. The substation and meter housing, gas governor meters and recycling/refuse areas shown within the curtilage areas on the approved plans shall be erected and remain in place at all times thereafter in accordance with external appearance details to be submitted to and approved in writing by the local planning authority.

**Reason:** In the interests of visual amenity in accordance with Policy BE2 of the Coventry Development Plan 2001.

13. The development shall be carried out in full accordance with the drainage details which were approved under planning permission DC/2016/3129 on 15.02.2017. The development shall only proceed in accordance with the approved details including any recommended mitigation measures and shall remain in place thereafter.

**Reason:** To ensure that a satisfactory means of drainage is provided to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with Policy EM4 of the Coventry Development Plan 2001, the National Planning Policy Framework, the Strategic Flood Risk Assessment 2015, the Local Flood Risk Management Strategy 2015 and the Surface Water Management Plan 2016.

14. The development shall be carried out in full accordance with the skills and employment plan for targeting and utilising local people for the construction phase which was approved under planning permission DC/2016/3129 on 15.02.2017. The scheme shall be implemented in full accordance with the approved plans.

**Reason:** In the interests of promoting employment opportunities for local people in accordance with Policy EM10 of the Coventry Development Plan 2001.

15. The development hereby permitted shall proceed in accordance with details contained within Section 6.2 of the Noise Assessment prepared by Ramboll Environ (ref. UK15-23526\_Noise, Issue No. 6, April 2017). Once implemented the details contained within the Noise Assessment shall thereafter be retained.

**Reason:** *In the interest of protecting the amenity of future occupiers of the development and occupiers of nearby properties in accordance with Policy EM5 of the Coventry Development Plan 2001.*

16. Following completion of the mitigation measures identified in the approved noise report and once the unit is fully operational, a verification report that demonstrates the effectiveness of the mitigation carried out shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** *In the interest of protecting the amenity of future occupiers of the development and occupiers of nearby properties in accordance with Policy EM5 of the Coventry Development Plan 2001.*

17. The development shall be carried out in full accordance with the tree protection measures which were approved under planning permission DC/2016/3129 on 15.02.2017.

**Reason:** *In order to protect and enhance existing trees within the site in the interests of providing an attractive environment in accordance with Policy BE20 of the Coventry Development Plan 2001.*

18. The development shall be carried out in full accordance with the landscape details which were approved under planning permission DC/2016/3129 on 15.02.2017. The development shall thereafter proceed in accordance with the approved details. Any such trees removed, dying, being severely damaged or becoming seriously diseased within 5 years from the substantial completion of the scheme shall be replaced within the next planting season by trees of similar size and species to those originally required to be planted.

**Reason:** *In order to protect and enhance existing trees within the site in the interests of providing an attractive environment in accordance with Policy BE20 of the Coventry Development Plan 2001.*

19. If the development hereby permitted is not commenced within 4 months of the granting of the permission then prior to the commencement of the development (to include vegetation clearance) a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details concerning pre-commencement checks for badgers, reptiles and amphibians, appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The development shall thereafter be carried out in accordance with the approved working practices. Should the application be commenced within 4 months of the granting of the permission works will be carried out in accordance with the relevant ecological recommendations within the following documents 'Construction Environmental Management Plan' (winvic), 'Earthworks Environmental Management Plan' (Ramboll, August 2016), 'Preliminary Ecological Assessment (EPA) (September 2016) and the 'Ecological Summary (Ramboll, August 2016) as

submitted with planning application FUL/2016/2193.

**Reason:** *To ensure no net loss to Biodiversity and compliance with landscaping policies in accordance with policies GE11 and GE15 of the Coventry Development Plan, the NPPF and ODPM Circular 2005/06.*

20. The development shall be carried out in full accordance with the ecological and landscape management plan which was approved under planning permission DC/2016/3129 on 15.02.2017. The agreed scheme shall be fully implemented before/during development of the site as appropriate.

**Reason:** *To ensure no net loss to Biodiversity and compliance with landscaping policies in accordance with policies GE11 and GE15 of the Coventry Development Plan, the NPPF and ODPM Circular 2005/06.*

21. Prior to occupation of the development hereby approved a car park management scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme will include measures to manage car parking arrangements both on and off site. The development shall thereafter proceed in accordance with the approved details.

**Reason:** *In the interests of highway safety and the amenity of occupiers of properties adjoining Fenton Road and to deter street parking within Fenton Road and Browns Lane in accordance with policies AM1 of the Coventry Development Plan 2001.*

22. Prior to occupation of the unit, a skills and employment plan for targeting and utilising local people for the end user opportunities shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in full accordance with the approved details.

**Reason:** *In the interests of promoting employment opportunities for local people in accordance with Policy EM10 of the Coventry Development Plan 2001.*

23. Prior to occupation of the unit, a noise assessment using the methodology of British Standard BS4142:2014 shall be submitted to and approved in writing by the Local Planning Authority. The noise assessment shall demonstrate that the cumulative noise rating level from any fixed plant shall not exceed the noise levels set out in table 5.8 of the submitted Noise Report prepared by Rambol Environ dated September 2016 at any time when measures at a distance of 4 metres from the nearest residential façade and shall include details of any noise attenuation measures necessary to achieve this. The assessment will assume that the plant is working at 100% capacity and any corrections for tonal/impulsive noise must be included. The development shall thereafter be carried out in full accordance with the approved details.

**Reason:** *In the interest of protecting the amenity of future occupiers of the development and occupiers of nearby properties in accordance with Policy EM5 of the Coventry Development Plan 2001.*

[3726 4 A100 P23 Site Plan](#)  
[3726 4 A207 P6 Hub stair plans](#)  
[3726 4 A301 P23 Elevations \(2\)](#)

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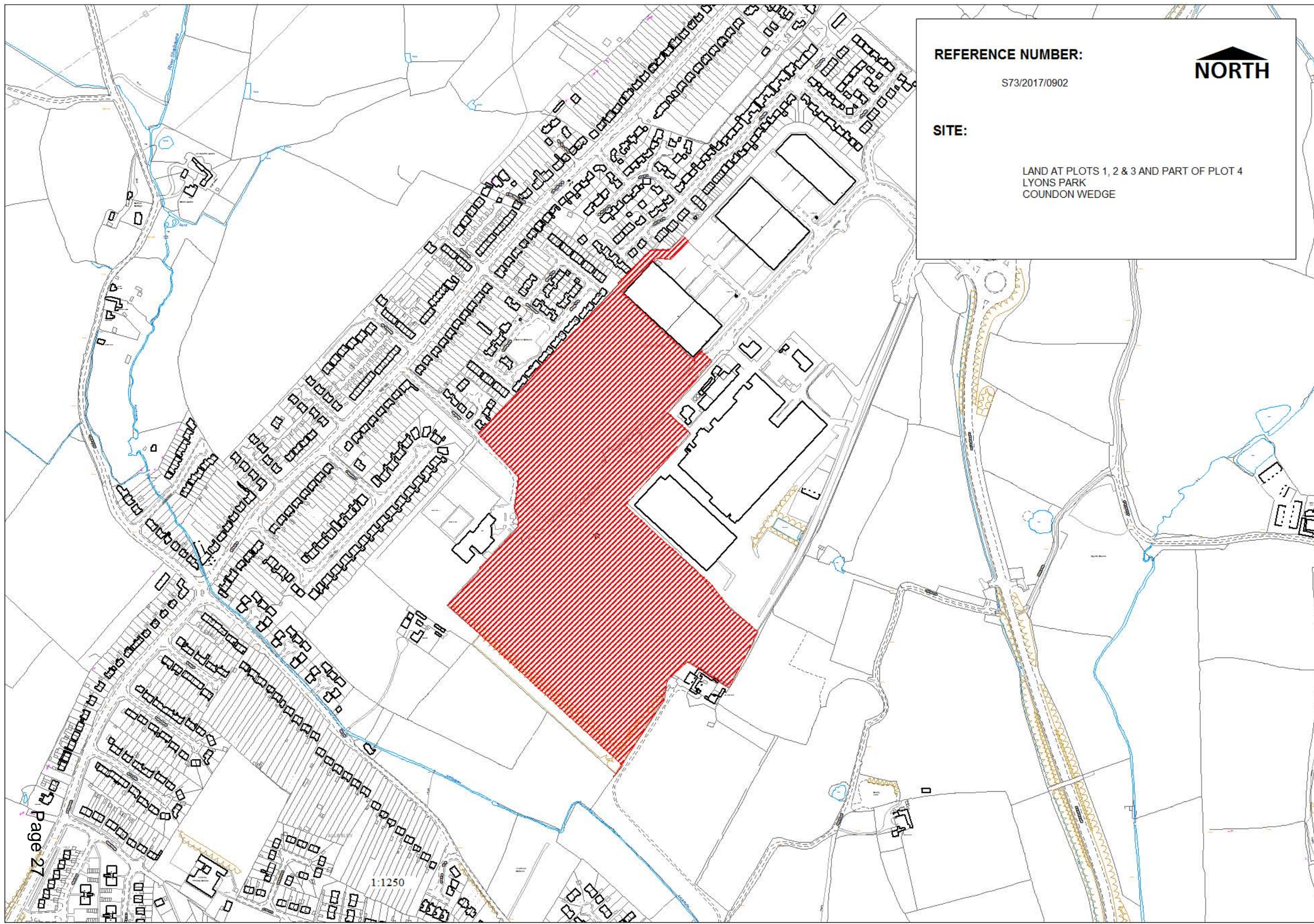
REFERENCE NUMBER:

S73/2017/0902



SITE:

LAND AT PLOTS 1, 2 & 3 AND PART OF PLOT 4  
LYONS PARK  
COUNDON WEDGE

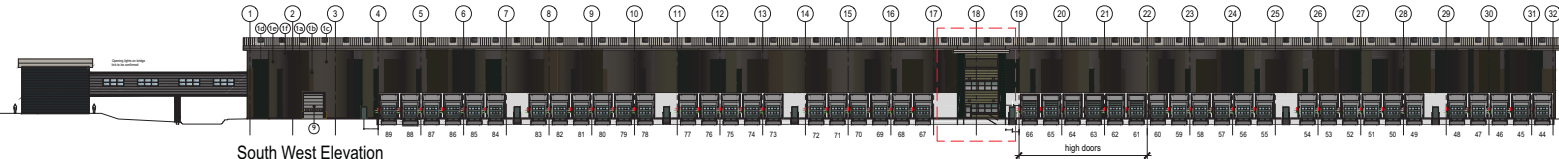
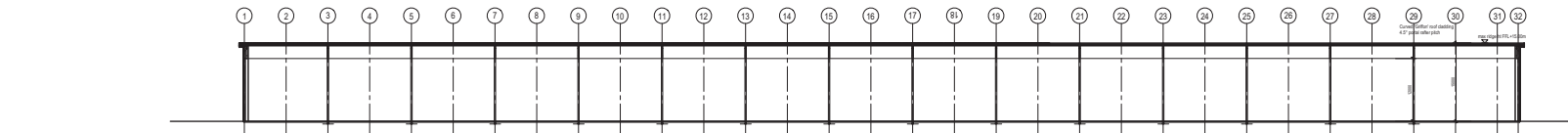
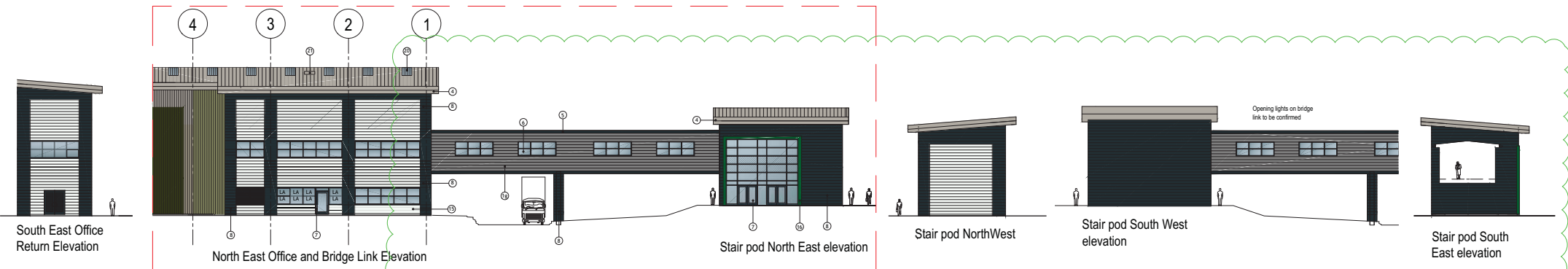


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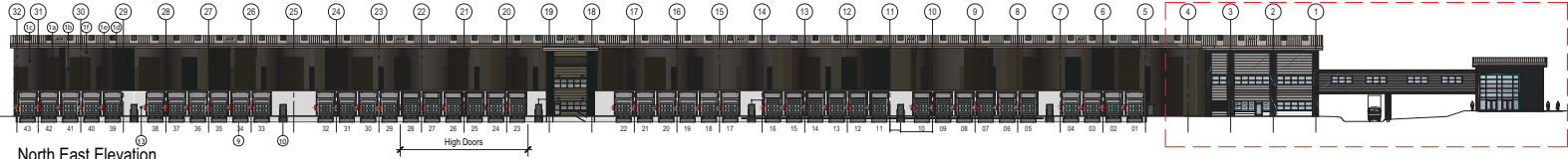




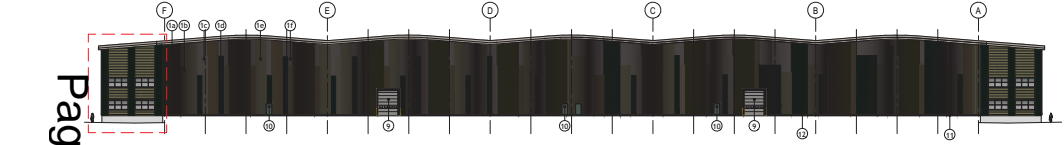
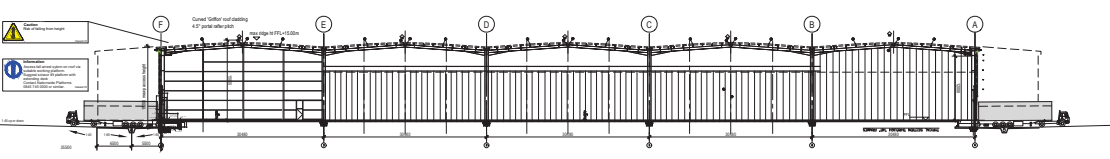




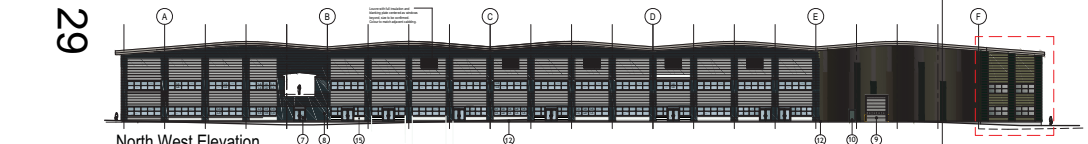
South West Elevation



North East Elevation



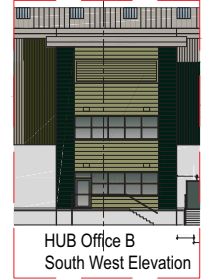
South East Elevation



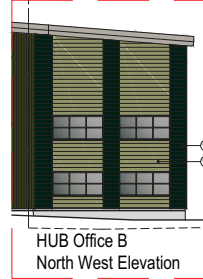
North West Elevation

EXTERNAL MATERIALS KEY

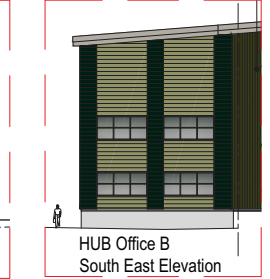
- Main Warehouse Built up Metal - External Finish Vertical Trapezoidal profile cladding
  - 1a. 'Olive Green' BS 121327
  - 1b. 'Svelte Grey' BS 101323
  - 1c. 'Mashroom' SS 101319
  - 1d. 'Juniper Green' BS 121328
  - 1e. 'Moorland Green' BS 121321
  - 1f. 'Gooswing Grey' BS 10A05
  - 1g. 'Pure Grey' RAL 095000
- Potential signage zone (to be agreed)
- Profile roofing sheets in HPS200 Ultra 'Gooswing Grey' 10A05
- Two part eaves & verge flashing in HPS200 Ultra 'Gooswing Grey' 10A05
- Feature band flashing in Anthracite RAL 7016
- Windows polyester powder coated frames in Anthracite RAL 7016 with grey tinted anti-sun glass
- Entrance door and curtain wall glazing frames in Anthracite RAL 7016 with grey tinted anti-sun glass
- Horizontal CA 300MR Panel Profile cladding in Anthracite RAL 7016
- Loading Dock and Level Access Doors Mid Grey RAL 9007
- Steel fire exit doors and frames to match adjacent cladding Mid Grey RAL 9007 to match adjacent doors when located in concrete groyall
- Galvanised steel channel purlin to warehouse
- Bottom Drip flashing 'Marlin'18825.
- Precast concrete 'Thruwall'
- Concrete retaining walls with black dock levelers below dock access doors
- Horizontal CA 300MR Panel Profile cladding in White RAL 9003
- Feature band flashing surround to entrance / curtain walling in Goodman Green Pantone 369 polyester powder coated aluminium
- Aluminum Louvre panel(s) polyester powder coated to match adjacent cladding colour
- Juniper Green Composite Micro Rib Panel
- Moorland Green Composite Micro Rib Panel
- Rooftlights (see roof plan drawing A202 for details)
- Heat rejection fan (see roof plan drawing A202 for details)



HUB Office B South West Elevation

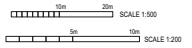


HUB Office B North West Elevation



HUB Office B South East Elevation

Note: HUB office A and B are an identical mirror of each other.



POD	Steel truss curtain walling adjacent to east side doors and roof	09/02/17 JM
POD	Steel truss elevation selected following consultation of steel dimensions	07/02/17 JM
POD	Steel truss roof reduced by 2.5m, width of umbrellas on bridge widened.	17/02/17 JM
POD	Roofing profile selected	23/02/17 JM
POD	Steel truss elevation confirmed	23/02/17 JM
POD	Two part eaves and verge flashing confirmed	23/02/17 JM
POD	Two part eaves flashing confirmed	23/02/17 JM
POD	Window frames confirmed	23/02/17 JM
POD	Entrance door and curtain wall glazing frames confirmed	23/02/17 JM
POD	Horizontal CA 300MR Panel Profile cladding confirmed	23/02/17 JM
POD	Loading Dock and Level Access Doors confirmed	23/02/17 JM
POD	Steel fire exit doors and frames confirmed	23/02/17 JM
POD	Galvanised steel channel purlin confirmed	23/02/17 JM
POD	Bottom Drip flashing confirmed	23/02/17 JM
POD	Precast concrete 'Thruwall' confirmed	23/02/17 JM
POD	Concrete retaining walls with black dock levelers below dock access doors confirmed	23/02/17 JM
POD	Horizontal CA 300MR Panel Profile cladding in White RAL 9003 confirmed	23/02/17 JM
POD	Feature band flashing surround to entrance / curtain walling in Goodman Green Pantone 369 polyester powder coated aluminium confirmed	23/02/17 JM
POD	Aluminum Louvre panel(s) confirmed	23/02/17 JM
POD	Juniper Green Composite Micro Rib Panel confirmed	23/02/17 JM
POD	Moorland Green Composite Micro Rib Panel confirmed	23/02/17 JM
POD	Rooftlights confirmed	23/02/17 JM
POD	Heat rejection fan confirmed	23/02/17 JM
POD	Final issue for comment	16/02/17 JM



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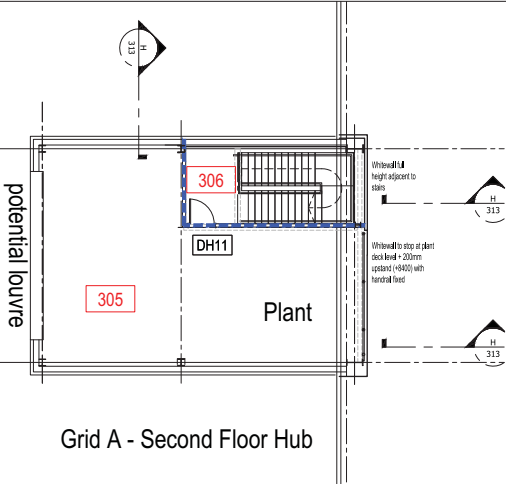
PROPOSED DEVELOPMENT LAND  
BROWNS LANE  
COVENTRY  
ELEVATIONS AND SECTIONS

PRELIMINARY

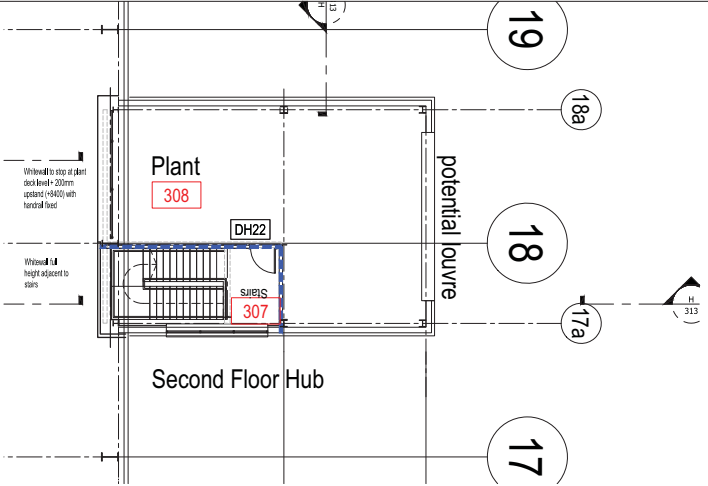
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3726-4-A301 P23

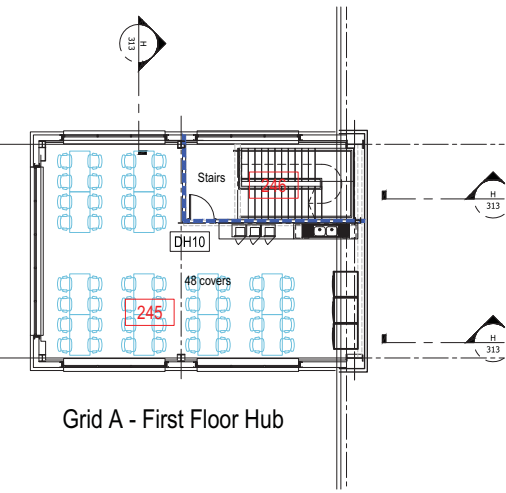
Copyright reserved. Alterations to be checked or via. Discrepancies to be reported before proceeding



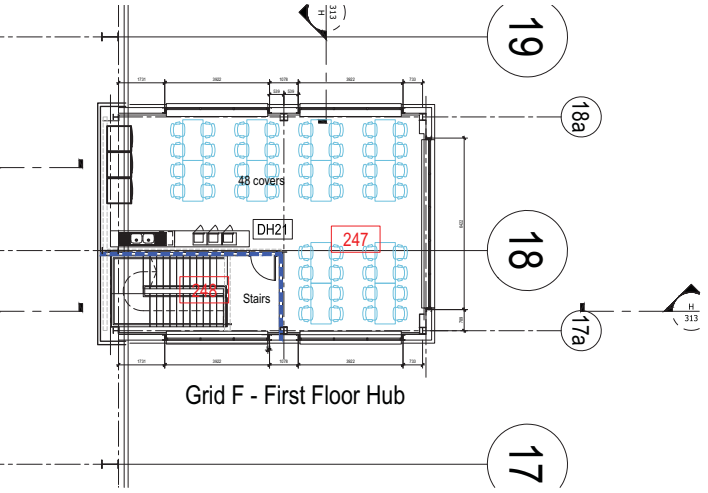
Grid A - Second Floor Hub



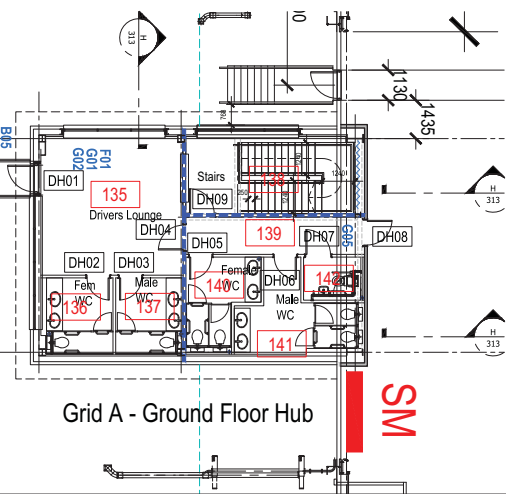
Second Floor Hub



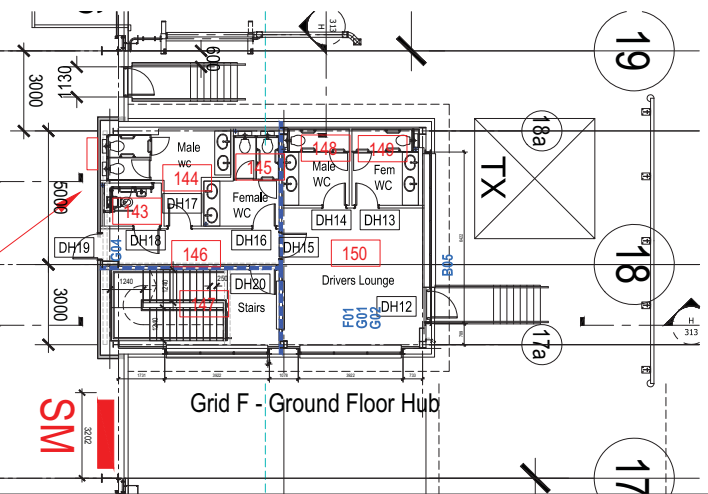
Grid A - First Floor Hub



Grid F - First Floor Hub



Grid A - Ground Floor Hub



<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	FUL/2017/0661
<b>Site:</b>	Land to the East of The Old Fire Station, Chetton Avenue
<b>Ward:</b>	Radford
<b>Applicant:</b>	Mr D O'Flanagan, O'Flanagan Homes
<b>Proposal:</b>	Erection of 8 dwellings (6 two storey dwellings and 2 bungalows) with associated landscaping, parking and access
<b>Case Officer:</b>	Andrew Cornfoot

## **SUMMARY**

The application proposes the development of an area of urban green space for 8 brick built dwellings with pitched roofs (6 two storey properties and 2 bungalows). Each property would benefit from 2 off-street car parking spaces, a private rear garden and landscaping to the front of the site. An open landscaped area is also proposed within the site and further landscaping is proposed to the perimeter of the site. The proposal will develop a site previously identified for development and it is considered that the development will be of high quality design, respecting the adjacent locally listed building and will not significantly adversely impact upon highway safety or upon the amenity of neighbours. The development will also assist in delivering the city's housing needs.

## **KEY FACTS**

<b>Reason for report to committee:</b>	Representations from more than 5 properties
<b>Current use of site:</b>	Public open space
<b>Number of dwellings:</b>	8 (6 two storeys; 2 bungalows)
<b>Car Parking:</b>	2 spaces per dwelling
<b>Access:</b>	The existing access from Chetton Ave will be utilised

## **RECOMMENDATION**

Planning committee are recommended to grant planning permission subject to the completion of a Section 106 agreement requiring £4,000 as a compensatory measure for the loss of urban greenspace towards general infrastructure improvements to the nearest Public Open Space, Radford Recreation Ground, which may include new benches, bins, and trees. Failure to complete the agreement by 07/08/2017 may result in the application being refused.

## **REASON FOR DECISION**

- The proposal will develop a site previously identified for development and it is considered that the development will be of high quality design and will not significantly adversely impact upon highway safety or upon the amenity of neighbours. The development will also assist in delivering the city's housing needs.
- The proposal accords with policies OS4, OS6, OS10, EM4, EM5, EM6, H2, H9, H12, AM1, AM22, BE2, BE14, BE20, BE21, GE8, GE9, GE14 and GE15 of the Coventry Development Plan 2001, together with the aims of the NPPF.

## BACKGROUND

### **APPLICATION PROPOSAL**

Full planning permission is sought for the development of the site to provide 8 dwellings with associated landscaping, parking and access.

The proposals were initially for 10 dwellings, all of which were 2 storeys in height. However, following discussions with officers the applicant has removed two dwellings and the two dwellings closest to the Old Fire Station will now be bungalows. 2 car parking spaces are proposed for each dwelling and as well as private residential gardens there will also be some communal open space. The dwellings will have hipped roofs and will be constructed using red brick.

Pedestrian and vehicle access will be taken from Chetton Avenue, utilising an existing bellmouth entry previously created in anticipation of future development on the site.

The proposal will not impact upon the use of the Old Fire Station as a children's nursery or access to that property.

### **SITE DESCRIPTION**

The site relates to a relatively flat area of grassed public open space which formed part of The Old Fire Station, Chetton Avenue. The site is approximately 0.24 hectares in area and is located on the edge of the development formerly known as the Daimler Green site.

To the north of the site are two storey detached residential dwellings, to the east on the opposite side of Chetton Avenue is a 3 storey care home and bordering the site to the west is a children's nursery in the locally listed Old Fire Station building. Neighbouring properties are on a similar level as the development site. Beyond the immediate boundaries of the site, the local area is predominantly residential in character with a mixture of semi-detached, terraced and detached dwellings, mostly two storeys in scale. To the south west of the site is a large area of public open space.

### **PLANNING HISTORY**

Whilst there have been no planning applications solely relating to this site, there have been a number of historic planning applications which include this site; the following are the most recent/relevant:

<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
R/2003/0161	Change of use of fire station to day nursery, single storey extensions, external play area, sheds and bin store	Approved, 25/04/2003
46810	Residential development and ancillary uses including local shopping, health centre, elderly persons nursing home. Conversion of existing fire station building to public house/restaurant. Sports/social/bowling club and changing	Approved, 27/03/1997

	facilities. The layout and construction of roads, car parking, sewers and layout of public open space	
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The application site has been identified on a number of applications including 46810 and subsequent applications for the development of the Daimler Green Estate including – 46810(RD), 46810(RD2), 46810/A, 46810/B and 46810/E – for ‘Proposed commercial development’.

## ***POLICY***

### **National Policy Guidance**

National Planning Policy Framework (NPPF). The NPPF published in March 2012 sets out the Government’s planning policies for England and how these are expected to be applied. It sets out the Government’s requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The NPPF promotes sustainable development and good design is recognised as a key aspect of this.

The National Planning Practice Guidance (NPPG) 2014, this adds further context to the NPPF and it is intended that the two documents are read together.

### **Local Policy Guidance**

The current local policy is provided within the Coventry Development Plan 2001 (CDP) relevant policy relating to this application is:

- OS4 – Creating a more sustainable city
- OS6 – Change of land use
- OS10 – Planning obligations
- EM4 – Flood risk and development
- EM5 – Pollution protection strategy
- EM6 – Contaminated land
- H2 – Balancing new and existing housing
- H9 – Windfall additions to housing land supply
- H12 – Housing design and density of housing development
- AM1 – An integrated, accessible and sustainable transport strategy
- AM22 – Road safety in new developments
- BE2 – The principles of urban design
- BE14 – ‘Locally Listed’ buildings
- BE20 – Landscape design and development
- BE21 – Safety and security
- GE8 – Control over development in urban green space
- GE9 – Green space provision in new housing developments outside the city centre
- GE14 – Protection of landscape features
- GE15 – Designing new development to accommodate wildlife

### **Emerging Policy Guidance**

The Draft Local Plan 2016 to 2031 has been submitted to the Inspectorate, examination hearings and consultation on modifications has concluded and the Inspectors report is currently awaited. Whilst the policies do not hold significant weight at this time, they will

gain weight as the local plan continues through the process. Policies within the draft local plan that are relevant include:

HWB1 – Health Impact Assessments (HIA)  
DS1 – Overall development needs  
DS3 – Sustainable development policy  
EM4 – Flood risk management  
EM5 – Sustainable drainage systems (SuDS)  
EM6 – Planning for climate change adaptation  
H2 – Managing existing housing stock  
H3 – Provision of new housing  
H12 – Residential density  
AC1 – Accessible transport network  
DE1 – Ensuring high quality design  
HE2 – Conservation and heritage assets  
GE1 – Green infrastructure  
GE2 – Green space  
GE3 – Biodiversity, geological, landscape and archaeological conservation  
GB1 – Green belt and local urban green space

***Supplementary Planning Guidance/ Documents (SPG/ SPD):***

SPG Design Guidelines for New Residential Development

SPD Delivering a more sustainable city

***CONSULTATION***

No Objections subject to conditions received from:

- West Midlands Police – No objections in principle. Some concerns raised regarding plots 1 and 4 (of original submission) and the existing footpath running towards the Children’s Nursery. This arrangement provides access opportunities to the rear of the plots, therefore, potentially making them vulnerable to crimes such as burglary, criminal damage and anti-social behaviour issues. Some designing out crime advice is provided including that the boundary running to the rear of plots 1-4 is of brick construction and a minimum of 2.1m in height with the addition of an anti-climb topping. The applicant has subsequently amended plans to seek to address these points.
- Ecology (WCC) – No objections subject to conditions relating to tree protection and the submission of a combined ecological and landscaping scheme. Informatives are proposed relating to biodiversity enhancements, native planting and the protection of nesting birds and reptiles and amphibians.
- Environmental Protection (CCC) – No objections subject to the recommendations in the remediation strategy and details of ground cover system and imported top soil and a subsequent validation report. Further conditions are proposed relating to measures to mitigate against the impacts of the development upon air quality; and a condition requiring an unexploded ordnance risk assessment.
- Local Highway Authority (CCC) – No objections subject to conditions relating to the layout out of the car parking area prior to occupation and a construction method statement.
- Urban Design (CCC) – No objections following reduction in scheme to 8 units and associated amendments.

- Conservation Officer (CCC) – No objections following reduction in scheme to 8 units and associated amendments.
- Streetscene & Greenspace (CCC) – There is a deficit across all greenspace typologies in the Ward. If the greenspace is to be lost recommend compensatory measures in the form of general infrastructure improvements to the nearest public open space, Radford Recreation Ground, which may include new benches, bins and trees. A figure of £4,000 is considered suitable to provide an additional bin, two benches with tarmac pads and a handful of mature trees.

Comments were initially received from University Hospital, Coventry and Warwickshire NHS Trust, the Council's Flood Risk/Drainage team and the Council's Sustainability team. However, these comments are no longer applicable following the reduction of the development from 10 to 8 units.

Immediate neighbours and local councillors have been notified; a site notice was posted on 16/06/2017.

58 letters of objection have been received (from 52 properties), raising the following material planning considerations:

- a) Loss of attractive open space/green space which provides an attractive entrance to the Daimler Green estate. Importance has been placed on green space in the
- b) Will exacerbate existing parking and traffic problems and cause more congestion
- c) Overdevelopment – density of development is too high
- d) Design/Appearance – will obscure views of the locally listed Old Daimler Works Fire Station building; an unsightly high wall will become the entrance to the estate; the artists impression does not provide a true image of the development; it will be an eyesore and make the entrance to the estate look unwelcoming
- e) Loss of privacy to neighbouring residents
- f) Loss of light to neighbouring residents
- g) Impact upon the nursery – children will not be able to play outside, loss of privacy, loss of light, impact on children's learning and well-being
- h) Increase in anti-social behaviour (particular as the existing path from Chetton Ave to the nursery will become more enclosed)
- i) No provision for appropriate parking, refuse bins or footpaths and pavements
- j) Different types of residential accommodation should be provided including bungalows and sheltered accommodation.
- k) No need for more homes in this area / would be better developed for business use
- l) Impact on wildlife
- m) Noise and disturbance to residents.

A 216 signature petition objecting to the application has also been submitted with Cllr Mal Mutton acting as a sponsor, supporting the residents' objections. The objections in the petition are covered above and include that: it will create an oppressive main entrance to the estate resulting in limited views to the Old Fire Station and much reduced green space (risking anti-social behaviour, traffic and parking issues in the area).

1 letter of support has been received, from the owner of the land, raising the following material planning considerations:

- n) This will provide much needed houses in Coventry
- o) The contractor has made significant steps to ensure the Old Fire Station is visible and enhance it
- p) The dwellings are in keeping with the rest of the development.

Within the letters received the following non material planning considerations were raised, these cannot be given due consideration in the planning process:

- q) Not publishing objections on the website.

Any further comments received will be reported within late representations.

## ***APPRAISAL***

The main issues in determining this application are principle of development, design, impact upon neighbouring amenity, highway considerations, and contaminated land/air quality.

### ***Principle of development***

#### *Loss of greenspace*

The application site has been identified for development on a number of previous applications relating to the redevelopment of the Daimler Green estate. Whilst no detailed plans appear to have been approved for the development of the site, plans on different applications have indicatively shown buildings on the site appearing to denote commercial buildings and/or residential development. A bellmouth into the site from Chetton Avenue was constructed at the time of the development of the estate, further highlighting the intention to build on the site. Had this area of land been designed to form part of the green infrastructure of the estate then it is likely that historic plans would have highlighted this rather than identify it for development.

Whilst the site is previously developed land associated with the Daimler factory, officers consider the land to now constitute 'Urban Green Space' which is defined by Policy GE8 as 'an area of open land, not designated as Green Belt, with value for amenity, outdoor sport or recreation'. This states that where Policies GE4 and GE5 of the CDP do not apply, proposals which reduce urban green space or diminish its value will not be permitted unless local urban green space would be enhanced overall by the development or by compensatory measures. The Council's Streetscene and Greenspace team have highlighted that there is a deficit across all greenspace typologies in the Ward. However, they have confirmed that if the greenspace is to be lost they recommend compensatory measures in the form of general infrastructure improvements to the nearest public open space, Radford Recreation Ground, which may include new benches, bins and trees. A figure of £4,000 is considered suitable to provide an additional bin, two benches with tarmac pads and a number of mature trees. The applicant has agreed to pay this contribution.

In the context of the above planning history the loss of this attractive area of public open space, whilst unfortunate, is considered on balance to be acceptable. The applicant has agreed to provide compensatory measures as a result of the loss of the greenspace and therefore the proposal is in accordance with Policy GE8 of the CDP. Furthermore, it must be acknowledged that whilst the open space is defined as urban green space by Policy GE8, the land is privately owned and could be fenced off without planning



permission and/or the grass on the site removed and therefore the City Council would have no control over its long term protection as an amenity area at the entrance to the estate should permission not be granted.

#### *Principle of residential*

The NPPF recognises the importance of providing a supply of housing and paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. The proposal is considered to constitute sustainable development and would help deliver the housing needs of the city. The proposal in this regard can therefore be considered to be in harmony with the NPPF.

Policy H1 of the CDP states that all existing and proposed citizens should have access to a range of housing that is of satisfactory size and condition and within a high quality residential environment. Whilst the size and condition of residential properties is a matter for other legislation, the development will provide attractive residential accommodation including a mix of bungalows and two storey dwellings within a sustainable location and therefore it is considered that the proposal accords with this policy.

CDP policy H2 highlights that priority for new housing should be given to the re-use of previously developed land and buildings. The proposed development complies with this policy as the application site is previously developed land (prior to it becoming urban greenspace it was land associated with the Daimler factory).

Neighbouring uses include other residential dwellinghouses, a care home (opposite), a children's nursery (adjoining the site) and a group of shops. It is considered that the proposed use can operate in harmony with these existing uses.

#### **Design**

Policy BE2 of the CDP together with the NPPF both encourage high quality design. Policy BE14 is concerned with the protection of locally listed buildings which Policy BE20 encourages high quality landscape design and boundary treatment.

Officers raised concerns over an initial proposal of 5 pairs of semi-detached dwellings which were considered to be arranged in a way that detracted from the setting of the locally listed nursery (former Fire Station) building as they were positioned too close to the building, crowding the view of it from Chetton Avenue and having an overbearing relationship. Concern was also raised that a standard highways access road was proposed rather than an informal shared surface.

The applicant addressed these comments by reducing the number of dwellings to 8, with the 2 closest dwellings to the locally listed building being reduced in scale to be become bungalows and the relationship of the dwellings to the locally listed building being altered. Furthermore, the applicant has made changes to the brick colour to ensure a close match to the old Fire Station, added hips to all roofs, added a string course to two-storey fronts to pick up the line from the nursery and also under eaves dentil coursing. Plots 1 and 8 to the site frontage will also have brick quoins to reflect detail on the nursery building. A shared surface arrangement has also been introduced and alterations to the parking layout have been made.

The Council's Conservation Officer and Urban Design Officer both raise no objection to the development and believe that it will have an acceptable impact upon the locally listed building that the site adjoins and it will have an acceptable impact upon the streetscene. Overall, officers consider that the development will be visually attractive, respecting the locally listed building and with buildings being appropriately sited in relation to neighbouring dwellings and supportive of the retention of an area of open greenspace which can be used by residents of the development as well as other soft landscaping proposed within the development.

Whilst it is acknowledged that concerns have been raised over the accuracy of images provided by the applicant regarding the relationship of the development to the locally listed building, officers are content that the site plan and elevation drawings demonstrate that the development will have a suitable relationship to the locally listed building and views through to it will be maintained.

Concerns have been raised by residents about a potential increase in anti-social behaviour as a result of boundary treatment to the access into the nursery to the south-west of the site. Officers consider that the dwellings will provide some natural surveillance to these areas and therefore do not consider this to be a significant concern. Furthermore, in order to address concerns raised by the Police about security to properties in this area, the applicant has proposed suitable landscaping including a 'prickly hedge' between the wall and footpath to minimise the potential for would-be criminals to target the new houses.

Indicative landscaping details have been submitted as part of the application and full details of both hard and soft landscaping can be secured by condition.

Although the site is grassed, it is not rich in ecological value. However, WCC Ecologists have recommended conditions relating to the submission of a combined ecological and landscaping scheme and tree protection. There is only one tree on site, located centrally, and as this is not a mature tree and offers limited amenity value its loss is acceptable. However, a condition is proposed relating to the protection of an existing hedge to the north-eastern corner of the site as this offers amenity value and a buffer at ground and first floor level between the new dwellings and 41 Chetton Avenue.

### ***Impact on neighbouring amenity***

Paragraph 17 of the NPPF seeks to protect the amenities of all occupants of land and buildings.

The proposed use of the site for residential purposes is compatible with neighbouring residential uses and also the children's day nursery adjacent to the site.

SPG 'Design Guidelines for New Residential Development' provides guidance for new residential development. The document provides useful guidance on distance separation and generally, a window to window distance separation of 20m+ is recommended where windows are clear glazed and directly face one another.

The closest dwellings to the development are located to the north of the site on Bardley Drive and 41 Chetton Avenue also to the north. Distances of 20m+ are retained to

dwellings on Bardley Drive in accordance with the guidance. Whilst the distance to windows to 41 Chetton Avenue are slightly below 20m they are at least 17.5-18m and there is an angled relationship therefore on balance it is considered that this relationship is acceptable to avoid any significant impact upon the living conditions of neighbouring residents.

Whilst some concern has been raised over the impact upon the nursery it must be noted that the owner of the site is the owner of the nursery building. By designing the development so that the bungalows are the dwellings located closest to the nursery, any impact in terms of a loss of light will be minimised. The only side facing windows to the nursery are obscure glazed en-suite windows and a condition can prevent the insertion of further windows in order to protect the privacy of the nursery. Whilst it is understood that the nursery sometimes utilises the green space for activities, the site is not enclosed and there is no evidence that this has ever been land used regularly or solely for the use of the nursery.

A condition is proposed requiring a construction management plan to be submitted, this will help minimise any disruption, noise and disturbance that may occur during construction. A condition is also proposed removing permitted development rights for extensions to the dwellings given the tight relationship to neighbouring residential properties and the locally listed building.

### ***Highway considerations***

Various concerns have been raised regarding car parking, traffic and congestion in the area and the suggestion that the proposed development may exacerbate any existing issues.

Car parking of two spaces per dwelling is provided within the development thus ensuring appropriate off-street parking for the dwellings. The Local Highway Authority has been consulted on the application and raises no objection to the access or car parking levels within the development. Conditions are proposed requiring the laying out of the car parking prior to occupation and also the submission of a construction method statement to minimise impacts upon the highway during construction.

### ***Contaminated land/air quality***

The Council's Environmental Protection team has raised no objections subject to the recommendations in the remediation strategy and details of the ground cover system and imported top soil and a subsequent validation report. Further conditions are proposed relating to measures to mitigate against the impacts of the development upon air quality and a condition requiring an unexploded ordnance risk assessment.

### **CONCLUSION**

The application is considered to be acceptable in principle. The site was always identified for development as part of the masterplanning for the Daimler Green estate and therefore it was not considered necessary at that time to retain the land for soft landscaping. By virtue of time officers consider the site has become established as urban green space and the applicant has agreed to provide appropriate compensatory measures to address the development plan policy relating to such open space. The

houses will assist in meeting the city's housing needs and the layout and design of the buildings is such that the development will be visually acceptable in the streetscene and will respect the locally listed building that adjoins the site. Subject to conditions, it is considered that the development will also have an acceptable impact upon the living conditions of neighbouring residents and the proposal is acceptable in terms of highway and drainage considerations. The application is found to be acceptable in all other regards.

## **CONDITIONS/REASON**

1. The development hereby permitted shall begin no later than three years from the date of this permission.

**Reason:** *To comply with Section 91 of the Town and Country Planning Act 1990.*

2. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The Statement shall provide for:
  - i) the parking of vehicles of site operatives and visitors;
  - ii) loading and unloading of plant and materials;
  - iii) storage of plant and materials used in constructing the development;
  - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - v) wheel washing facilities;
  - vi) measures to control the emission of noise, dust and dirt during construction;and
  - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

**Reason:** *To ensure minimal impact upon the safe operation and management of the highway network, in the interests of the amenities of the occupiers of nearby properties and the visual amenities of the locality in accordance with Policies AM1, AM22, EM5 and BE2 of the Coventry Development Plan 2001.*

3. The development hereby permitted shall only be undertaken in strict accordance with the following recommendations in the Site Investigation prepared by ASL, ref: ASL 399-16-038-09, March 2017:
  - i) a cover system comprising a minimum of 600mm of imported 'clean' growing media is required in all garden areas and 300mm in any other soft landscaped areas. Due to the presence of asbestos containing materials, a break layer will be required, preferably consisting of an anti-dig geotextile; and
  - ii) Any imported top soil shall be sampled at the agreed frequency of 1 sample per 100 cm<sup>3</sup> for recycled topsoil and 1 sample per 250cm<sup>3</sup> for 'virgin' topsoil from a greenfield source with a minimum of 3 samples from each source.No dwelling shall be occupied until remediation measures have been carried out in full accordance with such approved details and a validation report has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Development Plan 2001.*

4. Prior to commencement of development an unexploded ordnance risk assessment in accordance with CIRIA Report C681 shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** *To ensure the safety of construction workers, neighbouring occupiers and passers-by in accordance with Policy EM6 of the Coventry Development Plan 2001.*

5. The development shall be carried out only in full accordance with sample details of the sample facing brickwork and roof tiles which shall first have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** *To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy BE2 of the Coventry Development Plan 2001.*

6. Notwithstanding the details on the drawings hereby approved, at least two electric vehicle charging points shall be provided within the development in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority. Thereafter, the charging points shall remain available for use at all times.

**Reason:** *In the interests of creating a more sustainable city and improving air quality in accordance with Policies OS4, EM2 and EM5 of the Coventry Development Plan 2001 and the National Planning Policy Framework.*

7. The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the dwellings hereby permitted; and all planting shall be carried out in accordance with the approved details (which shall include details of how the landscaping will increase biodiversity on the site) in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the Local Planning Authority seriously damaged, defective 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. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of

Practice for General Landscape Operations.

**Reason:** *To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE2 and BE20 of the Coventry Development Plan 2001.*

8. A landscape management plan, including long term design objectives, long term management responsibilities and maintenance schedules for all landscape areas (other than domestic gardens within the curtilage of a single dwelling house), shall be submitted to and approved in writing by the Local Planning Authority before the first occupation of the development hereby permitted. The landscape management plan shall be implemented as soon as the approved landscaping is carried out and shall not be withdrawn or altered in any way.

**Reason:** *To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE2 and BE20 of the Coventry Development Plan 2001.*

9. No dwelling hereby permitted shall be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times.

**Reason:** *To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies AM22 and BE2 of the Coventry Development Plan 2001.*

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification):
- i) no building or enclosure shall be provided within the curtilage of, any dwelling hereby permitted;
  - ii) no development to form hardsurfaces within the application site, except in the rear garden of dwellings shall be carried out; and
  - iii) no gate, fence, wall or other means of enclosure (other than permitted under condition 7) shall be erected or constructed;
- without the prior written approval of the Local Planning Authority.

**Reason:** *That having regard to the design, layout and general nature of the proposed development it is important to ensure that no further development is carried out which would detract from the appearance of the area and affect the amenity of adjacent properties. Therefore, no additional development is to be carried out without the permission of the local planning authority in accordance with Policies H12 and BE2 of the Coventry Development Plan 2001.*

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) no windows or openings (apart from any shown on the approved drawings) shall be formed in the side (western) facing elevations of the dwellings on plots 3 and 4 hereby approved without the written

approval of the Local Planning Authority.

**Reason:** *To ensure that there is no significant adverse impact upon the adjoining nursery through overlooking or loss of privacy in accordance with Policies H12 and BE2 of the Coventry Development Plan 2001.*

12. The development hereby permitted shall be carried out in accordance with the following approved documents:
- 1470-01\_C Proposed site plan
  - 1470-02\_A Proposed house types plots 1 & 2
  - 1470-03\_A Proposed house types plots 5 & 6
  - 1470-04\_A Proposed house types plots 7 & 8
  - 1470-05\_ Proposed house types plots 3 & 4
  - 1470-06\_ Proposed house types typical brick detailing
  - Revised impression showing bungalows in lieu of houses (Indicative only)
  - 18862cv-01 - Topographical Survey
  - 000-0'F-Chetton 001 Drainage Strategy - annotated with finished floor levels
  - Design and Access Statement, prepared by Michael Ramus Architects
  - Letter from agent, 14th March 2017
  - Site Investigation, ref: 399-16-038-09, March 2017, prepared by ASL
  - Drainage Strategy, March 2017 prepared by Infrastructure Design Limited.

**Reason:** *For the avoidance of doubt and in the interests of proper planning.*

[Location Plan](#)

[1470 02 A Proposed House Type Plots 1 & 2](#)

[1470 05 Proposed House Type Plots 3 & 4](#)

[1470 03 A Proposed House Type Plots 5 & 6](#)

[1470 04 A Proposed House Type Plots 7 & 8](#)

[1470 06 Typical brick detail](#)

[Street Scene impression](#)

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REFERENCE NUMBER:

FUL/2017/0661



SITE:

LAND TO THE EAST OF THE OLD FIRE STATION  
CHETTON AVENUE







100 metre grid  
© Crown Copyright. All Rights Reserved. Ordnance Survey Licence No. 100020000  
Other information © Coventry City Council

City of Coventry Highways Adoptions

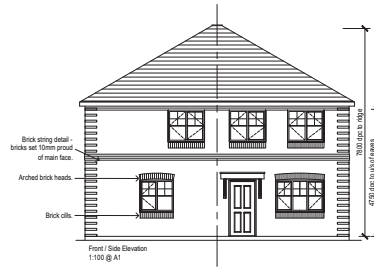
reference HTS6293  
prepared 28th February 2017



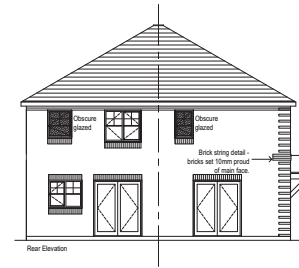




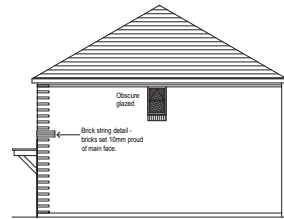
Front Elevation  
1:50 @ A1



Front / Side Elevation  
1:100 @ A1



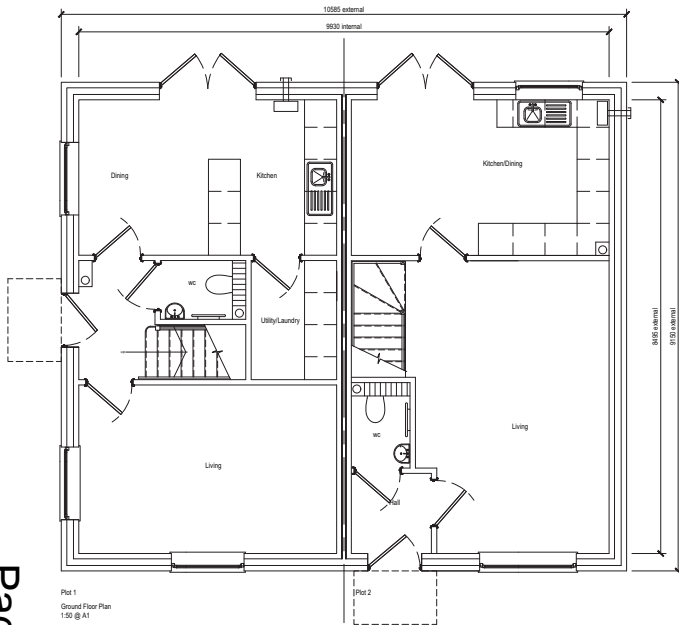
Rear Elevation



Side Elevation

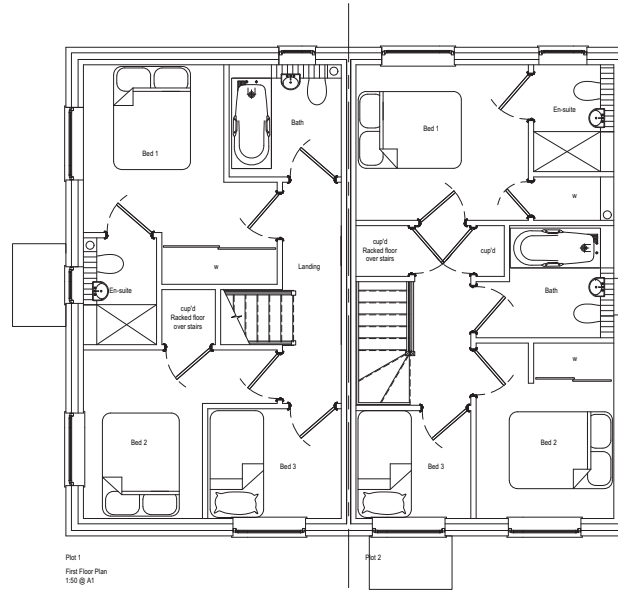


Side Front Elevation



Plot 1  
Ground Floor Plan  
1:50 @ A1

Plot 2



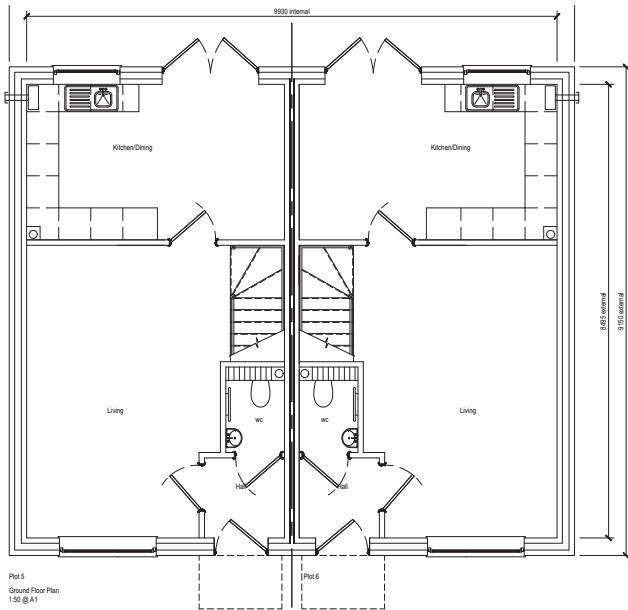
Plot 1  
First Floor Plan  
1:50 @ A1

Plot 2

Proposed development of former "Old Fire Station", Chetton Ave.		Proposed House Types Plots 1 & 2	<b>Michael Ramus Architects</b> 76 Priory Road, Kenilworth, Warwickshire, CV8 1LQ 01926 512 400 info@ramus-architects.co.uk
O'Flanagan Homes		As shown @ A1	
1470-02_A	3/1/17	Planning	

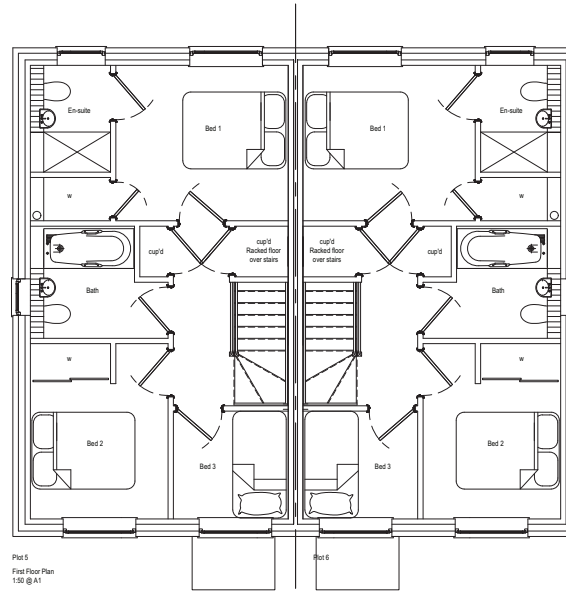


Front Elevation  
1:50 @ A1



Plot 5  
Ground Floor Plan  
1:50 @ A1

Plot 6



Plot 5  
First Floor Plan  
1:50 @ A1

Plot 6

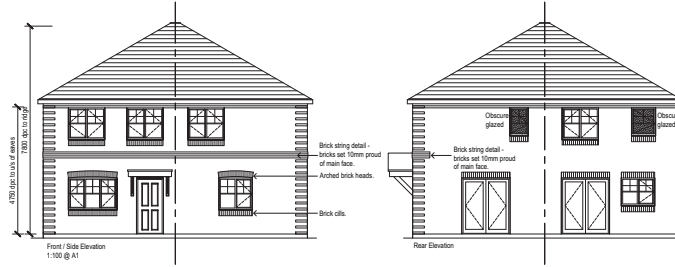
Based on survey by others.  
Drawing for planning purposes only.  
Drawings Copyright of Michael Ramus Architects and not to  
be passed to any other party without written consent.

Rev. A. 20/6/17 - quote added and roof  
rippled all to planners comments.

Proposed development of former "Old Fire Station", Chetton Ave.	Proposed House Types Plots 5 & 6	<b>Michael Ramus Architects</b> 76 Priory Road, Kenilworth, Warwickshire, CV8 1LQ 01926 512 400 info@ramus-architects.co.uk
O'Flanagan Homes	As shown @ A1	
1470-03_A	3/1/17	

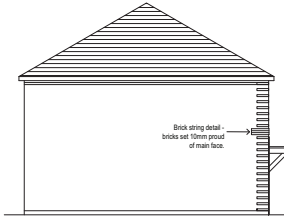


Front Elevation  
1:50 @ A1



Front / Side Elevation  
1:100 @ A1

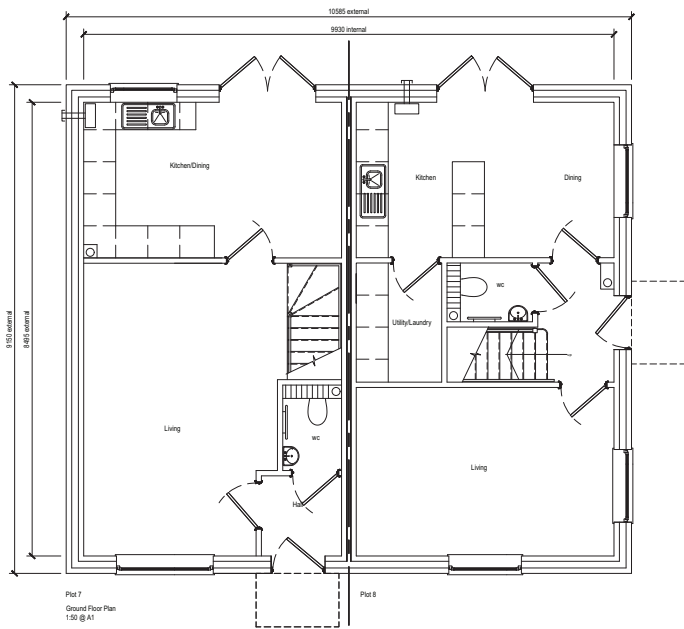
Rear Elevation



Side Elevation

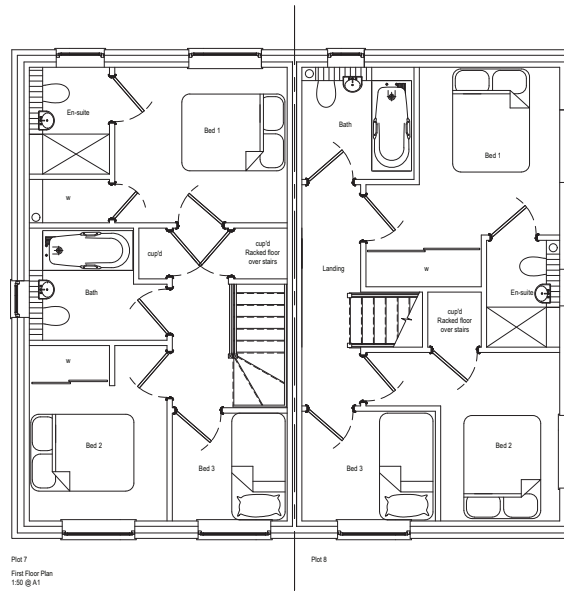


Side Front Elevation



Plot 7  
Ground Floor Plan  
1:50 @ A1

Plot 8



Plot 7  
First Floor Plan  
1:50 @ A1

Plot 8

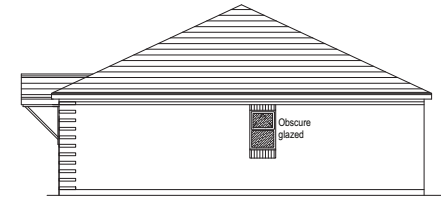
Proposed development of former "Old Fire Station", Chelton Ave.		Proposed House Types Plots 7 & 8	<b>Michael Ramus Architects</b> 76 Priory Road, Kenilworth, Warwickshire, CV8 1LQ 01926 512 400 info@ramus-architects.co.uk
O'Flanagan Homes		As shown @ A1	
147D-04_A	3/1/17	Planning	



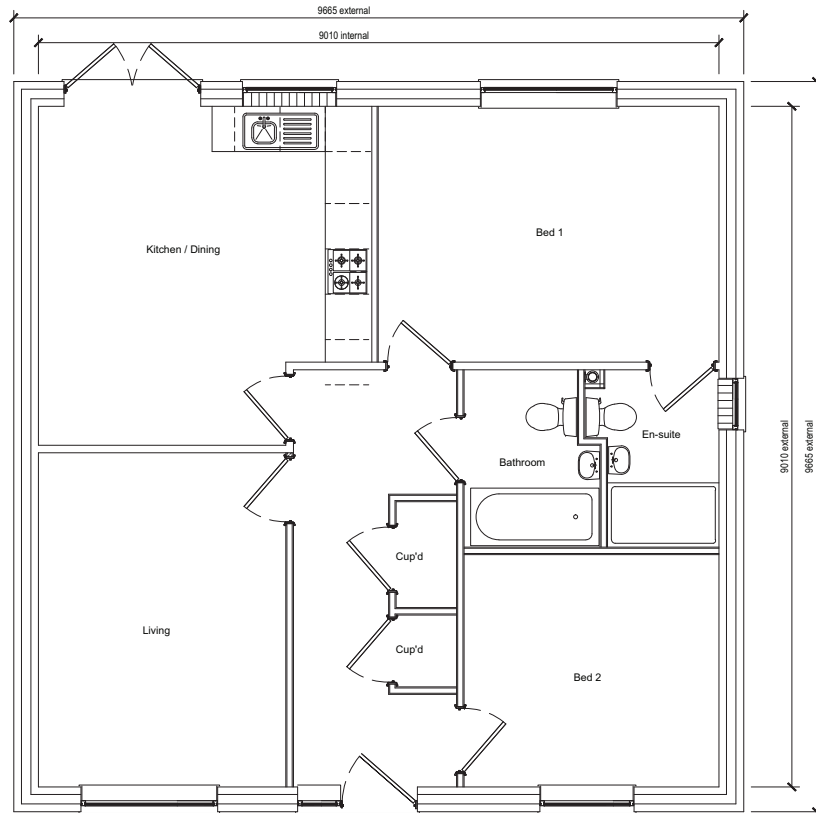
Front Elevation  
1:50 @ A1



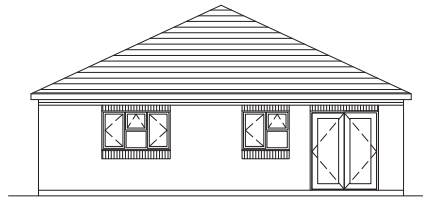
Front Elevation  
1:100 @ A1



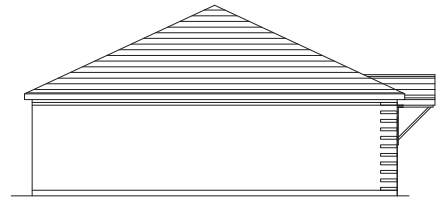
Side Elevation



Plots 3 & 4  
Floor Plan  
1:50 @ A1



Rear Elevation



Side Elevation

<p><i>Based on survey by others. Drawing for planning purposes only. Drawings Copyright of Michael Ramus Architects and not to be passed to any other party without written consent.</i></p>	<p>Proposed development of former "Old Fire Station", Chetton Ave.</p>		<p>Proposed House Types Plots 3 &amp; 4</p>	<p><b>Michael Ramus Architects</b> 76 Priory Road, Kenilworth, Warwickshire, CV8 1LQ 01926 512 400 info@ramus-architects.co.uk</p>
	<p>O'Flanagan Homes</p>		<p>As shown @ A2</p>	
	<p>1470-05_</p>	<p>20/5/17</p>	<p>Planning</p>	

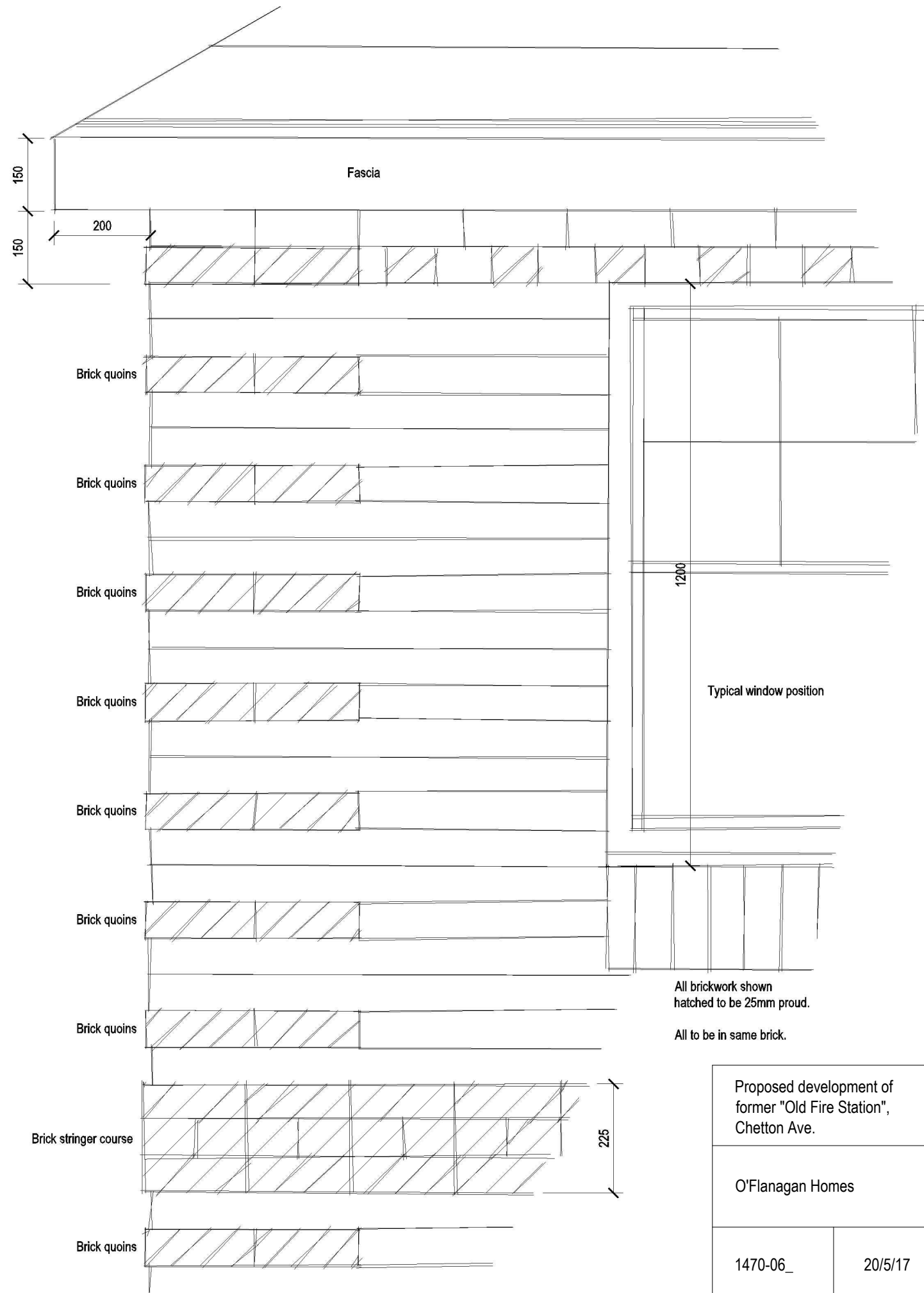




REVISED IMPRESSION SHOWING BUNGALOWS  
IN LIEU OF HOUSES.



Based on survey by others.  
 Drawing for planning purposes only.  
 Drawings Copyright of Michael Ramus Architects and not to  
 be passed to any other party without written consent.



Typical brick detailing  
 1:10 @ A1

Proposed development of former "Old Fire Station", Chetton Ave.		Proposed House Types Typical brick detailing	<b>Michael Ramus Architects</b> 76 Priory Road, Kenilworth, Warwickshire, CV8 1LQ 01926 512 400 info@ramus-architects.co.uk
O'Flanagan Homes		1:10 @ A3	
1470-06_	20/5/17	Planning	



<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	OUT/2015/3601
<b>Site:</b>	Land to the rear of 42-68 Wyken Way
<b>Ward:</b>	Wyken
<b>Applicant:</b>	Mr T and J Singh and Jarnail
<b>Proposal:</b>	Demolition of 58 Wyken Way and erection of 5 houses (outline with access and layout submitted)
<b>Case Officer:</b>	Nigel Smith

**SUMMARY**

The application proposes to demolish 58 Wyken Way and erect 5 detached dwellings on the land to the rear of 42-68 Wyken Way. The application is in outline form with details of access and layout submitted for approval.

**KEY FACTS**

<b>Reason for report to committee:</b>	Representations from more than 5 properties
<b>Current use of site:</b>	Vacant
<b>Access:</b>	From Wyken Way

**RECOMMENDATION**

Planning committee are recommended to grant planning permission subject to conditions

**REASON FOR DECISION**

- The proposal would not harm the character of the area
- The proposal will not adversely impact upon highway safety
- The proposal will not adversely impact upon the amenity of neighbours
- The proposal accords with Policies H9, H12, BE2, AM22, OS4, EM5, GE8, GE14, GE15, of the Coventry Development Plan 2001, together with the aims of the NPPF.

## BACKGROUND

### **APPLICATION PROPOSAL**

Demolition of 58 Wyken Way and erection of 5 detached dwellings on the land to the rear of 42-68 Wyken Way. The houses would be served by a 6m wide shared surface access between 56 and 60 Wyken Way, which reduces to 4m at the entrance to the site itself. The houses would be arranged with two backing onto the scout hut to the east, two facing south and one filling the rectangular section to the south west of the site.

Details of appearance, scale and landscaping have not been submitted and are therefore not for consideration at this stage.

### **SITE DESCRIPTION**

The site comprises 58 Wyken Way and an irregular shaped plot of land to the rear of 42-68 Wyken Way and to the north of Stubbs Grove. It is overgrown and there are two trees to the south of the site adjacent to the rear garden boundaries of houses on Stubbs Grove. The site is accessed from an existing vehicular access between 56 and 58 Wyken Way, which are end terraced dwellings. The entrance provides access to the rear gardens / garages of houses fronting Wyken Way, as well as to a scout hut located to the east of the application site.

### **PLANNING HISTORY**

There have been a number of historic planning applications on this site; the following are the most recent/relevant:

<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
OUT/2014/3628	Demolition of 58 Wyken Way and erection of 10 houses (outline with access and layout submitted)	Withdrawn (2015)
42980/A	Erection of two detached bungalows	Refused (1998) due to use of substandard access; creation of precedent; and impact upon neighbouring amenity via loss of privacy, visual intrusion and increased noise
C/42980	Erection of four dwellings	Dismissed on appeal (1990) due to unsatisfactory access and impact upon privacy of 56 and 58 Wyken Way

## **POLICY**

### **National Policy Guidance**

National Planning Policy Framework (NPPF). The NPPF published in March 2012 sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the

extent that is relevant, proportionate and necessary to do so. The NPPF promotes sustainable development and good design is recognised as a key aspect of this.

The National Planning Practice Guidance (NPPG) 2014, this adds further context to the NPPF and it is intended that the two documents are read together.

### **Local Policy Guidance**

The current local policy is provided within the Coventry Development Plan 2001 (CDP) relevant policy relating to this application is:

- OS4 – Creating a more sustainable city
- H9 – Windfall housing
- H12 – Design and density of housing
- EM5 – Pollution prevention
- BE2 – Urban design principles
- BE21 – Safety and security
- AM9 – Pedestrians in new development
- AM22 – Road safety
- GE8 – Urban green space
- GE14 – Protection of landscape features
- GE15 – Designing new development to accommodate wildlife

### ***Emerging Policy Guidance***

The Draft Local Plan 2016 to 2031 has been submitted to the Inspectorate, examination hearings and consultation on modifications has concluded and the Inspectors report is currently awaited. Whilst the policies do not hold significant weight at this time, they will gain weight as the local plan continues through the process. Policies within the draft local plan that are relevant include:

- DS3 – Sustainable development
- H3 – Provision of new housing
- H9 – Residential density
- GE2 – Green space
- GE3 – Biodiversity, geological, landscape and archaeological conservation
- DE1 – Ensuring high quality design
- AC1 – Accessible transport network
- AC3 – Demand management
- AC4 – Walking and cycling

### **Supplementary Planning Guidance/ Documents (SPG/ SPD):**

- SPG Design Guidelines for New Residential Development
- SPD Delivering a more sustainable city

### **CONSULTATION**

No Objections subject to conditions received from:

- Ecology
- Highways (CCC)
- Drainage (CCC)

No objections have been received from:

West Midlands Fire Service

Immediate neighbours and local councillors have been notified; a site notice was posted.

10 letters of objection have been received, raising the following material planning considerations:

- a) Loss of privacy to surrounding houses
- b) Loss of security to neighbours as easier access to back if gates to access removed
- c) Increased demand for parking on road
- d) Increased traffic on road
- e) Increased noise
- f) Loss of light to neighbours
- g) Light pollution from houses to rear
- h) Danger to children who play at the rear of houses
- i) The access to the site is too narrow
- j) Disruption during construction
- k) Impact on existing drains/sewers
- l) The development would not result in satisfactory living environment for future residents
- m) Development would be out of character with area
- n) Loss of green space
- o) Harm to wildlife

Within the letters received the following non material planning considerations were raised, these cannot be given due consideration in the planning process:

- p) Devaluation of houses
- q) Blockage of private access during construction
- r) Land ownership concerns

Any further comments received will be reported within late representations.

## **APPRAISAL**

The main issues in determining this application are principle of development, design, impact upon neighbouring amenity and highway considerations.

### **Principle of development**

Policy H9 states that windfall housing will be permitted subject to: compatibility with nearby uses; the provision of an attractive residential environment; convenient pedestrian access to local facilities; and being well served by public transport.

In this case, residential use would be compatible with surrounding houses and the site is located in a sustainable location within walking distance of Ball Hill Major District Centre (1.3km) and closer to bus services. With regard to the residential environment, the site would be approached through a new wider access and would be a quiet location with relatively large plot sizes. Therefore the proposal complies with Policy H9.

The development varies from those refused previously (42980/A and C/42980) as it involves the removal of 58 Wyken Way and the provision of a new improved access. It

is considered that this improves the amenity for future occupiers compared to these earlier unacceptable schemes.

Policy GE8 seeks to prevent loss of urban green space with value for amenity, recreation and outdoor sport, unless local urban green space would be enhanced by the development or compensatory measures.

The site is not accessible for formal recreation or outdoor sport and is not considered to be valuable from an amenity point of view, given its lack of visibility from public vantage points. Therefore the proposal complies with Policy GE8.

### **Design**

Policy BE2 encourages high quality design and H12 seeks a high standard of design for new housing in the City. The density should represent the most efficient use of sites consistent with the principles of good design and creation of a sufficient range of high quality residential environments.

The proposal is what is commonly referred to as 'backland' development. This is because it is located behind buildings which face a highway. Often this type of development is not acceptable as it results in harm to the character of an area. However, in this case the area is made up of development fronting roads (ie. Wyken Way, Alfall Road and Dennis Road with narrow cul-de-sacs forming incursions (ie. Stubbs Grove and Geoffrey Close) to fill in the space behind the frontage dwellings. There is also a scout hall located adjacent to the site behind houses on Wyken Way. Therefore the erection of houses on this site, accessed by a 6m wide road, would not be contrary to the character of the wider area.

The layout of the site is logical with houses arranged to fill the space with roughly evenly sized plots. The houses to the east would face the shared driveway and there would be the opportunity for some attractive soft landscaping within the site and along the side of the 6m wide road from Wyken Way.

The density of development would be markedly lower than surrounding housing (the proposed density is only 24 dwellings per hectare) but as this is located to the rear of existing housing it is not considered appropriate to have an excessively dense scheme.

The demolition of 58 Wyken Way would have an impact upon the appearance of the existing terrace, which is of interwar design typical of the area. However, subject to a condition requiring details of treatment of the party wall and submission of details of a new boundary wall / enclosure between 58 and 60 it is considered that the slight unbalancing of the long terrace would not result in significant visual harm.

### **Impact on neighbouring amenity**

The proposed layout would allow for over 25m between the rear of new houses and the rear of existing houses on Wyken Way. The plot nearest Wyken Way could be designed so as not to have clear glazed 1<sup>st</sup> floor windows in its northern side elevation. The SPG seeks a distance of 20m.

None of the new houses would face the rear of houses on Littlefield and they would be located over 20m from the rear elevations of these houses. This is well in excess of the 12m guidance in the SPG.

The nearest house to Stubbs Grove would have its side elevation facing the rear of No.26. However, this could be designed so that any development higher than single storey would be at least 12m away from the affected neighbour with no clear glazed facing windows.

Furthermore, the house immediately to the west when entering the site could be designed so as its main windows face north (towards Wyken Way) and east (towards the proposed new houses to the east of the access road). This would actually be a better design than the main windows facing south towards Stubbs Grove as there would be a more animated elevation to the route into the site.

Therefore the proposal would not give rise to unacceptable overlooking or visual intrusion.

### **Highway considerations**

Policy AM22 seeks to ensure highway safety in new developments.

The proposal would create a 6m wide shared surface access to the development from Wyken Way. This would be served by a footway crossing which would not extend in front of Nos.56 or 60 Wyken Way or interfere with their driveways. The access would be wide enough to allow two vehicles to pass as well as pedestrians, and highways raise no objections. On a positive note, the alteration will improve the existing access to existing garages at the rear of dwellings.

Where the shared accessway meets the development site the access narrows to a width of only 4m, which is offset partly to the rear of No.56 Wyken Way. This is due to land ownership constraints. Whilst not ideal, the access is wide enough to allow a vehicle through. As this narrow access occurs a substantial distance away from the public highway, and the access road would remain private, there would be no impact upon highway safety.

Each new dwelling would have space for at least two vehicles and others could no doubt fit within the site adjacent to the new dwellings. Therefore the proposal should not increase demand for on street parking.

The fire service have been consulted on the application and they raise no objections. Refuse vehicles would not enter the private road, therefore residents would have to present bins close to Wyken Way. A condition is recommended to show a refuse collection area to the side of the new access road.

### **Other considerations**

A preliminary ecological assessment has been undertaken on the site and states that the site is of low ecological value and that no further surveys are recommended. The report recommends some measures to prevent harm to amphibians during construction and the inclusion of bat and bird boxes in the development. Ecology recommend that a condition is imposed to require a method statement to be submitted to prevent harm to

protected species during construction. Another is recommended to ensure that the bat and bird boxes recommended in the ecological appraisal are installed.

There are currently security gates protecting the shared access from unauthorised visitors. These were paid for by the residents themselves. Many residents understandably object to their removal. Therefore a condition is proposed to install replacement gates once the new access is created. This could be across the entire access or could be two gates to either side to prevent access to the east and west behind existing properties.

Finally, a condition is proposed to ensure the gable end of 60 Wyken Way is treated in accordance with details to be submitted and approved in writing, once 58 is demolished. This is in the interests of the amenity of the area.

### **Conclusion**

The principle of development is acceptable and would not result in significant adverse impact upon highway safety, residential amenity or the character of the area.

### **CONDITIONS/REASON**

1. Details of the appearance of the buildings, landscaping of the site (including details of hard surfacing materials and boundary treatments) and the scale of buildings (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in full accordance with these reserved matters as approved.

**Reason:** *To comply with Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.*

2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years of the date of this permission.

**Reason:** *To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).*

3. The development to which this permission relates shall begin within three years of the date of permission or within two years of the final approval of the reserved matters, whichever is the later.

**Reason:** *To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).*

4. 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, and the development shall be carried out in strict accordance with these approved details

**Reason:** *To ensure sufficient information is submitted to demonstrate a satisfactory*

*relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policy BE2 of the Coventry Development Plan 2001.*

5. Prior to the commencement of development, a method statement for the protection of reptiles, amphibians and nestign birds during construction shall be submitted to and approved in writing by the local planning authority. Thereafter the deelopment shall proceed in accordance with the approved details.

**Reason:** *To safeguard the presence and population of a protected species in line with UK and European Law, The Conservation of Habitats and Species Regulations 2010 and Policy GE15 of the Coventry Development Plan 2001.*

6. Prior to the occupation of any of the dwellings hereby approved, two bat boxes and three bird boxes shall be installed on the proposed dwellings and in existing trees in accordance with the recommendation of the submitted Preliminary Ecological Appraisal dated October 2016

**Reason:** *To safeguard the presence and population of a protected species in line with UK and European Law, The Conservation of Habitats and Species Regulations 2010 and Policy GE15 of the Coventry Development Plan 2001.*

7. Any landscaping (other than the planting of trees and shrubs) including boundary treatment, paving and footpaths referred to in condition one shall be completed in all respects, with the exception of tree(s) and shrub(s) planting, within the first planting season following the first occupation of the dwellings and the tree(s) and shrub(s) shall be planted within six months of that first occupation. Any tree(s) or shrub(s) removed, dying, or becoming in the opinion of the local planning authority seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of similar size and species to those originally required to be planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations.

**Reason:** *To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GE9, BE2 & BE20 of the Coventry Development Plan 2001.*

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 dimensioned tree protection plan (to include protection measures during and after construction and any construction exclusion zones) (in accordance with 5.5/ Table B.1 of British Standard BS5837 : 2012 - Trees in relation to design, demolition and construction - Recommendations) which shall also include any proposal for pruning or other preventative works.



**Reason:** *To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GE9, BE2 & BE20 of the Coventry Development Plan 2001.*

9. 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; 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.

**Reason:** *In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies AM1, EM5 and BE2 of the Coventry Development Plan 2001.*

10. Prior to occupation of any of the dwellings hereby approved, an electric vehicle charging point shall be provided at that dwelling

**Reason:** *To minimise the impact of the development upon air quality, in accordance with Policy EM2 of the Coventry Development Plan 2001.*

11. Prior to demolition of 58 Wyken Way, details of the proposed treatment of the party wall between Nos.58 and 60 Wyken Way shall be submitted to and approved in writing by the local planning authority. The exposed gable wall shall be treated within 3 months of the demolition of No.58 in full accordance with the approved details.

**Reason:** *To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy BE2 of the Coventry Development Plan 2001.*

12. Prior to the removal of the existing security gates located on the vehicular accessway from Wyken Way, details of the location and design of replacement gates, to prevent access to the rear of existing houses, shall be submitted to and approved in writing by the local planning authority. The replacement gate/s shall be installed on site prior to the occupation of any of the hereby approved houses.

**Reason:** *In the interests of safety and security for residents, in accordance with Policy BE21 of the Coventry Development Plan 2001.*

13. The houses hereby approved shall not be occupied unless and until the 6m wide shared surface access from Wyken Way and the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times

**Reason:** *To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies AM19 & AM22 of the Coventry Development Plan 2001.*

[Location Plan](#)

[WW41 Proposed Plan](#)



REFERENCE NUMBER:

OUT/2015/3601



SITE:

LAND TO THE REAR OF 42-68 WYKEN WAY

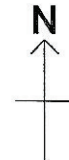
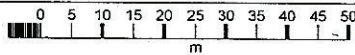


93.0m

Scout Hall

LITTLE FIELD





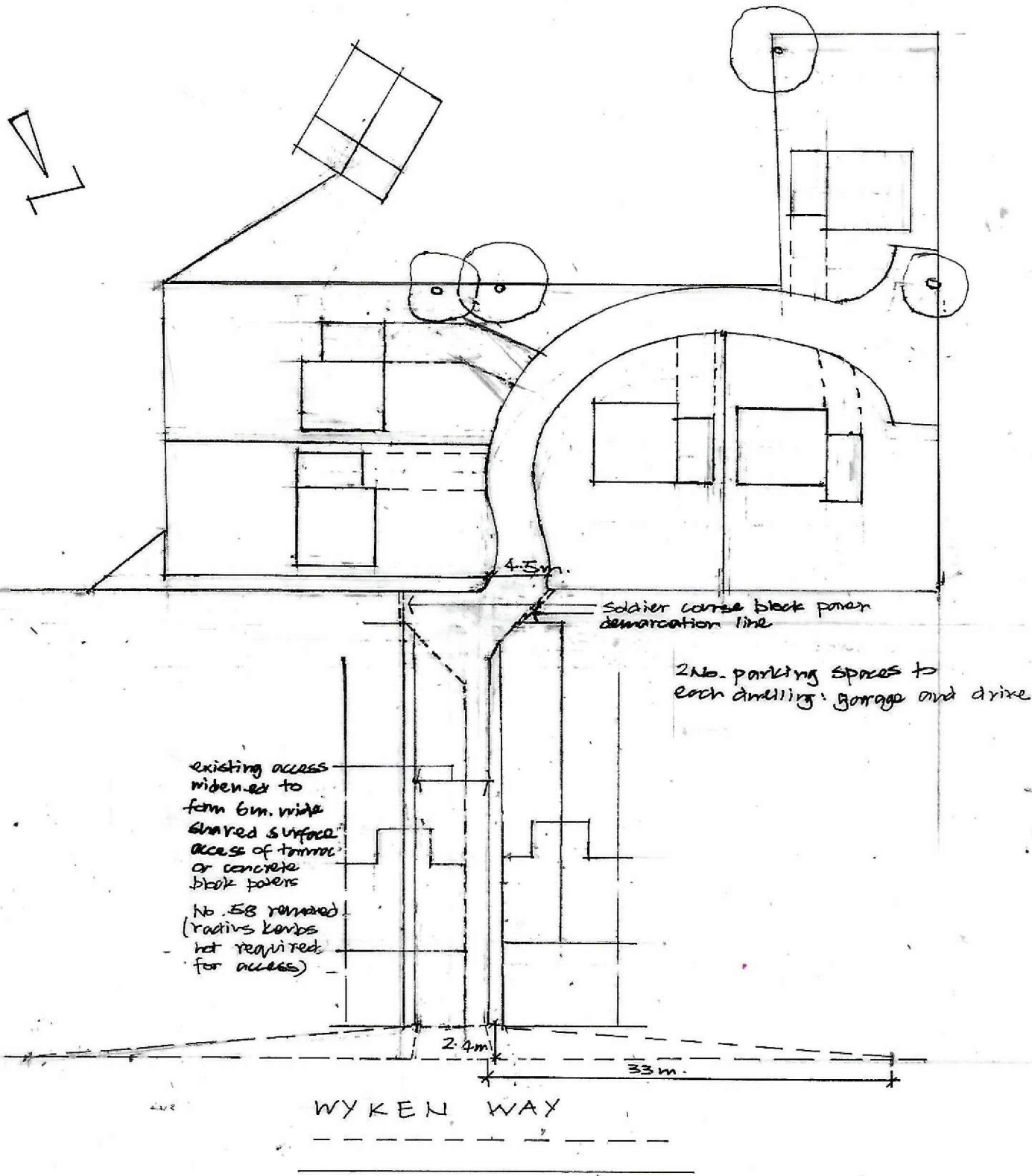
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 maps.johnwright.com

1:1250 scale print at A4, Centre: 435586 E, 280424 N

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**SITE PLAN**

**PROPOSED 5 NO. HOUSES AT REAR OF NO. 58, WYKEN WAY, COVENTRY**

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Coventry City Council

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## COMMITTEE REPORT

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### **Report to**

Planning Committee  
03/08/2017

### **Report of**

Head of Planning and Regulation

### **Title**

Neighbourhood Plan Submission Draft – Willenhall

### **Applicant**

Willenhall Neighbourhood Forum

### **Ward**

Binley & Willenhall

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### **1.0 Purpose of the Report**

- 1.1 To note the submission of the Willenhall Neighbourhood Plan and agree the statutory requirement to publicise and invite comment.

### **2.0 Recommendations**

- 2.1 To note the formal submission draft of the Willenhall Neighbourhood Plan made by the Willenhall Neighbourhood Forum (see appendix 1);
- 2.2 To agree publicity and invite comments for a period of six weeks in line with Regulation 16 of the Neighbourhood Planning Regulations;
- 2.3 To delegate authority to the Head of Planning and Regulation to submit all representations and documentation to the examiner following the completion of the period of publicity.

### **3.0 Information/Background**

- 3.1 The 2011 Localism Act introduced a right for communities to draw up a Neighbourhood Plan which is supported through national regulatory control. This provides an opportunity for local communities to get more actively involved in planning in their areas. Local Planning Authorities are expected to play a positive role in facilitating and supporting this process.
- 3.2 The Town and Country Planning Act 1990 (sections 61F – 61I) and the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out the legislative background. The web based Planning Practice Guidance on Neighbourhood Planning gives Central Government Guidance.



- 3.3 On 3 July 2017, Willenhall Neighbourhood Forum submitted their Neighbourhood Plan to Coventry City Council. Alongside the draft Neighbourhood Plan itself, they also submitted a suite of other documents. These included the Basic Conditions Statement, Consultation Statement, and Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening. There is now a regulatory requirement for the Council to formally publicise and invite comments for a period of time in line with Regulation 16. In this case, a period of 6 weeks is proposed and is due to commence on 4 August 2017 and end on 15 September 2017.
- 3.4 Neighbourhood Development Plans must also be examined by a suitably qualified independent person, appointed by the Council and agreed by the qualifying body (Neighbourhood Forum). Neighbourhood plans must also pass a referendum of local voters by a simple majority. If a plan passes referendum, the Council must make (adopt) it, unless it breaches EU obligations or human rights legislation. Work is currently being developed to organise the referendum with the Council's election team although the timetable for this would be largely dictated by the outcome of the Examination.

#### **4.0 Legal Considerations**

- 4.1 The report and recommendations outline the current legal position with regard to the next stage in the process. The Council's discretion with regard to proceeding to publicity or otherwise is strictly limited by Government regulation and in this case the requirements for proceeding to post submission publicity appear to have been met.
- 4.2 It is a statutory requirement to support the preparation of neighbourhood plans and for this council to adopt, or 'make' them, if supported by the referendum and deemed to be in conformity with the strategic development needs set out in the Local Plan.

#### **5.0 Publicity**

- 5.1 The requirement to publicise the Willenhall Neighbourhood Plan and invite comments would be carried out through publication on the Council's website and will include:
- details of the plan proposal;
  - details of where and when the plan proposal may be inspected;
  - details of how to make representations;
  - a statement that any representations may include a request to be notified of the local planning authority's decision under regulation 19 in relation to the neighbourhood development plan; and
  - the date by which those representations must be received, being not less than 6 weeks from the date on which the plan proposal is first publicised.

#### **6.0 Financial Considerations**

- 6.1 The Council can seek grant funding from the DCLG to cover the costs of neighbourhood planning. The current arrangements for claiming financial support stay in place for 2016/17, with one minor change. In April 2015, the cap on the number of claims that can be made for designated neighbourhood forums was removed.



- 6.2 The first payment of grant to the City Council of £5,000 will be made following designation of a neighbourhood area recognising the officer time supporting and advising the community in taking forward a neighbourhood plan. The second grant payment of £20,000 will be made on successful completion of the neighbourhood plan. This is to cover costs for that examination and any other further steps that may be needed for the neighbourhood plan to come into legal force, including referendum. There is no cap on the number of claims that can be made in 2016/17.
- 6.3 The costs associated with supporting their Neighbourhood Plan will be funded from existing Local Plan revenue budgets where they exceed the grant funding secured from government. However, it is not expected this would be required.

**PROPER OFFICER:** Tracy Miller, Head of Planning and Regulation

**Author:** Rob Haigh, Planning and Housing Policy Officer

ALL BACKGROUND PAPERS OPEN TO PUBLIC INSPECTION at Place

Directorate, Civic Centre 4, Much Park Street and

[www.coventry.gov.uk/neighbourhoodplanning](http://www.coventry.gov.uk/neighbourhoodplanning)

- Localism Act 2011.
- Neighbourhood Planning (General) (Amendment) Regulations 2016.
- Planning Advisory Service – Guide for Councils Meeting the requirements of the legal process for Neighbourhood Development Plans.

**Appendix 1: Willenhall Neighbourhood Plan – Submission Draft**



# Foreword

Willenhall has a long history. For hundreds of years it was a rural area on the edge of Coventry.

However shortly after the Second World War it was transformed when the housing estate we know today was largely built. At the time it was an exciting and innovative development that won several design awards. It formed part of the comprehensive redevelopment of the city.

A strong community formed and thrived in the post war years. The area continued to grow and change. Some new housing was added and some older properties have recently been refurbished.

The make-up of the local community has also changed, and it now has a more diverse population.

But the neighbourhood is now over sixty years old. We need to start thinking about the future.

How should the area change? What does it need? What do we need to protect?

Local communities are now able to produce a neighbourhood plan for their area, putting in place proposals for its future development. Such a plan provides a powerful tool to ensure that local communities get the right types of development for them in the right place. This includes new housing or services and facilities. It can also protect important features, such as open spaces.

The Willenhall Community Forum therefore decided to prepare a neighbourhood plan to shape and influence future development in the area.

But it is felt really important that these proposals are shared and owned by the whole community in Willenhall.

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# 1. Introduction

## What is a neighbourhood development plan?

- 1.1 Communities now have new powers to shape development through neighbourhood planning, which is a new right introduced through the Localism Act 2011.
- 1.2 A neighbourhood development plan can set out a vision for an area and planning policies for the use and development of land. It will form part of the statutory planning framework for the area, and the policies and proposals contained within the neighbourhood plan will be used in the determination of planning applications.
- 1.3 A neighbourhood plan will therefore form part of the development plan for the area and will be used by the local authority and other stakeholders in decision making.

## Willenhall

- 1.4 Willenhall is a neighbourhood in south-east Coventry. It is a well defined area being bounded by four major transport corridors - notably the West Coast Mainline, the A46 Stonebridge Highway, the London Road (B4110) and Allard Way (A4082). The A45/46 Tollbar End roundabout lies immediately to the south of the neighbourhood. The housing estate is primarily accessed via St James Lane, which provides a spine road running through the area.
- 1.5 Willenhall was originally a small village that was absorbed into the city as it expanded. However it became a substantial housing estate shortly after the Second World War with the building of over 1,000 council houses. It was here that Coventry pioneered the Radburn style layout whereby the houses were designed to have their frontages facing directly onto communal green areas and access by road was provided to the rear. The Willenhall Wood Estate subsequently won several awards from the then Ministry of Housing and Local Government and the Civic Trust.
- 1.6 Today the area remains primarily residential with some partial redevelopment and infill over the intervening years resulting in a relatively high density layout. However there are substantial green spaces on the periphery of the estate with the Sowe Valley to the north and Willenhall Wood to the south.
- 1.7 According to the Census 2011 the area has a population of 7,910. The estate is very deprived with high levels of poverty, unemployment, poor health, crime and anti-social behaviour, and low educational attainment. Nevertheless there is a very strong community spirit that is supported by a network of voluntary and public sector organisations.

## **Governance**

- 1.8 Willenhall comes under the administrative area of Coventry City Council which, amongst other things, serves as the local planning authority. For general election purposes it is part of the Coventry South Constituency and for local elections it forms part of the Binley and Willenhall ward on the City Council.
- 1.9 The city's boundary with Warwickshire lies immediately to the south. That area comes under the administrative areas of Warwickshire County Council and Warwick District Council.

## **Willenhall Community Forum**

- 1.10 The Willenhall Community Forum has operated in the area for over 20 years. It is a consortium of local organisations that deliver services for the benefit of people living in the area. In particular it encourages a co-ordinated approach to the provision of leisure time pursuits, employment support, volunteering opportunities, learning and training courses and childcare services. These activities are aimed at improving the education attainments and economic wellbeing of local people as well as increasing the level of community cohesion.
- 1.11 The Community Forum utilises and maintains a range of local resources as part of its community work. This includes the Willenhall Village Green, Willenhall Focus Newspaper, Eureka Childcare and Willenhall Education, Employment & Training Centre, and Hagar Community Space.

## **Background to the Willenhall Neighbourhood Plan**

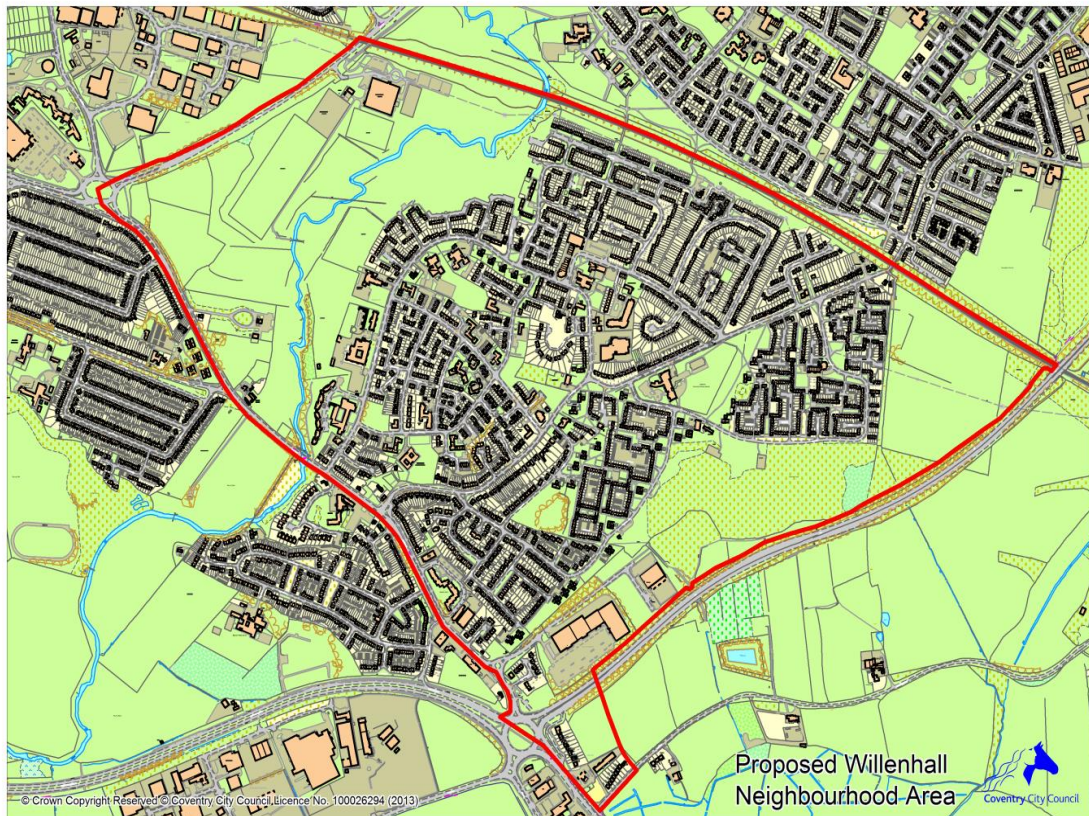
- 1.12 Following the publication of the Localism Act 2011 the Willenhall Community Forum decided to prepare a neighbourhood development plan for the area. The first stage in the statutory process was to ask the City Council to designate the boundary of the neighbourhood plan, known as the neighbourhood area.
- 1.13 At the same time the City Council had to designate an appropriate organisation to prepare the neighbourhood plan, known in the regulations as the 'qualifying body'. Unfortunately the existing Willenhall Community Forum did not meet the required criteria as set out in the legislation. A new body was therefore formed by the Community Forum known as the Willenhall Neighbourhood Planning Group. Its constitution stated that the group has been established with the express purpose of promoting and improving the social, economic and environmental wellbeing of Willenhall.
- 1.14 Joint applications were therefore submitted to Coventry City Council to designate Willenhall as a neighbourhood area, and the Willenhall Neighbourhood Planning Group as the appropriate qualifying body to prepare the neighbourhood plan. The City Council



publicised the applications for a six week period and invited any representations by 8 August 2013. The City Council subsequently approved the neighbourhood area on 17 October 2013 and the Willenhall Neighbourhood Planning Group as the appropriate qualifying body on 6 February 2014.

1.15 The boundary of the neighbourhood area is indicated below.

### Diagram 1 – The Willenhall Neighbourhood Area



### The Plan Period

1.16 The neighbourhood plan will cover the period 2016 to 2031.

1.17 This corresponds to the end date for the emerging local plan prepared by Coventry City Council. It thereby allows consistency with their evidence base, especially the proposed housing requirement.

### Consultation on the Draft Plan

1.18 As part of the statutory process the Willenhall Neighbourhood Planning Group was required to invite representations on the draft plan prior to it being formally submitted to the City Council. This stage, known as pre-submission consultation, must include a period of at least six weeks to publicise the plan and bring it to the attention of people who live,



work or carry on business in the neighbourhood area, and invite comment. The Group was also required to invite representations on the draft plan from key stakeholders and statutory consultees, including the City Council. This formal consultation took place from 1 November 2016 to 2 January 2017. Following this consultation the draft plan was reviewed in the light of comments received and revised where appropriate.

## **Next steps**

- 1.19 This draft plan was formally submitted to Coventry City Council in July 2017.
  - 1.20 The City Council will publicise the submitted draft plan for a six week period and invite comments. An independent examiner will then be appointed to consider any representations and check that the plan meets certain basic conditions, including conformity with national and local planning policies. The examiner may suggest modifications to ensure this is achieved. The submitted plan can only proceed to a local referendum once the City Council is satisfied that the plan meets the basic conditions and is fit for this final stage. A majority of people voting must then support the plan if it is to be eventually ‘made’ by the City Council.
  - 1.21 Once ‘made’ a neighbourhood plan becomes part of the development plan for the area and it will become a major consideration when determining planning applications.
-

## 2. National and Local Planning Context

### The Basic Conditions

- 2.1 The Localism Act 2011 stipulates that a neighbourhood development plan must meet certain basic conditions before it can come into force. These are:
- a) it has regard to national policies and advice contained in guidance issued by the Secretary of State;
  - b) the neighbourhood plan contributes to the achievement of sustainable development;
  - c) the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area;
  - d) the neighbourhood plan does not breach, and is otherwise compatible with EU obligations; and
  - e) prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with. For example the ‘making’ of the neighbourhood plan is not likely to have a significant effect on a European site as defined in the Conservation of Habitats and Species Regulations 2012.

### National Planning Policies

- 2.2 The Willenhall Neighbourhood Plan must therefore be developed with regard to national policy, most notably the National Planning Policy Framework. The Framework set out the Government’s planning policies for England and came into effect in March 2012. It contains core planning principles which must underpin all plan-making. It provides the basis for local planning authorities to prepare their local plans and for communities producing neighbourhood plans.
- 2.3 The Framework states that neighbourhood plans should support the strategic development needs of the wider area set out in the adopted local plan. They should not promote less development or undermine its strategic policies. It adds that neighbourhood plans should plan positively to shape and direct development that is outside the strategic elements of the local plan.
- 2.4 The Willenhall Neighbourhood Plan must also be mindful of Planning Practice Guidance, which was first published by the Government in 2014. The Guidance explains how national policy should be applied.

### The Development Plan

- 2.5 The Willenhall Neighbourhood Plan must also be in general conformity with the strategic policies of the adopted development plan for the area. This currently comprises the saved policies in the Coventry Development Plan 2001.

- 2.6 However the Development Plan was only meant to cover the period up to 2011. In addition the Government has introduced a significant number of changes to the planning system, such as the introduction of the National Planning Policy Framework and Planning Practice Guidance described above. Even though the Development Plan is therefore somewhat out of date, the Willenhall Neighbourhood Plan must broadly conform to it to meet the basic condition.
- 2.7 Whilst not a basic condition the neighbourhood plan has had more regard to the emerging local plan, especially the up-to-date evidence base that supports its preparation. Planning Practice Guidance states that a draft neighbourhood plan is not tested against the policies in an emerging local plan but the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development.
- 2.8 The emerging local plan will cover the whole city for the period up to 2031. Entitled ‘Coventry Local Plan 2011’, this will establish the key principles that will guide the location, use and form of development in the city. It will also identify land for housing and employment use to meet the identified need.
- 2.9 The emerging local plan was submitted to the Secretary of State (SoS) in April 2016. The public examination hearing sessions took place over 3 stages between July 2016 and January 2017. The City Council then undertook a period of consultation on proposed modifications, which closed at the end of April 2017. The majority of the proposed modifications were regarded by the City Council as minor in nature and none of them fundamentally affected either the overall objectives or direction.
- 2.10 Following this consultation process the proposed modifications and all received responses were sent to the Inspector for final consideration. If satisfied that the proposed changes overcome all outstanding issues of soundness then the inspector will issue the final report and the City Council will move towards adoption of the local plan. At this point it will replace the saved policies in the Coventry Development Plan 2001.
- 2.11 As far as possible the neighbourhood plan has therefore been prepared in parallel with the emerging local plan and the background evidence that has supported its preparation.

## **Sustainable Development**

- 2.12 The National Planning Policy Framework sets out the Government’s approach to sustainable development which essentially is about enabling development to cater for the needs of current generations, but ensuring that development doesn’t mean worse lives for future generations. The neighbourhood plan must thereby be aware of the

economic, social and environmental consequences of its policies and proposals and achieve a positive outcome for each.

## **EU Obligations**

- 2.13 A number of EU obligations may be relevant to the Willenhall Neighbourhood Plan. The City Council has therefore ‘screened’ the plan to ascertain whether the policies and proposals give rise to significant environmental effects and trigger the need to undertake a Strategic Environmental Assessment. The City Council also assessed whether a Habitats Regulations Assessment (HRA) is required.
- 2.14 The City Council published the screening opinion in February 2017. This confirmed that the Willenhall Neighbourhood Development Plan does not require a Strategic Environmental Assessment or an Appropriate Assessment under the EU Habitats Regulations.

## **Basic Conditions Statement**

- 2.15 As required by the legislation, details about how this draft neighbourhood plan meets the basic conditions are set out in an accompanying document known as the ‘Willenhall Neighbourhood Plan : Basic Conditions Statement’.
-

## 3. Profile of Willenhall

3.1 This section provides some background information to set the scene.

### History

- 3.2 The former parish of Willenhall lay two miles south-east of Coventry between the River Sowe and the River Avon. The original centre of the village was at the junction of London Road (then called Weeping Lane) and St. James Lane (then named Newton Lane).
- 3.3 The land was given by Earl Leofric to St. Mary's monastery. In 1279 the main tenant of the Priory was the Willenhall family, who were the principle tenants until the fifteenth century. After the Dissolution of the Monasteries the land reverted to the Crown and was granted to Sir Richard Lee who sold it to John Hales and it continued in the Hales family until the eighteenth century.
- 3.4 Along London Road a few buildings from the old village survive. At the corner of St. James Lane are two pairs of cottages, now with roughcast brick walls, but probably originally timber-framed and dating from the 17th century.
- 3.5 Until the last century the Willenhall inhabitants had few occupations other than farming. In 1921 there were just 25 houses and 129 inhabitants.



Community art on the side of the Hagard Centre showing local history

- 3.6 The parish was extinguished in 1932 when 464 acres in the north-west were transferred to Coventry County Borough and 308 acres in the south-east to Baginton civil parish in Warwick Rural District.
- 3.7 A heritage trail has been produced by the Willenhall Local History Group.

## Housing Development

- 3.8 About a hundred houses were built before the Second World War in the area of St. James Lane and London Road. Although the area remained largely agricultural there was a brickworks and many people were employed at the nearby Binley Colliery to the north.
- 3.9 Chapel Farm was demolished in 1941 to create the Chace National Service Hostel as temporary housing for war workers from around the country. A team of local builders constructed a series of hostel blocks and the village population increased by 1,000 as people from all over Britain came to work in factories such as Rootes and Armstrong-Whitworth as part of the war effort. After the war the hostel served as temporary housing for people seeking permanent homes in the city. It housed people of more than 15 nationalities who arrived either as refugees, or workers engaged in the reconstruction of Coventry. The multi-national mix of people included Poles, Estonians, Latvians, Lithuanians, Ukrainians, Hungarians, Indians and Africans.



*Old postcard showing Remembrance Road*



- 3.10 In 1950 the then Coventry Corporation began to develop Willenhall Wood as one of its three new self-contained communities on the outskirts of the city. Along with Tile Hill and Bell Green, Willenhall was one of the first post war suburbs to be built in the city. These new estates were established near wartime ‘shadow’ engineering factories, so there were local employment opportunities even for those who did not yet own a car. These new estates were intended to be self contained communities surrounded by parks and woodland. Located at the heart of the estate was a primary school and a neighbourhood centre comprising a church, library, shops and other community buildings. The new parish church in Willenhall was St. John the Divine, which was designed by Sir Basil Spence. In common with the other estates, Willenhall comprised 1,276 houses built in a rectilinear fashion around village greens. The house types were varied to promote a mixed community but had regard to the waiting list statistics. This resulted in a high proportion of flats for single people and young families.
- 3.11 The Willenhall Wood estate comprising 650 dwellings followed in 1959. The earlier estates took little account of the car. These were parked on the street or in the few lock up garages that were available. However Willenhall Wood was the first large-scale Radburn-type planning layout in Britain. This was based on a pioneering planned community in New Jersey, America where peripheral roads allowed the houses and local amenities to have safe, vehicular free access. In Willenhall Wood the peripheral road of Middle Ride led to a series of cul-de-sacs within tight courtyards of houses. These were served by some parking and garages, which allowed entrances to the houses through small back gardens. At the front of the houses were village greens that connected the whole of the estate to local amenities without having to cross a road.



*Old postcard showing the original play area at Middle Ride*

- 3.12 The latter phases of Willenhall Wood involved a further 529 dwellings built between 1960 and 1965 to the south of Middle Ride. However as car ownership was increasing the design saw longer ribbons of houses built with large courtyards incorporated for car parking.
- 3.13 In the last twenty years there has been some piecemeal redevelopment of the estate including the former shopping precinct. There has also been further residential infill creating a high density layout.
- 3.14 In 2000 the former City Council housing stock was transferred to the Whitefriars Housing Group, which is now the largest social landlord in Willenhall.

**Current Population**

- 3.15 According to the Census 2011 the population of the area is 7,910 with an average household size of 2.2 persons.



*Refurbished flats on Robin Hood Avenue*

**Assessing the housing need**

- 3.16 As part of the evidence gathering a ‘Housing Needs Assessment’ for the Willenhall Neighbourhood Area was undertaken by AECOM Infrastructure & Environment UK Limited (“AECOM”) in November 2015.
- 3.17 The background information that informed the housing needs assessment included:
  - population and household size
  - age breakdown of population



- rate of change in the age structure of the population
- country of birth and length of residence
- rates of change in number of rooms per household
- trends in number of persons per room
- tenure (households
- rate of tenure change
- rental sector statistics
- household composition
- rates of change in household composition
- change in household numbers and size
- accommodation type (households)
- concealed families
- economic activity
- rates of long-term health problems or disability
- distance travelled to work

3.18 The full report is available at: [www.willenhallcommunityforum.com](http://www.willenhallcommunityforum.com)

## Local Business

- 3.19 Willenhall is primarily a residential neighbourhood and there are relatively few employers located on the estate.
- 3.20 The Airport Retail Park is located within the Willenhall Neighbourhood Area, which comprises modern retail warehouse accommodation (see later section on retail).
- 3.21 Immediately outside the neighbourhood area to the north there is the Seven Stars Industrial Estate and Asda Abbey Park Superstore. A short distance to the east is the Binley Industrial Estate on the former colliery site. The Jaguar Land Rover (JLR) global HQ is located about a mile to the east lay in Whitley. In March 2015 the company completed a £20m investment to double the size of its base. In January 2016 JLR put forward expansion plans for a 30 acre site on the opposite side of the A45 near Baginton Airport costing in the region of £200m. An adjoining 30 acre site would be used for JLR suppliers creating around 6,000 jobs in total. However this proposal has yet to receive planning permission.

## Health

- 3.22 According to data from Public Health England, Willenhall is classed as being ‘significantly worse’ than the national average in terms of: income deprivation; low weight births; child poverty; general health; limiting long term health or disability; overcrowding; provision of 50 hours or more unpaid care per week; pensioners living alone; older people in deprivation; children's and young people's admissions for injury; deliveries to teenage mothers; emergency hospital admissions for all causes; hospital stays for self harm;

hospital stays for alcohol related harm; life expectancy at birth for males and females; deaths from all causes, all ages; deaths from all cancer, all ages; deaths from circulatory disease, all ages; deaths from coronary heart disease, all ages; deaths from stroke, all ages; and deaths from respiratory diseases, all ages.

- 3.23 Health facilities within Willenhall include: The Willenhall Health Centre (including GP Surgery); Willenhall Oak Medical Centre; Dr. Kenyon & Partners; Pharmacist, x 2; Dentist; and Children's Centre.

## **Education**

- 3.24 Early Years Provision includes: Eureka Childcare x 2; Playdays Preschool; St Anne's Preschool; and Children's Centre – Woodlands Nest.
- 3.25 Willenhall has 3 Primary schools: St. Anne's RC Primary School; Stretton Academy Church of England; and Willenhall Community Primary. There is no provision for secondary education pupils within the neighbourhood area.

## **Retail**

- 3.26 Within Willenhall there is Heart of England Cooperative, a small supermarket, market and car boot sale.
- 3.27 The Airport Retail Park is located within the Willenhall Neighbourhood Area. It is located alongside the A46 Eastern Bypass, though is accessed via the London Road. The scheme comprises 102,500 sq ft of modern retail warehouse accommodation. It is anchored by a Curry's Mega Store and Dunelm Mill. The other occupants include Smyth's, Poundworld, B & M Discount Store, Carpet Right and Halford's. In June 2015 the City Council approved a planning application to erect an Aldi Superstore at the Airport Retail Park, which will be in addition to the above.

## **Social and Community Facilities**

- 3.28 There are a number of social and community facilities within the area. These include several religious buildings, sports clubs and social provision.
- 3.29 There are also a number of voluntary and public sector organisations active in Willenhall, which deliver various activities. This includes: the Coventry South Credit Union; Coventry Independent Advice Service; Inbetweeners Club; Youth Service; YMCA; Coventry Food bank; Probation Service; Willenhall Community Forum; and the Recovery Partnership.
- 3.30 The Alan Higgs Centre is a leisure centre, which is situated in about 80 acres of grounds off Allard Way. It opened in September 2004 and specialises in providing football, outdoor sports facilities and nature activities. In August 2016 Wasps RFC received

planning permission to build a £7million training centre at the centre. The plans will see three of the four football pitches at the site converted to use for rugby and an indoor kicking area constructed. In September 2016 the City Council agreed funding of £10.5million to build a 50m swimming pool on the site of the indoor pitch at the venue.



Community activities at the Hagard Centre

## Crime and anti-social behaviour

- 3.31 There are unacceptable levels of anti-social behaviour within Willenhall. It is believed that the housing layout can sometimes facilitate crime. There are high levels of domestic abuse within the area.
- 3.32 Willenhall is the location of the Chace Avenue police station that forms part of the Coventry Local Policing Team of the West Midlands Police and houses the Binley and Willenhall neighbourhood team. However the front counter at Willenhall Police Station was closed in 2015 as part of efforts to save money.

## Green Spaces

- 3.33 There are two strategic green spaces within the neighbourhood area, notably the Sowe Valley and Willenhall Wood.
- 3.34 The Sowe Valley is a continuous riverside green space stretching 8½ miles from Hawkesbury Junction Conservation Area in the north of Coventry to Whitley Grove Wood in the south of the city. It contains a way-marked footpath that passes many interesting



sites along its length and is a recognised wildlife and recreational resource that brings the ‘feel’ of the countryside into the city.

- 3.35 Towards its southern end the Sowe Valley passes through the Willenhall Neighbourhood Area and provides a valuable green space resource for the local community. There are many hedgerow trees present such as blackthorn, which are remnants of past agricultural activity. However the landscape here is mainly open rough grassland creating an informal open space. It is thereby popular for children’s play and walking.
- 3.36 The Sowe Valley currently has Green Belt status, though there is a proposal in the emerging Local Plan to re-designate it as Local Green Space. Part of it is also a Local Nature Reserve.
- 3.37 Willenhall Wood is also a Local Nature Reserve. It is situated south of St James' Lane between Middle Ride, Yarningale Road and the city boundary. It was purchased by Coventry City Council with other land in 1952.
- 3.38 It is mixed, deciduous, ancient and semi-natural woodland that covers 9 hectares. The wood contains a diverse canopy of oak, ash, wild cherry, silver birch and rowan. The shrub layer contains hazel, elder, hawthorn and natural regeneration of oak, aspen, birch and ash.
- 3.39 The wood contains a network of footpaths providing interesting informal walks with panoramic views across farmland to the south and open countryside from the eastern end. A 600 metre all-weather path has been installed on the east side to enable both local people and people with disabilities to gain greater access to the wood.



*Willenhall Woodland Trail*

- 3.40 During the summer months many wild flowers bound the footpaths including greater stitchwort, common speedwell, nipplewort and hawkweed. The most outstanding feature is the display of bluebells during May and June concentrated in the eastern end of the wood.
- 3.41 Willenhall Wood was the site of a plane crash in 1994 when a Boeing 737 came down as it headed to Coventry Airport, killing all five crew. Willenhall residents believe the pilot crashed in the trees to avoid hitting nearby homes.
- 3.42 In addition there are several smaller green spaces distributed amongst the housing. These include: Arnhem Corner; Wroxhall Drive; Middleride; Brookstray; and Stretton Avenue.



*Open space between St James Lane and Middle Ride*

## 4. Community Engagement

### Initial Consultation

- 4.1 As part of the initial preparation of the neighbourhood plan the Group utilised a consultation exercise initiated by the City Council in 2015.
- 4.2 An event known as Appreciative Inquiry was used to provide some initial input into the emerging neighbourhood plan. In particular it provided some evidence of the needs and opinions of the local community and the various stakeholders represented.



*Participants at the Appreciative Inquiry Event*

- 4.3 Participants were asked to consider future aspirations for Willenhall. The following emerged during the discussion:
- increased community safety, with a reduction in crime and anti-social behaviour;
  - young people need to feel safe and supported with adequate and positive activity for them to do;
  - to have good quality, affordable social housing;
  - good community cohesion with all ethnic backgrounds living together harmoniously;



- the health and well-being of local people is addressed with good support from the relevant organisations and services; and
- to have good governance whereby the local community can influence the decision making process with associated good communications about what is happening in the area.



Display at the Appreciative Inquiry Event

- 4.4 This initiative provided the starting point for the preparation of the neighbourhood plan.
- 4.5 In March 2016 a copy of the first draft of the plan was distributed to various government agencies and local stakeholders, such as Coventry City Council and Whitefriars Housing. These bodies were invited to attend a presentation at WEETC and/or comment on the initial draft plan.
- 4.6 Based on the feedback from the various consultees, some alterations were made to the initial draft plan

## Pre-Submission Consultation

- 4.7 The pre-submission consultation period lasted from 1 November 2016 until 2 January 2017.
- 4.8 A copy of the notice announcing the publication of the draft neighbourhood plan and the opportunity to comment was distributed by email to 90 stakeholders, partners and local residents. This fulfilled the statutory requirements to contact the consultation bodies specified in paragraph 1 of Schedule 1 of the Neighbourhood Planning (General) Regulations 2012.

- 4.9 A notice was also placed in the local newsletter known as the Willenhall Focus and about 3,000 copies were distributed throughout the neighbourhood area. A leaflet was produced containing a brief summary of the draft plan contents and the consultation details. This was distributed at various community events and meetings. Meetings took place with local groups including the Craft Group, History Group and Men’s Shed.
- 4.10 Posters were displayed at 40 local businesses including shops, beauticians, restaurants and pubs also community venues such as local churches, health centres and the library.



*Banner displayed at the entrance to WEETC in Robin Hood Road*

- 4.11 The plan and associated public materials stated that a copy of the plan could be inspected on the website: [www.willenhallcommunityforum.com](http://www.willenhallcommunityforum.com). Hard copies of the plan were also made available for inspection at the:
- WEET Centre
  - Hagard Community Space; and
  - Willenhall Library.
- 4.12 The group only received 10 responses. This comprised 5 responses from local residents and 5 responses from various organisations.
- 4.13 All the respondents were broadly happy with the overall content of the neighbourhood plan and there were no fundamental criticisms or areas of concern. There were also several detailed comments which were assessed and, where appropriate, the draft plan amended accordingly.



## Consultation Statement

4.14 Further details about all the engagement undertaken is provided in the consultation statement, which is a separate document that accompanies this plan. As required by the Regulations the consultation statement specifies:

- details of who was consulted on the proposed neighbourhood plan;
  - an explanation of how they were consulted; and
  - a summary of the main issues and concerns raised throughout the consultation.
-

## 5. Key Issues

### Evidence Gathering

- 5.1 A number of issues emerged from the evidence gathering.
- 5.2 Willenhall was a prize winning council housing estate that was largely constructed in the late 1950s and early 1960s. Over the intervening years there has been some piecemeal redevelopment of the estate including the former shopping precinct.
- 5.3 In 2011 Willenhall had a population of 7,910. Between 2001 and 2011 there was a significant decrease across the 65-84 age band. Conversely there was a significant increase in the proportion of children and people aged 25-44, which suggests that many families may have moved to or formed within the area. There was also a significant increase of one family households with dependent children.
- 5.4 Willenhall is home to fewer people born outside the UK (18.8%) than Coventry as a whole, but is nevertheless higher than the national average. Data on ethnic origin shows that Willenhall's residents are 81.5% white with 11.4% of the population classing themselves as Black African.
- 5.5 The level of owner occupation is significantly lower than the Coventry average. As of November 2015 the average house price in CV3, Willenhall's postcode area was £182,291. This compares with a lower Coventry average of £172,724. Conversely the proportion of social rented housing is significantly higher. However properties in Willenhall rent faster than across Coventry indicating higher levels of demand.
- 5.6 The proportion of dwellings that are detached houses, semi-detached or bungalows is significantly lower than the national average. The proportion of flats is significantly above both local and national averages.
- 5.7 Levels of unemployment are significantly above local and national averages. The proportion of working-age residents who are long-term sick or disabled significantly exceeds Coventry and England averages.
- 5.8 Willenhall is classed as being 'significantly worse' than the national average in terms of general health, limiting long term health or disability, overcrowding, deliveries to teenage mothers, and life expectancy at birth for males and females. It is also significantly worse in terms of deaths from all cancers, circulatory disease, coronary heart disease, stroke, and respiratory diseases.
- 5.9 There is a good range of services and facilities, though these are being increasingly centralised or re-organised as a consequence of Government cutbacks

## Community Engagement

- 5.10 Some additional key issues emerged from the initial community engagement.
  - 5.11 There are disproportionate levels of poverty and fear about the impact of benefit reductions.
  - 5.12 There are financial problems associated with underemployment and low pay. Amongst young people there are high levels of unemployment and a lack of accessible employment opportunities. There is a lack of training matched to the skills required by employers.
  - 5.13 There are unacceptable levels of anti-social behaviour and a lack of things for young people to do. Poor housing design in places sometimes facilitates crime. There are high levels of domestic abuse.
  - 5.14 Services and facilities are moving away from the Willenhall area and being centralised in the city centre, making them less accessible to some users. Provision needs to be more co-ordinated.
  - 5.15 The community needs good transport links to places outside the Willenhall area, including employment opportunities in the adjoining areas and the city centre. Residents complain about the condition of local roads including pot holes.
  - 5.16 The housing was not thought fit for purpose. More affordable housing was felt necessary, especially for young families.
  - 5.17 Local schools that are full and there is pressure for local primary school places. A family may have children attending different schools.
  - 5.18 The open spaces need to be protected and better managed. Energy use and fuel poverty needs to be addressed.
  - 5.19 The local community want to be empowered with good local governance and decision making. There is a need for a new community centre, which could accommodate various activities and social facilities.
-

## 6. Vision and Objectives

- 6.1 The National Planning Policy Framework states that neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.
- 6.2 In order to address the key issues that emerged from the evidence gathering the following vision and objectives have been identified.

### Vision

- 6.3 The vision is:

Willenhall will be a vibrant, healthy and safe neighbourhood. It will have a strong community comprising people of all ages and backgrounds who live, work and play together.

### Objectives

- 6.4 What became clear in the consultation with local residents was a strong desire to have an active and strong neighbourhood with good community cohesion and social interaction.
- 6.5 The National Planning Policy Framework states that planning policies and decisions should aim to achieve places which promote:
- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;
  - safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
  - safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

These are key principles that new development in Willenhall should adhere to.

- 6.6 Planning Practice Guidance adds that the health, wellbeing and quality of life of those who will be using an area will be influenced by its cohesion. The vitality of neighbourhoods is enhanced by creating variety, choice and a mix of uses to attract people to live, work and play in the same area. Interesting and safe neighbourhoods often have a mix of uses which involves different people using the same parts of a building or place at different times of the day, as well as different uses happening in

various parts of a building or space at the same time. Neighbourhoods should also cater for a range of demographic groups especially families and older people.

- 6.7 A mix of uses will be successful when they are compatible one with another and interact with each other positively avoiding opportunities for conflict. To encourage a mix of uses that are both vibrant and safe buildings can be designed so as to facilitate different access arrangements at different times.
- 6.8 If community cohesion is to be successfully achieved in Willenhall a key component must be meaningful partnership between the various service providers and agencies.
- 6.9 The objectives for the neighbourhood plan are therefore as follows.

1. To provide a mix of house types and tenures to meet the need
2. To ensure all future development is designed to a high quality
3. To have a thriving and diverse local shopping centre
4. To provide a mix of services and facilities to enable people to have all their needs met within the area
5. To improve health and well-being
6. To make it easier for people to travel inside and outside the area
7. To protect and improve important green spaces

- 6.10 These objectives will be delivered through the policies and proposals outlined in Section 7.
-

## 7. Policies and Proposals

- 7.1 The National Planning Policy Framework states that forums can use a neighbourhood development plan to set planning policies that can be used to determine planning applications submitted for the area.
- 7.2 The following policies are therefore designed to deliver the vision and objectives outlined in the previous section and be used in decision making by Coventry City Council and planning inspectors when assessing planning applications.
- 7.3 Each policy contains supporting justification to substantiate the approach being adopted. In accordance with the statutory requirement to meet the basic conditions, each policy has regard to:
- the need to be in general conformity with national planning policy, most notably the National Planning Policy Framework;
  - the need to be in general conformity with the strategic policies in the Coventry; Development Plan 2001, but also to be mindful of the emerging Coventry Local Plan 2016;
  - the findings from the evidence base including the bespoke research; and
  - the views expressed by the local community during the various consultation initiatives.

### Objective 1: To provide a mix of house types and tenures to meet the need

- 7.4 To significantly boost the supply of housing, the National Planning Policy Framework states that local planning authorities should use their evidence base to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing in their housing market area.
- 7.5 The emerging local plan states that the current housing requirement for Coventry and Warwickshire between 2011 and 2031 is estimated as being about 88,000 dwellings. Of this total Coventry is assessed as needing 42,400 dwellings because the requirements of the existing population projections based on the Government's forecasts, Coventry and Warwickshire's Joint Strategic Housing Market Assessment, and the anticipated economic growth in jobs.
- 7.6 A City Council led assessment of land availability within Coventry has identified that there is enough land for 24,600 dwellings. Through discussion and negotiation with neighbouring authorities the remaining 17,800 dwellings have been redistributed to the Warwickshire Districts.
- 7.7 Of the 24,600 houses to be found within Coventry's boundary it is estimated that 16-17,000 dwellings could be accommodated on brownfield sites, with the balance of 7,000-8,000 dwellings needing to be found elsewhere.



- 7.8 These figures are for the city as a whole. There is no specified housing requirement for the Willenhall Neighbourhood Area within the emerging Local Plan. However the Housing Needs Assessment undertaken by AECOM interrogated a wide range of data sources which, taken together, have informed the key trends in housing demand for the neighbourhood plan. This included recommendations on the overall quantity of housing growth probably required over the plan period.
- 7.9 The AECOM study identified four separate projections of dwelling numbers for Willenhall between 2011 and 2031 based on:
- a figure derived from the Coventry and Warwickshire Joint Strategic Housing Market Assessment Final Report (November 2013) from 2011 to 2031 (which gives a total of 1,180 dwellings, or 59 per year);
  - the Government’s 2012-based household projections, extrapolated to Willenhall translated from households to dwellings, and rebased to actual 2014 population (which gives 1,102 dwellings, or 55 per year);
  - a projection forward of dwelling completion rates 2001-2011 (which gives 426 dwellings, or 21 per year); and
  - a projection forward of dwelling completion rates 2011-2015 (which gives 136 dwellings or 14 per year).
- 7.10 AECOM then assessed the likely impact of various factors on the above. This included age structure and population; economic performance; house prices; migration; supply in housing market; waiting lists and need for affordable housing; vacancy rates; overcrowding; and rental market.
- 7.11 Based on the data on the quantity of dwellings required and the market factors affecting those quantities, AECOM recommended that unconstrained housing need for the neighbourhood area (i.e. that does not reflect supply-side constraints) in the period 2011-2031 would be approximately 1,300 net additional dwellings, or around 65 dwellings per year over the plan period.
- 7.12 However between April 2011 and March 2016 a number of proposals for residential development have received planning permission. These are listed below.

**Table 1: Residential Planning Applications (April 2011 to March 2016)**

Reference	Description	Decision	Date
OUT/2014/1740 Land off Middle Ride	Erection of up to 257 dwellings, demolition of 1-8 Field March with vehicular access to Middle Ride, emergency access to St.James' Lane and public open space (Outline with details of access submitted)  <a href="http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=756738">http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=756738</a>	Outline Approval	28/08/2014

OUT/2015/0040 Land Adjacent To And Containing 483 London Road	Erection of 12 dwellings (outline application with details of access, layout and scale) comprising four 2 storey dwellings and eight 2.5 storey dwellings.  <a href="http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=764247">http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=764247</a>	Outline Approval	13/04/2015
FUL/2011/2271 Land at Stretton Avenue and Chace Avenue	Erection of 26 apartments and houses together with associated access road, parking areas and landscaping.  <a href="http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=730484">http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=730484</a>	Full Approval	10/02/2012
FUL/2013/1615 Land Adjacent to 90, 98 and 106 Yarningale Road	Demolition of garages and erection of 2 flats and a double garage.  <a href="http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=749415">http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=749415</a>	Full Approval	09/12/2013
FUL/2013/1837 Land adjacent to 5 Chepstow Close	Erection of two dwelling houses.  <a href="http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=750150">http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=750150</a>	Full Approval	07/11/2013
FUL/2013/1851 Land adjacent to 10 Littlethorpe	Erection of two dwellings.  <a href="http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=750201">http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=750201</a>	Full Approval	05/11/2013
OUT/2011/2108 Land east of 25 St James Lane St James Lane	Erection of two dwelling houses (outline application with means of access and layout to be discharged).  <a href="http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=728104">http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=728104</a>	Outline Approval	12/01/2012

Source: Coventry City Council (April 2016)

- 7.13 From the above it is estimated that 303 dwellings have been given full or outline planning permission. As a consequence there is a net requirement for 1,000 dwellings over the remainder of the plan period.
- 7.14 However it is important to note that this figure represents the estimated housing need in Willenhall and does not reflect supply-side constraints such as the availability of suitable land to build upon. Most importantly it is not considered possible to accommodate the forecast need entirely from within the neighbourhood area owing to various physical and environmental constraints.
- 7.15 The emerging local plan includes a site allocation for residential development that is located within the neighbourhood area. Table 4.2 indicates that land at London Road/Allard Way (Site reference H2:9) will be used for 200 dwellings. Spread over two adjoining sites the proposed development is required to retain and reuse the locally listed pumping station and lodge. The local plan stresses that important hedgerows must be retained and the biodiversity/ecological impacts managed. The provision of at least 2.5ha

of publicly accessible green space will be required as part of the development. Policy GB1 removes this allocation from the Green Belt.

- 7.16 In addition the Strategic Housing Land Availability Assessment (known as the SHLAA) undertaken by the City Council in 2015 indicated potential capacity for a further 98 dwellings within the neighbourhood area at:
- Dunsmore Avenue - 6 units
  - Stretton Avenue - 35 units
  - Chase Avenue - 53 units
  - London Road - 5 units.
- 7.17 Policy H3 in the emerging local plan states that, wherever possible, new developments should also be:
- a) within 2km radius of local medical services;
  - b) within 1.5km of a designated centre within the city hierarchy (policy R3);
  - c) within 1km radius of a primary school;
  - d) within 1km of indoor and outdoor sports facilities;
  - e) within 400m of a bus stop; and
  - f) within 400m of publicly accessible green space.
- 7.18 There are possibly other smaller windfall opportunities that have not been captured by the assessment or are too small to be included. For example as a consequence of the proposed rationalisation of various community buildings and the creation of a new community hub (see ‘Social and Community Facilities’ later in this section) the sites currently occupied by the Willenhall Education Employment and Training Centre in Robin Hood Road would become surplus to requirements. It is proposed that the redundant building meets the above criteria listed in Policy of the emerging be demolished and the brownfield site redeveloped for housing.
- 7.19 This approach is in accordance with Policy CO2 in the emerging local plan. This states that under such circumstances the first consideration will be whether there is still a local need for services currently or last provided on that site. As the overall proposal in Willenhall is to provide more effective and co-ordinated services within the proposed community hub, there is clearly not a need for the redundant building to remain in community use. In accordance with Policy CO2 the replacement facility will:
- continue to serve the community;
  - be of appropriate scale and character; and
  - be of high quality design.
- 7.20 Subject to the community hub being developed, the redundant brownfield sites will then be redeveloped for housing.
- 7.21 Nevertheless the combined total of land with planning permission, allocations in the emerging local plan and windfall sites would still leave a shortfall of around 674 dwellings to meet the estimated housing need as indicated in Table 2.



**Table 2: Estimated Shortfall in Housing Provision**

	Number of Dwellings
Estimated housing need for the neighbourhood area (2011-2031)	1300
Full or outline planning permission already granted (2011-2016)	303
Allocation in the emerging Local Plan at London Road/Allard Way	200
Estimated windfall sites from SHLAA	98
Estimated redevelopment of WEETC site	<u>25</u>
Total housing provision	<u>626</u>
Estimated shortfall to meet need	674

- 7.22 This demonstrates that the overall provision does not meet the full estimated need arising in Willenhall from within the neighbourhood area.
- 7.23 However there is no specific obligation in the emerging local plan to meet unconstrained need in full from solely within Willenhall.
- 7.24 The estate is already built at a very high density and there are few opportunities for further development. The only way in which the estimated housing need could be met from within the neighbourhood area is by encroaching on the Sowe Valley to the north-west. This currently has Green Belt status and is a Local Nature Reserve. Although the emerging local plan proposes to change the designation of the valley from Green Belt to Local Green Space, most forms of development will still be restricted. Willenhall Wood lies to the south-east. This is ancient woodland and is designated as a Local Nature Reserve. There are therefore substantial environmental constraints to large scale development within the strategic open spaces in the neighbourhood area.
- 7.25 The following policy therefore outlines the scale of residential development that can be accommodated within Willenhall that will contribute towards the estimated need. It also indicates where this development will be located.

**Policy 1 - Scale and Distribution of Housing Development**

1. Provision will be made for a minimum of 323 additional dwellings in the neighbourhood area between 2016 and 2031.
2. This provision will be distributed as follows:
  - a) London Road allocation in the emerging Coventry Local Plan 2016 (200 dwellings)
  - b) Small scale windfall development (123 dwellings)

- 7.26 To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, the National Planning Policy Framework states that local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities.

7.27 Policy H4 in the emerging local plan deals with securing a mix of housing. It states that the City Council will require proposals for residential development to include a mix of market housing which contributes towards a balance of house types and sizes across the city in accordance with the latest Strategic Housing Market Assessment. In assessing the housing mix in residential schemes the policy adds that the City Council may take into account developments in neighbourhood plan areas where there is an up-to-date local housing needs assessment which provides a more appropriate indication of housing need.

7.28 In their assessment AECOM examined local factors specific to Willenhall with a potential impact on neighbourhood plan housing characteristics.

**Table 3: Factors that potentially impact on housing characteristics**

Factor	Conclusion
Affordable housing	Subject to consultation with Coventry Council, it would appear that (subject to any decreases in existing provision through Right to Buy) affordable housing contributions required of developers within the Plan area should normally be directed to other parts of Coventry where the need is greater, and the new dwellings to be provided in the plan area should consist of open market dwellings.
Demand for smaller dwellings	Provide within range of new dwelling sizes a limited proportion of smaller dwellings (1-2 bedrooms), for which there is evidenced demand, but note existing high levels of provision, so monitor carefully levels to be provided to ensure no oversupply.  Providing these smaller units will also be an effective response to the increase in private renting seen locally, and would offer the opportunity for the (albeit limited) older population to downsize locally.  For smaller units aimed at older people downsizing, bungalows are likely to be in greater demand than flats.
Housing type	To provide a wider range of dwellings and a more balanced community, the neighbourhood plan area may wish to encourage the provision of more detached and semi-detached homes, which would complement the large number of existing smaller terraced units and flats.  These detached and semi-detached homes would be an effective response to the recent increase in families within the plan area.



Need for larger/family households	<p>In order to provide a greater balance/mix of dwellings, and to cater for the significant increase in families with children evidenced by the Census data (including ethnic minorities), within the range of new dwelling size, there is likely to be a need for a significant proportion of larger, family sized dwellings (i.e. 3-5 bedroom units).</p> <p>As per conclusion above, these could be detached or semi-detached.</p>
Need for specialist housing for the disabled and/or elderly	<p>The high levels of people with disabilities living locally suggests that the neighbourhood plan should support the provision of new housing adapted for disabled residents, as well as supporting improvements and adaptations to existing socially-rented properties.</p> <p>The group should aim for new housing for disabled residents to be located in easily accessible locations close to services and facilities such as shops.</p>

Source: AECOM using SHMA, Census and home.co.uk

7.29 The following policy outlines the mix of residential development required in Willenhall to meet the identified housing need.

#### Policy 2 - Mix of Housing

1. A proposal for residential development should include a mix of market and affordable housing in accordance with the identified housing need in Willenhall.
2. A scheme will be supported if it provides a range of dwelling sizes that include:
  - a) a limited proportion of smaller dwellings (1-2 bedrooms) including units suitable for the disabled and older people if located close to existing services and facilities; and
  - b) a significant proportion of larger, family sized dwellings (3-5 bedroom units) comprising detached and semi-detached properties.

#### Objective 2: To ensure all future development is designed to a high quality

- 7.30 Whether considering proposals for constructing new dwellings, or extending or refurbishing existing properties, steps should be taken to improve their individual design and their appearance in the street scene. Where appropriate the same principles should apply to other forms of development in the area.
- 7.31 Policy DE1 in the emerging local plan states that all development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area. It adds that all development will be expected to meet the following key principles:
- a) respond to the physical context of the site;
  - b) consider the local distinctiveness and identity of the site but also have regard to opportunities to enhance the local built and natural environment through new development and enhanced design;

- c) where appropriate, retain and incorporate into the layout the protection of important views, including key views of the three spires;
- d) preserve or enhance the character and setting of the historic built, landscape and where appropriate archaeological environment;
- e) preserve or enhance the character and setting of major road, rail and canal corridors;
- f) clearly define the boundaries between public and private spaces and enclosure of space;
- g) provide attractive, safe, uncluttered, active and easily identifiable, high quality public spaces;
- h) make places that interconnect and are easy to move through;
- i) ensure places are easily understood by users, with clear routes and distinct physical features;
- j) seek high quality design and attention to detail in the layout of developments, individual buildings and infrastructure in terms of function and impact, not just for the short term, but over the lifetime of the development;
- k) be adaptable to changing social, technological, economic and market conditions and ensure that developments maximise the use of the site;
- l) promote diversity through mixes of uses within a site or building, which work together to create vital and viable places;
- m) be proactive in responding to climate change and adopt sustainable and low carbon construction principles in terms of their design, layout and density;
- n) consider green infrastructure at the earliest stage in the design process, to ensure that it is well planned, designed, managed and maintained. It should also be well integrated and serve multiple purposes (as appropriate);
- o) support the integration of through routes for public transport and incorporate suitable bus priority measures as appropriate;
- p) minimise adverse impact on important natural resources;
- q) conserve, restore or enhance biodiversity; and
- r) respect and enhance landscape quality including trees, hedges and other landscape features of value.

7.32 The neighbourhood plan has built on this city-wide policy in the emerging plan to highlight the local circumstances prevalent in Willenhall.

7.33 Willenhall is a clearly defined neighbourhood sitting inside four major transport corridors that make it distinctive from the surrounding suburbs of Coventry and the adjoining Warwickshire countryside. It was largely developed as a self contained post war Council housing estate comprising over a 1,000 dwellings with shops and community buildings at its centre. It was constructed at a relatively high density and in places laid out on 'Radburn' lines. In the last twenty years there has been some piecemeal redevelopment of the estate including the former shopping precinct. However it still largely follows the pattern and style of the original planned development. So despite the incremental changes over the years it retains its original 'feel and character', which has reinforced the

sense of community. Any new construction should be sympathetic to this and avoid introducing different styles and a piecemeal approach.

## Connecting Places

- 7.34 Planning Practice Guidance states that many of our streets already exist and the way they are changed or managed will not fall within planning controls. However it adds that planning policies and decisions should look to create streets that support the character and use of the area. The Guidance adds that development proposals should promote accessibility and safe local routes by making places that connect appropriately with each other and are easy to move through. Attractive and well-connected networks encourage more people to walk and cycle to local destinations. For this reason the Guidance states that streets should be designed to be functional and accessible for all, to be safe and attractive public spaces and not just respond to engineering considerations.
- 7.35 The scale of residential development proposed within Willenhall may give some concern. However the Guidance suggests that more people on the street can lead to improved personal security and road safety. It adds that research shows that the presence of pedestrians causes drivers to travel more slowly and safely. The Guidance says that the transport user hierarchy should be applied within all aspects of street design – consider the needs of the most vulnerable users first: pedestrians, then cyclists, then public transport users, specialist vehicles like ambulances and finally other motor vehicles.
- 7.36 Home Zones are one way to achieve a good balance between the needs of the local community and drivers in residential streets, by allowing through vehicle movement at low speeds, prioritising walking and cycling as travel modes and providing space for residents to meet, relax and play. Home Zones with restricted speeds within residential area give greater priority to non-motorised users and improve the quality of life of residents by making them places for people instead of just being thoroughfares for vehicles. (See: Circular 02/2006: 'The Quiet Lanes and Home Zones (England) Regulations 2006')
- 7.37 In particular efforts should be made to improve the connectivity of the local shopping area and services and facilities to cyclists and pedestrians, and deter dependence on the motor car for short trips.

## Car Parking

- 7.38 Linked to the above is car parking, which is a big issue in the area. The original estate was designed when car ownership levels were very low and parking provision was not therefore required to a significant degree. However the estate is now trying to adjust to vastly increased car usage and parking requirements. As a consequence there are now problems associated with parking in appropriate places, such as on pavements

causing problems for pedestrians or obstructing safe traffic flow and access for emergency vehicles.

## Crime

- 7.39 The National Planning Policy Framework states that neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. It adds that planning policies and decisions should aim to ensure that developments, amongst other things, should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
- 7.40 Planning Practice Guidance states that designing out crime and designing in community safety should be central to the planning and delivery of new development. The prevention of crime and the enhancement of community safety are therefore matters that the City Council should consider when exercising its planning functions. The emerging local plan states that well designed and maintained streets and public spaces can reduce anti-social behaviour and crime including the perception and fear of crime.
- 7.41 The community engagement with Willenhall residents and stakeholders revealed that there are unacceptable levels of anti-social behaviour. It was also felt that some housing design facilitates crime. In places there are problems associated with the existing layout, particularly the poorly designed pedestrian routes that lack natural surveillance and do not feel particularly safe for those people using them.
- 7.42 Secured by Design (SBD) is a police initiative to guide and encourage the design and build of new homes that incorporate crime prevention measures. The advice provided by the specification has been proven to reduce the opportunity for crime and the fear of crime. It therefore creates safer, more secure and sustainable environments. Secured by Design is owned by the Association of Chief Police Officers (ACPO) and is supported by the Home Office and the Department for Communities and Local Government (DCLG). For more information see: <http://www.securedbydesign.com/>

## Storage facilities

- 7.43 The current refuse collection arrangements require each household to have three separate wheelie bins for normal waste, green waste and recycling material. Their presence in the street scene outside of collection days can create a sense of an uncared for and unkempt neighbourhood. Occasionally this is simply down to bad neighbours who do not return wheelie bins to their property after they have been emptied. However in some instances there are insufficient storage facilities. Any new properties should include easily accessible and hidden storage facilities for wheelie bins.

## Environmental measures

- 7.44 Much of the area suffers from low income, a consequence of which is that many households struggle with fuel poverty finding themselves unable to maintain a comfortable and warm home. It is crucial that new development and refurbishment seeks to address this issue through ensuring new development achieves high levels of energy efficiency, and by encouraging proposals for local energy generation through renewable technologies.
- 7.45 The emerging local plan states that 15.7% of households in Coventry experience fuel poverty and this will need to be challenged through improvements to the existing housing stock and ensuring new homes are energy efficient. It states that schemes like those recently brought forward in Willenhall will be supported and encouraged. These make valuable contributions to reducing fuel poverty and supporting improved health and wellbeing of occupants.
- 7.46 Policy 5 below brings together all the aforementioned features that need to be considered and incorporated in the design of all new development. It is in addition to Policy DE1 in the emerging local plan.

### Policy 3 - Design of New Development

Where appropriate new development should be designed to incorporate all of the following features:

- a) be of a scale and form which would be in keeping with Willenhall and would not result in the loss of amenity for existing residents;
- b) provide adequate levels of car parking, which should be designed to minimise its visual impact and avoid the creation of extensive parking courts;
- c) create well defined, attractive and secure streets and spaces, faced by active frontages and benefiting from good levels of natural surveillance and lighting;
- d) incorporate the principles of 'Secured by Design' or any equivalent standard which might amend or replace it in the future;
- e) integrate refuse and recycling storage facilities to mitigate the visual impact they may have on the public realm; and
- f) achieve high levels of environmental performance including energy efficiency measures to minimise overall running costs.

### Objective 3: To have a thriving and diverse local shopping centre

- 7.47 Policy R3 in the emerging local plan identifies a hierarchy of centres that comprises the city centre, major district centres, district centres and local centres. In all these centres:
- a) a balance will be sought between shops (Class A1) and other community uses in order to protect the vitality and viability of the centre as a whole;

- b) proposals that reduce the concentration of A-class uses below 51% will not be approved;
- c) a residential element will be promoted and encouraged so long as it does not undermine the functionality of the centre; and
- d) improvements to the environment and accessibility will be promoted and encouraged.

- 7.48 The list of Local Centres listed in the policy includes the Willenhall. It states that these centres will contain an appropriate scale of development which:
- a) supports their immediate locality (a 1km radius) for day-to-day convenience shopping;
  - b) some service and restaurant uses;
  - c) social, community and leisure uses; and
  - d) small scale office uses will also be acceptable.

- 7.49 The Willenhall Local Centre accommodates the majority of the neighbourhood area's local retail and community facilities. It is an important social and economic asset. In addition to providing these essential local services, it also plays an important role in maintaining and strengthening community relations, providing residents with central meeting places where they can relax and engage with each other, and thereby supports social interaction and community cohesion. Furthermore it is relatively accessible to local people, especially those without access to a car. It is therefore critical that this centre continues to prosper, and that new development enhances its vitality and viability. There is now competition from the superstore at the Airport Retail Park. As such, the Local Centre requires a degree of protection and where possible, investment and improvement by the public and private sectors.

#### Policy 4 - Willenhall Local Centre

1. A proposal for development that results in the loss of a shop in the Local Centre will not be supported unless it can be demonstrated that:
  - a) the unit is no longer economically viable and an alternative retail user cannot be secured; and
  - b) the proposed new use would provide a tangible community benefit.
2. A proposed new shop or extension will be supported provided it does not:
  - a) generate unacceptable noise, fumes, smell or other disturbance to nearby houses;
  - b) lead to traffic congestion or adversely affect traffic flows on the adjoining road; or
  - c) cause parking problems for adjoining residential and non-residential uses.
3. A proposal for development that supports the vitality and viability of the Local Centre will be supported including:
  - a) the provision of a more diverse range of retail units;
  - b) better car parking with new or extended car parks where possible;
  - c) improved public transport, and walking and cycling facilities;
  - d) improved traffic management;
  - e) improved footway and road surfaces;



- f) improved shop fronts, include necessary security measures; and
- g) rationalised and improved street furniture (including seating, lighting, signage and safety barriers).

4. Retail development elsewhere in the neighbourhood area will be only be supported where it can be demonstrated that it would not harm the vitality and viability of the Local Centre.

The boundary of the Willenhall Local Centre is shown on Proposals Map 1.

**Objective 4: To provide a mix of services and facilities to enable people to have all their needs met within the area**

- 7.50 The National Planning Policy Framework point out that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.
- 7.51 The Framework adds that in order to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
  - guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;
  - ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
  - ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.
- 7.52 The emerging local plan similarly seeks to safeguard and improve social, community and leisure premises and provide support for the development of new facilities where there are identified gaps in provision. It states that the local plan will:
- guard against the unnecessary loss of valued facilities and services;
  - allow established facilities to develop and modernise in a sustainable way; and
  - ensure that the location of housing, economic uses, community facilities and services are considered and promoted in an integrated way.
- 7.53 The local plan adds that this should be done with a view to locating facilities in a defined centre that makes them easily accessible by foot, bicycle or public transport and fully accessible by all sections of the community and facilitating more integrated communities. They should be provided in buildings and facilities which are flexible and adaptable to

communities' needs and sited to maximise the shared use of premises to facilitate their longevity.

- 7.54 Policy CO1 in the emerging local plan thereby puts forward a sequential approach for the consideration of future social, community and leisure facilities. Proposals will be considered on the basis of:
- a) the appropriateness of their proposed location in relation to their scale and intended catchment;
  - b) compatibility with nearby uses;
  - c) accessibility by a choice of means of transport; and
  - d) compatibility with other plan policies.
- 7.55 To support compatibility with nearby uses community premises it adds that such uses should be appropriate to their surroundings in terms of scale, character and mix of uses, and should not harm residential amenity, the environment, or result in adverse transport impacts. It points out some facilities within residential neighbourhoods can have an impact on residential amenity which may need to be carefully managed. For example it states that the hours of operation will need to be balanced against the needs of service providers and users of the premises against impacts on neighbouring residents.
- 7.56 The emerging local plan also highlights that proposals should promote active frontages and encourages linked trips and shared services wherever possible. They should satisfy this sequential approach in order to ensure that centres remain as the focus for not only retailing but also community uses, which ensures that the centre has adverse mix of uses and addresses any unmet local need.

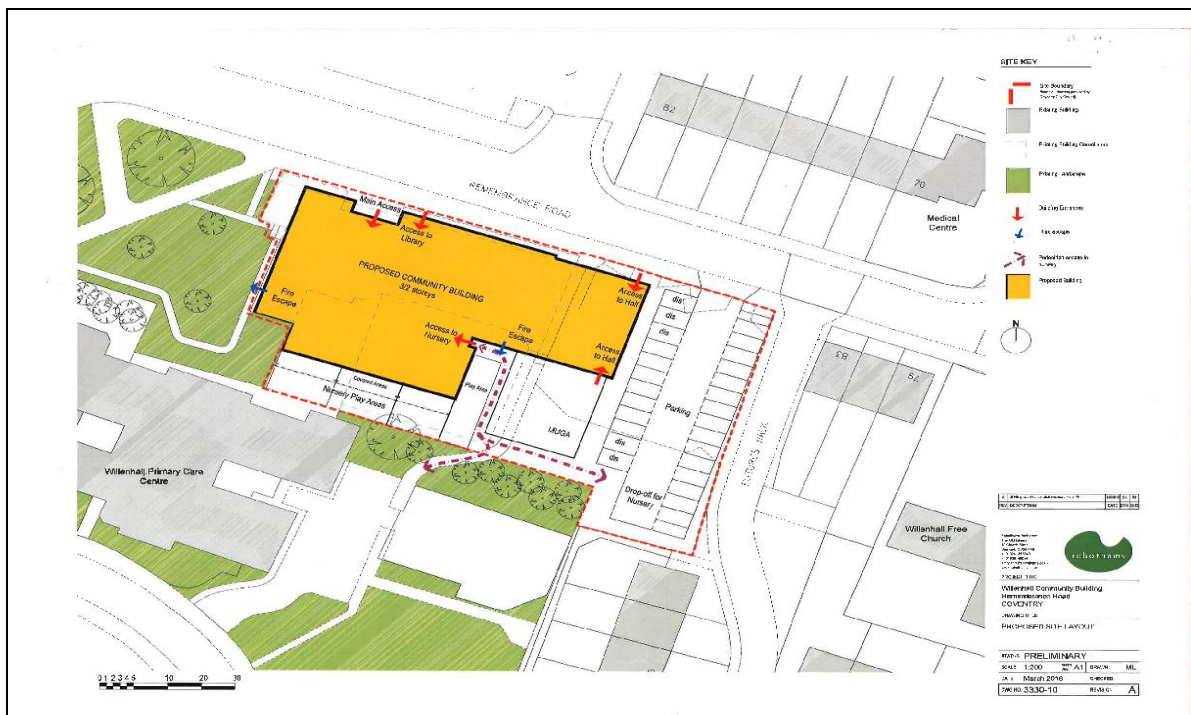
## **New Community Hub**

- 7.57 Since 2010 the City Council has seen a significant reduction in its resources as the Government attempts to balance the public sector budget. The City Council therefore decided to take a new approach to delivering and enabling services recognising that it is not possible to carry on as before. The new approach requires closer partnership working with statutory and voluntary agencies as well as the local community.
- 7.58 The City Council therefore introduced a new programme known as Connecting Communities. This focused on a redesign of City Council services so they are delivered together in one place in the communities and neighbourhoods where there is most need, and within the resources available. City Council services within the scope of this programme included libraries, youth centres and services, children's centres, play centres, community centres, public conveniences and adult education.
- 7.59 As part of Phase 1 of the Connecting Communities Programme the City Council put forward a number of proposals about potential changes to services to help save £1.2m in 2016/17. This included a proposal to end delivery of library services (and not renew the lease) from the current Willenhall Library facility and to have a more cost effective

community library located within the Hagard Community Space. This proposal was implemented in 2016 and appears to have been a successful move. It indicates that having services under one roof can be beneficial and supports the idea of integrating services within one building.

7.60 Phase 2 will explore opportunities that exist for co-production or for communities to take a new or increased role in the delivery of City Council services as part of the programme. This will help the City Council develop ideas on how to save a further £3.8m in 2017/18. A Transition Fund was established by the City Council to support those groups and organisations that need one-off funding to get new projects off the ground as part of the programme. The purpose of the fund is to provide some mitigation of the impact of City Council service reductions – not to replicate those services through grant but to kick start, empower and enable communities and partners to run services in new ways on a sustainable basis.

7.61 Against this background the Willenhall Community Forum has worked closely with the City Council to review the existing provision of social and community services in the area. As a consequence of this assessment a proposal has come forward to co-locate services into a new bespoke building in the heart of Willenhall. This assessment involves a feasibility study of the demolition of the Willenhall Education Employment and Training Centre (WEETC) and the Hagard Community Space. This will allow the construction of a new building, known as the Willenhall Community Hub, on the site of the latter in Remembrance Road.



Location of the proposed Community Hub in Remembrance Road

- 7.62 In addition to the voluntary sector activities run by the Community Forum, the City Council currently house their South Adult Education offices at the WEETC. The City Council also hold their training and education services, especially adults with learning difficulties, at the same venue. The feasibility study will assess relocating all these services into the new Community Hub. It also has the potential for incorporating the City Council's Children and Social Care offices, which are presently based in Stretton Avenue. It may also accommodate facilities for young people.
- 7.63 This could be achieved as the adjoining Chace Extended Learning Centre in Robin Hood Road has been closed and demolished. Willenhall Community Forum run the WEETC building on the site next door (which was previously Chace Primary School), which was brought back into use by the community on a 30 year lease. However the building is now getting old and is proving costly to upkeep and manage. The Social Care office of the City Council also adjoins this land and could be made available for disposal. All this land is owned by the City Council. If the Community Hub goes ahead these sites would become surplus to requirements and could collectively be re-used as a windfall opportunity for residential development. The sale of the land would bring in capital receipt monies to the City Council that could contribute to funding the new purpose built centre to accommodate all these community services and facilities.
- 7.64 However the initial feasibility work has indicated that even if all the money raised from the disposal of this redundant land were to be ring fenced to funding the proposed Community Hub, there would still be significant shortfall to cover the full cost of constructing the building. The Willenhall Community Forum, who would build and manage the Community Hub, would therefore need to maximise any Community Infrastructure Levy and/or Section 106 monies raised by the City Council in the neighbourhood area, and secure external grant funding to pay for the new building.



Willenhall Community Hub - Concept Image 1 (View from Shopping Area)





Willenhall Community Hub - Concept Image 2 (Top View)

7.65 As part of the initial feasibility work the City Council commissioned architectural drawings in 2016 to look at an indicative layout and design concept for the proposed Community Hub. This feasibility work is on-going.



Willenhall Community Hub - Concept Image 3 (Nursery)

7.66 The intention behind the proposal is not only to co-locate services, but also to move away from 'silo' working and create a true cohesion in partnership working. Next to the Hagard site there is also the medical centre and work needs to take place to take a more joined up approach to the services that are provided for the residents of Willenhall that would benefit each organisation e.g. family parenting, older people, young teenage mums as well as all the medical services that are provided. It could offer joined up services in one location in a more holistic manner. This proposal will enhance the



partnership working that is already taking place and further cement a closer working relationship between service providers. It also delivers the aims of the City Council's Connecting Communities Programme.

- 7.67 The new Community Hub would also give the Willenhall precinct a much needed lift. It adjoins the Village Green, which is proposed as a Local Green Space (see Policy 10). It would therefore help create a focal point that would bring the people together and support the neighbourhood plan's vision of improved community cohesion and more social interaction.

#### Policy 5 – Willenhall Community Hub

1. A Community Hub will be built on the site of the Hagard Community Space in Remembrance Road. This will incorporate a range of integrated community services delivered by statutory bodies and the voluntary sector.

The location of the Community Hub is shown on Proposals Map 1.

2. Subject to the community hub meeting all the required provision, the following sites will be surplus to requirements and redeveloped for residential use:

- a) the Extended Learning Centre in Robin Hood Road;
- b) the Willenhall Education, Employment and Training Centre in Robin Hood Road; and
- c) Children and Social Care offices in Stretton Avenue.

The boundaries of the above sites is shown on Proposals Map 2.

## **Education**

- 7.77 The local community has expressed concerns about the local primary schools being full and the pressure for places. A family may have children attending different schools. Aside from splitting up siblings, the logistics of getting them to school on time each morning can be very problematic. Given that a further 323 additional dwellings could be constructed over the plan period with a resulting population increase of about 2,200, there are understandable community fears about the capacity of local schools to cope.
- 7.78 The National Planning Policy Framework states that the Government attaches great importance to ensuring that a sufficient choice of school places are available to meet the needs of existing and new communities. It adds that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
- give great weight to the need to create, expand or alter schools; and
  - work with schools promoters to identify and resolve key planning issues before applications are submitted.

- 7.79 In order to support sustainable development the emerging local plan recognises the importance of maintaining an adequate and appropriate supply of education provision. It adds that opportunities should be taken to ensure schools are located in sustainable locations that complement neighbouring uses. They should be within easy access of local communities as well as offering opportunities to generate linked trips by being located close to other social and community provisions and local retail and service offers as well as being easily accessible by a range of transport options. An assessment of overall educational provision has therefore been addressed as part of the preparation of the emerging local plan.
- 7.80 The emerging local plan also suggests that, where possible, schools and their grounds should be utilised for other community provisions such as social, cultural, leisure and indoor sports facilities. This will help to develop a schools position at the centre of the community with significant benefits to local residents. It can also help ensure the effective use of resources and help minimise travel distances for users.

#### Policy 6 – Education

Residential development will be supported if it creates additional primary school provision or the improvement of existing facilities within the neighbourhood area.

#### Objective 5: To improve health and well-being

- 7.81 People in Coventry experience high levels of health inequality, with those in the most deprived areas suffering more ill health and dying younger. Men in the most affluent areas will live an average of 10 years longer than those in the most deprived. The evidence gathered demonstrated that Willenhall is significantly worse than the national average for a whole host of health indicators, and this was a concern expressed during the public consultation.
- 7.82 Planning Practice Guidance states that local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in neighbourhood plans and in planning decision making. It adds that public health organisations, health service organisations, commissioners and providers, and local communities should work effectively with local planning authorities in order to promote healthy communities and support appropriate health infrastructure.
- 7.83 The emerging local plan states that plans to help Coventry develop and grow must also help the people of the city to enjoy happy, active lifestyles in healthy environments. The City Council has a key aim of improving the health and wellbeing of all people living in Coventry and this is affected by several areas of the emerging local plan, from housing to public realm and jobs to transport.

- 7.84 The emerging local plan states that the City Council has pledged to reduce health inequalities. It adds that one of the challenges the City Council faces in promoting healthy eating is the availability of foods high in fat, salt and sugar in local neighbourhoods, including the prevalence of hot food takeaways in some areas.
- 7.85 Coventry is one of seven cities in the UK to become a Marmot City – working to improve the health of all residents and reduce any health inequalities. By being a Marmot City and through the emerging local plan Coventry will:
- a) improve active travel – better networks for walking and cycling
  - b) cutting air and noise pollution through fewer car journeys and reducing the speed of vehicles
  - c) improve good quality open and green spaces – quality sports pitches and parks
  - d) reduce the fear of crime in open areas
  - e) provide good, accessible play spaces
  - f) improve the quality of food in local areas – reducing obesity and encouraging people to eat fruit and vegetables
  - g) protect and improve allotments and managing the number and location of takeaways
  - h) improve the energy efficiency of housing – reducing fuel poverty to help a growing number of people over the age of 65
  - i) providing quality, affordable housing designed to tackle climate change.
- 7.86 To reduce health inequalities the City Council will therefore look at the issues that affect wellbeing such as transport, housing, employment, income, environment and community. These conditions vary drastically across the city. However the impacts of development on the health and wellbeing of local people will be assessed by the City Council at the planning application stage.
- 7.87 The emerging local plan adds that the health of Coventry people is a key asset for our economy but the percentage of working days lost to sickness absence in Coventry is worse than the rest of England. Healthier people lead to a more productive workforce and employment can take families out of poverty. The barriers to employment include transport, low skills, childcare and poor health which can be tackled by improving the built environment and increasing communities and social value.
- 7.88 In February 2016 it was announced that ten new housing developments in England are to be built under an NHS scheme with healthy living in mind. Clinicians, designers and technology experts will work together to create the "healthy new towns". Plans include homes with virtual access to GP services, safe green spaces to play and fast-food-free zones around schools. The aim is to help town planners 'design out' the factors that promote obesity and 'design in' health and wellbeing.
- 7.89 Although Willenhall is not one of the areas included in this new initiative, it is felt important that the principles of embedding health in planning decision making is crucial if the dire health problems in Willenhall are to be successfully addressed.

## Policy 7 - Health and Well-being

1. A proposal for development will be supported if it promotes the health and well-being of the local community.
2. Where appropriate a proposal for development should have regard to the need to:
  - a) lower air and noise pollution by encouraging fewer car journeys and reduce the speed of vehicles travelling in and through the area;
  - b) provide accessible leisure and sports facilities;
  - c) provide informal green spaces including areas suitable for dog walking;
  - d) provide opportunities to grow fresh fruit and vegetables, and protect allotments and communal gardens;
  - e) limit the number and location of takeaways in the area, and create fast-food free zones around schools;
  - f) help people live independently, especially older people;
  - g) enable children to have safe and accessible places to play with friends and to safely walk or cycle to school; and
  - h) encourage digitally enabled local health services that share physical infrastructure and staff with schools and community groups.

## Objective 6: To make it easier for people to travel inside and outside the area

- 7.90 The National Planning Policy Framework states that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. It states that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 7.91 The Framework adds that plans should protect and exploit opportunities for the use of sustainable transport modes. Therefore developments should be located and designed where practical to:
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
  - create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones; and
  - consider the needs of people with disabilities by all modes of transport.
- 7.92 One of the objectives in the emerging local plan is to maintain and enhance an accessible transport network. This will be achieved by:
- a) providing a transport network that enhances the city's accessibility, efficiency, safety and sustainability;
  - b) continuing to improve links with the city centre and better connection to green spaces within Coventry; and

c) increasing the range of opportunities for people to access arts and culture, sports and leisure, music and events, and other activities.

- 7.93 These various measures are all pertinent to Willenhall. Whilst steps are being taken to provide as many local services and facilities within the area, there has been some centralisation meaning the some organisations that provide services in the area are now based in the city centre. Whilst they remain accessible to some by public transport, others may experience difficulty. Green spaces are reasonably accessible with the Sowe Valley and Willenhall Wood nearby. However many social and leisure facilities require a trip outside the area, as does a trip to a retail superstore. For example the superstore available at the Airport Retail Park may not be accessible to all within the neighbourhood area.
- 7.94 However perhaps the biggest transport issue within Willenhall is accessibility to jobs. By its nature Willenhall is primarily a residential housing estate and there are very few employment opportunities within the neighbourhood area. The emerging local plan states that the existing bus network primarily follows the radial network of roads across the city, and whilst this supports good access to the city centre, it does not necessarily support the demand for orbital trips such as those between residential and edge of town employment sites. It says that more recently operators have introduced orbital services which have helped to address this issue.
- 7.95 The levels of unemployment within Willenhall are unacceptably high and yet there are potential job opportunities at nearby locations such as the Binley Industrial Estate, Coventry Airport, Middlemarch Estate, Jaguar Land Rover, Seven Stars Industrial Estate, former Peugeot site, etc. It is clearly important to ensure that these are accessible to the local population, especially young people. Similarly links need to be forged with these potential employers to ensure that local training opportunities are providing the unemployed to with the relevant skills to capitalise on these opportunities.
- 7.96 Policy JE7 in the emerging local plan states that planning applications for new employment development (including changes of use and the expansion of existing operations) will be required to demonstrate how job opportunities arising from the proposed development will be made accessible to the city's residents, particularly those in the most deprived areas and priority groups.
- 7.97 If these issues are to be addressed there needs to be a inter-agency approach that involves the City Council, public transport providers, local schools and developers to develop a long term sustainable strategy for improvements to the highway network and the management of traffic in and around Willenhall.

#### Policy 8 – Transport

Proposals for improvements to the highway network and the management of traffic in and around Willenhall will be supported if they:



- a) provide better access to and increased use of public transport to the city centre and surrounding employment opportunities;
- b) improve links within the existing built-up area for walking, cycling and bus provision especially to the Local Centre and Important Open Spaces;
- c) ensure through vehicular traffic keeps to appropriate routes; or
- d) provide 'safer routes to schools' schemes.

## Rail Station

- 7.98 The 'Coventry Rail Story – A Rail Investment Strategy for Coventry' (September 2013) states that the construction of HS2 will release capacity on the West Coast Mainline. This enables consideration of hitherto non-feasible options such as new stations on the West Coast Main Line. The Strategy says that a priority for assessment is the Willenhall/Binley area to the east of Coventry, close to 2 key development sites at Coventry and Warwickshire Gateway (15,000 jobs), and London Road gateway, Stoke Aldermoor Strategic Regeneration Area, and Coventry Airport.
- 7.99 The emerging local plan states that the West Coast Main Line provides excellent rail links between Coventry, London and Birmingham. Building on this the City Council has developed a rail investment strategy that sets out a case to radically improve rail services that support the economic travel to work area.
- 7.100 It states that existing stations at Tile Hill and Canley predominantly cater for local rail services between Coventry and Birmingham. However it points out that additional local rail stations on the West Coast Main Line to the east of the city serving Willenhall and Binley would allow some of the strong local rail service demand to be met and support the regeneration and economic growth of this part of the city. It adds that this will need to be considered in the context of wider strategic rail industry plans which plan for capacity on the busy West Coast Main Line. The emerging local plan adds that options are also being explored for a new station in the south of the city to support new development growth. These stations are also identified in the West Midlands Strategic Plan.
- 7.101 Policy AC6 then states that "Proposals for additional local railway stations on the east-west and north/south rail corridor within Coventry will be supported where they are proven to be viable, support growth objectives and are consistent with the relevant national, regional or local rail strategies". It adds that further details are set out in the Coventry Connected SPD and Coventry Rail Investment Strategy.
- 7.102 A local station would significantly increase the accessibility of local employment opportunities to the residents of Willenhall and would be widely welcomed. However the location and design of the eventual site needs to meet certain criteria.

### Policy 9 – Rail Station

The development of a local rail station on the West Coast Main Line will be supported providing that it:

- a) meets the needs of Willenhall residents;
- b) does not generate unacceptable noise, fumes, smell or other disturbance to nearby properties;
- c) does not lead to traffic congestion or adversely affect traffic flows on the adjoining roads; and
- d) does not cause parking problems for adjoining residential and non-residential uses.

### Objective 7: To protect and improve important green spaces

- 7.103 One of the principal aims of the neighbourhood plan is also to address the physical and mental health needs of the local community, and support community well-being. The provision of a range of formal and informal green spaces is clearly fundamental to meeting this need. Furthermore the nature and layout of Willenhall lends itself to a strategic approach to its green spaces embracing type, quality and accessibility utilising a network of footpaths in and around the estate.
- 7.104 The Framework explains that access to high quality green spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. It adds that existing green space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 7.105 There are two substantial green spaces within the neighbourhood area. The first is the Sowe Valley, which is a continuous riverside green space that stretches from the north of Coventry to the south. It is one of several strategic green wedges that are extensive and continuous tracts of open land that extend through the built-up area of the city, to and from the countryside beyond. They have particular value in environmental quality within the urban areas, assisting nature conservation and providing people with access to the open countryside around the city by walking and cycling. Towards its southern end the Sowe Valley passes along the northern edge of the Willenhall Neighbourhood Area and thereby provides a valuable resource for the local community.
- 7.106 In the adopted local plan the Sowe Valley is designated as Green Belt. However the emerging local plan argues that they do not fulfil the purposes of Green Belt. It is

therefore proposed to remove the Sowe Valley from the Green Belt and re-designate it as Local Green Space.

7.107 The second significant open space is Willenhall Wood, which is a Local Nature Reserve situated on the southern side of the neighbourhood area.

7.108 In between these substantial open spaces the housing estate has been constructed at a relatively high density. However it incorporates smaller open spaces that break up the urban fabric and provide valuable green lungs. In addition these green spaces provide visual amenity in an otherwise built up area, as well as opportunities for social interaction for all age groups. They are thereby valued by the local community and worthy of retention.

7.109 The National Planning Policy Framework introduces the concept of Local Green Spaces. Through the preparation of neighbourhood plans the local community are invited to identify for special protection green areas of particular importance to them. By designating land as Local Green Space new development is ruled out other than in very special circumstances. It adds that Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period. The Framework points out that the designation will not be appropriate for most open spaces. Any such designation:

- must be reasonably close to the community it serves;
- is demonstrably special to the local community in terms of, for example, its beauty, historic significance, recreational value, tranquillity or richness of its wildlife; and
- should not be an extensive tract of land.



Willenhall Village Green

- 7.110 A site that satisfies these criteria is The Village Green, which is located at the centre of the estate at the junction of Robin Hood Road and Stretton Avenue. In 2003 John Russell, then Chairman of the Willenhall Local History Group, led a scheme to turn this piece of wasteland into a Village Green. The local community worked together to create a beautiful amenity out of this wilderness. The Green was officially opened in 2005. Since then it has been the focus of community and social events, such as the Remembrance Day Service. It provides a pleasant place for people to sit and relax. Sadly John Russell died in 2011 but the green space is a fitting legacy for a person totally dedicated to the Willenhall community.
- 7.111 The Village Green:
- is close to the community it serves being located within the Local Centre where most of the social, community and retail facilities are located, and adjoins the site of the proposed community hub;
  - is demonstrably special to the local community because it is an attractive landscaped area comprising mature trees, footpaths and seating, offers some tranquillity in an otherwise built-up area, provides an opportunity for social interaction at the heart of the neighbourhood, and is the venue for various social and community events and activities; and
  - it is a small tract of land.
- 7.112 This area is therefore designated as a Local Green Space and protected accordingly. In view of its prominent location at the heart of the estate it is also important that this site is maintained to a high standard.

#### Policy 10 – Willenhall Village Green

1. The Village Green located at the junction of Robin Hood Road and Stretton Avenue is designated as a Local Green Space.
2. The development of this Local Green Space should not be permitted other than in very special circumstances.
3. A proposal that enhances the recreational, landscape or biodiversity value of the site will be supported.

The boundary of the Local Green Space is shown on Proposals Map 1.

- 7.113 Whilst not eligible for designation as a Local Green Space, there are other important open spaces in and adjoining the built-up area that warrant protection.
- 7.114 On the periphery it includes:
- Middle Ride – This public open space curves round the outer edge of the Willenhall Wood Estate with Willenhall Wood as its backcloth. Its name recalls the history of the



area when the nobility living at Coombe, who owned all the land, would lead hunting parties in the woods. This is an area that includes an equipped play area for children in a natural green space which leads into the woods behind. The hut at Middle Ride, a valuable community resource, was originally the site office for George Wimpey and Co, the builders of the Willenhall Wood Estate. After the builders had left, the hut was donated to the people of Willenhall Wood.

- The Brookstray – This is an area of public open space between the Willenhall Estate and the River Sowe, directly overlooked by the Closes leading off Robin Hood Road. It forms part of the Sowe Valley and therefore currently has Green Belt status, though the new Local Plan proposes to redefine the whole green wedge as Local Urban Green Space. It comprises an expansive area of grassland. There has been a children’s play area in this location since the estate was first built. In 2010 this was remodelled on the theme of a medieval castle. The Brookstray is used for community events and recreational activities.

7.115 Within the built-up area there are some significant areas of grassed public open space. This includes:

- Arnhem Corner – This purpose built public open space was created as part of the Woodlands self-build housing project in 1950.
- The Canyon in Wroxhall Drive
- Area to the rear of Laneside and Ridgethorpe that includes a footpath linking St James Lane and Middle Ride.



*Middle Ride Play Area*

7.116 To a degree these could be regarded as featureless areas of grass, but it has to be remembered that the surrounding housing often has no garden. These areas therefore provide valuable opportunities for local children to play outdoors. They also



enable physical exercise, encourage social interaction, and provide areas for dog walking. In addition they provide a landscape function for the setting for high rise development and improve visual amenity.

- 7.117 There are also small incidental open spaces, school grounds and private gardens distributed around the estate.
- 7.118 All of these green spaces are highly regarded by the local community, who want to see them protected from development. Furthermore there are also concerns amongst the local community about the quality of their management as well as issues about crime and anti-social behaviour. The local community would like to see their role as a recreational, landscape and wildlife resource enhanced.
- 7.119 Policy GE2 in the emerging Local Plan states that *“Development involving the loss of green space that is of value for amenity, recreational, outdoor sports and/or community use will not be permitted”*. The only exception to this policy is where an assessment indicates there is no longer a demand, a deficiency would not be created, or the loss would be replaced with the provision of something of an equal or better value. Policy GE3 seeks to protect sites that are important for biodiversity, geology, landscape or archaeology. This includes Local Nature Reserves and Ancient Woodlands. Biodiversity will be encouraged particularly in areas of deficiency, in areas of development and along wildlife corridors.



*The Canyon in Wroxhall Drive*



*Public open space at Arnhem Corner*

- 7.120 As well as valuing these areas on an individual basis green spaces also have a collective value. The sum of these green spaces can be greater than the sum of the individual parts. Planning Practice Guidance states that planning should promote a network of green spaces and public places. Development should promote public spaces and routes that are attractive, accessible, safe, uncluttered and work effectively for all users – including families, disabled people and elderly people. It adds that a system of open and green spaces that respect natural features and are easily accessible can be a valuable local resource and helps create successful places. A high quality landscape, including trees and semi-natural habitats where appropriate, makes an important contribution to the quality of an area.
- 7.121 The term green infrastructure refers to a strategic network of green spaces, such as woodlands, parks, amenity landscaping, ponds and rivers, and the links between them. The city’s Green Infrastructure Study outlines a vision for a well managed and well connected, multi-functional green space, delivering a wide range of benefits to those living, working and visiting the city, and improving the attractiveness of the city as a whole.
- 7.122 The emerging local plan adds that local networks of high quality and well managed open spaces help to create urban environments that are attractive, clean and safe, and can play a major part in improving people’s sense of wellbeing. It goes onto to say that the development and maintenance, to a high standard, of a well-connected and multi-functional green infra structure network, is essential. The emerging local plan states that part of the challenge will be to identify and secure funding to ensure that the investment and improvements made to the city’s green infrastructure have a lasting impact and generate optimum value for public and private money.

- 7.123 Green infrastructure will also have an important role to play in helping the city adapt to climate change. This will include moderating urban temperatures, storing excess rainfall, increasing surface porosity to ease drainage, providing shade via tree canopies, and providing green oases in urban areas. It notes that the Sowe Valley corridor increases the sustainability credentials of the city, promoting health and wellbeing, biodiversity and resilience to climate change.
- 7.124 Policy GE1 in the emerging local plan states that new development proposals should make provision for green infrastructure to ensure that such development is integrated into the landscape and contributes to improvements in connectivity and public access, biodiversity, landscape conservation, design, archaeology and recreation. This includes the creation of new habitats wherever possible to assist with species movement, to provide a source of locally grown food through allotments and community gardens, to provide sustainable and active travel routes for people, to provide shade and counteract the urban heat island effect, and to assist in improving public health and wellbeing. It adds that a key element of the city's approach to green infrastructure will be the continued development of a network of green spaces, water bodies, paths and cycle ways, with priority given to those parts of the city where there is an identified deficiency of green space.
- 7.125 Willenhall is blessed with substantial green space on the periphery of the estate. However the quality and accessibility of these is of some concern to the local community. Within the estate there are a few small green spaces, which are relatively isolated. Where possible measures to improve the network of green spaces will be encouraged as part of any new development.

#### Policy 11 – Important Open Spaces

1. The following are designated as Important Open Spaces:

- a) Middle Ride;
- b) The Brookstray;
- c) Arnhem Corner;
- d) The Canyon in Wroxhall Drive; and
- e) Area to the rear of Laneside and Ridgethorpe.

2. A proposal for development on an important open space will be resisted unless it can be demonstrated that:

- a) it would support the existing function or improve the overall quality of the open space; or
- b) the loss is in accordance with the criteria listed in Policy GE2 in the emerging Coventry Local Plan 2011.

3. A proposal for development should protect and contribute to the network of all open spaces in the area.

## 8. Implementation, Monitoring and Review

### Assessing Planning Applications

- 8.77 Once made the Neighbourhood Plan will become part of the overall development plan for the area, and its policies will be a major consideration when the City Council is assessing planning applications.
- 8.78 Section 142 of the Housing and Planning Act 2016 came into force on 1 October 2016. At the request of a neighbourhood forum, this provision requires a local planning authority to notify the group of any relevant planning applications in their neighbourhood area.
- 8.79 The Willenhall Community Forum will therefore assess and, if appropriate, comment on planning applications being determined by the City Council. In particular the Forum will consider whether the proposals conform or conflict with the policies in the neighbourhood plan.

### Implementation

- 8.80 The neighbourhood plan contains a number of proposals for Willenhall over the plan period. Their successful implement will depend on effective partnership working and securing funding from a variety of sources. Partnership working will be a fundamental requirement in the successful implementation of the neighbourhood plan.
- 8.81 Funding will be sought from developers through a combination of S106 Agreements and Community Infrastructure Levy (CIL) for infrastructure and local facilities that is linked to new development. In April 2013 the Government brought into force legislation that requires local planning authorities operating the Community Infrastructure Levy (CIL) to pass on 25% of the money raised from new development within a neighbourhood plan area to the local community itself. The community can then decide how the money is spent. This will only apply once the City Council has adopted a CIL charging schedule and the Willenhall Neighbourhood Plan has successfully been through a local referendum and brought into force.
- 8.82 The Willenhall Community Forum and its partners still continue to apply for external grant funding. It will also seek to influence other budget decisions by the City Council and other key stakeholders on matters such as housing, open space and recreation, economic development and training, community facilities and transport.

### Monitoring

- 8.83 In conjunction with the Willenhall Stakeholders Group, the Willenhall Community Forum will monitor and, if appropriate, undertake a review of the neighbourhood plan.

8.84 An annual monitoring report will therefore be prepared and considered by the Forum.

This will cover:

- the effectiveness of the policies in the neighbourhood plan when assessing and determining planning applications;
- the success or otherwise of implementing the proposals in the neighbourhood plan;
- any changes in national planning policy that could supersede the policies in the neighbourhood plan;
- the latest statistical information such as meeting the housing requirement across the city or the need for more affordable homes;
- the implications of the emerging local plan being prepared by Coventry City Council; and
- any changing circumstances within the village

8.85 As the local planning authority, the views of the City Council will be sought on these matters.

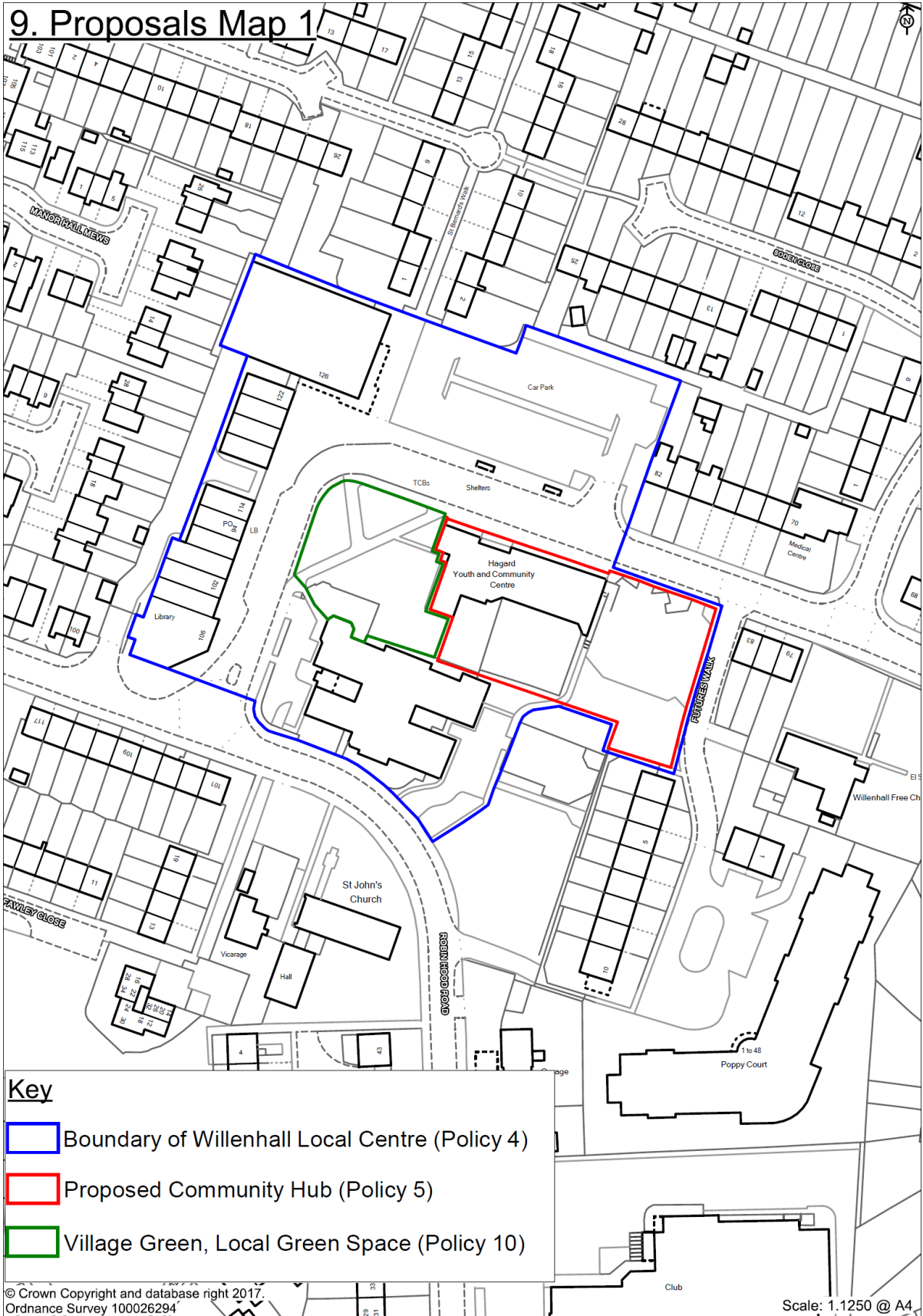
8.86 The annual monitoring report could thereby conclude that a partial or comprehensive review of the neighbourhood plan is necessary and trigger the process accordingly.

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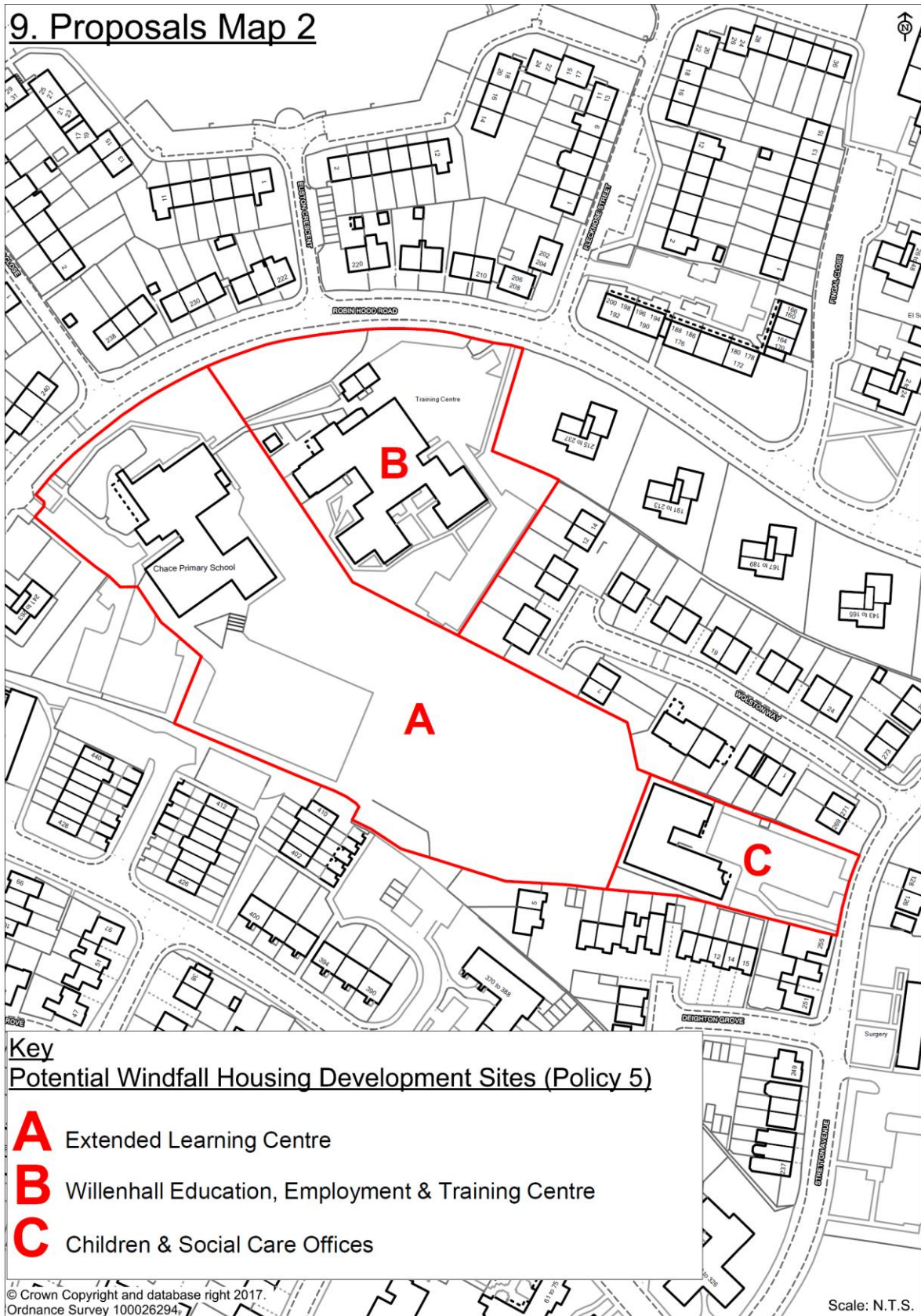


# 9. Proposals Maps

9. Proposals Map 1



## 9. Proposals Map 2





## **PUBLIC**

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## **COMMITTEE REPORT**

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### **APPEAL PROGRESS REPORT**

#### **PURPOSE OF THE REPORT**

The purpose of this report is to inform Members of appeals lodged and determined in the period 1<sup>st</sup> April 2017 to 30<sup>th</sup> June 2017.

#### **RECOMMENDATION**

That the report is noted.

#### **INTRODUCTION**

Members are requested to note the appeal decisions of either the Secretary of State or the relevant Inspector that has been appointed to determine appeals within the defined period.

In line with the parameters above the report sets out the main issues of the appeals and summarises the decisions. Where claims for costs are made and/or awarded, either for or against the Council, the decisions have been included within the report.

#### **BACKGROUND INFORMATION**

When a planning application is refused, the applicant has the right to appeal within six months of the date of decision for non-householder appeals. For householder applications the time limit to appeal is 12 weeks. Appeals can also be lodged against conditions imposed on a planning approval and against the non-determination of an application that has passed the statutory time period for determination.

Where the Council has taken enforcement action, the applicant can lodge an appeal in relation to the served Enforcement Notice. An appeal cannot be lodged though in relation to a breach of condition notice. This is on the basis that if the individual did not agree with the condition then they could have appealed against the condition at the time it was originally imposed.

Appeals are determined by Inspectors appointed by the Secretary of State and administered independently by the Planning Inspectorate.

#### **MONITORING**

Monitoring of all appeal decisions is undertaken to ensure that the Council's decisions are thoroughly defended and that appropriate and defensible decisions are being made under delegated powers and by Planning Committee. The lack of any monitoring could encourage actions that are contrary to the Council's decision,

possibly resulting in poor quality development and also costs being sought against the Council.

### **FINANCIAL & LEGAL CONSIDERATIONS**

An appeal may be determined after a Public Inquiry, a Hearing or most commonly written representations. It is possible for cost applications to be made either by the appellants against the Council or vice versa if it is considered that either party has acted in an unreasonable way.

It is possible for decisions, made by Inspectors on appeal to be challenged through the courts. However, this is only if it is considered that an Inspector has erred in law, for instance by not considering a relevant issue or not following the correct procedure.

A decision cannot be challenged just because a party does not agree with it. A successful challenge would result in an Inspector having to make the decision again following the correct procedure. This may ultimately lead to the same decision being made.

It is possible for Inspectors to make a 'split' decision, where one part of an appeal is allowed but another part is dismissed.

### **SUMMARY OF APPEALS IN PERIOD OF 1 APRIL TO 30 JUNE 2017**

<b>No. APPEALS PENDING</b>	<b>17</b>
<b>No. APPEAL DECISIONS RECEIVED</b>	<b>19</b>
<b>No. ENFORCEMENT APPEALS LODGED</b>	<b>3</b>
<b>No. ENFORCEMENT APPEAL DECISIONS RECEIVED</b>	<b>1</b>
<b>No. OFFICER DECISIONS ALLOWED</b>	<b>7</b>
<b>No. MEMBER DECISIONS ALLOWED</b>	<b>1</b>
<b>No. COSTS APPLICATIONS AWARDED</b>	<b>1</b>

Site Address:	16 Regency Drive
Reference Number:	TP/2016/2133
Description:	Oak (T1) – Crown reduce by 30% (approx. 3m)
Decision Level:	Delegated
Decision:	Refusal on 20/10/16
Appeal Decision:	<i>Dismissed on 06/06/2017</i>

#### Summary of Decision

The main issue in this case is the impact of the proposed crown reduction works on the character and appearance of the Kenilworth Road Conservation Area (CA) and whether sufficient justification has been demonstrated for the works.

The oak tree (T1) is a substantial double trunked tree some 17m in height located on the eastern boundary of 16 Regency Drive. The appellant applied to reduce the oak's canopy by approximately 30% or 3m to ensure clearance of the dwelling and reduce debris falling on the drive and gutter and mitigate the oak's shading effect.

The Inspector notes that the tree is imposing and has substantial presence in the local area and the canopy has retained its naturalistic form, concluding that the tree makes a considerable and positive contribution to the character and appearance of the CA.

Looking at the issues raised by the appellant, the Inspector notes that the section of canopy overhanging the roof has a clearance of about 1m and that the Council's Tree Officer indicated that pruning works to maintain a 1-2m clearance would be acceptable. The Inspector considered that there was no evidence before her to indicate why a greater clearance would be necessary. The argument that debris from the tree imposes an additional maintenance burden was given little weight. The oak is situated to the north-east of No.16 and the Inspector acknowledged that the oak would cause some overshadowing for a limited period of the day but did not consider that it would shade the rear garden or south facing elevation and was not satisfied that the crown reduction works proposed would significantly increase daylight or reduce overshadowing.

There was some disagreement as to whether the tree is a veteran oak but the Inspector notes it is clearly mature and of considerable age. Although the crown reduction works proposed would be beyond the limits of the previous crown reduction works that have been carried out, this would not necessarily mean the oak would recover from further crown reduction works and consequently the Inspector concludes that the works would be likely to reduce longevity of the tree. Whilst the works would not necessarily result in the immediate loss of the oak, they would be likely to have an adverse effect on its longevity and would therefore be contrary to Policy GE14 of the CDP.

In conclusion, the Inspector was not satisfied that an essential need to prune the oak had been demonstrated and whilst the works may have limited benefits to the occupiers of No.16, this would not outweigh the harm to the character and appearance of the CA that would result if the appeal were allowed.

Site Address:	Land off Wood Hill Rise
Reference Number:	FUL/2016/2733
Description:	Erection of three dwellings with associated car parking
Decision Level:	Planning Committee
Officer Recommendation	Approve
Decision:	Refusal on 15/12/2016
Appeal Decision:	<i>Allowed on 12/04/2017</i>

Summary of Decision

The main issue is the effect of the development upon the character and appearance of the area.

The appeal site is a rectangular plot of vacant land located at the end of Wood Hill Rise. The wider area is residential and part of a planned estate development and the Inspector notes that whilst the original layout remains largely intact, the area is not notable or sensitive in architectural or streetscape terms.



The proposal is to erect three detached dwellings with off-street parking, served via a short driveway. The dwellings would be set back from Wood Hill Rise and the Inspector notes that they would not be unduly prominent and their proportions and plots sizes would be consistent with adjacent properties.

The Inspector carefully considered the allegation that the development would constitute over development of the site but considered that the area is not noted for large plots and the proposed site plan shows there would be adequate spacing between dwellings as well as outdoor amenity space and parking provision. As the Council had not pointed to any conflict with local standards in these areas the Inspector found this stance to be illogical.

The Inspector noted the concerns of neighbouring residents and concluded that whilst there would be a change in the outlook for neighbouring occupiers, the scale of that change would be modest and not at a level that could reasonably be described as overbearing or unusual in a built-up area and thus there would be no unacceptable effect on the living conditions of local residents.

In conclusion, the Inspector found that, in the absence of a cogent case to support the Council's reason for refusal and bearing in mind the same conclusion was reached in the case of the 2016 appeal, the development would accord with Policies BE2 and H12 of the CDP.

An application for the award of costs was made and was allowed. The Inspector found that the Council had behaved unreasonably as it persisted in objecting to elements of a scheme that an Inspector had previously indicated to be acceptable. In addition the reason for refusal failed to stand up to scrutiny on appeal and the Council failed to provide sufficient evidence necessary to substantiate the reason for refusal.

The costs claim has not yet been made, when costs are known this will be reported to Planning Committee.

Site Address:	101 Marlborough Road
Reference Number:	HH/2016/2638
Description:	Erection of rear extension and alterations
Decision Level:	Delegated
Decision:	Refusal on 09/01/2017
Appeal Decision:	<i>Dismissed on 12/04/2017</i>

#### Summary of Decision

The main issue is the effect of the proposed first floor rear extension on the living conditions of the residents of no.99 Marlborough Road in respect of outlook, daylight and sunlight.

The proposal is to increase the height of no.101's single storey outrigger so it is a similar height to the 2-storey outrigger at no.103. The Inspector notes that the rear facing first floor window at no.99 would be in close proximity to the extended first floor and the raised flank wall and new roof would appear dominating and

overbearing and increase a sense of enclosure. It would also exacerbate a sense of enclosure from the side-facing windows in no.99's outrigger and would significantly worsen the outlook from no.99 harming their living conditions.

The Inspector also notes that there would be a significant reduction in daylight to nearby windows on account of the higher flank wall and raised roof resulting in harm to the residents of no.99 in respect of outlook and daylight. Whilst sunlight would only be blocked to a limited extent, the Inspector concludes that this would add weight to the harm already identified.

In conclusion the Inspector comments that the proposals would conflict with Policies H4 and BE2 of the CDP, the advice contained within the NPPF and the Extending your home – A design Guide (SPG) and that the harm identified to the living conditions at no.99 is significant and overriding.

Site Address:	54 Shilton Lane
Reference Number:	FUL/2016/1533
Description:	Demolition of existing cattery and outbuildings with erection of 14 serviced assisted living units with associated parking and landscaped grounds together with change of use of existing dwelling to administrative and communal accommodation
Decision Level:	Delegated
Decision:	Refusal on 23/08/2016
Appeal Decision:	<i>Allowed on 19/04/2017</i>

#### Summary of Decision

The main issues are; the effect of the proposal on the character and appearance of the area and whether it would provide satisfactory living conditions for future occupiers with regard to outdoor amenity space.

The appeal site is rectilinear, extending a substantial distance to the rear of the main residential property that forms 54 Shilton Lane. The site contains a number of buildings including the main cattery block, sited close to the north-eastern boundary. Surrounding the site is a large area of open space known as Sowe Common.

The site is bounded on three sides by stout hedgerows with occasional mature trees which provide good screening to the cattery block and the rest of the site. The Inspector accepts that the buildings comprising row A of the development would be taller than the cattery building but note they would be single storey and the existing vegetation would be sufficient to substantially screen them even when not in leaf. Furthermore the buildings would be clad in cedar which would weather to blend with the surrounding vegetation. In view of this he is not persuaded that the proposals visual effects would be materially greater than those which already exist.

The Inspector does not consider that the two rows of buildings would be obtrusive by way of their regimented layout as it would not be readily apparent from outside

the confines of the site. He accepts that the two lines of buildings extending back into the site would represent a different pattern of development from that nearby but the site is already set apart by the presence of the cattery building and the sites level of screening would prevent any significant harm in this respect.

The Inspector's attention was drawn to a previous appeal but on the basis of the evidence he felt that previous appeal proposal was entirely different to the one before him and considered the appeal on its own merits. In view of this the Inspector did not consider that the proposals would conflict with Policy BE2 or H12 of the CDP.

With regard to Policy GE8 the Inspector notes that permission has been granted for an additional cattery building and therefore the Council had already accepted a reduction in the amount of undeveloped space within the site and was satisfied that the proposal would not materially reduce the amount of urban green space in the area in comparison to the permitted cattery building scheme which would be in accordance with Policy GE8.

The Inspector considered that on balance the overall amount of private and communal amenity space would provide satisfactory living conditions for future occupiers and the development would not conflict with Policy H9.

The appeal was allowed, with conditions imposed relating to drawing numbers, drainage works, laying out of car parking, tree protection, sound insulation and occupancy restriction.

Site Address:	Land at Beake Avenue
Reference Number:	S73/2016/0411
Description:	Removal of condition 16 subsections (ii) and (iii) – relating to noise mitigation measures – imposed upon planning permission OUT/2013/0012 for residential development.
Decision Level:	Delegated
Decision:	Refusal on 10/05/2016
Appeal Decision:	<i>Allowed on 21/04/2017</i>

#### Summary of Decision

The application sought planning permission for a residential development of up to 135 dwellings without complying with a condition attached to planning permission ref. OUT/2013/0012. The condition in dispute is no.16 which states:

No dwelling hereby approved shall be occupied unless the following noise mitigation measures have been implemented:

- (i) A 3m high landscaped bund with a continuous 2.5m high close boarded timber fence to be constructed along the top of the bund to the east of the site in the location shown on the Parameters Plan
- (ii) All windows to habitable rooms with a significant view of the adjacent commercial use to the east or Beake Avenue to the west to be fitted with

- acoustic glazing with the windows having acoustic trickle vents so that the units have an overall minimum specification Rw 38dB sound reduction
- (iii) All windows to habitable rooms with a significant view of the adjacent commercial use to the east shall be fitted with acoustic mechanically assisted ventilation units incorporating fans with acoustic covers inserted in the external walls ensuring that the acoustic performance of the external wall is not compromised
  - (iv) No residential façade within 40m of the commercial use to the east of the site

These mitigation measures shall be retained unless otherwise agreed in writing by the local planning authority.

The reason for the condition is:

To ensure a satisfactory residential environment for future occupiers and to reduce the likelihood of complaints against the existing industrial uses in accordance with Policies EM5, OS6 and H9 of the Coventry Development Plan 2001.

The main issue is whether the condition is necessary and reasonable to protect the living conditions of the occupiers of the development.

The appeal site comprises a recently constructed residential development with an industrial estate a short distance from the eastern site boundary. The properties covered by condition no.16 face towards the eastern boundary which is demarked by a bund and acoustic fence. The condition required the installation of acoustic trickle vents to these houses but standard trickle vents were installed. The Inspector noted that most of the houses were occupied and on his site visit did not observe any noise.

A noise report submitted with the application found that even with windows open the requirement of the relevant British Standard for bedrooms was met and further survey work concluded that internal noise levels fell within acceptable tolerances. The Council accepted these results but persisted in its objections on the basis that it cannot be certain the factory was operating its noisiest equipment on night surveys. The Inspector considered that this line of argument would rely on considerable conjecture and that there was no evidence to support the argument that the surveys were not representative of normal conditions. He considered that the Council's submissions lacked technical or anecdotal evidence and as such concluded that condition 16 is unnecessary.

Site Address:	Land at Grange Farm off Grange Road
Reference Number:	FUL/2016/0822
Description:	Demolition of farm outbuildings and construction of 107 dwellings and associated access road and creation of pedestrian / cycle link to the canal towpath
Decision Level:	Delegated
Decision:	Refusal on 01/06/2016
Appeal Decision:	<i>Allowed on 03/05/2017</i>

#### Summary of Decision

Amended plans were received at appeal and the Inspector took the view that the amendment would not materially alter the nature of the proposals and that third parties had been consulted on these amendments and therefore the appeal decision would be determined on consideration of these amendments and a revised description of development was agreed.

A planning obligation to secure necessary highway works and affordable housing was placed before the Inspector at Inquiry.

The Council confirmed that subject to additional highway information the amended plans and a completed legal agreement securing a package of highway mitigation measures, it was satisfied that its first reason for refusal had been addressed.

Air quality information was submitted which confirmed that the development would not breach the UK Air Quality Strategy Standards and on this basis the Council confirmed it would not defend its second reason for refusal.

It was also agreed that on the basis of further interrogation of viability and subject to the provisions of a completed legal agreement to secure affordable housing that the Council would not defend its last reason for refusal and a statement of common ground invited the Inspector to allow the appeal subject to a list of conditions.

Notwithstanding the agreement reached between the parties the inspector noted that there were outstanding objections from third parties and considered the main issues to be: Whether the appeal proposal would preserve the setting of the grade II listed buildings, Grange Farmhouse, 175 and 177 Grange Road; its effect on the nearby locally listed outbuildings; Whether the appeal proposal would preserve or enhance the character or appearance of the Coventry Canal Conservation Area; and whether the appeal proposal would result in satisfactory living conditions for future occupiers with regard to noise and disturbance.

In his conclusion the Inspector notes that, "As a result of the proposed development, I have identified some small harm to the setting of the listed buildings nearby. In addition, as I have found that those listed buildings positively contribute to the Coventry Canal Conservation Area, it would fail to preserve its character and appearance. Even though I have identified that such harm would be less than substantial, I accord considerable weight and importance to it. For the same reasons, the appeal development would be contrary to UDP Policies BE9, BE11 and BE14"

However the Inspector notes that whilst he has identified conflict with the development plan, he must consider whether there are other material considerations which would outweigh that conflict. In this regard he considers that the environmental benefits including new tree and hedge planting would provide an opportunity to enhance biodiversity.

He also notes that there would be social benefits with the provision of additional housing of which 75% would be affordable along with the provision of new accessible open space and a new pedestrian and cycle route which would improve



accessibility in the locality and he attaches more than considerable weight to this particular with regard to the provision of housing.

The Inspector also notes that there would be some economic benefits from the proposed development from employment and additional spending power from the construction phase and from future occupiers. He concludes that “To all of the benefits of the appeal, I accord more than considerable weight. They present public benefits as referred to in paragraph 134 of the Framework, which in the circumstances of this appeal, would outweigh the considerable weight and importance that I attach to the heritage harm that I have identified. Further, together, they are material considerations, sufficient in this case to outweigh the development plan conflict identified and therefore the appeal should be allowed.”

Site Address:	38 Upper Precinct
Reference Number:	ADV/2016/2100
Description:	Internally illuminated fascia sign
Decision Level:	Delegated
Decision:	Refusal on 10/10/2016
Appeal Decision:	<i>Allowed on 05/05/2017</i>

#### Summary of Decision

The main issue is the effect of the advertisement on amenity. The appeal site is located within the Upper Precinct which has been added to the Historic Environment Record and therefore the Council considered that the site must be considered as a non-designated heritage asset.

The Council’s objection to the signage was that it covers part of three Horton Stone pilasters. The Inspector notes that some changes have occurred over time to the area with two complete pilasters having been overlaid.

He concludes that “the location of the signage on the building, including the covering of part of the pilasters at the appeal property would not have any adverse effect on the amenity of the Precinct or the wider area. ....(particularly) as the part of the covered pilasters which is covered by the advertisement relate to are within a larger shop front for one unit as opposed to a boundary between retail units... and would not be detrimental to the interests of amenity.”

Site Address:	38 Upper Precinct
Reference Number:	FUL/2016/2086
Description:	New shopfront glazing/entrance
Decision Level:	Delegated
Decision:	Refusal on 10/10/2016
Appeal Decision:	<i>Allowed on 05/05/2017</i>

#### Summary of Decision

The main issue is the effect of the development on the character and appearance of the area. The appeal site is located within the Upper Precinct which has been

added to the Historic Environment Record and therefore the Council considered that the site must be considered as a non-designated heritage asset.

The Council's objection to the signage was that it covers part of three Horton Stone pilasters. The Inspector notes that some changes have occurred over time to the area with two complete pilasters having been overlaid.

The Inspector concludes that "To my mind the over-cladding of the pilasters in the appeal development, including the re-covering of the former Bank pilaster, would not have any adverse impact on the character or appearance of the Precinct or the significance of this non-designated heritage asset. This is particularly the case as the covered pilasters are within a larger shop front for one unit as opposed to a boundary between retail units.....(and) would not give rise to harm to the character and appearance of the Precinct or the wider area."

Site Address:	69 Palmerston Road
Reference Number:	HH/2016/2828
Description:	Erection of proposed side extension
Decision Level:	Delegated
Decision:	Refusal on 19/01/2017
Appeal Decision:	<i>Allowed on 12/05/2017</i>

#### Summary of Decision

The main issue is the effect of the development on the living conditions of occupiers of 71 Palmerston Road, with particular regard to outlook and light.

The development comprises a 2m depth extension to the rear of No.69 with a side wall close to the boundary wall which delineates the plots of No.69 and 71, directly opposite No.71's kitchen door and side window at a distance of 1.9m.

The Inspector notes that although the development depth would exceed 3.3m (contrary to the SPG), the development is a lateral extension of an existing structure and would not project in a rearward direction beyond the footprints of No.69 and either of its neighbours. She notes that although the larger windows on the side elevation of no.71 appear to serve a habitable room, this would not directly face the development and its immediate outlook would remain unchanged.

The Inspector notes that although the kitchen side windows face the development a 45 degree line taken from its centre would clear the outermost corner of the development conforming to the 45 degree guidance in the SPG. There is also a large window perpendicular to No.71's flank wall which faces the garden and the development would project into this view one side, but the Inspector considers that the view from this window is already significantly enclosed and tunnelled by the boundary wall and associated shrubs and as such is not satisfied that this would have a significant adverse effect on living conditions.

The Inspector concludes that the relative orientation of no.'s 69 and 71 would reduce the likelihood of the development causing significant overshadowing to

No.71 and having considered all of the above the development would not be contrary to Policy H4 of the CDP.

Site Address:	577 Foleshill Road
Reference Number:	FUL/2016/3011
Description:	Erection of front extension to form covered external sales area.
Decision Level:	Delegated
Decision:	Refusal on 02/02/2017
Appeal Decision:	<i>Dismissed on 15/05/2017</i>

Site Address:	577 Foleshill Road
Reference Number:	FUL/2016/1206
Description:	Erection of side extension (external covered sales area)
Decision Level:	Delegated
Decision:	Refusal on 06/09/2016
Appeal Decision:	<i>Dismissed on 15/ 05/2017</i>

#### Summary of Decision

There were two appeals at the site and the Inspector considered the proposals together to avoid duplication.

The main issue is the effect of the proposals on the character and appearance of the host property and area. The host property is a semi-detached property in use as a restaurant and located on a prominent corner position on Foleshill Road at the junction with Backwell Road. Although the host property and its neighbour have undergone extensions the Inspector notes there is a degree of symmetry between the properties that makes a positive contribution to the street scene.

The front extension would extend the previous front extension resulting in an overall projection between 3.8m and 4m which the Inspector considered would dominate the front of the property to a harmful degree and due to its scale, design and extent of projection from the front of the building would be prominent and somewhat incongruous in the street scene.

The side extension would be in line with the existing front extension on the front elevation and extend up to the back of the pavement on Blackwell Road and would obscure views of the bay window on this elevation. The Inspector considered that having regard to its open canopy design and proximity to the back of the pavement, the side extension would appear as a discordant prominent feature which would harm the character and appearance of the host property and the area.

The Inspector concluded that the “proposed extensions whether viewed separately or together would appear obtrusive and would have a prominent appearance which would unbalance this pair of semi-detached properties to a harmful degree. Consequently, neither of them either singularly or together would make a positive contribution to either the host property or the area .....and would cause unacceptable harm.”

Site Address:	6 The Firs
Reference Number:	FUL/2016/2635
Description:	Demolition of an existing dwelling and erection of two new dwellings
Decision Level:	Delegated
Decision:	Refusal on 05/01/2017
Appeal Decision:	<i>Dismissed on 26/05/ 2017</i>

### Summary of Decision

The main issue is the effect of the proposal on the significance of a non-designated heritage asset and the character and appearance of the surrounding area.

No.6 The Firs is an arts and crafts style detached dwelling set in a large plot with roadside hedgerow in a prominent corner location. In May 2016 an Article 4 Direction was served on the appeal property to prevent its demolition without planning permission and the property has been locally listed by the Council owing to its historical and architectural interest.

An appeal has already been dismissed for development at the site which involved demolition of the property, where the Inspector considered that the demolition of the dwelling and removal of hedgerow would result in the loss of an important and architectural significant building in the street scene. The Inspector in this case agrees with the previous Inspector on this matter. No substantive structural or financial evidence was presented previously, but this was submitted as part of this appeal.

The structural report states that the house is suffering from subsidence and that underpinning is required along with masonry reinforcement above openings, bow ties to stabilise the front elevation and a new roof with tiles and that the repair works are not cost effective and that it would be more cost effective to demolish and rebuild the property. The inspector finds no reason to dispute that the repair works listed are necessary.

Quotations suggest it would cost in excess of £222,000 to make the property safe and habitable and the Inspector accepts these figures. However, he notes that no detailed costs for demolition and the construction of the proposed dwellings are provided and shares the Council's concern that it has not been demonstrated that the proposed demolition and rebuild is the most cost effective option and is unable to conclude that there is no realistic alternative to secure the buildings survival.

The design of the two proposed dwellings has been revised in an attempt to address the previous concerns, but the Inspector notes that the comparatively narrow width of the dwellings and the linear form of the garden curtilages remains and considers the proposal would appear discordant when viewed in the context of generously sized properties and plots next to the site and would not overcome the harm identified by the previous Inspector.

The Inspector summarizes that the "the proposals would involve the provision of two energy efficient dwellings on a brownfield site in an existing built up area with

good links to local services and facilities. These benefits attract some weight in favour of the appeal. However, a private matter such as a potential fall in property value can be afforded limited weight only in support of the appeal. In addition, the absence of harm to neighbouring living conditions and other material consideration are neutral factors only when considered in the planning balance. Combined, the benefits associated with the appeal would be outweighed by the weight afforded to the loss of the locally listed building and to the harm identified to local character and appearance.” He concludes that the proposals would have a harmful effect on the significance of the non-designated heritage asset and on the character and appearance of the surrounding area, contrary to Policies BE2, BE14 and GE14 of the CDP and paragraphs 60 and 135 of the Framework.

Site Address:	98 Moseley Avenue
Reference Number:	S73/2016/1612
Description:	Variation of condition 2 – to amend opening hours to 0900 – 0200 hours everyday – imposed upon permission FUL/2014/3794 for change of use to hot food takeaway.
Decision Level:	Delegated
Decision:	Refusal on 19/08/2016
Appeal Decision:	<i>Dismissed on 06/06/2017</i>

#### Summary of Decision

The application sought planning permission for change of use from A1 to A5 and installation of fume extraction duct to rear without complying with a condition attached to planning permission ref FUL/2014/3794. The condition in dispute is no.2 which states:

No customers shall be permitted to be on the premises and no hot food deliveries shall be carried out from the premises other than between the hour of 09:00 and 00:00 hours (midnight) on any day.

The reason given for the condition is:

The premises are closely adjoined by residential properties and the City Council considers it necessary to strictly control the nature and intensity of use of the premises in the interests of the amenities of the area in accordance with Policies OS6 & EM5 of the Coventry Development Plan 2001.

The appellant wishes to extend the opening hours to between 09:00 and 02:00 hours of the following day, every day of the week. The main issue is the effect that these proposed opening times would have on the living conditions of nearby residents with regard to noise and disturbance.

The appeal relates to a ground floor commercial premises within Barker Butts local centre where neighbouring properties have commercial uses at ground floor and a night club on the opposite side of Moseley Avenues. However, the Inspector notes that the surrounding area is predominantly residential in character and there are residential properties close to the appeal site. He comments that hot food takeaways generate significant levels of activity and whilst residential occupiers



near the site would be used to higher levels of activity than if the area were purely residential, it is likely that general activity in the area will reduce as the evening progresses, particularly between midnight and 02:00.

The Inspector considers that the presence or likelihood of activity until 02:00 hours would be likely to have a significant and unacceptable effect on the living conditions of nearby residents and the significant unacceptable social effects of the proposal outweigh any economic benefits. He concludes that the opening times permitted by Condition No.2 are necessary and reasonable to protect the living conditions of nearby residents within regard to noise and disturbance.

Site Address:	400 Swan Lane
Reference Number:	FUL/2016/2579
Description:	Erection of chalet bungalow
Decision Level:	Delegated
Decision:	Refusal on 15/12/2016
Appeal Decision:	<i>Dismissed on 09/06/2017</i>

#### Summary of Decision

The main issues are the effect of the proposed development on: the character and appearance of the area; and the living conditions of the future occupiers of the proposal with regard to outlook, sunlight and daylight.

The appeal site is part of the rear garden of 400 Swan Lane, situated at the junction of Swan Lane and Swancroft Road. The rear boundary of the site adjoins the A444. The majority of dwellings close to the appeal site are 2-storey semi-detached dwelling with generous rear gardens providing a sense of spaciousness.

The proposed dwelling is a 1 ½ storey chalet bungalow positioned at the far end of No.400's rear garden with the main elevations facing the rear elevation of No.400 and the A444. The rear and side elevations would be in close proximity to the rear and side boundaries of the site. The Inspector considers the proximity of the proposed building to the boundaries would give the development a cramped form untypical of the area and its close proximity to the A444 would emphasise its incongruity with the existing pattern of development with no active street frontage and would be harmful to the character and appearance of the area.

The Inspector notes that the rear elevation would be in close proximity to the 2.4m high boundary wall with the A444, which would be overbearing and oppressive in relation to the outlook from the habitable room windows facing it. There would be an appreciable level of overshadowing from these walls and daylight would be restricted, with the Inspector concluding that future occupiers of the development would not have satisfactory living conditions with regard to outlook, daylight and sunlight.

The Inspector finds that the development would have a significantly harmful effect on the character and appearance of the area and that future occupiers of the proposal would not have satisfactory living conditions in conflict with the CDP.

Site Address:	3 Castle Close
Reference Number:	HH/2016/2780
Description:	Erection of two storey rear and single storey front extension
Decision Level:	Delegated
Decision:	Refusal on 26/01/2017
Appeal Decision:	<i>Allowed on 12/06/2017</i>

Summary of Decision

The main issue is the effect of the development on the living conditions of occupiers of No.5 Castle Close with particular regard to light and outlook. The reason for refusal relates solely to the rear extension and the Inspector confines her reasoning to this element of the proposals.

No.3 is perpendicular to two dwellings whose rear elevations partially oppose No.3's flank wall, in particular No.5 whose rear facing windows are between 9m and 12m from the proposed extension.

The Inspector agrees with the council that the extension would intrude into views from No.5 and would represent a significant lengthening of the existing flank wall but considers that of the two first floor rear windows directly opposite the extension, one has obscure glazing indicating it is a bathroom and the outlook from the other window would not be significantly affected by the development and that there would not be a significant loss of outlook from the window of the kitchen projection.

The Inspector disagrees with the Council's argument that No.5 would be hemmed in by the development and considers that although there would be some enclosure to the outlook this would not have such an adverse effect on the living conditions of its occupiers to warrant dismissal of the appeal and that there would be no significant loss of light for occupiers of No.5.

The Inspector concludes that the development would not be contrary to Policy H4 of the CDP and allows the appeal subject to conditions relating to: conformity with approved drawings; use of matching materials; and installation of obscure glazing to bedroom 3.

Site Address:	81 Far Gosford Street
Reference Number:	ADV/2016/3001
Description:	Display of two illuminated signs to and ATM (retrospective)
Decision Level:	Delegated
Decision:	Refusal on 21/03/2017
Appeal Decision:	<i>Appeal not valid on 13/06/2017</i>

Summary of Decision

The appeal was not received until more than 8 weeks after the notice of decision and therefore was not valid.

Site Address:	41 Holmfield Road
Reference Number:	FUL/2016/2273
Description:	Erection of a bungalow
Decision Level:	Delegated
Decision:	Refusal on 13/12/2016
Appeal Decision:	<i>Dismissed on 16/06/2017</i>

### Summary of Decision

The main issues are the effect of the dwelling on the character and appearance of the area; the effect on the living conditions of the occupants of neighbouring residential properties, with regard to privacy; and whether it would provide adequate living conditions for future occupants with regard to privacy and outlook.

The appeal site is in a residential area characterised by 2-storey terraced rows. The site forms part of the garden of No.41 Holmfield Road with the proposed dwelling fronting onto Druid Road. Properties on Druid Road are set back from the highway with gardens to the front and the wide street giving a sense of spaciousness. The dwelling would be orientated so the side elevation would face Druid Road and the Inspector considers that the dwellings lack of frontage with the road would appear incongruous which would be exacerbated by the dwellings position closer to the road than other properties. He states that “the siting of the dwelling in this location would represent a form of back-land development that would conflict with the well-established pattern of development in the area, failing to respect the relationship existing properties have with each other and their adjacent roads.” And that the dwelling would significantly harm the character and appearance of the area.

In looking at living conditions, the Inspector notes that a separation distance of 10m would be achieved and as a consequence of this there would be intervisibility between the rear windows of the two dwellings to such an extent that it would have an unacceptable harmful effect on the usability of the habitable rooms these windows serve and significant overlooking of the rear garden areas. On this matter the Inspector concludes that the proposal would result in an unacceptable harmful effect on the privacy of the occupants of No.41 Holmfield Road and would fail to provide adequate privacy for future occupants of the proposed dwelling.

In conclusion, The Inspector states that “The proposed dwelling would be located in a sustainable location with good access to services and facilities. Furthermore, it would be located within a well-established residential area. However, these matters, individually or cumulatively do not outweigh the harm I have identified and as a consequence does not represent sustainable development.”

Site Address:	43 Cornelius Street
Reference Number:	HH/2016/1498
Description:	Provision of car park platform at the front (retrospective application)
Decision Level:	Delegated
Decision:	Refusal on 14/09/2016
Appeal Decision:	<i>Dismissed on 22/06/2017</i>

### Summary of Decision

The appeal decision relates to the above planning application (Appeal A) and enforcement notice ENF/2016/00032 (Appeal B & C)

The main issues in relation to all three appeals are: the effect of the development on the character and appearance of the area; the effect on the living conditions of adjacent residents; and the effect on highway safety.

Cornelius Street is a residential road sloping down from its junction with Mile Lane. The appeal site is a mid-terraced property located at a prominent point on the outward curve of a dog-leg. The ground floor level of the dwelling is set below that of the carriageway and for the most part in the area dwellings do not benefit from driveways with low garden walls forming the predominant means of enclosure along both sides of the street.

The front garden has been substantially removed at the appeal site to form a vehicular access into the front garden and due to the significant level drop from the carriageway to the house a substantial retaining structure has been erected to form a level parking area. The Inspector finds that this development has caused harm to the established character and appearance of the area due to the loss of the majority of the front wall, the loss of any usable greenspace within the garden and the bulky and unattractive appearance of the retaining structure which represents poor design, contrary to Policies H4 and BE2 of the CDP.

The Inspector notes that the back edge of the parking platform sits directly to the front windows of the appeal dwelling and neighbouring property at No.45 and that due to its proximity and raised height the use of the parking space will result in an increased degree of overlooking into the adjacent living room which has caused substantial harm to the living conditions of adjacent residents.

With regard to highway safety the Inspector notes that few dwellings on Cornelius Street benefit from driveways and on street parking is at a premium, but see little benefit from the development in terms of overall provision as the creation of a single space within the front of the property is off-set by the loss of a kerbside space. He is satisfied that vehicles could access/ egress the site despite the limited visibility and that the development would not unduly increase the risk to other road users or pedestrians. The Inspector further notes that two other off-road parking spaces have been created in the front gardens of No's 27 and 31 Cornelius Street but comments that there are some differences in that at No 27 the space is set to the side of the central front doorway and at No.31 a coniferous hedge has been

planted to provide a screen, which is not a solution that would be appropriate at the appeal site.

The Inspector concludes that the presence of two similar raised parking area does not alter his views on the development. "The prevailing character of the area remains one of dwellings set back behind small front gardens and the creation of a raised parking area at the appeal site causes harm to that character for the reasons given. In addition, the development has caused harm to the living conditions of neighbouring residents and that harm could not be overcome by the imposition of conditions."

For these reasons the Inspector dismisses the appeal and upholds the enforcement notice. The requirements of the enforcement notice are: (a) Permanently remove the raised car parking platform in its entirety and reinstate land levels within the front (eastern facing) garden to levels similar to those which were in situ previously and; (b) Permanently remove from the land all building materials and waste arising from compliance with this requirement.

Site Address:	10 Smithford Way
Reference Number:	ADV/2015/3660
Description:	Display of 2 exterior fascia signs (1 internally illuminated) and vinyl window graphics.
Decision Level:	Delegated
Decision:	Refusal on 2/09/2016
Appeal Decision:	<i>Dismissed on 29/06/2017</i>

#### Summary of Decision

The main issue is the effect of the advertisement on the visual amenity of the locality. The appeal site comprises a café on Smithford Way. Retail signage in the surrounding area is predominantly at single storey height, generally below the height of the canopy.

The Inspector notes that the sign is unlike any other in the vicinity in that it is of a temporary material, at a two storey height and is unrelated to the appeal premises as it spans the width of the neighbouring retail unit making it a prominent and incongruous feature when viewed from the adjoining pedestrianised section of Smithford Way and Market Way.

The Inspector does not agree that the windows were unsightly prior to the erection of the sign and considers concerns regarding footfall levels and empty units but concludes that these factors do not justify or remove the harm to visual amenity identified.



## PLANNING APPEAL PROGRESS REPORT – SUMMARY TABLE

### CURRENT APPEALS LODGED

Application Reference & Site Address	Case Officer	Type	Appellant	Proposal	Progress & Dates
<b>FUL/2016/2686</b> 38 <b>Stoke Row</b>	<i>Anne Lynch</i>	Written Representations	Mr Cheema	Existing outbuilding converted to annexe and single storey side extension to extend existing bedrooms on existing dwelling and provide additional bedrooms in annexe to create 10 bedroom House In Multiple Occupation	Lodged date: 09/04/2017 Start date: 22/05/2017 Questionnaire/Statement: 09/06/2017
<b>FUL/2016/2506</b> 75-77 <b>Albany Row</b>	<i>Not yet allocated</i>	Written Representations	Mr Murphy	Change of use to A1 retail (retrospective application)	Lodged date: 25/04/2017 Start date: Awaiting start date
<b>FUL/2017/0518</b> 1 <b>Aldrin Way</b>	<i>Liam D'Onofrio</i>	Written Representations	Mrs Zhang	Change of use to HMO with 8 bedrooms (sui generis) and erection of single storey rear and side extension and proposed new roof over garage area	Lodged date: 25/04/2017 Start date: 01/06/2017 Questionnaire/Statement: 08/06/2017
<b>HH/2017/0496</b> 63 <b>Mayflower Drive</b>	<i>Alan Lynch</i>	Written Representations	Ms Corfield	Erection of two storey side extension	Lodged date: 03/05/2017 Start date: 19/06/2017 Questionnaire/Statement: 22/06/2017
<b>HH/2017/0636</b> 115 <b>Butt Lane</b>	<i>Alan Lynch</i>	Written Representations	Mr & Mrs Froggett	Erection of single storey rear extension	Lodged date: 08/05/2017 Start date: 30/05/2017 Questionnaire/Statement: 05/06/2017
<b>HH/2017/0292</b> 26 <b>Despard Road</b>	<i>Alan Lynch</i>	Written Representations	Mr Lee	Erection of 2 storey side extensions, single storey rear extension and rear dormer	Lodged date: 10/05/2017 Start date: 30/05/2017 Questionnaire/Statement: 05/06/2017
<b>FUL/2017/0205</b> 20 <b>Exminster Road</b>	<i>Liam D'Onofrio</i>	Written Representations	Mr Holcroft	Proposed three-bedroom dwelling on land adjacent to 20 Exminster Road	Lodged date: 12/05/2017 Start date: 27/06/2017 Questionnaire/Statement: 03/07/2017

<b>FUL/2016/2988</b> 81 Far Gosford Street	<i>Andrew Cornfoot</i>	Written Representations	Cardtronics UK Ltd	Installation of an ATM (retrospective) and external roller shutter	Lodged date: 22/05/2017 Start date: 23/06/2017 Questionnaire/Statement: 14/07/2017
<b>HH/2017/0159</b> 10 South Avenue	<i>Anne Lynch</i>	Written Representations	Mrs Pangli	Erection of front fence and gates (retrospective)	Lodged date: 02/06/2017 Start date: 15/06/2017 Questionnaire/Statement: 11/07/2017
<b>HH/2017/0333</b> 103 and 105 Longfellow Road	<i>Andrew Cornfoot</i>	Written Representations	Mr Singh	Two storey rear extensions to both dwellings and single storey rear extension to 105 Longfellow Road	Lodged date: 14/06/2017 Awaiting start date
<b>FUL/2017/2994</b> 71-73 Rochester Road	<i>Nigel Smith</i>	Written Representations	MR & Mrs Peggs	Change of use from residential elderly care home to House in Multiple Occupation (two cluster flats with 21 bedrooms) with minor external alterations	Lodged date: 16/06/2017 Awaiting start date
<b>FUL/2017/0563</b> 215 The Farmhouse Beechwood Avenue	<i>Anne Lynch</i>	Written Representations	Mr Mohammed	Retention of the existing marquee on a temporary basis for 2 years	Lodged date: 12/06/2017 Awaiting start date
<b>FUL/2017/0814</b> 17 Grafton Street	<i>Anne Lynch</i>	Written Representations	Mr Yunis	Change of use to seven-bedroom HIMO and erection of rear roof dormer (retrospective)	Lodged date: 26/06/2017 Awaiting start date
<b>LDCP/2017/0763</b> 27 Camden Street	<i>Anne Lynch</i>	Written Representations	Mr Tee	Lawful development certificate for use of the land for general storage of vehicles and materials and ancillary repair of stored vehicles	Lodged date: 29/06/2017 Awaiting start date
<b>FUL/2017/0745</b> 27 Camden Street	<i>Anne Lynch</i>	Written Representations	Mr Tee	Retention of storage buildings, fencing and hard surfacing	Lodged date: 29/06/2017 Awaiting start date

## APPEAL DECISIONS RECEIVED

Application Reference Site Address	Case Officer	Type	Appellant	Proposal	Appeal Decision & date
<b>TP/2016/2113</b> <i>16 Regency Drive</i>	<i>Robert Penlington</i>	Written Representations	Heer	Oak (T1) – Crown reduce by 30% (approx. 3m)	Decision : <b>DISMISSED</b> <b>06/04/2017</b> decision type: <i>Delegated</i>
<b>FUL/2016/2733</b> <i>Land off Wood Hill Rise</i>	<i>Nigel Smith</i>	Written Representations	Mr Hughes Diamond Construction Ltd	Erection of three dwellings with associated car parking	Decision : <b>ALLOWED</b> <b>12/04/2017</b> decision type: <i>Planning Committee</i> <b>(An application for the award of costs was ALLOWED)</b>
<b>HH/2016/2638</b> <i>101 Marlborough Road</i>	<i>Alan Lynch</i>	Written Representations	Mr Singh Hayre	Erection of rear extension and alterations	Decision : <b>DISMISSED</b> <b>12/04/2017</b> decision type: <i>Delegated</i>
<b>FUL/2016/1533</b> <i>54 Shilton Lane</i>	<i>Nigel Smith</i>	Written Representations	Mr Thompson	Demolition of existing cattery and outbuildings with erection of 14 serviced assisted living units with associated parking and landscaped grounds together with change of use of existing dwelling to administrative and communal accommodation.	Decision : <b>ALLOWED</b> <b>19/04/2017</b> decision type: <i>Delegated</i>
<b>S73/2016/0411</b> <i>Land at Beake Avenue</i>	<i>Nigel Smith</i>	Written Representations	Mr Birchley Taylor Wimpey (Midlands) Limited	Removal of condition 16 subsections (ii) and (iii) – relating to noise mitigation measures – imposed upon planning permission OUT/2013/0012 for residential development	Decision : <b>ALLOWED</b> <b>21/04/2017</b> decision type: <i>Delegated</i>
<b>FUL/2016/0822</b> <i>Land at Grange Farm off Grange Road</i>	<i>Nigel Smith</i>	Public Inquiry	Westleigh Partnerships Ltd	Demolition of farm outbuildings and construction of 107 dwellings and associated access road and creation of pedestrian / cycle link to the canal towpath	Decision : <b>ALLOWED</b> <b>03/05/2017</b> decision type: <i>Delegated</i>
<b>ADV/2016/2100</b> <i>38 Upper Precinct</i>	<i>Rebecca Grant</i>	Written Representations	Mrs Mather JD Plc	Internally illuminated fascia sign	Decision : <b>ALLOWED</b> <b>05/05/2017</b> decision type: <i>Delegated</i>

<b>FUL/2016/2086</b> 38 <i>Upper Precinct</i>	<i>Rebecca Grant</i>	Written Representations	Mrs Mather JD Plc	New shopfront glazing/entrance	Decision : <b>ALLOWED</b> <b>05/05/2017</b> decision type: <i>Delegated</i>
<b>HH/2016/2828</b> 69 <i>Palmerston Road</i>	<i>Pavan Flora-Choda</i>	Written Representations	James	Erection of proposed side extension	Decision : <b>ALLOWED</b> <b>12/05;2017</b> decision type: <i>Delegated</i>
<b>FUL/2016/3011</b> 577 <i>Foleshill Road</i>	<i>Nigel Smith</i>	Written Representations	Mr Iftikhar	Erection of front extension to form covered external sales area	Decision : <b>DISMISSED</b> <b>15/05/2017</b> decision type: <i>Delegated</i>
<b>FUL/2016/1206</b> 577 <i>Foleshill Road</i>	Nigel Smith	Written Representations	Mr Iftikhar	Erection of side extension (external covered sales area)	Decision : <b>DISMISSED</b> <b>15/05/2017</b> decision type: <i>Delegated</i>
<b>FUL/2016/2635</b> 6 <i>The Firs</i>	<i>Shamim Chowdhury</i>	Written Representations	Mr Beverley	Demolition of an existing dwelling and erection of two new dwellings	Decision : <b>DISMISSED</b> <b>26/05/2017</b> decision type: <i>Delegated</i>
<b>S73/2016/1612</b> 98 <i>Moseley Avenue</i>	<i>Nigel Smith</i>	Written Representations	Mr Rahal	Variation of condition 2 – to amend opening hours to 0900 – 0200 hours everyday – imposed upon permission FUL/2014/3794 for change of use to hot food takeaway	Decision : <b>DISMISSED</b> <b>06/06/2017</b> decision type: <i>Delegated</i>
<b>FUL/2016/2579</b> 400 <i>Swan Lane</i>	<i>Liam D'Onofrio</i>	Written Representations	Mr Borsellino	Erection of a chalet bungalow	Decision : <b>DISMISSED</b> <b>09/06/2017</b> decision type: <i>Delegated</i>

<b>HH/2016/2780</b> 3 Castle Close	<i>Alan Lynch</i>	Written Representations	Mr Uddin	Erection of two storey rear and single storey front extension	Decision : <b>ALLOWED</b> <b>12/06/2017</b> decision type: <i>Delegated</i>
<b>ADV/2016/3001</b> 81 Far Gosford Street	<i>Andrew Cornfoot</i>	Written Representations	Cardtronics UK Ltd	Display of two illuminated signs to an ATM (retrospective)	Decision : <b>Appeal not accepted as outside timescales for submission</b> <b>13/06/2017</b> decision type: <i>Delegated</i>
<b>FUL/2016/2273</b> 41 Holmfield Road	<i>Shamim Chowdhury</i>	Written Representations	Mr Singh	Erection of a bungalow	Decision : <b>DISMISSED</b> <b>16/06/2017</b> decision type: <i>Delegated</i>
<b>HH/2016/1498</b> 4 Cornelius Street	<i>Shamim Chowdhury</i>	Written Representations	Mr Fallahkohan	Provision of car park platform at the front (retrospective application)	Decision : <b>DISMISSED</b> <b>22/06/2017</b> decision type: <i>Delegated</i>
<b>ADV/2015/3660</b> 10 Smithford Way	<i>Pavan Flora-Choda</i>	Written Representations	Mr Knee	Display of 2 exterior fascia signs (1 internally illuminated) and vinyl window graphics	Decision : <b>DISMISSED</b> <b>229/06/2017</b> decision type: <i>Delegated</i>



**ENFORCEMENT APPEAL DECISIONS RECEIVED**

<b>Ref. and site address</b>	<b>Case Officer</b>	<b>Type</b>	<b>Appellant</b>	<b>Works</b>	<b>Decision and date</b>
<b>ENF/2016/00032</b> 43 Cornelius Street	Marcus Fothergill	WR	Mr Fallahkohan	Erection of an elevated car parking platform to the front garden	Enforcement notice upheld 22/06/2017

Note: WR – Written Representations

IH – Informal Hearing

PI – Public Inquiry

HAS – Householder Appeals Service