

**Time and Date**

2.00 pm on Thursday, 14th March, 2019

Place

Committee Room 3 - Council House

Public Business**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 Previous Meeting held on 14 February, 2019 (Pages 3 - 6)**5. Late Representations (Pages 7 - 10)**

To be circulated at the meeting.

6. Outstanding Issues

There are no outstanding issues.

7. Application FUL/2018/3439 - 23 Innis Road (Pages 11 - 28)

Report of the Head of Planning and Regulation

8. Application FUL/2018/3286 - 75-77 Albany Road (Pages 29 - 52)

Report of the Head of Planning and Regulation

9. Application FUL/2019/0075 - 88 Paynes Lane (Pages 53 - 64)

Report of the Head of Planning and Regulation

10. Application DC/2018/3424 - South of Holloway Field Land at Scots Lane (Pages 65 - 80)

Report of the Head of Planning and Regulation

11. **Application HH/2019/0121 - 26 Warwick Avenue** (Pages 81 - 90)
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**

Private Business

Nil

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

Wednesday, 6 March 2019

Note: The person to contact about the agenda and documents for this meeting is Usha Patel

Membership: Councillors N Akhtar, P Akhtar, R Auluck, R Bailey, S Bains, G Crookes, L Harvard (Chair), J McNicholas, D Skinner, T Skipper and H Sweet (Deputy Chair)

By invitation: Councillor E Ruane

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, 14 February 2019

Present:

Members: Councillor L Harvard (Chair)
Councillor P Akhtar
Councillor R Auluck
Councillor R Bailey
Councillor G Crookes
Councillor J McNicholas
Councillor T Skipper (up to and including Minute 116)

Employees (by Directorate):

Place: M Andrews, L D’Onofrio, S Evans, M Jones, T Miller, K Russell, C Sinclair, C Whitehouse

Apologies: Councillor N Akhtar, S Bains, D Skinner and H Sweet

Public Business

110. Declarations of Interest

There were no declarations of interest.

111. Members Declarations of Contact on Planning Applications

The Members named declared a contact on the following applications as indicated:

Application No.	Councillor	From
FUL/2018/2651 Land off De Montfort Way	All Members of the Committee	Email from an objector
	Councillor Crookes	Fellow Ward Councillors had been involved with residents who had made representations

112. Minutes of the Meeting held on 17 January 2019

The Minutes of the Meeting held on 17 January 2019 were signed as a true record.

113. Late Representations

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

Application	Site	Minute
FUL/2018/3452	Old Crown Inn, 89 Windmill Road	115
FUL/2018/2651	Land off De Montfort Way	116
OUT/2018/3447	Pickford House Cottage, Pickford Green Lane	117

114. **Outstanding Issues**

There were no outstanding issues.

115. **Application FUL/2018/3452 - Old Crown Inn, 89 Windmill Road**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for Change of Use of former public house to an 11 Bedroom House in Multiple Occupation (sui generis). The application was recommended for approval.

The Committee also considered a petition objecting to the application, bearing 166 signatures, which was sponsored by Councillor L Bigham, a Longford Ward Councillor. Councillor Bigham and the petition spokesperson attended the meeting and spoke in respect of the petition. The applicant's representative also attended the meeting and spoke in support of the application.

After consideration of the report and matters raised at the meeting, the Committee expressed concerns regarding:

- The loss of a community facility
- Insufficient parking in the area

RESOLVED that planning permission be refused in respect of Application FUL/2018/3452 for the reasons of insufficient parking and loss of a community facility.

116. **Application FUL/2018/2651 - Land off De Montfort Way**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for redevelopment of the existing car park to provide a new student accommodation building and associated amenities, a new multi-storey car park, landscaping enhancements, new pedestrian crossing and other public realm improvements. The application was recommended for approval.

Prior to the meeting, the Committee had visited the site to assess the visual impact of the scheme.

The Planning Officer reported that there was a change to the wording of Condition 28 relating to sound insulation measures. The amended condition now cited the relevant legislation. It did not change the requirements of the condition.

Councillor T Sawdon, a Wainbody Ward Councillor and three registered speakers attended the meeting and spoke in respect of their objections to the application. The applicant's representative also attended the meeting and spoke in support of the application.

During consideration, the Committee were concerned that shopping trolleys may be abandoned on the site and asked for an additional condition to mitigate this.

RESOLVED that the grant of planning permission be delegated to Officers in respect of Application FUL/2018/2651, subject to conditions, including the additional condition to secure a trolley management plan and the completion of a S106 legal agreement to secure the contributions listed within the report.

117. Application OUT/2018/3447 - Pickford House Cottage, Pickford Green Lane

The Committee considered a report of the Head of Planning and Regulation detailing the above outline application for the erection of two dwellings with garages (all matters except access and layout reserved), which was recommended for approval.

Councillor G Williams, a Bablake Ward Councillor, attended the meeting and spoke in respect of his objections to the application. The applicant's representative also attended the meeting and spoke in support of the application.

RESOLVED that planning permission be granted in respect of Application OUT/2018/3447, subject to conditions.

118. Application TP/2018/3273 - 48 Beechwood Avenue

The Committee considered a report of the Head of Planning and Regulation detailing the above application for Copper Beech (T2) - Crown thin by 15%, shorten branch tips by 3m from fabric of main building and by 2m from garage roof, crown lift above highway by 5-6m. Expose roots adjacent to damaged boundary wall for assessment prior to minimal root pruning and rebuild using lintel support where appropriate. The application was recommended for approval.

RESOLVED that consent for the works be granted in respect of Application TP/2018/3273, subject to conditions.

119. Appeal Progress Report

The Committee noted a report of the Head of Planning and Regulation which provided information on appeals lodged and determined in the period 1 November 2018 to 31 December 2018. The report set out the main issues of the appeals and summarised the decisions.

120. 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.

(Meeting closed at 5.20 pm)

Late Representations Planning Committee 14 March 2019

Item No. 7	<p>Application No. - FUL/2018/3439</p> <p>Description of Development - Demolition of existing dwelling and erection of a replacement dwelling and associated works.</p> <p>Site Address - 23 Innis Road</p> <p>Consultation</p> <p>Tree Officer – Raises no objections to the revised layout and the details set out within the Tree Protection Plan.</p> <p>A further petition was received containing 61 signatures objecting to the proposal.</p> <p><u>Material Planning Considerations are</u></p> <p>Design is out of character with the area;</p> <p>Loss of privacy to neighbour's opposite;</p> <p>Removal of trees and hedges;</p> <p>Substandard roads.</p> <p><u>Non-Material Planning Considerations</u></p> <p>Unwanted dazzling from light reflection from the amount of glazing.</p> <p>Further objections have been received raising the following material planning considerations: -</p> <p>Modern design out of character.</p> <p>Further objections have been received raising the following non-material planning considerations: -</p> <p>Capacity of the combined sewerage system as more land is covered by buildings;</p> <p>Light pollution</p>
Item No. 9	<p>Application No. - FUL/2019/0075</p> <p>Description of Development - Change of Use from Warehouse / Offices (B1) to Mosque, Community and Education Centre (D1) and minor external alterations</p> <p>Site Address - 88 Paynes Lane</p> <p>Consultation</p> <p>A letter of support has been received from Cllr O'Boyle, who has advised that he is supportive of the application, subject to it fulfilling any conditions seen relevant by Planning Committee.</p> <p>A letter of support has been submitted from the Coventry Muslim Forum who have advised that they are in support of this application. They also have commented in regard to the following:</p>

	<ul style="list-style-type: none"> • The application addresses the number of objections received in particular the issues around noise pollution and parking arrangements. • The mosque is not only a place of worship but will also provide educational and community facilities to communities. • There are good examples of mosques in Coventry that effectively work with Coventry City Council and West Midlands Police to address issues around anti-social behaviour, drug and substance abuse, support homelessness through food banks, radicalisation. • The Forum continues to support its affiliates to deliver this agenda so that communities can contribute to promote and help people become good citizens of this City. •
Item No. 10	<p>Application No. - DC/2018/3424</p> <p>Description of Development - Submission of details to discharge condition 15 (Flood Risk Assessment and Drainage Details) imposed on planning permission S73/2018/0812 Removal / Variation of condition No. 6 (in part, 6(i) only) to exclude pedestrians/cycle link between the northern part of the site and the bus stop on Holloway Field: imposed upon planning permission OUT/2016/2918 for 'Outline application with all matters reserved except for means of access, for residential development of up to 70 dwellings and landscaping with associated public open space and car parking' granted on 14/06/2018.</p> <p>Site Address - South of Holloway Field Land at Scots Lane</p> <p>Further to late issues being raised by local residents in relation to the adjacent Village Green and its relationship to the proposed works to the adjoining ditch, officers are seeking a deferral of this application until a later planning committee.</p> <p>This will allow officers additional time to fully consider and respond to the recent issues raised by local residents and fully address the concerns relating to the long-term protection of the village green.</p> <p>Amended Recommendation</p> <p>Planning Committee are requested to defer the decision of this application until a future meeting of Planning Committee.</p>

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Planning Committee Report	
Planning Ref:	FUL/2018/3439
Site:	23 Innis Road
Ward:	Earlsdon
Proposal:	Demolition of the existing house and the erection of a replacement dwelling
Case Officer:	Emma Spandley

SUMMARY

The application seeks planning permission for the demolition of the existing house and erection of a replacement dwelling. The scheme proposes a one-for-one replacement house on the site.

BACKGROUND

The application site is located within the Canley Gardens area, which is not a Conservation Area. Canley Gardens does have a Supplementary Planning Guidance (SPG) attached to it which controls development within the area.

KEY FACTS

Reason for report to committee:	Over 5 objections, together with a petition supported by Ward Councillor, Councillor Taylor, against the officer recommendation
Current use of site:	Single house and large rear garden
Proposed use of site:	Single house and large rear garden

RECOMMENDATION

Planning committee are recommended to grant planning permission subject to conditions listed within the report.

REASON FOR DECISION

- a) The proposal is acceptable in principle.
- b) The proposal will not adversely impact upon highway safety.
- c) The proposal will not adversely impact upon the amenity of neighbours.
- d) The proposal accords with Policies: DS3, H3, H5, DE1, AC3, GE3 & GE4 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The application is for the demolition of the existing house and the erection of a replacement dwelling.

The proposed dwelling will front onto Innis Road and will be located adjacent to No.31 Innis Road.

The proposed house, as amended, will be two storeys in height with a ridge height similar to that of No.31 Innis Road. The property will be constructed from a range of materials including stone and render.

The design of the house is modern with large sections of glazing. The proposal also includes a single storey garage to the eastern side of the plot.

SITE DESCRIPTION

The site is a large plot in the Canley Gardens area of the City. Canley Gardens was developed as plot development after World War I and is typified by a mixture of individually designed bungalows and houses set within substantial but irregular shaped landscaped plots. The houses are served by narrow 'country lane' style roads with no markings or footways and bounded by hedgerows.

No.23 was developed in the latter half of the 20th century and is a two storey dwelling with pale facing brick and plain detailing. It is set close to Innis Road, with a long garden to the south. To the west are 31 and 33 Innis Road, with 33 being a bungalow built in the garden of 31. To the east is a two storey dwelling set well back from Innis Road and a large detached garage close to the common boundary.

PLANNING HISTORY

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

Application Number	Description of Development	Decision and Date
OUT/2018/0448	Demolition of existing dwelling and erection of a replacement dwelling (outline with access and layout submitted)	Refused 17 th May 2018

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The new NPPF published on 24 July 2018 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 new NPPF increases the focus on achieving high quality design and states that it is "fundamental to what the planning and development process should achieve".

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 Local Plan 2016, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application is:

- Policy DS3: Sustainable Development Policy;
- Policy H3: Provision of New Housing;
- Policy H5: Existing Housing Stock;
- Policy DE1: Ensuring High Quality Design;
- Policy AC3: Demand Management;
- Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation;
- Policy GE4: Tree Protection.

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development
SPG 'Extending Your Home'
SPG Canley Gardens Control Plan

CONSULTATION

No Objections received from:

- e) Highways

No objections subject to conditions have been received from:

- f) Drainage
- g) Ecology

Immediate neighbours and local Ward Councillors (Earlsdon Ward) have been notified;

All 3 Ward Councillors have objected to the application.

A petition containing 87 signatures has been presented by Councillor Taylor, objecting to the application on the following basis:-

- a) Scale of proposed building in relation to the one it is replacing
- b) Loss of privacy and light to other properties
- c) Tree removal
- d) Fails to respond to its local context
- e) The length of construction time and disruption it will cause to the existing residents.

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

- a) Does not fit in with the adjacent buildings and harms the character of the area;
- b) Overlooking and loss of privacy;
- c) Breaches the 45 degree sightline;
- d) Balconies will cause overlooking and loss of privacy;
- e) Negative impact on the amenity of the area;
- f) Light pollution due to the expanse of glazing;
- g) Loss of privacy due to the expanse of glazing;
- h) Uses all the land with no regard for trees and hedgerows;
- i) Drainage is inadequate and only supports low density of development; the size of the proposed building will put pressure on the existing systems;

- j) Surface water flooding;
- k) Canley Gardens Control Plan has been ignored.

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

- l) Too many bathrooms
- m) Disruption during construction
- n) Lack of access to the rear garden from the front
- o) Access to properties within Innis Road during construction.

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are principle of development, the impact upon the character of the area, the impact upon neighbouring amenity, highway considerations, flood risk, ecology and trees.

Principle of development

Policy H3 states that new development must provide a high quality residential environment which assists in delivering urban regeneration or creating sustainable communities and which overall enhances the built environment. A suitable residential environment includes safe and appropriate access, adequate amenity space and parking provision and be safe from pollution.

The Canley Gardens Control Plan SPG states that the Council will generally not permit new dwellings in the area, except on a one for one replacement basis. The comments of the objectors are noted, however, there is no restriction on the size of the replacement house nor on the amount of rooms (including bathrooms) that a single property in Canley Gardens can have.

Therefore, the principle of demolishing the existing house and replacing it with a single dwelling is acceptable as it is a one-for-one replacement. The proposal would result in a high quality residential environment and would contribute to a sustainable community. Therefore the proposal complies with this aspect of Policy H3. The impact upon the built environment is discussed in more detail below.

Impact on visual amenity

The National Planning Policy Framework, paragraph 127 states that “Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF further states (at paragraph 130) "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)."

The Canley Gardens area is characterised by individually designed dwellings in substantial plots. The style of dwellings is varied with some bungalows and some two storeys high. The existing dwelling is of little architectural merit and is two storeys high with single storey front and rear projections.

The proposed dwelling is of a modern design will large areas of glazing, the proposed house will sit on a similar building line to that of No.31 (immediate next door neighbour), which is slightly further back in the plot than the existing house.

Canley Gardens is characterised by individually design dwellings, therefore there is no one set design criteria to be adhered to.

Nevertheless, the dwelling is well designed and has architectural interest with two fronting gables creating an 'H' shaped floor plan. It will be finished in white render, similar to some properties located within Canley Gardens, accentuated with stone sections to break up the façade with dark grey windows.

The proposed dwelling has been reduced in height, so that it is a similar height to that of the neighbour property No.31 Innis Road, the position of the property within the plot is now, more in line with the existing dwellings, and the trees and hedging to the rear garden area will remain.

As amended, the proposed new house, will better assimilate into the area and will not appear as an incongruous feature within the street scene.

The proposal would result in a high quality residential environment. Therefore the proposal complies with Policy DE1 of the Coventry Local Plan 2016 and the relevant paragraphs of the NPPF.

Impact on residential amenity

Policy H5 requires new development to be designed and positioned so it does not adversely affect the amenities of the occupiers of neighbouring properties. The Supplementary Planning Guidance 'Extending your Home' states new buildings should not breach a 45 degree sightline taken from the middle of the nearest habitable room windows taken from the neighbouring property.

As originally submitted the application proposed balconies to the rear and a larger footprint which resulted in a breach of the 45 degree sightline.

Amendments have been sought which have omitted the balconies and reduced the footprint. As amended the proposed new house will not breach a 45 degree sightline taken from the middle of the nearest habitable room windows.

The proposed house is two storey similar to that of the existing house and is positioned to the front portion of the site. The proposed new house will not have a detrimental impact on the occupiers of the neighbouring properties through increased visual intrusion, loss of light and increased loss of privacy and overlooking.

Highway considerations

Policy AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene. Proposals for the provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

The parking requirement for the existing and proposed house is the same and will be retained to the front of the site.

Highways raise no objection to the proposal given the fact it replaces one house with another and would have at least three off road parking spaces.

Flood Risk / Drainage

This application is for the demolition of an existing dwelling and the erection of a replacement dwelling at 23 Innis Road. The Council records indicate that the site is at high risk of surface water flooding, associated with a culverted tributary of the Canley Brook, which passes through the site.

The Drainage Team have raised no objections to the proposed new dwelling subject to conditions securing a scheme for the provision of surface water drainage; a detailed strategy for SuDs and a survey of the existing culvert. Please refer to condition No.6.

Ecology, Biodiversity and Trees

Policy GE3 of the Local Plan states that Sites of Special Scientific Interest (SSSIs), Local Nature Reserves (LNRs), Ancient Woodlands, Local Wildlife and Geological Sites will be protected and enhanced.

The surrounding habitat of large, mature gardens and Hearsall Common to the south is favourable for foraging bats and there are nearby historic records. A preliminary Ecological Appraisal (PEA) by Martin Ecology, dated February 2019 was submitted which concluded that further emergence survey works should be carried out during this coming bat survey season as not all parts of the roof were reachable during the scoping survey.

Subject to the granting of permission this will be controlled by condition no.3 attached to the Decision Notice.

Policy GE4 states that trees make a valuable contribution to the city's green landscape. New developments should seek to retain existing trees and other landscape features, incorporating them into a high quality design and landscape proposals where possible. Should loss be unavoidable, compensatory provision of new trees should be proposed as part of a well-designed landscape scheme.

The existing trees located to the south within the substantial rear garden are to be retained. An updated Arboricultural will be submitted and will be reported at the meeting. The report will confirm that due to the repositioning of the proposed house, to the front of the site, the trees within the rear garden area will be retained. A condition requiring their protection during construction can be attached to the Decision Notice. Please refer to condition No.8 & No.9.

Other matters

The comments are noted with regards to construction traffic and the disruption that may be caused by the development. Highways have raised no objections to the proposal. The Council are mindful that the roads within Canley Gardens have substandard visibility by today's standards. However, the Council cannot control the manner in which people drive. A Construction Management Plan has been submitted, which details how deliveries and site operatives will be coordinated to restrict the disruption during the build out, however, until a contractor is appointed the specific details cannot be confirmed. Subject to the granting of permission this will be controlled by condition no.4 attached to the Decision Notice.

Equality implications

The proposal has been reviewed and it is considered there are no known equality implications as a result of this proposal, in accordance with the Equality Act 2010.

Conclusion

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, highway safety or ecology subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DS3, H3, H5, DE1, AC3, GE3 & GE4 of the Coventry Local Plan 2016, together with the aims of the NPPF and the Canley Gardens Control Plan.

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. The development hereby permitted shall be carried out in accordance with the following approved documents:
Location Plan - Drawing No. 1082.012;
Amended existing and proposed site plans, drawing no. 1082.011A;
Amended proposed ground floor plans, drawing no. 1082.06A;
Amended proposed first floor plans, drawing no. 1082.08A;
Amended proposed side elevations, drawing no. 1082.09A;
Amended Proposed front and rear elevations, drawing no.1082.08A;
Preliminary Ecological Appraisal (PEA) by Martin Ecology, dated February 2019;
Design and Access Statement - Reference 1082.

Reason: *To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policy DE1 of the Coventry Local Plan 2016.*

3. The development hereby permitted (including demolition) shall not commence until a further bat survey of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys - Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation plan shall thereafter be implemented in full.

Reason: *To ensure that protected species are not harmed by the development in accordance with the aims and objectives of Policy GE3 of the Coventry Local Plan 2016, and the NPPF 2012.*

4. The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority.

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 AC1, AC3, EM1 and DE1 of the Coventry Local Plan 2016.*

5. The development shall be carried out only in full accordance with details of the external facing and roofing materials which shall be submitted to and approved in writing by the local planning authority

Reason: *To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policy DE1 of the Coventry Local Plan 2016.*

6. The development hereby permitted shall be carried out only in strict accordance with details of a scheme for the provision of surface water drainage incorporating infiltration SuDS or attenuation techniques. There must also be consideration of features such as green roof technology for the management of surface water peak and total flows, biodiversity and water filtering, in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.
- I. A detailed strategy for the long-term maintenance of the SuDS and other surface water drainage systems on site.
 - II. Development discharge rates for the individual projects on the site to be managed to Qbar greenfield rates or 5 l/s whichever is greater. The discharge rates for brownfield sites shall be considered as greenfield in accordance with the SFRA.
 - III. Provisions must be made for the drainage of the site to ensure there are no temporary increases in flood risk, on or off site, during the construction phase
 - IV. Evidence that receiving water bodies or sewers are capable of accepting the attenuated flows specified by the Lead Local Flood Authority and that this will not exacerbate the flood risk on or off site. This will include capacity calculations and outcomes, not just the correspondence from Severn Trent Water Ltd in isolation, accepting the point discharges. Evidence of existing sub catchments within the site are needed to support the connectivity survey and confirm the acceptability of proposed point discharges to the watercourses and infrastructure sewers. This must be submitted to, and agreed by, the Local Planning Authority and Lead Local Flood Authority.
 - V. The surface water flood mapping indicates that the site is vulnerable to surface water flooding. An appropriately scaled flood risk assessment is required to establish the risk to the development, as well as the appropriate mitigation measures.
 - VI. Mapping of the 1 in 100 year surface water flood extents is required, to indicate the exceedance and conveyance flows to inform building floor level design and general ground levels, and to consider flood flow routing off site. This must be submitted to, and agreed by, the Local Planning Authority and Lead Local Flood Authority.
 - VII. The development must be considered for the implementation of permeable paving or similar permeable material for the management of total surface water flows, and water filtering in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.
 - VIII. Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway.
 - IX. Where new or redevelopment site levels result in the severance, diversion or the reception of natural land drainage flow, the developer shall maintain existing flow routes (where there are no flood risk or safety implications) or intercept these flows and discharge these by a method approved by the Local Planning Authority

Reason: *To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies EM4 and HW1 and DS3 of the Coventry Local Plan 2016.*

7. The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings 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 dwellinghouse hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(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 GB1, GE1, DE1 and HE2 of the Coventry Local Plan 2016.*

8. The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations (excluding hard surfaces).

Reason: *To protect those trees and shrubs which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DE1, HE2, HW1 and DS3 & GE3 of the Coventry Local Plan 2016.*

9. The existing hedge(s) indicated on the approved plans to be retained shall not be cut down, grubbed out or otherwise removed or topped or lopped so that the height of the hedge(s) falls below ...m at any point without the written consent of the local planning authority. Any hedge(s) removed without consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced within the next planting season with hedging, tree(s) and/or shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. 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 (excluding hard surfaces).

Reason: *To protect that hedging which is of significant amenity value to the area in accordance with Policies HW1 and DS3 & GE3 of the Coventry Local Plan 2016.*

10. The hard surface in relation to the off-street car parking within the curtilage of the property shall be made of permeable materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the house and such provision shall be retained thereafter.

Reason: *To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies EM4 and HW1 and DS3 of the Coventry Local Plan 2016.*

11. The dwellinghouse shall not 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 unless otherwise agreed in writing by the local planning authority.

Reason: *In the interests of highway and pedestrian safety in accordance with Policies AC1 and AC3 of the Coventry Local Plan 2016.*


12. 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 west (side) facing elevation of the dwellinghouse hereby approved without the written approval of the local planning authority and if any additional windows are subsequently approved they shall only be glazed or re-glazed in accordance with such approved details and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed.

Reason: *To ensure the amenities of adjoining properties are not detrimentally affected through overlooking or loss of privacy in accordance with Policy BE2 of the Coventry Development Plan 2001.*

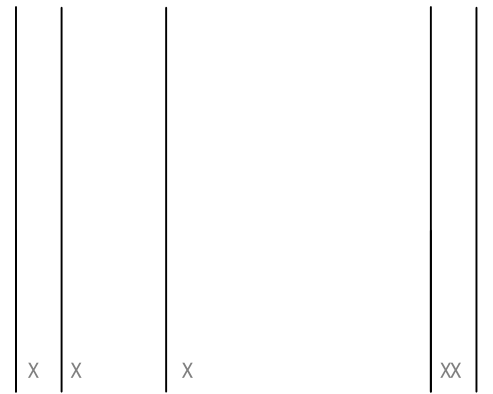
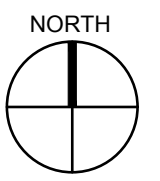
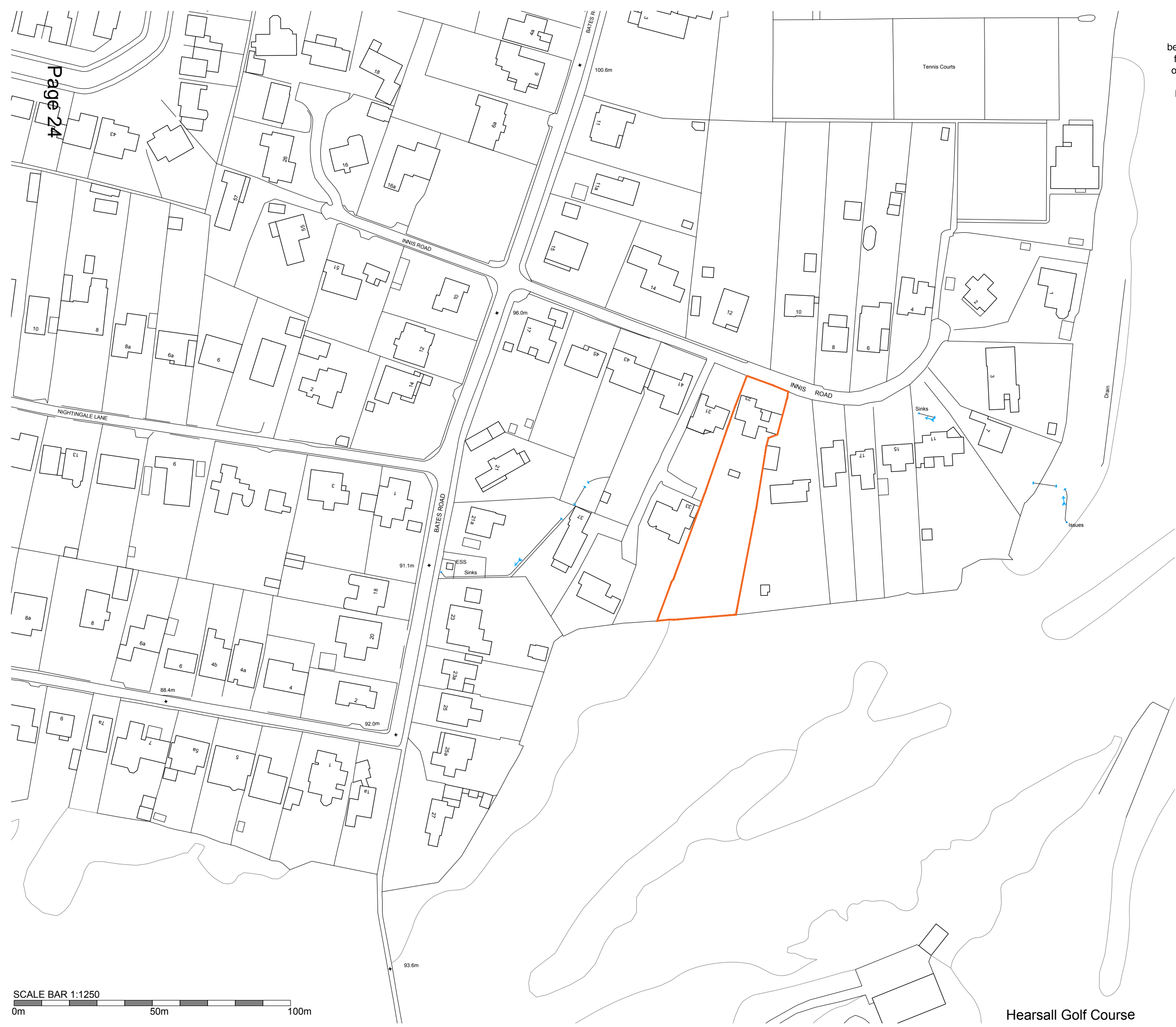
REFERENCE NUMBER
FUL/2018/3439

SITE:
23 INNIS ROAD

SCALE 1:1250



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**PROPOSED NEW DWELLING AT
23 INNIS ROAD
COVENTRY
CV5 6AX**

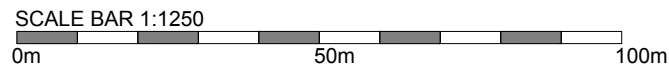
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PROPOSED ELEVATIONS 2

scale: 1:1250@A3 date: 10.12.18 drawn by: AJB

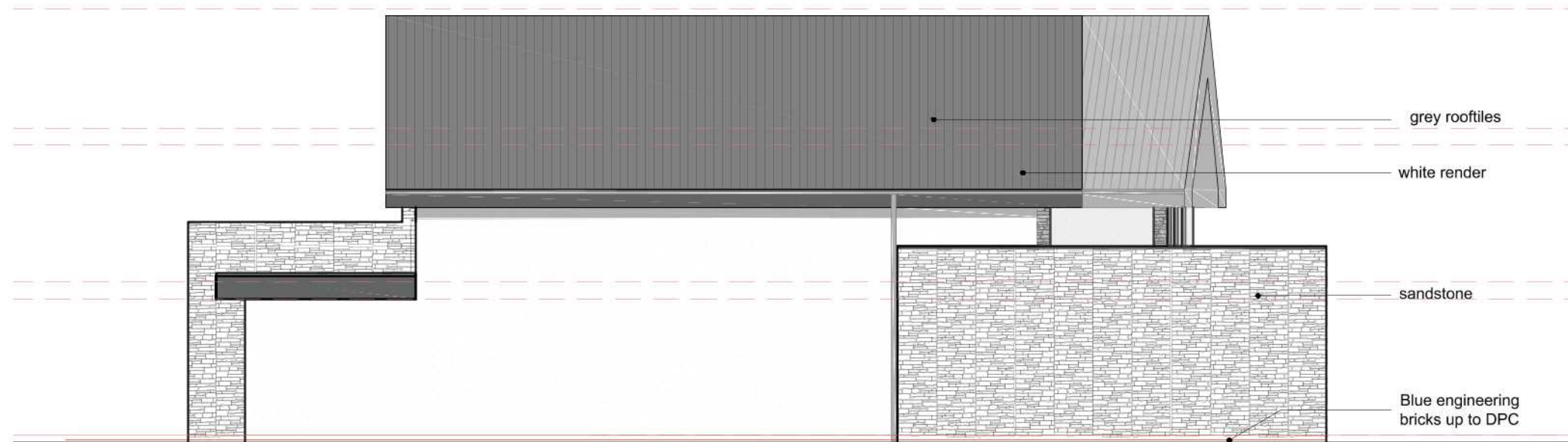
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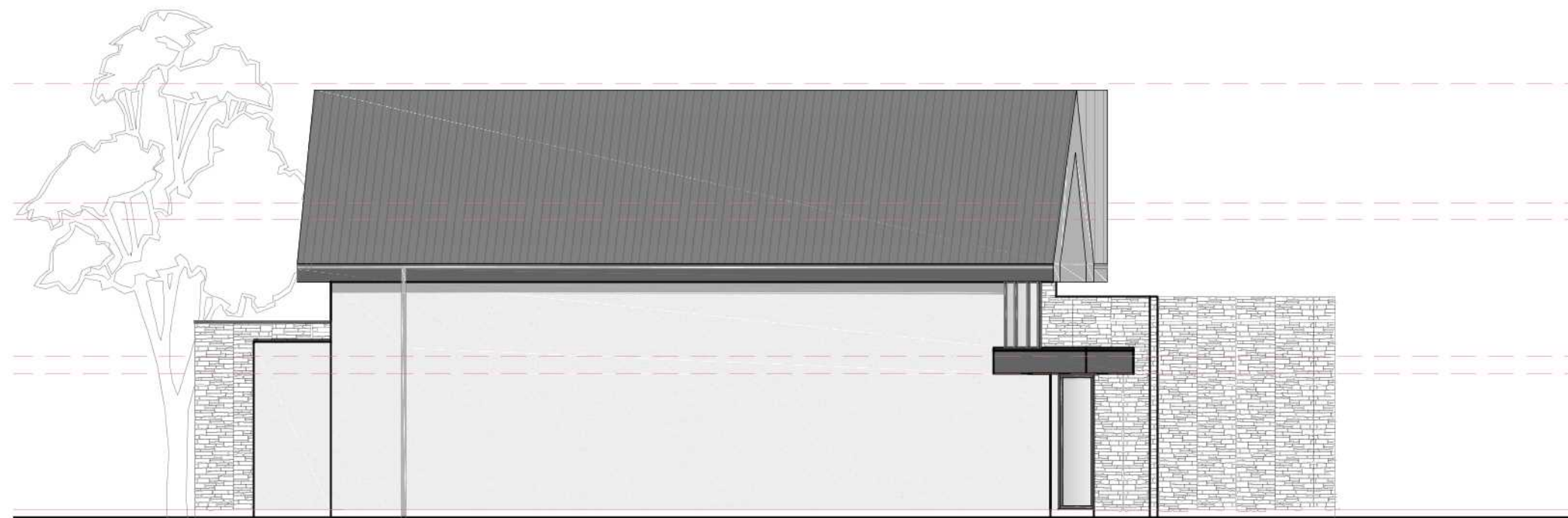


Hearsall Golf Course

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PROPOSED WEST ELEVATION



PROPOSED EAST ELEVATION

A	06/02/19	General Amendments	AJB
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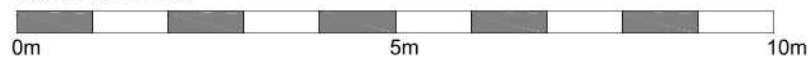
PROPOSED NEW DWELLING AT
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REENU DOSANJH

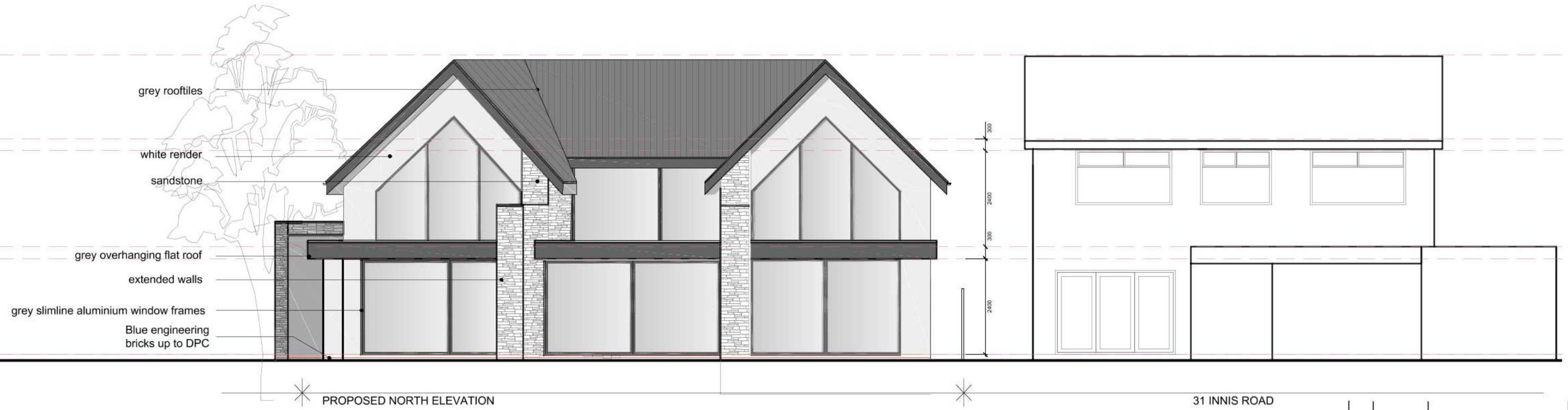
PROPOSED ELEVATIONS 2

scale: 1:100@A3 date: 06.12.18 drawn by: AJB

drg: **1082.09A** checked by: LC



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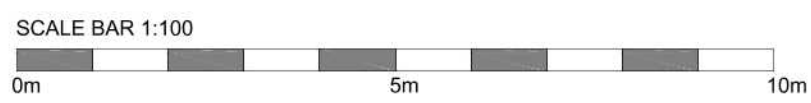
PROPOSED NEW DWELLING AT
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PROPOSED ELEVATIONS 1

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A 06/02/19 General Amendments AJB

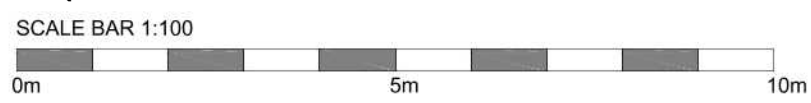


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**PROPOSED NEW DWELLING AT
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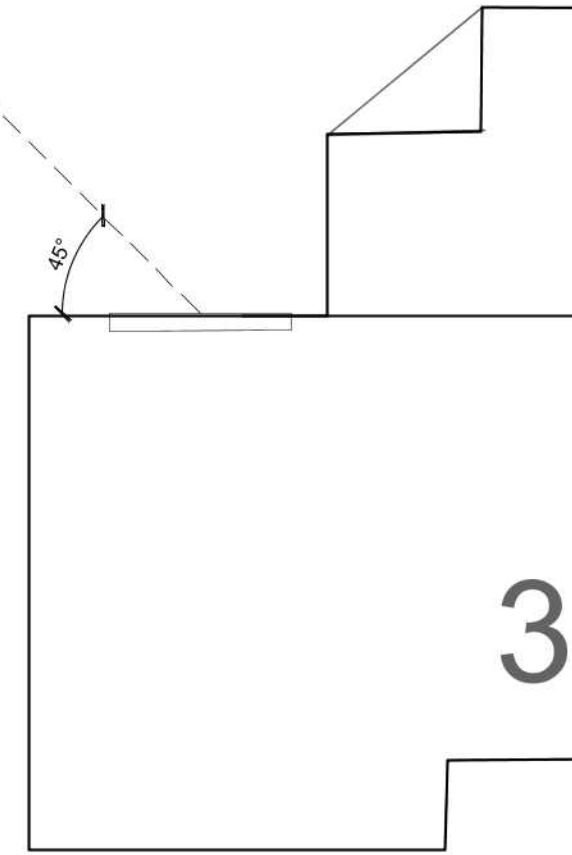
REENU DOSANJH
PROPOSED FIRST FLOOR PLAN

scale: 1:100@A3 date: 06.12.18 drawn by: AJB
drg: **1082.07A** checked by: LC



23

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A	06/02/19	General Amendments	AJB
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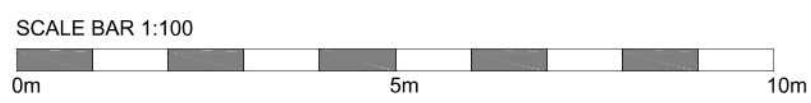


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**PROPOSED NEW DWELLING AT
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REENU DOSANJH
PROPOSED GROUND FLOOR PLAN

scale: 1:100@A3 date: 06.12.18 drawn by: AJB
 drg: **1082.06A** checked by: LC



Planning Committee Report	
Planning Ref:	FUL/2018/3286
Site:	75-77 Albany Road
Ward:	Earlsdon
Proposal:	Demolition of existing buildings and proposed development of 15no, 1no bedroomed apartments.
Case Officer:	Emma Spandley

SUMMARY

The application seeks planning permission for the redevelopment of the existing commercial site located on the corner of Albany Road and Winifred Avenue. The scheme, as amended, proposes 15no. 1no. bedroomed flats, parking, bin & cycle storage and landscaping.

BACKGROUND

The application site is located within a predominately residential area of Earlsdon, with a railway line to the east.

KEY FACTS

Reason for report to committee:	Over 5 objections against the officer recommendation.
Current use of site:	Commercial
Proposed use of site:	Residential

RECOMMENDATION

Planning committee are recommended to grant planning permission subject to conditions and subject to the completion of a S106 Agreement to secure the contributions listed within the report.

REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal makes provision for necessary developer contributions.
- The proposal accords with Policies: DS1, DS3, H3, H9, DE1, AC3, EM1, EM2, EM6, HW1 & IM1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The application proposes demolition of all the commercial buildings on the site and to redevelop with, as originally submitted, a four storey building with rooms in the roof serviced by dormer windows which provided 20no. 1no. bedroomed flats.

As amended, the building is now only three storey's high, providing 15no. 1no. bedroomed flats. The dormers have been omitted.

The proposal also includes the provision of 16no. car parking spaces, bin & cycle storage and landscaping to the road frontages.

SITE DESCRIPTION

The site is located on the northern corner of Albany Road and Winifred Avenue, just before the railway line to the east. To the west, on the opposite side of Winifred Avenue & Albany Road is a letting agents (Concentric), with the Nexus Institute beyond on Albany Road. The northern & southern sections of Albany Road between the 2no. railway lines are a mix of commercial with a small terrace of residential properties in between. Winifred Avenue is a cul de sac which leads to the Earlsdon Telephone Exchange. Winifred Avenue is predominately residential in nature, with double yellow lines restricting parking along its length.

On the south side of Albany Road (opposite) there are a couple of restaurants followed by some retail units. Parking is restricted to marked bays with waiting restrictions.

PLANNING HISTORY

There is no history relating to the redevelopment of the site. The history relates to the former uses of the site.

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The new NPPF published on 24 July 2018 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 new NPPF increases the focus on achieving high quality design and states that it is "fundamental to what the planning and development process should achieve".

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 Local Plan 2016, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application is:

Policy DS1: Overall Development Needs

Policy DS3: Sustainable Development Policy

Policy H3: Provision of New Housing

Policy H9: Residential Density

Policy DE1 Ensuring High Quality Design
Policy HE2: Conservation and Heritage Assets
Policy AC3: Demand Management
Policy EM1: Planning for Climate Change Adaptation
Policy EM2: Building Standards
Policy EM5 Sustainable Drainage Systems (SuDS)
Policy IM1: Developer Contributions for Infrastructure

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development
SPD Delivering a More Sustainable City
SPD Coventry Connected

CONSULTATION

No Objections received from:

- Education
- West Midlands Fire Service
- Gas

No objections subject to conditions/contributions have been received from:

- Affordable Housing
- Drainage
- NHS – S106 contribution
- Severn Trent
- Highways

Immediate neighbours and local councillors have been notified; a site notice was posted on street furniture on 19th December 2018 adjacent to the site. A press notice was displayed in the Coventry Telegraph on 20th December 2018.

Councillor Bally Singh objected to the proposal on the grounds of overdevelopment, impact on waste, litter, noise and parking. Contravention of promoting purpose built accommodation. Wishes to see family houses of 2no bedrooms.

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

- a) Over development of the plot
- b) Not in keeping with the area
- c) Lack of parking
- d) Lack of gardens
- e) Inadequate bin storage / bins being left on the street
- f) Overlooking and loss of privacy

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

- g) Occupants will be students
- h) Breach of security during construction phase

- i) Devaluing property

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are the principle of development, the impact upon the character of the area and heritage assets, the impact upon neighbouring amenity, highway consideration, noise, contaminated land, air quality, and infrastructure contributions.

Principle of development

NPPF paragraph No.7 states ‘the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.’

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 10 & 11) Paragraph 117 seeks to ensure planning policies are promoting an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Whilst paragraph 180 states new development should be appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site.

Policy H3 of the Coventry Local Plan states future housing will be designed to create new and stable communities. When considering the suitability of a site for housing development that is not already allocated, Policy H3 must be considered to ensure it is situated within a sustainable location.

The site is located within an existing residential area, with close links to sustainable transport modes and convenience shopping. The redevelopment of the site for residential uses is considered to be a sustainable form of development.

The principle of a development in this location is acceptable.

Impact on visual amenity

Policy DE1 of the Local Plan seeks to ensure high quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

The National Planning Policy Framework, paragraph 127 states that “Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF further states (at paragraph 130) “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).”

The application has been amended to reduce the height of the proposal and therefore lessen its impact on the surrounding area.

The proposed building seeks to create a landmark design. It will be three storeys high along the frontage towards the centre of the site, reducing down to two storey as it responds to the scale of residential development along Winifred Avenue and to the adjacent Network Rail property along Albany Road.

A Turret feature will be located on the corner with Albany Road and Winifred Avenue and it will be constructed from red facing brick and concrete interlocking roof tiles.

An undercroft feature will be accessed via Winifred Avenue which will lead to the parking / cycle & bin storage allocated for the proposed building. A set back to the road frontage is retained by railings which will provide a landscaped area to the front.

In respect of Policy DE1; the proposed development is considered to have been designed to enhance the area having regard to the existing physical context of the site which is comprised primarily of low level commercial buildings in a state of disrepair and a former forecourt for a garage. The massing of the proposed building has been designed to respond to the scale of development in the locality, being mindful, that, at this section of Albany Road there are commercial properties of some scale. In particular the Nexus Institute. The proposal also responds to the scale of the surrounding dwellings, by stepping up from the lower storey height buildings.

Objections have been raised against the development by local residents regarding the scale of the development stating it is at odds with the character of the area and an ‘overdevelopment’ of the plot.

It is accepted that the building is considerably higher than the buildings its replaces, however, it has been designed in order to step the scale of development towards the centre of the building, which fronts the road frontage. It is therefore considered that this development enhances the character of the area by providing a high quality designed building which demonstrates design codes which respond to the surrounding site characteristics.

The proposed development will introduce a high quality building in a prominent location and as detailed above has been designed to respect, preserve and enhance the site. The proposed development thereby complies with Local Plan Policy DE1.

Impact on residential amenity

Policy H5 requires new development to be designed and positioned so it does not adversely affect the amenities of the occupiers of neighbouring properties. The Supplementary Planning Guidance 'Extending your Home' states new buildings should not breach a 45 degree sightline taken from the middle of the nearest habitable room windows taken from the neighbouring property.

As detailed within the principle section of this report the proposed residential use is considered to be compatible with surrounding residential uses and will not result in any significant impact upon the amenities of the occupiers of surrounding properties.

In terms of the built form proposed, the nearest neighbour is No.6 Winifred Avenue, which is a two storey residential dwelling. The proposal does not impact on the 45 degree sightline taken from the rear windows at No.6 Winifred Avenue. There are windows within the rear elevation of the proposed building which relate to habitable rooms. I note the comments regarding loss of privacy and over looking to this property.

The proposed building is however angled slightly away from this property and whilst they will be able to look down the garden, this relationship is no different to that already experienced with the existing neighbouring houses.

The scheme is not therefore considered to create any significant loss of light, outlook or privacy to the occupiers of surrounding properties.

Bin Storage

The comments regarding bin storage and waste are noted. Drawing no.1071.09C (site plan) shows an integrated bin store located within the under croft area, accessed off Winifred Avenue.

A bin storage area is shown on drawing No, 1071.09C. This bin store measures 2.6m wide x 2.2m deep and is of a sufficient size to accommodate the required bins. Therefore, adequate bin storage facilities will be provided within the development.

Subject to the granting of permission the bin storage area will be required to be kept for its intended use for the life of the development, this will be controlled by condition no. 17 attached to the Decision Notice. The condition will also ensure that the bins are stored in the area identified at all times unless being presented to the kerbside on collection day.

Highway considerations

Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city. c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form. d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

Policy AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene. Proposals for the provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

As originally submitted the application proposed 20no. 1no. bedroomed flats which would require 1no. space per each flat plus 1no. unallocated space per 5 units for visitors. Therefore the total requirement was 24no. car parking spaces.

The application provided only 16no. Car parking spaces. However, the Highways Authority did not raise an objection. This was because the existing uses required 26no. off road car parking spaces and none were provided on site, all were off site.

On this basis, whilst it was acknowledged that there was a short fall of 8no. spaces on the original application and there is significant demand for on street parking; due to the existing parking requirement compared with the proposed car parking arrangement, the proposals actually offered a 2no. space reduction in the parking requirement for the site.

Notwithstanding the above, the application has been amended and the number of units has been reduced from 20no. to 15no.

The car parking requirement for 15no. 1no. bedroomed flats is 15 plus 3 unallocated visitor parking.

The site can accommodate 16 off road car parking spaces which would be allocated to the flats with 1 visitor space and the additional 2no. visitor spaces will be located on street.

Therefore the shortfall in the amended application is 3 spaces compared with 8 spaces previously. The no objection raised by the Highways Authority remains.

On this basis, the application is in accordance with Policy AC3 and Appendix 5 of the Coventry Local Plan 2016 and will not cause demonstrable harm to highway safety or the free flow of traffic.

Noise

A noise report was submitted reference MDR/J3097c, which recommended specific noise insulating properties for the glazing together with the requirement that the windows remain closed at all times, this is in order that the development can achieve the requirement noise ratings within the building.

Subject to the granting of permission the details of the noise report will be adhered to and a condition requiring details of the proposed ventilation system will be required to be submitted and approved in writing. This will be controlled by condition no. 3 & no.12 attached to the Decision Notice.

Air quality

Policy DS3 states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF and will seek to secure development that improves the economic, social and environmental conditions in the area, including, amongst other things: increased health, wellbeing and quality of life; and measures to adapt to the impacts of climate change.

The scheme is subject to an air quality condition consistent with all development within the City to secure a method statement detailing the control of emissions to air during the demolition and construction phases, one electric vehicle (EV) charging space per parking space and low emission boilers. Please see conditions no. 19 & 20.

Contaminated land

Given the historical use of the land, Environmental Protection have recommended conditions to secure a site investigation and risk assessment.

Affordable Housing

The site and development proposals falls below the Local Plan threshold which would trigger an affordable housing contributions. However, as the proposal is for more than 10 units it does come within the terms of the NPPF 2019 paragraph 64 and, therefore, there will be a requirement for 10% of units on site to be made available for affordable home ownership.

As 15 units are proposed, the requirement will be for 1.5 units, rounded up to the nearest whole number, 2 units for affordable home ownership.

Equality implications

The proposal has been reviewed and it is considered there are no known equality implications as a result of this proposal, in accordance with the Equality Act 2010.

Developer Contributions

Policy IM1 'Developer Contributions for Infrastructure' states that development will be expected to provide, or contribute towards provision of: a) Measures to directly mitigate its impact and make it acceptable in planning terms; and b) Physical, social and green infrastructure to support the needs associated with the development.

The development would trigger the need for the following contributions to be secured under a Section 106 Legal Agreement. The NHS require a monetary amount. The final total will be reported at committee as a late item.

The developer has agreed to the requested contributions.

Conclusion

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, highway safety, or infrastructure, subject to relevant conditions and contributions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DS3, H1, H3, DE1, AC3, EM6, and IM1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

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. The development hereby permitted shall be carried out in accordance with the following approved documents:
Location Plan - drawing no: 1071-01;
Site Pla - drawing no:1071.09B;
Ground Floor Plan - Drawing No. 1071.03C;
First Floor Plan - Drawing No.1071.04C
Second Floor - Drawing No.1071.05D
Elevations - Drawing No.1071.05D
Elevations - Drawing No.1071.08B
Noise Report, reference MDR/J3097c

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

3. Prior to the commencement of development a scheme of works for ventilation of the residential accommodation hereby permitted shall be first submitted to and approved in writing by the local planning authority. Details shall include identification of which units on which facades require mitigation and what mitigation is proposed (i.e. sealed windows and provision of air con) in order to: (i) reduce future resident's exposure to air that does not meet the national limits; and (ii) ensure the ventilation and thermal comfort of future occupants can be met where openable windows cannot meet internal noise requirements (informed by the corresponding noise assessment condition). The approved details shall be implemented in full prior to first occupation of the relevant rooms and shall remain in place at all times thereafter.

Reason: *To protect the amenity of the occupiers of the residential accommodation hereby approved in accordance with Policy DE1 of the Coventry Local Plan 2016.*

4. The development shall be carried out only in full accordance with details of the external facing and roofing materials which shall be submitted to and approved in writing by the local planning authority

Reason: *To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policy DE1 of the Coventry Local Plan 2016.*

5. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to, human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'

Reason: *To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Local Plan 2016.*

6. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation

Reason: *To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Local Plan 2016.*

7. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: *To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Local Plan 2016.*

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 5 , and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 22, which is subject to the approval in writing of the Local Planning Authority.

Reason: *To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Local Plan 2016.*

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 including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority.

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 AC1, AC3, EM1 and DE1 of the Coventry Local Plan 2016.*

10. The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings 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 building hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(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 GB1, GE1, DE1 and HE2 of the Coventry Local Plan 2016.*

11. The development hereby permitted shall be carried out only in strict accordance with details of a scheme for the provision of surface water drainage incorporating infiltration SuDS or attenuation techniques. There must also be consideration of features such as green roof technology for the management of surface water peak and total flows, biodiversity and water filtering, in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.
- i. A detailed strategy for the long-term maintenance of the SuDS and other surface water drainage systems on site.
 - ii. Development discharge rates for the individual projects on the site to be managed to Qbar greenfield rates or 5 l/s whichever is greater. The discharge rates for brownfield sites shall be considered as greenfield in accordance with the SFRA.
 - iii. Provisions must be made for the drainage of the site to ensure there are no temporary increases in flood risk, on or off site, during the construction phase.
 - iv. Evidence that receiving water bodies or sewers are capable of accepting the attenuated flows specified by the Lead Local Flood Authority and that this will not exacerbate the flood risk on or off site. This will include capacity calculations and outcomes, not just the correspondence from Severn Trent Water Ltd in isolation, accepting the point discharges. Evidence of existing sub catchments within the site are needed to support the connectivity survey and confirm the acceptability of proposed point discharges to the watercourses and infrastructure sewers. This must be submitted to, and agreed by, the Local Planning Authority and Lead Local Flood Authority.

- v. The surface water flood mapping indicates that the site is vulnerable to surface water flooding. An appropriately scaled flood risk assessment is required to establish the risk to the development, as well as the appropriate mitigation measures.
- vi. Mapping of the 1 in 100 year surface water flood extents is required, to indicate the exceedance and conveyance flows to inform building floor level design and general ground levels, and to consider flood flow routing off site. This must be submitted to, and agreed by, the Local Planning Authority and Lead Local Flood Authority.
- vii. The development must be considered for the implementation of permeable paving or similar permeable material for the management of total surface water flows, and water filtering in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.
- viii. Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway.
- ix. Where new or redevelopment site levels result in the severance, diversion or the reception of natural land drainage flow, the developer shall maintain existing flow routes (where there are no flood risk or safety implications) or intercept these flows and discharge these by a method approved by the Local Planning Authority.

Reason: *To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies EM4 and HW1 and DS3 of the Coventry Local Plan 2016.*

12. The residential units hereby permitted shall not be occupied unless and until the noise mitigation measure have been installed in accordance with the details contained within the submitted noise report, reference MDR/J3097c (or in any subsequently approved amendments).

Reason: *To protect the amenity of the occupiers of the residential accommodation hereby approved in accordance with Policy DE1 of the Coventry Local Plan 2016.*

13. The residential units hereby permitted shall not be occupied unless and until details of the proposed ventilation system have been submitted to and approved in writing by the local planning authority. The approved details shall be installed in accordance with the approved details in perpetuity.

Reason: *To protect the amenity of the occupiers of the residential accommodation hereby approved in accordance with Policy DE1 of the Coventry Local Plan 2016.*

14. The development shall not 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 unless otherwise agreed in writing by the local planning authority.

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 AC1 and AC3 of the Coventry Local Plan 2016.*

15. The development shall not be occupied unless and until the approved cycle parking facilities have been provided and made available for use in accordance with the details on drawing number 1071.09C (or in any subsequently approved amendments) and thereafter those facilities shall remain available for use at all times unless alternative measures have been approved by the local planning authority.

Reason: *In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies HW1 and DS3 & AC1, AC3 of the Coventry Local Plan 2016.*

16. The development hereby permitted shall not be occupied unless and until the means of access to the site has been provided in full accordance with details to be submitted to and approved in writing by the local planning authority and thereafter the means of access shall be kept available for use by vehicular traffic at all times.

Reason: *In the interests of vehicular and pedestrian safety in accordance with Policies AC1 and AC3 of the Coventry Local Plan 2016.*

17. None of the flats hereby permitted shall be occupied until the communal car parking spaces to be provided have been completed and marked out in accordance with the approved drawing(s) number 1071.09C and made available for use by the occupants and / or visitors to the flats and thereafter those spaces shall be retained for parking purposes unless otherwise agreed in writing by the local planning authority.

Reason: *To ensure adequate parking provision within the development in the interests of the amenities of the locality and highway safety in accordance with Policies AC1 and AC3 of the Coventry Local Plan 2016.*

18. The development hereby permitted shall not be occupied unless and until the bin storage area(s) have been laid out and provided in full accordance with the approved details and thereafter those facilities shall remain available for use at all times. All bins which serve the development within the red line site area must be stored within the approved bin storage area and not positioned on the public highway or in the open, unless on bin collection days.

Reason: *In the interests of visual amenity and the amenities of the future occupants of the development in accordance with Policy DE1 of the Coventry local Plan, 2016.*

19. The development shall proceed in accordance with details for a package of measures to minimise the impact of the development upon local air quality have been submitted to and approved in writing by the local planning authority. Those measures shall have consideration of use of low NO_x boilers (to have a maximum dry NO_x emissions rate of <40mg/kWh). All details shall be carried out as approved and maintained in accordance with the manufacturer's instructions. Boilers shall

thereafter remain in place at all times

Reason: *To mitigate the impacts of development on air quality in accordance with Policy EM7 of the Coventry Local Plan 2016*

20. The development hereby permitted shall not be occupied unless a scheme of works for Electrical Charging Points have been submitted to and approved in writing by the local planning authority. The Electric Charging Points shall be installed at a ratio of 1:1 and shall be installed in accordance with the approved details and thereafter those facilities shall remain operational and available for use at all times.

Reason: *To mitigate the impacts of development on air quality in accordance with Policy EM7 of the Coventry Local Plan 2016*

21. No lighting or illumination of any part of the building or the site shall be installed or operated unless and until details of such measures have been submitted to and approved in writing by the local planning authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details.

Reason: *To ensure that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policies DE1 and H5 of the Coventry Local Plan 2016*

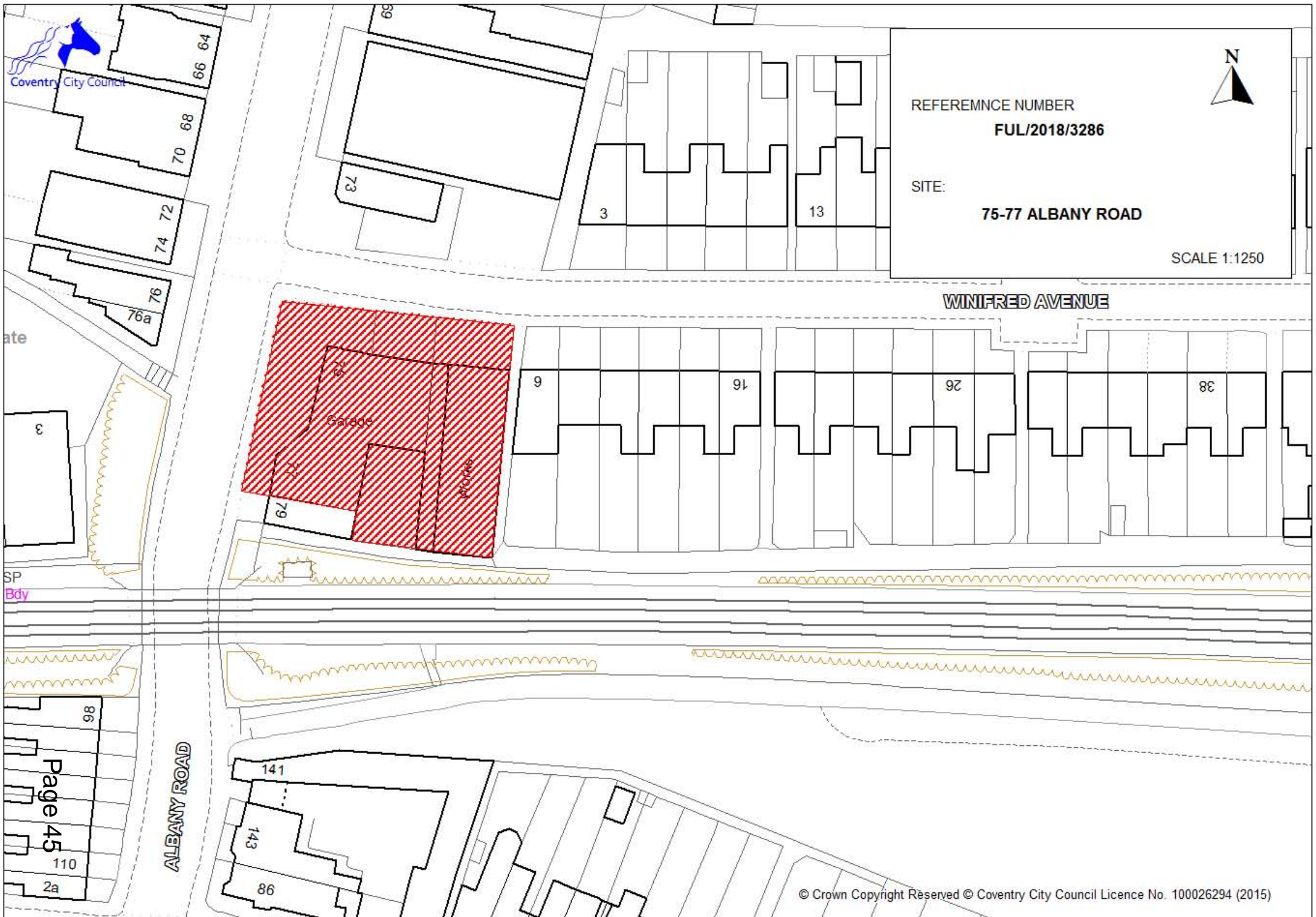
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REFERENCE NUMBER
FUL/2018/3286

SITE:
75-77 ALBANY ROAD

SCALE 1:1250



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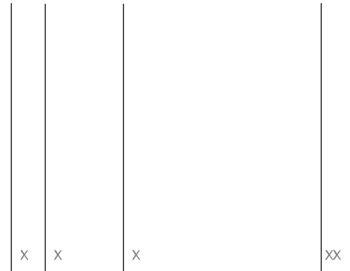
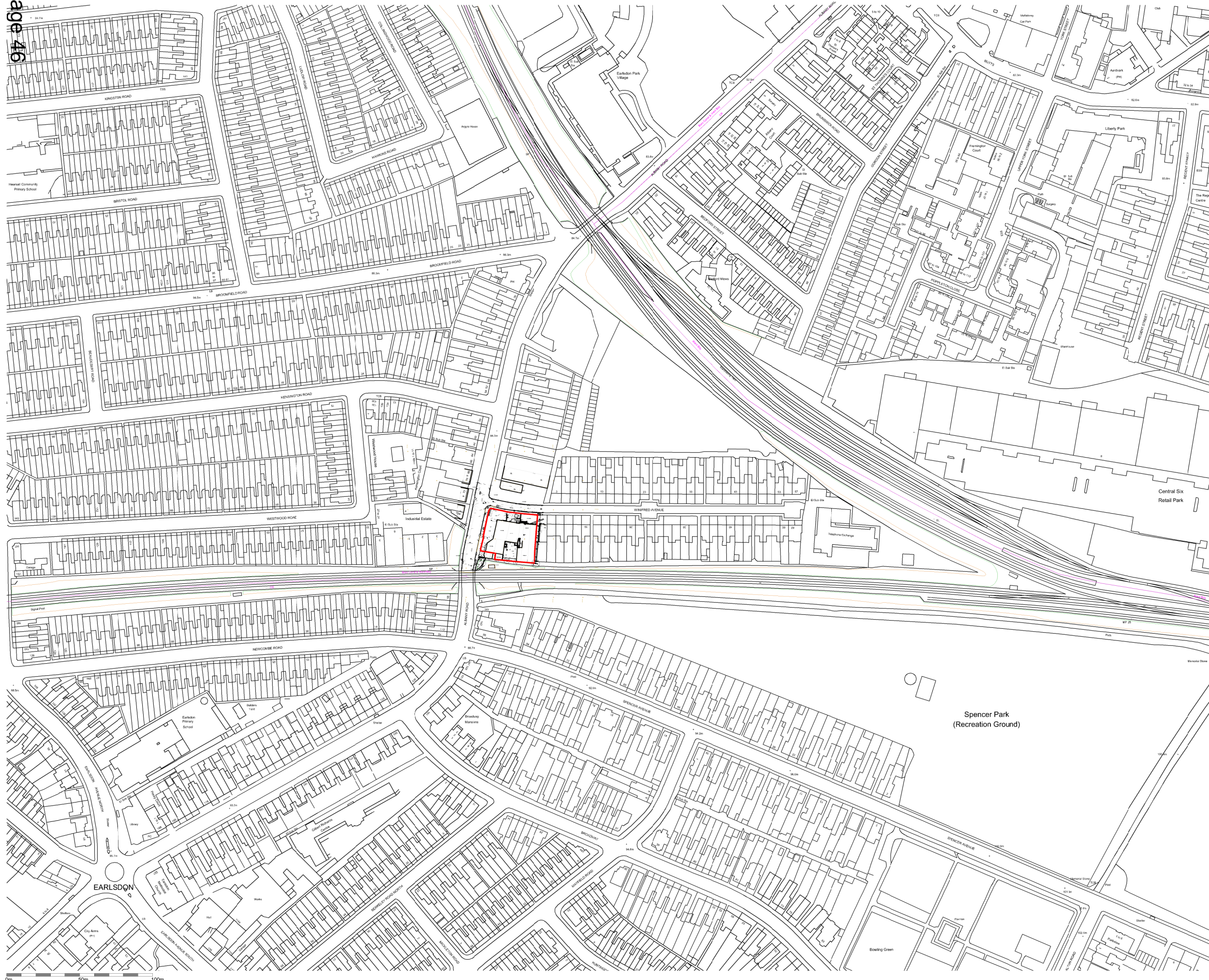
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ALBANY ROAD

WINIFRED AVENUE

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**PROPOSED WORKS AT
THE CARPET STORE AND FACTORY
ALBANY ROAD
CV5 6JR**

LOCATION PLAN
scale: 1:1250@A1 date: 12.11.18 drawn by: JB
drg: **1071.01** checked by: LC

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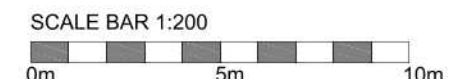
C	27.02.19	Updates	SO
B	06.11.18	Level and landscaping amends	SO
A	30.07.18	Added rooms and dormers	DA



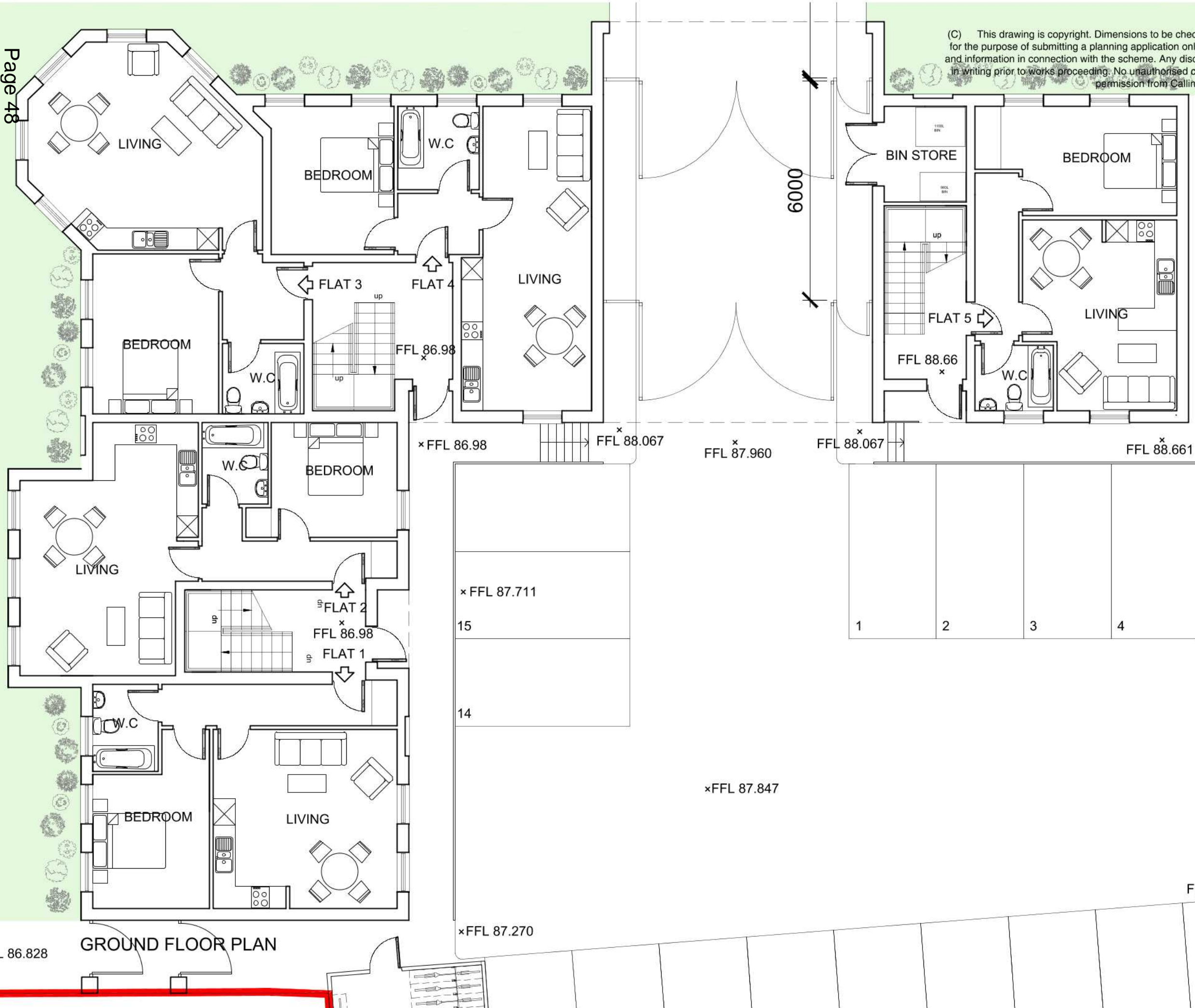
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**PROPOSED WORKS AT
 THE CARPET STORE AND FACTORY
 ALBANY ROAD
 CV5 6JR**

PROPOSED SITE PLAN
 scale: 1:200@A3 date: 23.07.18 drawn by: SO
 drg: **1071.09C** checked by: LC



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FLAT	SQM	BEDS
1	51.7sqm	1
2	52.8sqm	1
3	55.8sqm	1
4	51.1sqm	1
5	46.1sqm	1
6	51.7sqm	1
7	52.6sqm	1
8	54.3sqm	1
9	55.5sqm	1
10	76.4sqm	1
11	52.3sqm	1
12	52.6sqm	1
13	54.4sqm	1
14	55.5sqm	1
15	76.4sqm	1
TOTAL	839.2sqm	15

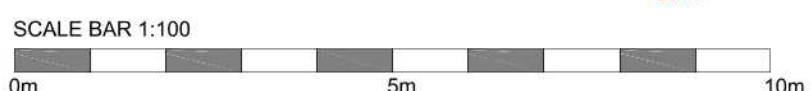
Rev	Date	Description	By
D	27.02.19	UPDATES	SO
C	18.02.19	S.O.A UPDATED	SO
B	06.11.18	Level amendments	SO
A	30.07.18	Added rooms and dormers	DA



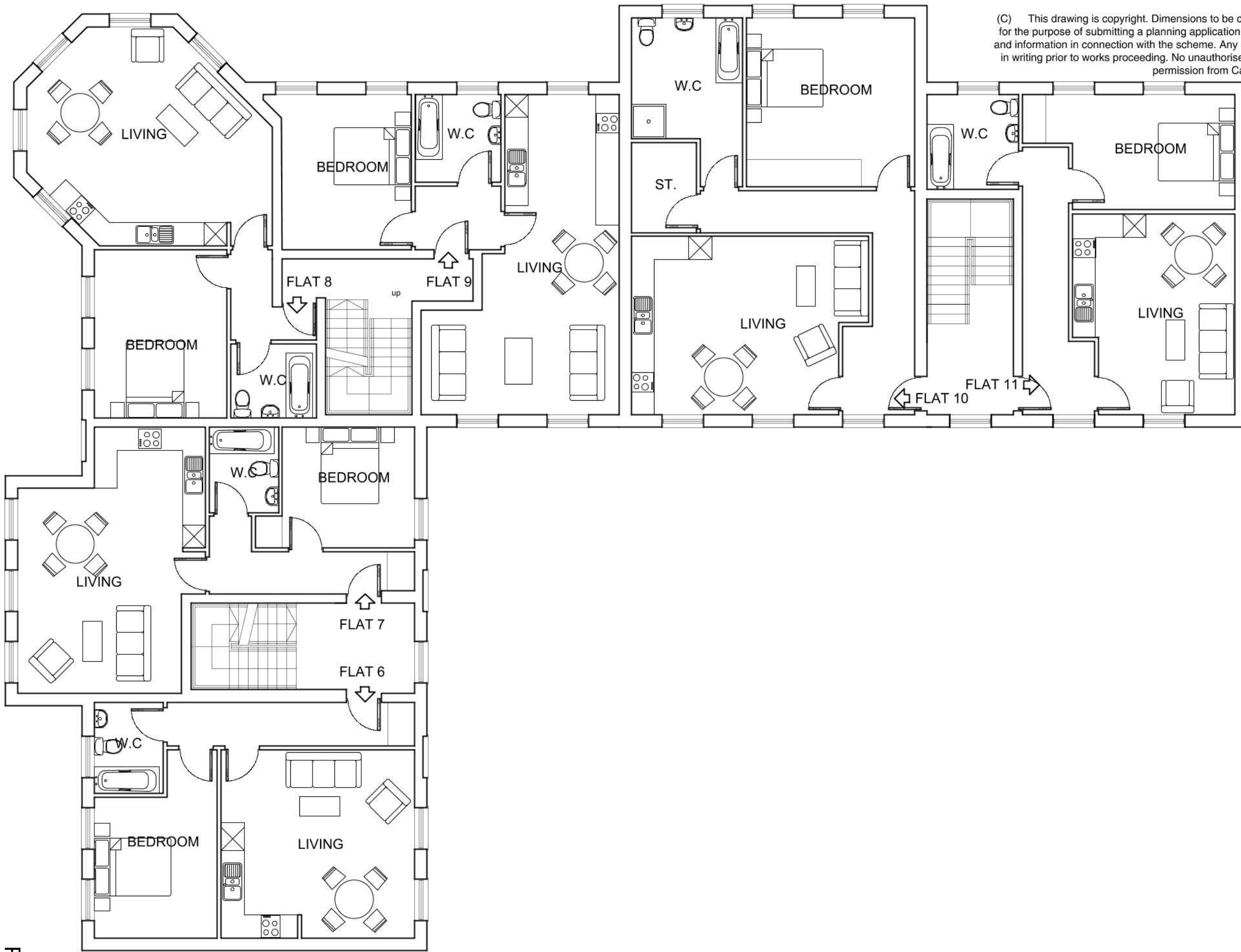
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**FFL PROPOSED WORKS AT
 THE CARPET STORE AND FACTORY
 ALBANY ROAD
 CV5 6JR**

GROUND FLOOR PLAN
 scale: 1:100@A3 date: 23.07.18 drawn by: SO
 drg: **1071.03D** checked by: LC



×FFL 86.828 **GROUND FLOOR PLAN**



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9	55.5sqm	1
10	76.4sqm	1
11	52.3sqm	1
12	52.6sqm	1
13	54.4sqm	1
14	55.5sqm	1
15	76.4sqm	1
TOTAL	839.2sqm	15

C	18.02.19	S.O.A UPDATED	SO
B	05.11.18	FLAT 10 AMENDED	SO
A	30.07.18	Added rooms and dormers	DA



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**PROPOSED WORKS AT
 THE CARPET STORE AND FACTORY
 ALBANY ROAD
 CV5 6JR**

FIRST FLOOR PLAN

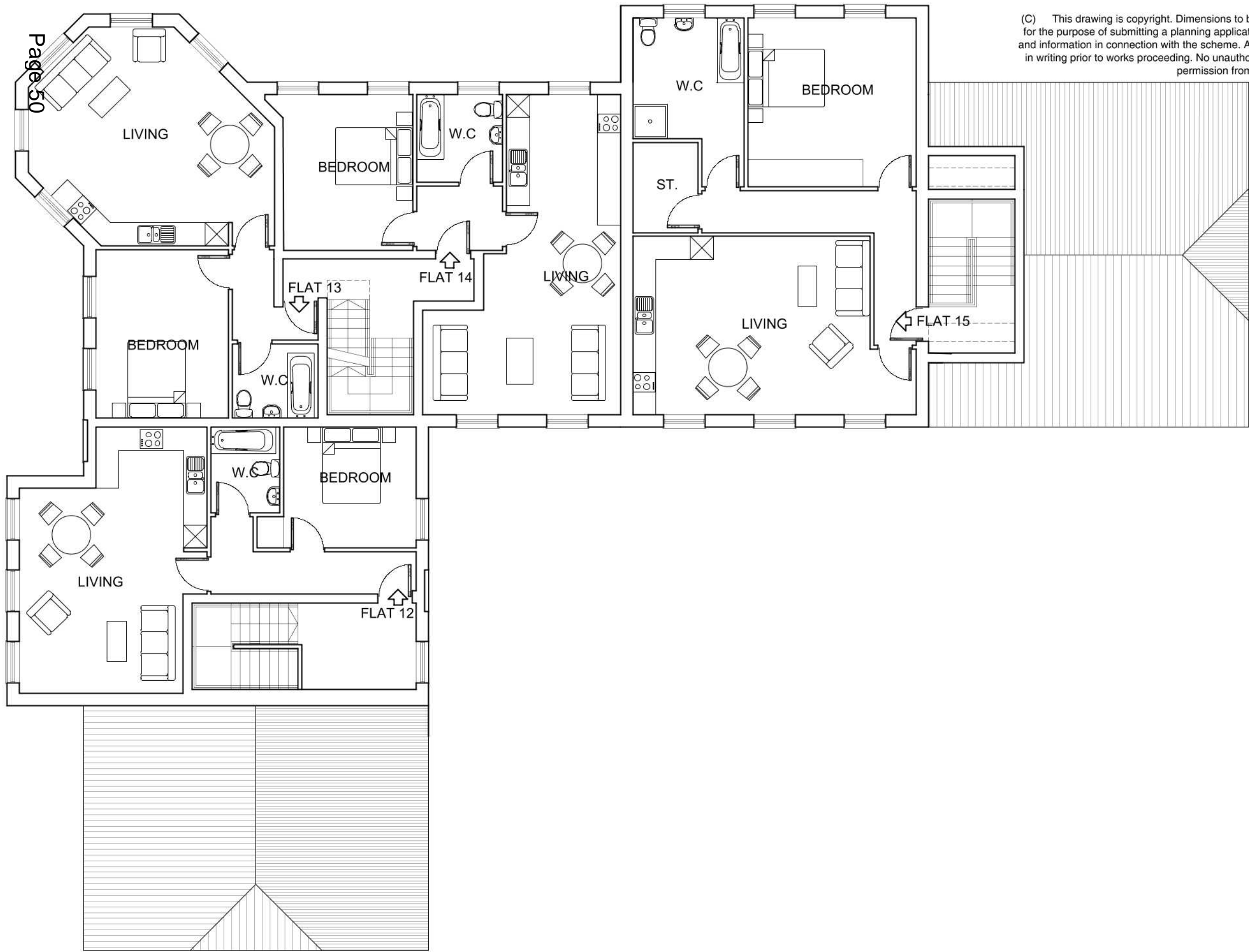
scale: 1:100@A3 date: 23.07.18 drawn by: SO

drg: **1071.04C** checked by: LC

FIRST FLOOR PLAN

SCALE BAR 1:100

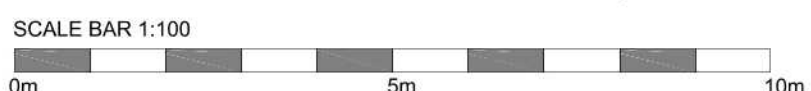




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7	52.6sqm	1
8	54.3sqm	1
9	55.5sqm	1
10	76.4sqm	1
11	52.3sqm	1
12	52.6sqm	1
13	54.4sqm	1
14	55.5sqm	1
15	76.4sqm	1
TOTAL	839.2sqm	15

SECOND FLOOR PLAN



D	18.02.19	SCHEME AMENDMENTS	SO
C	05.11.18	FLAT 16 AMENDED	SO
B	21.08.18	Amended stairs and dormers	LT
A	30.07.18	Added rooms and dormers	DA



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PROPOSED WORKS AT
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C	18.02.19	Scheme amendments	SO
B	05.11.18	Elevation amendments	SO
A	30.07.18	Added rooms and dormers	DA

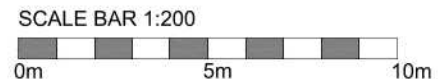


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**PROPOSED WORKS AT
 THE CARPET STORE AND FACTORY
 ALBANY ROAD
 CV5 6JR**

ELEVATIONS
 scale: 1:200@A3 date: 23.07.18 drawn by: SO
 drg: **1071.07C** checked by: LC

Page 51
 WINIFRED AVENUE ELEVATION



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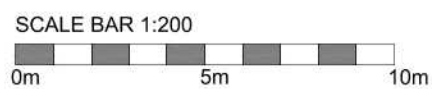


B	18.02.19	SCHEME AMENDMENTS	SO
A	06.11.18	LEVELS AMENDED	SO



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PROPOSED WORKS AT
 THE CARPET STORE AND FACTORY
 ALBANY ROAD
 CV5 6JR



ELEVATIONS 2

scale: 1:200@A3 date: 23.07.18 drawn by: SO

drg: **1071.08B** checked by: LC

Planning Committee Report	
Planning Ref:	FUL/2019/0075
Site:	88 Paynes Lane
Ward:	St Michael's
Proposal:	Change of Use from Warehouse / Offices (B1) to Mosque, Community and Education Centre (D1) and minor external alterations
Case Officer:	Nigel Smith

SUMMARY

It has been demonstrated that no sequentially preferable sites are available for the use and as such the principle of the change of use is acceptable. Furthermore, subject to conditions the noise and highway impacts of the development will be acceptable.

BACKGROUND

The site is a roughly rectangular piece of land comprising an office building to the frontage with Paynes Lane with a warehouse behind. There is a service yard to the north of the warehouse building with vehicular access from Paynes Lane. There are also 9 parking spaces in front of the office building. The site is currently partially used for education purposes and the proposal is to regularise this and to expand the use to include worship and community uses for the local Swahili speaking Muslim population. The proposed hours of use are 8am – 9pm, as well as early morning and evening prayers.

KEY FACTS

Reason for report to committee:	Objections from 5 or more residents
Current lawful use of site:	Warehouse / Offices
Proposed use of site:	Mosque, Community and Education Centre (D1)
Proposed car parking spaces:	15
Anticipated number of users at any one time:	Up to 30 generally with 50 for Friday prayers

RECOMMENDATION

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

REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal makes provision for necessary developer contributions.
- The proposal accords with Policies: CO1, JE3, DE1, AC2, AC3, AC4 and DS3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

Part retrospective change of use to mosque, community and educational use with hours of opening from 8am until 9pm plus early morning and late evening prayers. The purpose of the application is to provide a home for the local Swahili Muslim community, providing supplementary schooling and a community centre. Children's school classes currently operate on weekdays between 5pm -7pm and between 1000-1400 on weekends. The site will also be used between 0800-1600 on weekdays for community education and training sessions, and adult classes from 1900-2100 hours. Up to 30 users are anticipated to be present at any one time, apart from Friday midday prayers when up to 50 are expected. The centre will also be used for congregational prayers 5 times per day, with the earliest 0415 hours and the latest 2300 hours in summer.

SITE DESCRIPTION

The site is a roughly rectangular piece of land to the east of Paynes Lane in the Hillfields area of the City. The site has a two storey office block to the front of the site with parking spaces in front and a warehouse / industrial building behind. There is a service yard to the north of the industrial building accessed via Paynes Lane. There are terraced houses to the south and east of the site, a carpet retailer and industrial premises to the west of Paynes Lane and a commercial unit and car repair garage to the north.

PLANNING HISTORY

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

Reference	Proposal description	Decision and date
FUL/2018/1513	Change of use from warehouse/offices to mosque, community and education use.	Refused (2018) due to insufficient information provided regarding: the noise impact arising from the use; and also lack of justification for reduced parking provision compared to standards.
FUL/2018/0521	Change of use from warehouse/offices to mosque, community and education use.	Withdrawn (2018).
S/1982/0652	Retention of buildings and continued use for industrial and office purposes.	Granted (1982).

POLICY

National Policy Guidance

The National Planning Policy Framework (NPPF), dated February 2019, 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 increases the focus on achieving high quality design and states that it is "fundamental to what the planning and development process should achieve".

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 Local Plan 2016, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application is:

Policy DS3: Sustainable Development Policy

Policy DE1: Ensuring High Quality Design

Policy AC2: Road Network

Policy AC3: Demand Management

Policy AC4: Walking and Cycling

Policy CO1: New and improved social, community uses

Policy JE3: Re-use of employment sites

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPD 'Coventry Connected' (2019)

CONSULTATION

No objections subject to conditions have been received from:

- Highways
- Environmental Protection

Immediate neighbours and local councillors have been notified; a site notice was posted on 6th February 2019.

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

- a) Additional traffic congestion in area and demand for on street parking
- b) The use is not suitable in a residential area
- c) It will lead to additional litter in the area
- d) Noise pollution

Two letters of support have been received, raising no material planning considerations:

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

- e) There are already enough Mosques in the area and there is no need for another
- f) The site would be better used for other purposes such as retail, library, youth club or leisure centre

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are: principle of development; the impact upon neighbouring amenity; and highway considerations.

Principle of development

Policy CO1 states that a sequential assessment is required for social, community and leisure uses with a view to focusing such uses within or adjacent to designated centres. The applicant has provided information regarding the catchment of the facility and nearly all users live in the Hillfields area. An assessment has been made of Hillfields local centre and there are no available suitable buildings which could accommodate the use. Furthermore,

the scale of the proposal is such that an impact assessment is not required. Therefore the proposal complies with this aspect of Policy CO1 and the principle of development is accepted.

It is also worth mentioning that this assessment was accepted during the determination of the previous application at the site (FUL/2018/1513).

With regard to Policy JE3, which seeks to retain employment uses for employment purposes, the site is not a high quality employment site due to its proximity with adjacent terraced houses immediately to the south and east of the site. Furthermore, the site has not been in employment use for around 3 years now.

Neighbouring amenity

The use of the site between 8am and 9pm (plus early and late prayers) has the potential to result in noise and disturbance to adjoining neighbours. This could be from internal noise or from noise from comings and goings to and from the site. As such, Environmental Protection previously recommended a noise assessment and management plan be submitted for approval prior to determination. An assessment has been provided with this application, which explains that the existing building envelope is inadequate without mitigation being provided. However, if a suspended ceiling and wall insulation are installed in the male prayer hall (which is the room located closest to adjacent properties to the south of the site) then the noise level will be reduced to an acceptable level.

Environmental Protection accept the results of the assessment and recommend conditions to ensure that: the additional insulation is installed; the measures contained in the Noise Management Plan are implemented; and that no amplified voices are permitted on the site.

There have been a large number of objections to the application, regarding potential for noise pollution and the use not being suitable in a residential area. However, the site has historically been used for warehouse / office purposes and there is a car repair garage adjacent and a carpet warehouse and industrial units to the west of Paynes Lane at this point, therefore the area is in mixed use and to describe it as a residential area is not accurate. It is also interesting to note that none of the objections are from addresses in Britannia Street or Wren Street, which would be most affected as they adjoin the site to the south and east. One objection was from a property on Paynes Lane.

Highway considerations

Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city. c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form. d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

Policy AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene. Proposals for the

provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

Highways recommended refusal of the previous application due to a lack of information to justify less on-site parking than required in the adopted parking standards. There are 15 parking spaces proposed on site with 9 at the front and 6 in what is currently the service yard. As the site has a floor area of around 1000 sq m the parking standards would require a substantial amount of parking (for instance a place of worship requires 1 space per 10 sqm). However, a Transport Statement has been submitted with this application, which explains that a maximum of 25% of trips to the site are by car (with the vast majority on foot). As the peak demand for the facility would be Friday prayers, when 50 people are expected, this equates to a peak demand for 13 parking spaces. As 15 spaces are proposed, this will be sufficient to accommodate the demand generated by this particular use.

Highways recommend conditions to secure the proposed car and cycle parking. I also recommend a condition restricting the use to this particular use in order to prevent another D1 use commencing on the site and causing highway problems.

Equality implications

Both ladies and men's community / prayer areas are located on the ground floor of the building so are easily accessible for all.

Other

There is no reason why the proposal will lead to increased litter in the area. In any event, there will be a waste bin located within the site / building.

The only external alteration will be the replacement of a roller shutter door on the northern side elevation of the building, with a new mainly glazed entrance doorway. This will not be visible from public vantage points and would have a neutral impact upon the character of the area.

Conclusion

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity or highway safety, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies CO1, JE3, DE1, AC2, AC3, AC4 and DS3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

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. The development hereby permitted shall be carried out in accordance with the following approved documents: location plan; block plan; 786-03; 786-04

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

3. The use shall not commence 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 AC1 and AC3 of the Coventry Local Plan 2016.*

4. The use shall not commence unless and until cycle parking facilities have been provided and made available for use in accordance with details to be submitted and approved in writing by the local planning authority. Thereafter those facilities shall remain available for use at all times unless alternative measures have been approved by the local planning authority.

Reason: *In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies HW1 and DS3 & AC1, AC3 of the Coventry Local Plan 2016.*

5. No amplified voices are permitted within the site (either inside or outside the building)

Reason: *In order to protect the amenity of residents, in accordance with Policy CO1 of the Coventry Development Plan 2016.*

6. Prior to the commencement of use, the additional insulation measures and suspended ceiling outlined in section 8 of the submitted noise report (prepared by Blue Acoustics reference NS229/3 dated 25.11.2018) shall be installed and thereafter retained.

Reason: *In order to protect the amenity of residents, in accordance with Policy CO1 of the Coventry Development Plan 2016.*

7. The use shall be operated in accordance with the measures outlined in the submitted noise management plan

Reason: *In order to protect the amenity of residents, in accordance with Policy CO1 of the Coventry Development Plan 2016.*

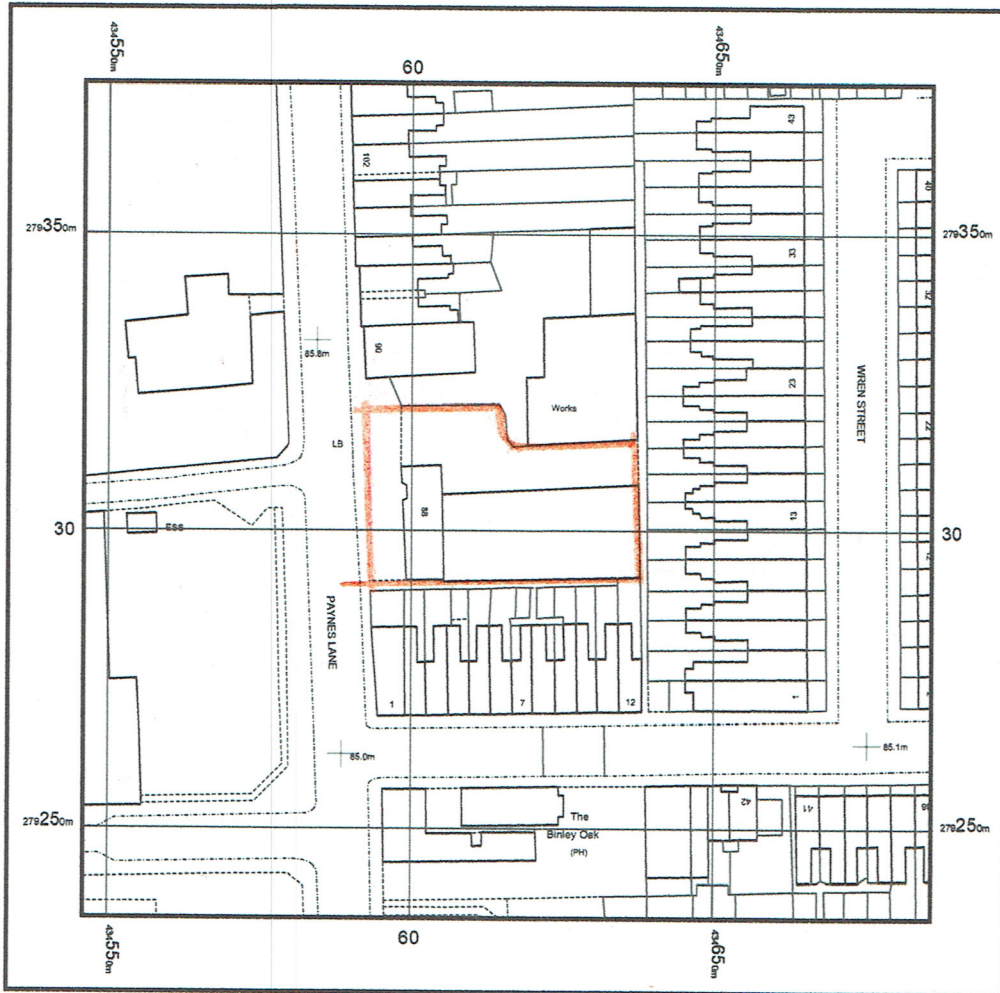
8. No person shall use and no activity shall take place in the buildings before 0800 or after 2100 hours on any day except for use for prayer at the prayer times listed in the submitted design and access statement (prepared by Sapphire Building Design Consultancy dated January 2018)

Reason: *In order to protect the amenity of residents, in accordance with Policy CO1 of the Coventry Development Plan 2016.*

9. The site shall be used for Mosque, Community and Education Centre use only and for no other purpose, including any other purpose within class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: *To prevent another use which could have a much higher car parking demand,*

which could result in highway safety and amenity problems, in accordance with Policies AC1 and AC3 of the Coventry Local Plan 2016.



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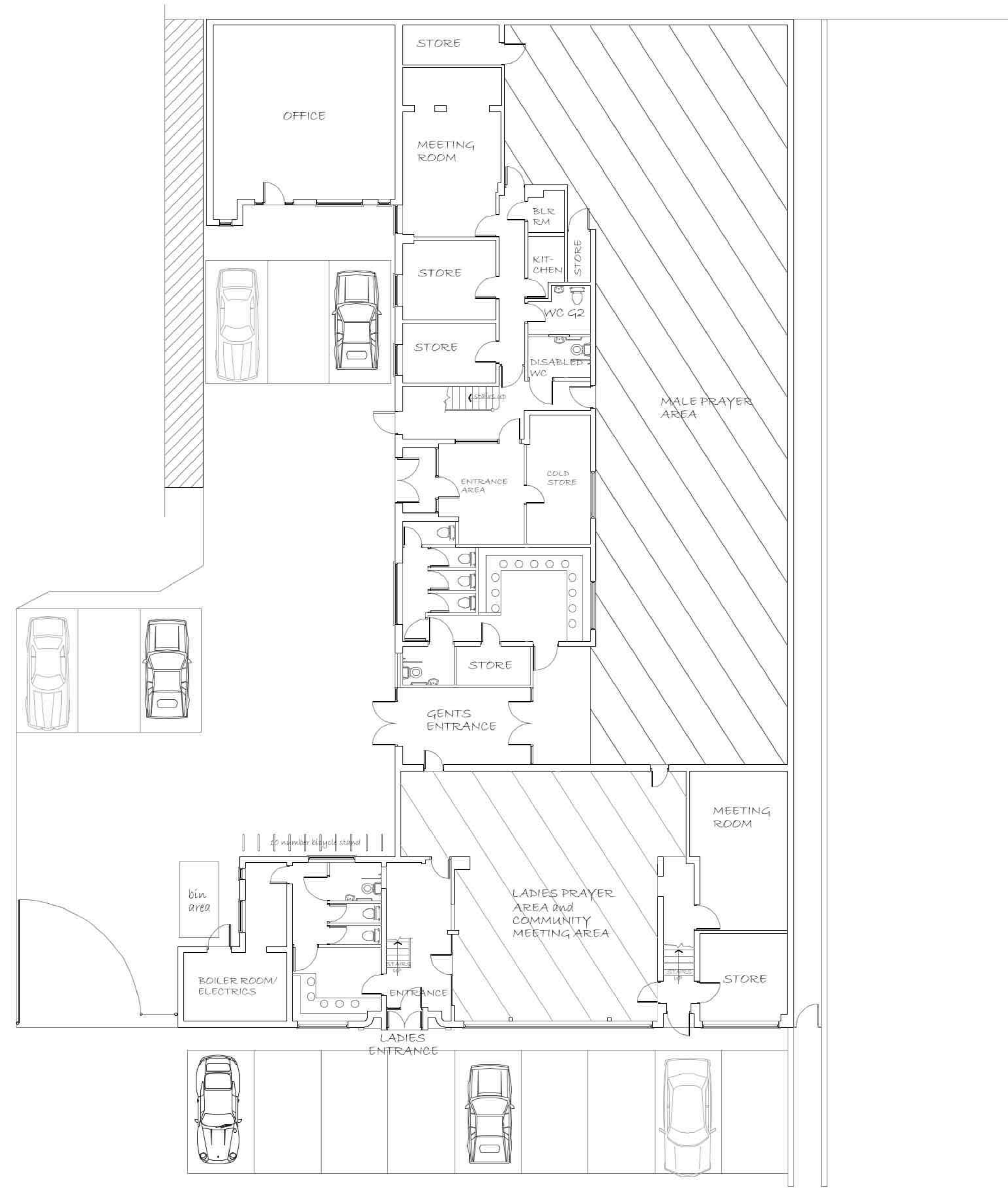
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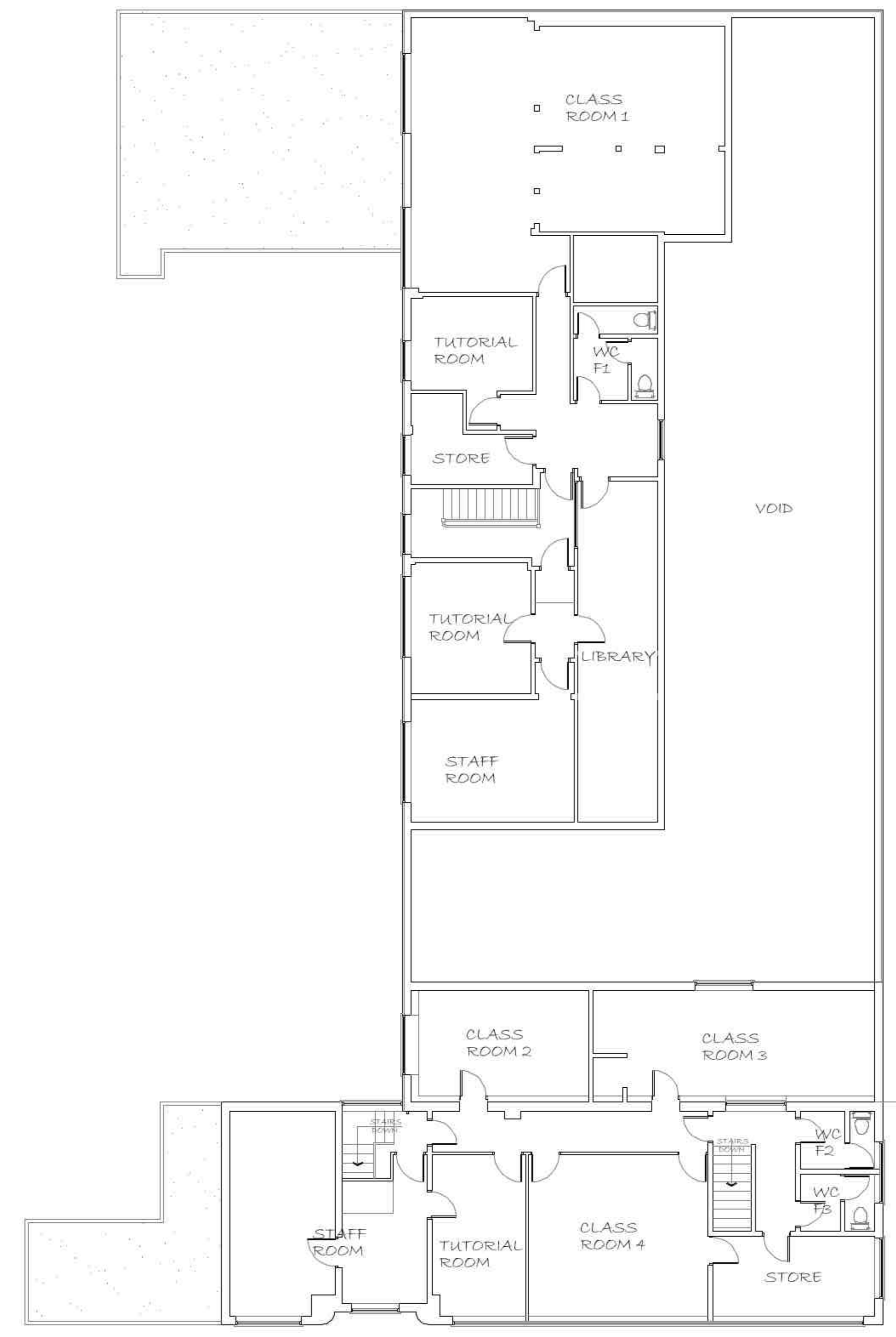
Paynes Lane

COVENTRY MUSLIM SWAHILI ASSOCIATION
 PROPOSED MOSQUE, COMMUNITY & EDUCATION CENTRE
 88 PAYNES LANE
 COVENTRY CV1 5LJ
 LOCATION MAP

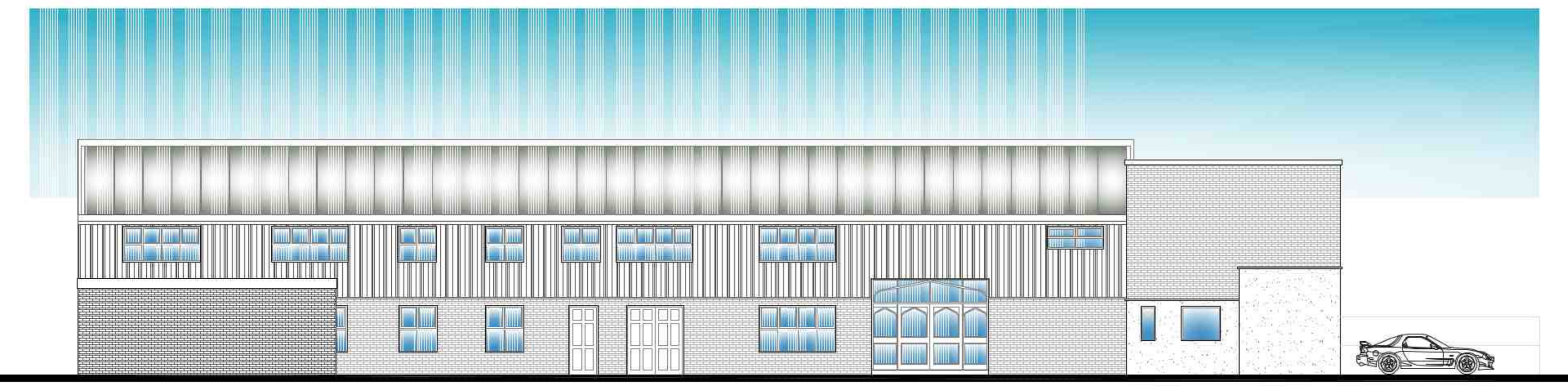
NOTES
 1. REFER SCALE FROM DRAWING.
 2. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS.
 3. PERSONNEL SHOULD NOTE RELEVANT ITEMS REGARDING THE CONDITION OF THE EXISTING STRUCTURE CONTAINED WITHIN THE HEALTH & SAFETY FILE SHOULD THIS BE AVAILABLE.



PROPOSED GROUND FLOOR LAYOUT



FIRST FLOOR LAYOUT no alteration



PROPOSED LHS ELEVATION



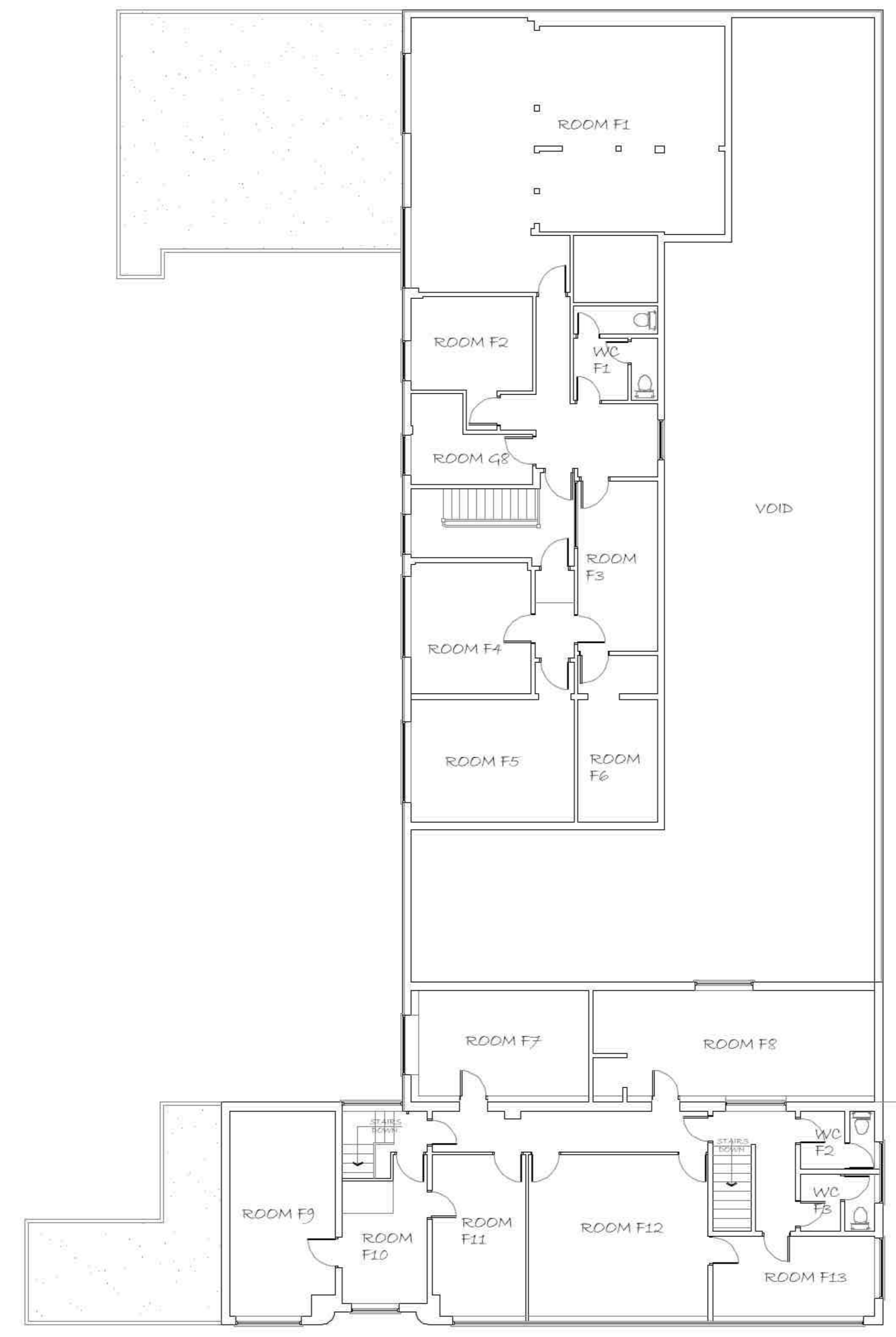
FRONT ELEVATION no alteration

<p>REVISIONS</p> <p>SAPPHIRE BUILDING DESIGN CONSULTANCY <i>a chartered building consultancy</i></p> <p>— housing — religious — retail — — educational — commercial — industrial —</p> <p>architectural design • detail design • project management planning approval • building control approval</p>		
<p>CLIENT COVENTRY MUSLIM SWAHILI ASSOCIATION</p>		
<p>PROJECT PROPOSED MOSQUE, COMMUNITY and EDUCATION CENTRE 88 PAYNES LANE COVENTRY - CV1 5LJ</p>		
<p>TITLE PROPOSED FLOOR LAYOUTS and ELEVATIONS</p>		
DRAWING NO.	REV	SCALE
786-04		1:100
DRAWN BY	DATE	
CHECKED BY	DATE	
ACAD FILE	USER	

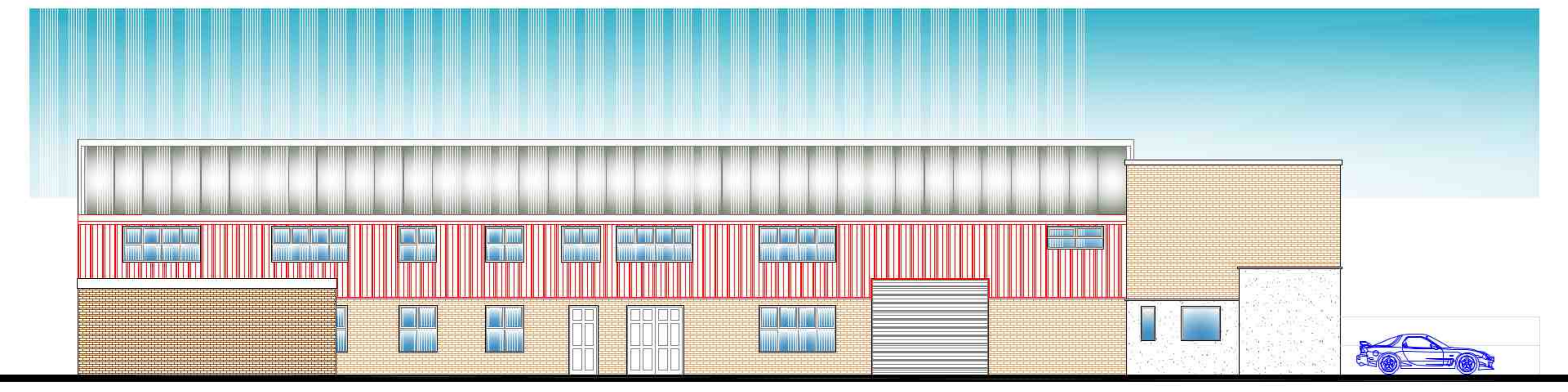
NOTES
1. REFER SCALE FROM DRAWING.
2. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS.
3. PERSONNEL SHOULD NOTE RELEVANT ITEMS REGARDING THE CONDITION OF THE EXISTING STRUCTURE CONTAINED WITHIN THE HEALTH & SAFETY FILE SHOULD THIS BE AVAILABLE.



EXISTING GROUND FLOOR LAYOUT



EXISTING FIRST FLOOR LAYOUT



LHS ELEVATION



FRONT ELEVATION

<p>— housing — religious — retail — — educational — commercial — industrial — architectural design • detail design • project management planning approval • building control approval</p>		
<p>CLIENT COVENTRY MUSLIM SWAHILI ASSOCIATION</p>		
<p>PROJECT PROPOSED MOSQUE, COMMUNITY and EDUCATION CENTRE 88 PAYNES LANE COVENTRY - CV1 5LJ</p>		
<p>TITLE EXISTING FLOOR LAYOUTS and ELEVATIONS</p>		
DRAWING NO.	REV	SCALE
786-03		1:100
DRAWN BY	DATE	
DESIGNED BY	DATE	
CHECKED BY	DATE	
ACAD FILE	USER	

Planning Committee Report	
Planning Ref:	DC/2018/3424
Site:	Scots Lane
Ward:	Bablake
Proposal:	Submission of details to discharge condition in relation to Flood Risk Assessment and Drainage Details (condition No. 15) imposed on planning permission S73/2018/0812 and OUT/2016/2918 for residential development of up to 70 dwellings and associated landscaping.
Case Officer:	Shamim Chowdhury

SUMMARY

This application provides details of a drainage system including foul sewage and surface water management to support the development of 69 houses on the former Coundon Reservoir on Scots Lane. Under the drainage condition (condition No. 15), the developer is required to submit drainage details for the local authority's approval prior to the occupation of the proposed residential dwellings. The drainage condition requires provision of a detailed strategy for the long-term maintenance of the sustainable urban drainage system (SuDS) and other surface water drainage systems on site. The drainage detail needs to include evidence that the receiving water bodies or sewers are capable of accepting the attenuated flows specified by the Lead Local Flood Authority and that this will not exacerbate the flood risk on or off site. The submitted drainage scheme shows that the surface water would be disposed through an existing ditch located to the northeast of the site. The existing ditch runs beyond the rear garden of No. 50 -84 (evens) Holloway Field along the edge of the Radford Allotment Gardens and connects to the Radford Brook to the north/northeast. The proposed foul drainage would run under the Radford Road Allotment Gardens and would connect to the existing combined sewer. The Local Flood Authority are satisfied with the proposed scheme and have recommended discharging the drainage condition. The ditch and allotment gardens are outside the application boundary and not under the ownership of the developer. The developer requires necessary easement for the implementation of the scheme. The easement is not a planning material consideration, therefore has not been taken into consideration in the assessment of the drainage scheme.

BACKGROUND

The Planning Committee granted an outline planning permission for up to 70 houses in May 2017. A subsequent reserved matters application was reviewed by the Planning Committee for 69 houses and granted permission in June 2018. A section 73 application has also been granted by the Planning Committee in June 2018 to exclude the proposed pedestrian/cycle link over the adjacent Village Green on Holloway Field. The drainage condition (No. 15) imposed on the outline permission (OUT/2016/2918) and Section 73 application (S73/2018/0812), requires the developer to submit drainage details and obtain approval from the Planning Authority prior to occupation of the dwelling houses. Generally, discharge of condition applications do not involve public consultation and are normally determined by the officers under delegated authority. However, in this instance, given the neighbouring residents' interest in the implementation of the drainage work and their concerns, the Planning Committee recommended carrying out public consultation and bringing it back before the Planning Committee for their assessment.

KEY FACTS

Reason for report to committee:	As recommended by the Planning Committee; in addition, objections have been received from more than 5 properties.
Current use of site:	Under construction for residential development.
Proposed use of site:	Residential dwelling houses.

RECOMMENDATION

Planning committee are recommended to discharge the drainage condition (condition No. 15) imposed on planning permission ref. OUT/2016/2918 and subsequent variation of condition application, Ref. S73/2018/0812.

REASON FOR DISCHARGE DRAINAGE CONDITION

- The submitted drainage strategy is satisfactory for the proposed development at Scots Lane, which is compliant with national and local policy and design standards.
- No surface water flooding is predicted for the site. The proposed drainage scheme for the residential development would minimise the risk of surface water flooding on and off the site.
- The foul drainage scheme is satisfactory for the proposed development and is acceptable to Severn Trent Water and Council's Flood Risk and Drainage Team.
- The drainage scheme accords with Policies: DS3, EM1, EM4, EM5 and DE1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

This application seeks to discharge condition No.15 which was imposed on a planning permission OUT/2016/2918 and subsequent variation of condition application, Ref. S73/2018/0812 granted in 2017 and 2018 respectively for the residential development with associated access road and landscaping. The planning condition required the developer to submit details of drainage works to the local planning authority for approval.

SITE DESCRIPTION

The application site was the former Coundon Reservoir which was decommissioned and cleared in 2011 and has re-naturalised over time. The proposed development site adjoins Radford Road Allotment gardens to the east and a village green to the northeast corner between No. 26 and No. 50 Holloway Field. The site is bound to the north by residential properties on Holloway Field and to the south by a covered reservoir operated by Severn Trent Water and beyond that by residential properties on Christchurch Road. Bablake School Playing Fields is to the west opposite the application site. A ditch runs from the northern end of the site along the rear boundary/garden of the houses (no 50 -84, evens) on Holloway Field and the southeast boundary of the Village Green. The site is located in Flood Zone 1. The general character of the area is predominantly residential with no specific designation or interest such as conservation area or Local Wildlife site.

PLANNING HISTORY

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

Application Number	Description of Development	Decision and Date
OUT/2016/2918	Outline application with all matters reserved except for means of access, for residential development of up to 70 dwellings and landscaping with associated public open space and car parking	Approved 11/05/2017
RMM/2018/0316	Reserved matters application for the erection of 69 houses, landscaping, associated public open space and car parking served by new access onto Scots Lane (serving plots 4-69) and upgrade/improvements to existing access (serving plots 1-3). Submission of details pursuant to outline planning permission OUT/2016/2918	Approved 14/06/2018
S73/2018/0812	Removal / Variation of condition No. 6 (in part, 6(i) only) to exclude pedestrians/cycle link between the northern part of the site and the bus stop on Holloway Field: imposed upon planning permission OUT/2016/2918 for 'Outline application with all matters	Approved 14/06/2018

	reserved except for means of access, for residential development of up to 70 dwellings and landscaping with associated public open space and car parking'.	
DC/2018/0284	Submission of details to discharge condition No.10 - details of site investigation and risk assessment, condition No. 11 and 12 - details of remediation and implementation scheme imposed on planning permission reference OUT/2016/2918 determined 11 May 2017 (decision notice issued 29/09/17) for an outline application with all matters reserved except for means of access, for residential development of up to 70 dwellings and landscaping with associated public open space and car parking.	Approved 22/03/2018
DC/2018/0318	Submission details to discharge condition No. 8 - Construction and Ecological Management Plan imposed on planning permission OUT/2016/2918 determined 11 May 2017 (decision notice issued 29/09/17) for an outline application with all matters reserved except for means of access, for residential development of up to 70 dwellings and landscaping with associated public open space and car parking.	Approved 22/03/2018
DC/2018/1049	Submission of details to discharge condition No. 6(iii) Air Quality Assessment and mitigation measures and condition No. 7 details of construction method statement, imposed on planning permission OUT/2016/2918 for Outline application with all matters reserved except for means of access, for residential development of up to 70 dwellings and landscaping with associated public open space and car parking granted on 11/05/2017.	Approved 24/05/2018
DC/2019/0218	Submission of details to discharge condition19: Local Skills and Employment Action Plan and condition 20: Variable Message Warning Sign	Pending

	<p>imposed on planning permission OUT/2016/2918 for Outline application with all matters reserved except for means of access, for residential development of up to 70 dwellings and landscaping with associated public open space and car parking granted on 11/05/2017.</p>	
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POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The revised NPPF published on February 2019 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. In assessing flood risk from a proposed development in the determination of a planning application, the new NPPF suggests that the local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

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 Local Plan 2016, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application is:

- Policy DS3: Sustainable Development Policy
- Policy DE1 Ensuring High Quality Design
- Policy EM1: Planning for Climate Change Adaptation
- Policy EM4 Flood Risk Management
- Policy EM5 Sustainable Drainage Systems (SuDS)

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPD Delivering a More Sustainable City

CONSULTATION

Severn Trent Water – Severn Trent Water are satisfied with the submitted drainage details and confirm that the drainage condition can be discharged. Severn Trent Water pointed out that the foul drainage is proposed to connect into the public sewer, which would be subject to a formal section 106 sewer connection approval. As the foul drainage route travels through third party land the applicant will require permission from the land owner or apply for a S98 sewer requisition with Severn Trent Water.

Severn Trent Water have no comment or objection on the surface water discharge into a ditch course.

Flood Risk and Drainage – satisfied with the submitted drainage scheme and recommend to discharge the condition.

Immediate neighbours and local councillors have been notified; three site notices were posted on 21 December 2018.

11 letters of objection have been received raising concerns mainly on the surface water drainage which is proposed to discharge into an existing ditch. The resident's concern on surface water flooding is the only material planning consideration in this case. The residents also consider that the application does not give details about how the ditch would be re-graded to carry the surface water from the development.

Apart from the above the residents have raised the following concerns which are not material planning consideration:

- a) Risk of subsidence
- b) Erosion will destabilise the banks of the ditch
- c) Who will be responsible for the ongoing maintenance of the ditch
- d) Ownership of the ditch bank is yet to be established and who has the riparian responsibility
- e) Dispose surface water into the ditch could affect the rear garden/property which back on to the ditch.

Cllr Glenn Williams considers that the residents need clarification on what their potential responsibilities will be if the drainage is going through a ditch to the rear of their properties. This is the 'riparian rights and responsibilities' that must be properly communicated with residents before any decision is made

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are whether the proposed drainage scheme will allow for satisfactory drainage of the site and whether the proposed foul sewer is capable of serving the development.

Flood Risk and Drainage

Policy EM4 states that all major developments must be assessed in respect of the level of flood risk from all sources. If development in areas at risk of flooding is the only option following the application of the sequential test, it will only be permitted where the criteria set out in Policy EM4 are met. However, the application site is not within flood zone 2 or 3, i.e. not susceptible to flooding, therefore, a sequential test was not required.

The drainage scheme shows that the surface water which would result from the roofs of the houses and associated hard surfaces would drain towards the northeast corner of the site to connect to an existing ditch. The existing ditch is fairly shallow and varies in depth. A balancing pond would also be part of the surface water drainage scheme which would help to control the flow of water into the ditch to a maximum level (to a flow of 6.3litre/second). This is to ensure there would be no overflow of the surface water through the ditch and to minimise risk of surface water flooding on the adjacent land above the ditch bank. The scheme shows that a headwall would be constructed at the point where surface water drainage pipe joins the existing ditch and the balancing pond. A headwall is a concrete structure installed at the outlet of a drain or culvert that functions as a retaining wall to protection against erosion, or as a means to divert flow. In addition, the proposal shows that the existing ditch would be re-graded. It is necessary to state that the

construction of a headwall to an existing watercourse/ditch and re-grading a ditch or watercourse requires Land Drainage Consent and is outside planning control. The submitted surface water drainage details demonstrate that the surface water runoff rate from the site will be restricted to a maximum of 6.3l/s, which is equivalent to the QBar greenfield rate minus 20%. The strategy has been supported with hydraulic calculations and an adequate flood routing plan. The Councils Flood Risk and Drainage Officer is satisfied with the scheme and recommends to discharge the drainage condition.

The Councils Flood Risk and Drainage Officer is aware that matters relating to works to the receiving drainage ditch are being managed through the ordinary watercourse consenting process, through the Land Drainage Act 1991.

The proposed foul sewer would run towards the north east corner of the site and extend to the east under the allotment gardens to connect to an existing combined sewer pipe. The Lead Local Flood Authority and Severn Trent Water is satisfied with the proposed foul drainage scheme. As the foul sewer is proposed to connect into the public sewer, it is subject to a formal section 106 sewer connection approval, which is outside planning jurisdiction. As the foul drainage route travels through third party land the applicant will require permission from the land owner or apply for a S98 sewer requisition with Severn Trent Water.

Residents' concerns on riparian responsibility and maintenance of the watercourse/ditch have been noted. However, the riparian responsibilities and maintenance are land drainage matters or matters of common law and not a material planning consideration. Therefore these matters cannot be afforded any weight in the assessment of this discharge of condition application and refusal of this application on these grounds would not be justified.

Conclusion

The proposed drainage scheme is considered to be acceptable and address the surface water and foul drainage adequately. It is considered that the drainage scheme would minimise the potential risk of flooding on and off the site. The reason for Coventry City Council discharging the drainage condition is because the drainage scheme is in accordance with Policies DS3, EM1, EM4, EM5 and DE1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

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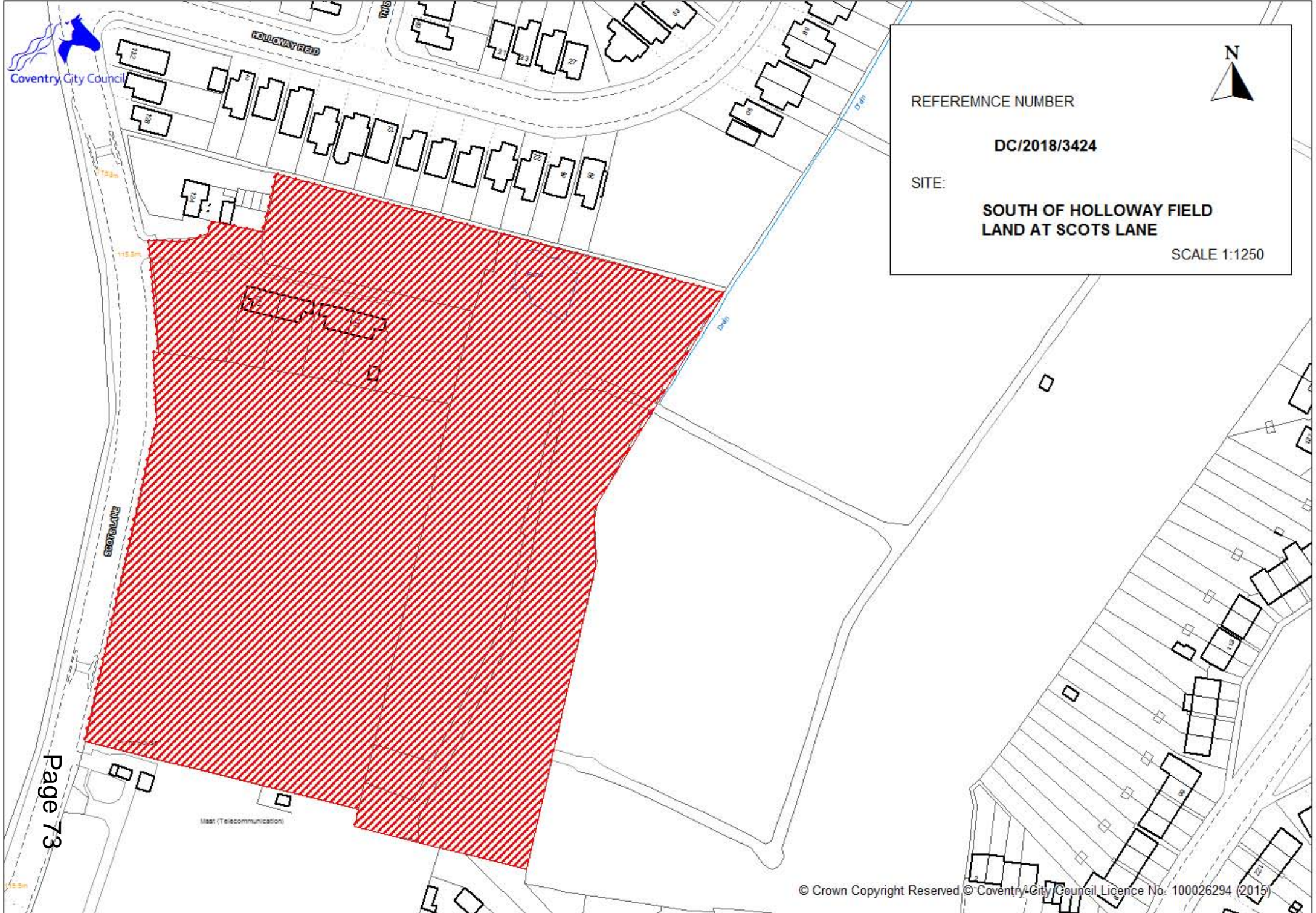
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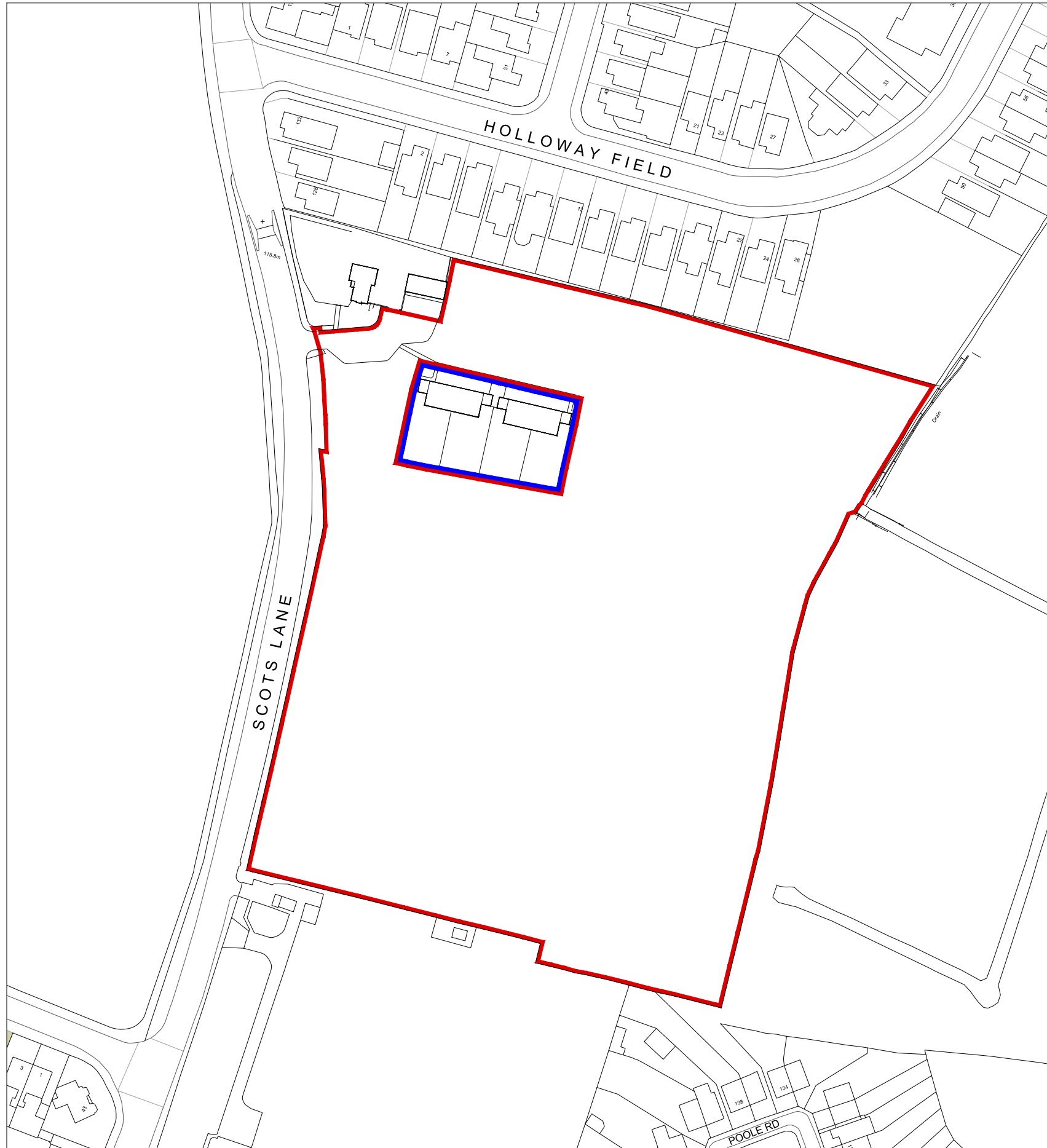
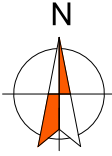
DC/2018/3424

SITE:

**SOUTH OF HOLLOWAY FIELD
LAND AT SCOTS LANE**

SCALE 1:1250





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all dimensions to be checked on site and architect notified of any discrepancies prior to commencement. do not scale.

notes:

- █ Site Boundary
- █ Adjacent land in control of client

rev:	date:	comment(s):	name:	check:

ARCHITECTS.
URBAN DESIGNERS.
PLANNERS.
PROJECT MANAGERS.
LANDSCAPE ARCHITECTS.
WE ARE IDP.

status: **PLANNING**

client: **Bellway**

job: **Scots Lane, Counton**

title: **Site Location Plan**

drawn: **LH** date: **12.02.18**

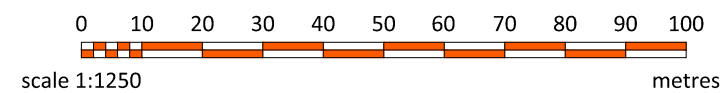
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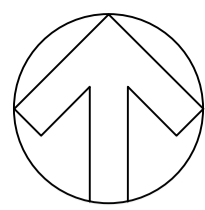
job no: **C3403** drg no: **P010**

IDP GROUP 27 SPON STREET COVENTRY CV1 3BA

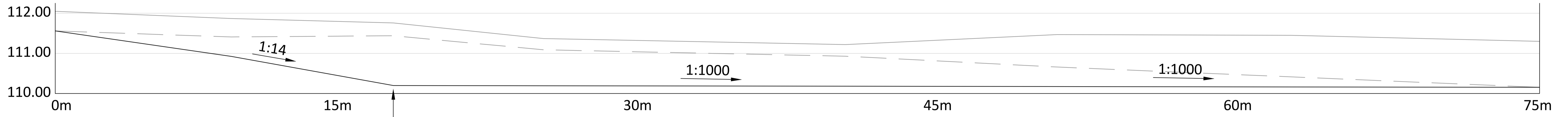
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OUTFALL FROM PROPOSED SURFACE WATER DRAINAGE NETWORK

SECTION THROUGH DITCH COURSE BED

PROPOSED DITCH REGRADE TO TIE INTO EXISTING PROFILE AT THIS POINT

Overgrown

DITCH COURSE BED TO BE REPROFILED TO ACCOMMODATE SURFACE WATER DRAINAGE OUTFALL FROM PROPOSED DEVELOPMENT. MINIMUM LONGITUDINAL GRADIENT = 1:1000 BED WIDTH = 1m

DITCH BANK TO BE REGRADED TO A MAXIMUM OF 1:2 BACK TO EXISTING GROUND LEVELS.

OVERGROWN VEGETATION WITHIN EXTENTS OF DITCH COURSE TO BE CUT BACK TO PROMOTE STEADY FLOW THROUGH DITCH.

NEW DITCH BED LEVEL AT OUTFALL = 110.20m

PROPOSED DITCH REGRADE TO TIE INTO EXISTING PROFILE AT THIS POINT

B	POND FOOTPRINT UPDATED	11.02.19	MK	CAO
A	POND FOOTPRINT UPDATED	24.01.19	MK	CAO
REV	DESCRIPTION	DATE	BY	AUTH

CLIENT
BELLWAY SOUTH MIDLANDS

PROJECT
THE HEDGE ROWS, SCOTS LANE
COUNDON, COVENTRY, CV6 2DQ

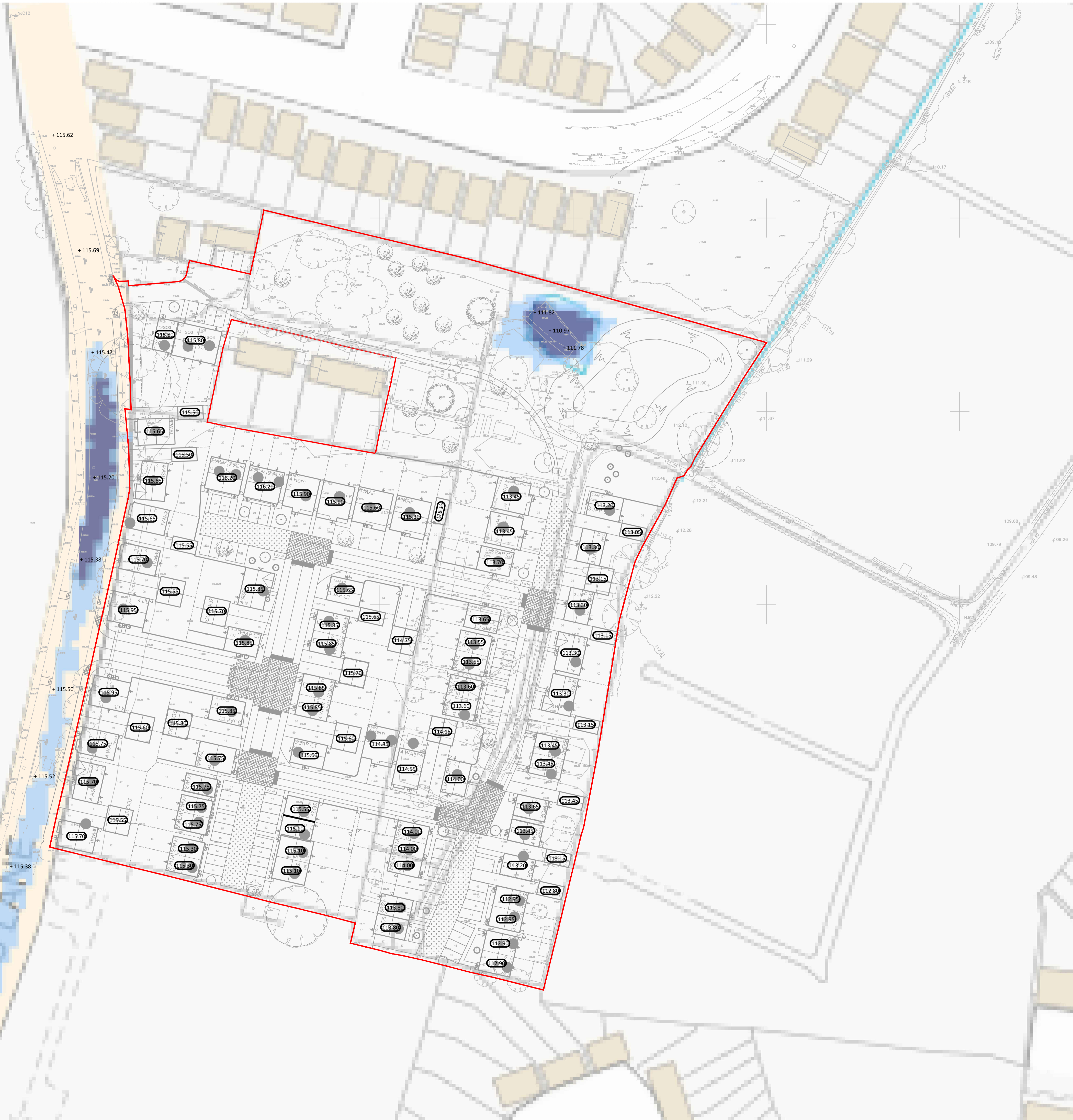
TITLE
WORKS TO EXISTING
DITCH COURSE

STATUS
FOR APPROVAL

DRAWN	AUTHORISED	SCALE	DATE
MK	CAO	1:200@A1	11.01.19

PROJECT NO.	DRAWING NO.	REV
0096	114	B

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KEY

	SITE BOUNDARY
	PROPOSED FINISHED FLOOR LEVEL
	EXISTING GROUND LEVEL

CLASSIFICATION OF FLOOD RISK

	HIGH RISK - GREATER THAN 3.3% PROBABILITY (UP TO 1 IN 30 YEAR EVENT)
	MEDIUM RISK - BETWEEN 1% AND 3.3% (BETWEEN 1 IN 100 & 1 IN 30 YEAR EVENTS)
	LOW RISK - BETWEEN 0.1% AND 1% PROBABILITY (BETWEEN 1 IN 1000 & 1 IN 100 YEAR EVENTS)

MAPPING INFORMATION TAKEN FROM ENVIRONMENT AGENCY LONG TERM FLOOD RISK DATA

The King
Catholic
Primary School

REV	DESCRIPTION	DATE	BY	AUTH

CLIENT
BELLWAY SOUTH MIDLANDS

PROJECT
**THE HEDGE ROWS, SCOTS LANE
COUNDON, COVENTRY, CV6 2DQ**

TITLE
**EXISTING SURFACE WATER
FLOOD MAPPING**

STATUS
FOR INFORMATION

DRAWN MK	AUTHORISED CAO	SCALE 1:1000@A1	DATE 11.01.19
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PROJECT NO. 0096	DRAWING NO. 113	REV -
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- KEY**
- SITE BOUNDARY
 - ADOPTABLE S104 SURFACE WATER SEWER
 - ADOPTABLE S104 FOUL WATER SEWER
 - EXISTING STORM WATER SEWER
 - EXISTING FOUL WATER SEWER
 - EXISTING COMBINED WATER SEWER
 - SURFACE WATER HEADWALL
 - GULLY AND CONNECTION
 - DRAINAGE EASEMENT
 - PROPOSED FLOOR LEVEL
 - BANKING
 - SURFACE WATER FLOODING GENERATED DURING THE 40 YEAR CRITICAL RETURN PERIOD. FLOOD WATERS TO BE CONTAINED WITHIN THE CARRIAGEWAY AND RE-ENTER GULLIES AS INDICATED WITH ARROW
 - SURFACE WATER FLOODING GENERATED DURING THE 50 YEAR CRITICAL RETURN PERIOD. FLOOD WATERS TO BE CONTAINED WITHIN THE CARRIAGEWAY AND RE-ENTER GULLIES AS INDICATED WITH ARROW
 - SURFACE WATER FLOODING GENERATED DURING THE 100 YEAR CRITICAL RETURN PERIOD. FLOOD WATERS TO BE CONTAINED WITHIN THE CARRIAGEWAY AND RE-ENTER GULLIES AS INDICATED WITH ARROW

- SEVERN TRENT WATER NOTES**
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 - THE MATERIALS TO BE USED IS SUITABLE FOR THE GROUND CONDITIONS.

ALL SEWERS ARE TO BE IN ACCORDANCE WITH 'SEWERS FOR ADOPTION 6TH EDITION' AND SEVERN TRENT WATER STANDARDS

PRELIMINARY SUBJECT TO SECTION 38 & 104

A SECTION 106 APPLICATION MUST BE MADE TO AND APPROVED BY SEVERN TRENT WATER PRIOR TO THE CONNECTION TO EXISTING PUBLIC SEWERS. EXISTING POSITIONS & INVERT LEVELS ARE TO BE VERIFIED PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION WORKS. INFORM THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.

REV	DESCRIPTION	DATE	BY	AUTH
C	LATEST SITE LAYOUT INTRODUCED.	28.10.18	MK	CAO
B	DRAINAGE AMENDED TO SUIT PLANNING COMMENTS.	06.09.18	MK	CAO
A	DRAINAGE LAYOUT AMENDED.	20.16.18	MK	CAO

CLIENT
BELLWAY SOUTH MIDLANDS

PROJECT
SCOTS LANE COVENTRY

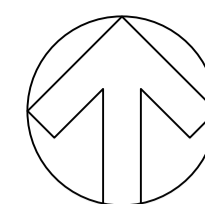
TITLE
FLOOD ROUTING LAYOUT

STATUS
FOR APPROVAL

DRAWN	AUTHORISED	SCALE	DATE
PB	CAO	1:500@A1	30.04.18

PROJECT NO.	DRAWING NO.	REV
0096	108	C





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REV	DESCRIPTION	DATE	BY	AUTH
C	MANHOLES S3A AND S4A ADDED TO SUIT BELLWAY SOUTH MIDLANDS COMMENTS.	22.08.18	CJ	CAO
B	DRAWING REVISED TO REMOVE BLOCK PAVING.	30.07.18	JMG	CAO
A	AREAS AMENDED TO SUIT LATEST LAYOUT.	20.06.18	CAO	CAO

CLIENT
BELLWAY SOUTH MIDLANDS

PROJECT
THE HEDGE ROWS, SCOTS LANE, COUNDON, COVENTRY, CV6 2DQ

TITLE
DRAINAGE AREA LAYOUT

STATUS
FOR APPROVAL

DRAWN	AUTHORISED	SCALE	DATE
PB	CAO	1:500@A1	02.03.18

PROJECT NO.	DRAWING NO.	REV
0096	102	C

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- KEY**
- SITE BOUNDARY
 - ADOPTABLE S104 SURFACE WATER SEWER
 - ADOPTABLE S104 FOUL WATER SEWER
 - EX - SWS — EXISTING STORM WATER SEWER
 - EX - FWS — EXISTING FOUL WATER SEWER
 - EX - CWS — EXISTING COMBINED WATER SEWER
 - ◇ SURFACE WATER HEADWALL
 - ↗ GULLY AND CONNECTION
 - DRAINAGE EASEMENT
 - 00.000 PROPOSED FLOOR LEVEL
 - BANKING
 - SURFACE WATER FLOODING GENERATED DURING THE 100 YEAR RETURN PERIOD PLUS CLIMATE CHANGE. FLOOD WATERS TO BE CONTAINED WITHIN THE CARRIAGEWAY AND RE-ENTER GULLIES
 - OVERLAND SURFACE WATER FLOW ROUTE IN EVENT OF EXCEEDANCE

REV	DESCRIPTION	DATE	BY	AUTH
J	LATEST SITE LAYOUT INTRODUCED.	28.10.18	MK	CAO
I	FINAL FOUL OUTFALL OPTION INDICATED THROUGH ADJACENT ALLOTMENTS.	09.10.18	CAO	CAO
H	DRAINAGE OUTFALL OPTIONS SPLIT OVER MULTIPLE SHEETS. DRAINAGE AMENDED TO SUIT PLANNING COMMENTS.	04.09.18	MK	CAO
G	MANHOLES S3A, S4A, F3A, F4A ADDED TO SUIT BELLWAY SOUTH MIDLANDS COMMENTS.	22.08.18	CJ	CAO
F	SW AND FW OUTFALL ROUTES AMENDED.	21.08.18	MK	CAO
E	DRAINAGE NOTES AMENDED.	02.07.18	CAO	CAO
D	FINISHED FLOOR LEVELS AMENDED.	20.06.18	CAO	CAO
C	DRAINAGE OUTFALL SEWERS AMENDED.	01.06.18	CAO	CAO
B	NEW LAYOUT INCORPORATED.	22.03.18	CAO	CAO
A	POROUS PAVING REMOVED.	09.03.18	CAO	CAO

CLIENT
BELLWAY SOUTH MIDLANDS

PROJECT
SCOTS LANE COVENTRY

TITLE
DRAINAGE LAYOUT

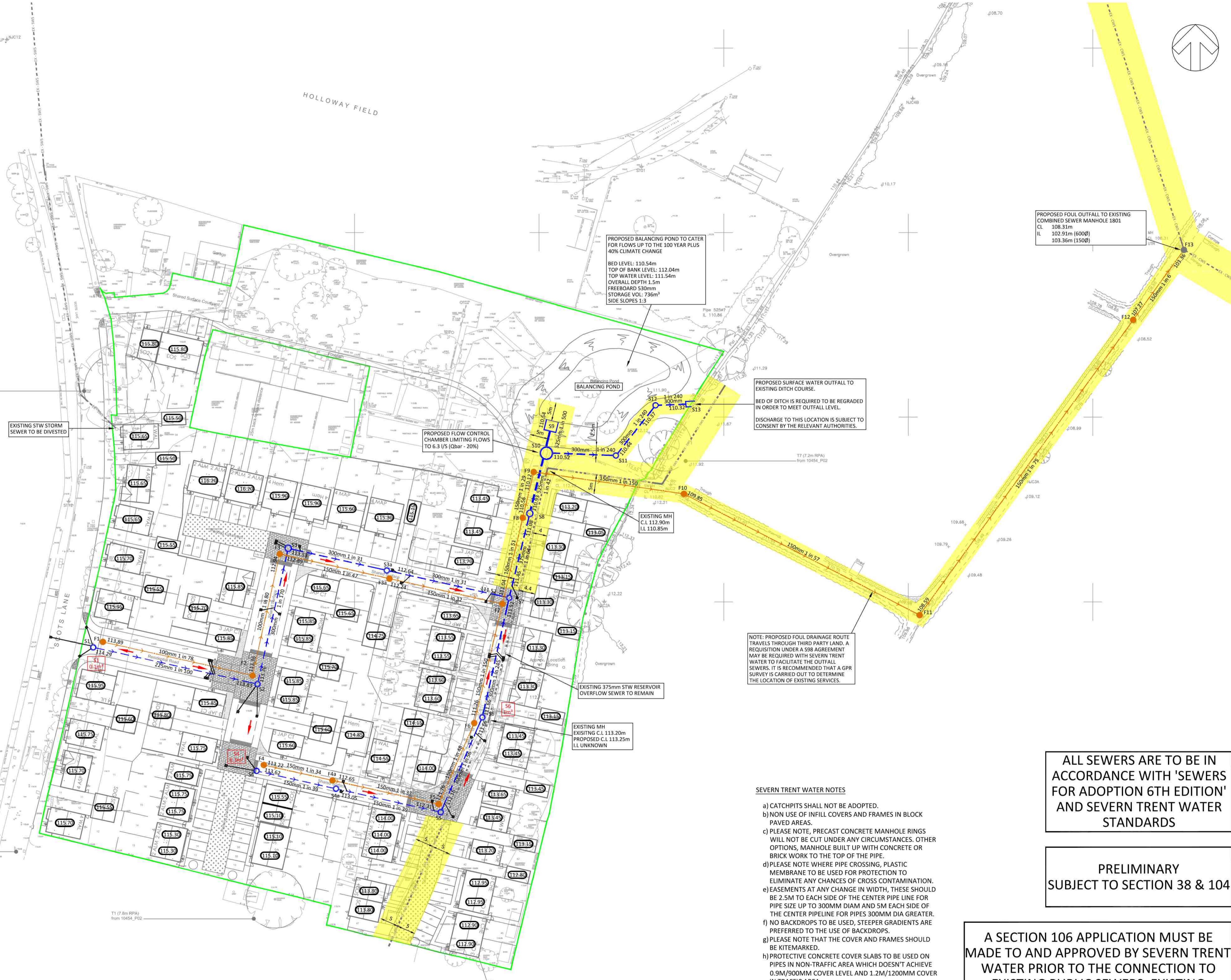
STATUS
FOR APPROVAL

DRAWN	AUTHORISED	SCALE	DATE
CAO	CAO	1:500@A1	02.03.18
PROJECT NO.	DRAWING NO.	REV	
0096	101	J	

dds development design solutions

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PROPOSED BALANCING POND TO CATER FOR FLOWS UP TO THE 100 YEAR PLUS 40% CLIMATE CHANGE

BED LEVEL: 110.54m
TOP OF BANK LEVEL: 112.04m
TOP WATER LEVEL: 111.54m
OVERALL DEPTH 1.5m
FREEBOARD 530mm
STORAGE VOL: 736m³
SIDE SLOPES 1:3

PROPOSED SURFACE WATER OUTFALL TO EXISTING DITCH COURSE.

BED OF DITCH IS REQUIRED TO BE REGRADED IN ORDER TO MEET OUTFALL LEVEL.

DISCHARGE TO THIS LOCATION IS SUBJECT TO CONSENT BY THE RELEVANT AUTHORITIES.

NOTE: PROPOSED FOUL DRAINAGE ROUTE TRAVELS THROUGH THIRD PARTY LAND. A REQUISITION UNDER A S98 AGREEMENT MAY BE REQUIRED WITH SEVERN TREAT WATER TO FACILITATE THE OUTFALL SEWERS. IT IS RECOMMENDED THAT A GPR SURVEY IS CARRIED OUT TO DETERMINE THE LOCATION OF EXISTING SERVICES.

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PRELIMINARY SUBJECT TO SECTION 38 & 104

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Planning Committee Report	
Planning Ref:	HH/2019/0121
Site:	26 Warwick Avenue
Ward:	Earlsdon
Proposal:	Erection of 2m high railings and pedestrian gate to the front garden area; 'Privacy Screen' and rear / side boundary fence.
Case Officer:	Emma Spandley

SUMMARY

The principle of development is acceptable as the proposal accords with Policy DE1 by providing a good level of design. The proposals will not have a detrimental impact on the occupiers of neighbouring properties. The parking for the existing property will remain unaltered as part of this application.

BACKGROUND

The site is a bungalow in residential use, located on the east side of Warwick Avenue. The Kenilworth Road Conservation Area boundary is to the west of Warwick Avenue, therefore, the application site is not located within the Conservation Area.

KEY FACTS

Reason for report to committee:	This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as representations have been received from occupiers of five residential properties.
Current use of site:	Residential Dwelling
Proposed use of site:	Residential Dwelling

RECOMMENDATION

Planning committee are recommended to grant planning permission subject to the conditions listed at the bottom of the report.

REASON FOR DECISION

- The proposal is acceptable in principle.
- 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: DS3 & DE1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The application seeks to erect 2m high railings and a pedestrian gate to enclose the front garden area of No.26 Warwick Avenue. The railings and gate will be set 6.8m back from the edge of the public footpath. No.26 and No.24 Warwick Avenue are set back 21 metres from the highway, whereas No.28 & No.22 are set only 6 metres back from the highway. Therefore, the proposed gates will be on a similar alignment to the front elevation of No.28 Warwick Avenue. From these gates to the front elevation of the application property and therefore, also No.22 Warwick Avenue there is a 15.5m separation distance. Within the enclosed area, a 'privacy' fence will be erected which will run parallel with the side elevation of No.28 Warwick Avenue. The 'privacy' fence will afford access for the neighbouring property for maintenance etc.

The application also proposes to erect a close boarded fence along the side boundary of No.28 and No.26 Warwick Avenue. The fence will extend to 2m above the existing decking located within the rear garden of No.28 Warwick Avenue. This is to ensure there is no overlooking into the side, habitable room window within the application property from people standing on the neighbouring properties decking.

SITE DESCRIPTION

The application property is a single storey detached dwelling, which is set back from the highway by 21m. The neighbouring property No.24 Warwick Ave also benefits from a similar setting. However, Nos. 22 & No.28 Warwick Avenue are set only 6 metres back from the highway.

No.24 & No.26 Warwick Avenue are anomalies within the street scene. The majority of the other properties on this side of Warwick Avenue (evens), are set closer to the road and retain at least a 6m gap to the back edge of the pavement.

The properties on the other side of the road (odd) are located within the Kenilworth Road Conservation Area, are mainly large detached dwellings characterised by the abundance of dense shrub and tree planting to frontages, creating a bosky and verdant character.

PLANNING HISTORY

HH/2018/2699 - Erection of 2m high railings and pedestrian gate to the front garden area; 'Privacy Screen' and rear / side boundary fence, refused:-

"The proposed fence to the rear, by means of its siting, will cause demonstrable harm to the occupiers of No.28 Warwick Avenue by increased visual intrusion and by creating an oppressive outlook, contrary to Policy DE1 & DS3 of the Coventry Local Plan 2016."

The Committee indicated at the meeting that a fence which measured no more than 2m above the height of the neighbouring properties, No.28 Warwick Avenues, existing decking would be acceptable, as this is the height that is allowable under permitted development and is considered an acceptable level of harm.

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The new NPPF published on 24 July 2018 and updated in February 2019 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 new NPPF increases the focus on achieving high quality design and states that it is "fundamental to what the planning and development process should achieve".

The National Planning Practice Guidance (NPPG) 2014 onwards, 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 Local Plan 2016, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application are:
Policy DS3: Sustainable Development Policy
Policy DE1: Ensuring High Quality Design

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Extending Your Home

CONSULTATION

Everyone who was notified and / or commented on the previous application have been notified. 5 letters of objection has been received,

Within the letters received the following material planning considerations were raised:

- a) Overbearing impact on the occupiers of No.28 Warwick Avenue;
- b) Out of character with the area.

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

- Boundary disputes;
- c) Boundary disputes;
- d) Right of Access;
- d) Covenants;
- e) Easements over land;
- f) Party Wall matters;

APPRAISAL

The main issues in determining this application are the impact upon the character of the area and the impact upon neighbouring amenity.

Impact on character of the area / visual amenity

Policy DE1 of the Local Plan seeks to ensure high quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

The National Planning Policy Framework, paragraph 127 states that "Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF further states (at paragraph 130) "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)."

The bungalows, No.26 & No.24 are set back a considerable distance from the highway (21m), the proposed railings will be set back over 6m from the back of the pavement. The distance from the proposed railing to the back of the pavement is similar to that, from the front of No.28 to the back of the pavement. Therefore, the gap retained to the frontage is similar to that gap to the front garden areas of the majority of the properties located on this section of Warwick Avenue, which is the prevailing character. Members of Planning Committee before, did not object to this aspect of the proposal when it was heard at the Planning Committee meeting dated 13th December 2018.

The bungalows No.26 & No.24 are an anomaly within the street.

The existing 2m high hedge to the shared boundary will be retained, with the railings set behind the hedging, therefore the proposed railings will be largely screened from view by the existing hedging. The hedging will be conditioned to be retained, as shown on the proposed drawing (all sides to the front garden area).

Notwithstanding the retention of the hedging to the front garden area; even without this hedging retained the railings and gate would be acceptable due to the considerable set back from the road.

It is therefore considered, that 2m high railings within this location, set back 6 metres from the pavement, with the retained hedging will not cause harm to the character of the area by introducing an incongruous feature within the street scene, furthermore, the railings and fencing will not harm the setting of Kenilworth Road Conservation Area. For the reasons outlined above, the development is in accordance with the aforementioned policy.

Impact on residential amenity

The Supplementary Planning Guidance 'Extending your Home' states extensions or new development should not breach a 45 degree sightline taken from the middle of the nearest habitable room windows taken from the neighbouring property.

The proposed railings will be set on a similar building line as the front of No.28, therefore, it will not breach a 45 degree sightline taken from the middle of the nearest habitable room taken from No.28. The windows within the side elevation of No.28 are either secondary windows or non-habitable windows. However, as the railings are open, by their very nature, the impact of the railings is lessened.

No.22 is set back from the road, similar to the application property, therefore, due to the siting and the existing dense shrub planting along the boundary, the proposed railings will not have a negative impact on the occupiers of No.22.

The existing hedge planting to the shared boundaries will be retained, which will mean, the railings will be shielded from view largely by the existing hedge planting.

Turning to the proposed boundary treatment to the shared, side boundary with No.28 and the application property.

As mentioned previously, due to the unique site characteristics, No.28's front elevation is set 15m in front of the application property. The side elevation of the application site runs along the shared,

side boundary with No.28. No.28's rear elevation is roughly level with the front elevation of the application property.

At the previous Committee meeting on 13th December 2018, Committee refused the erection of a fence in this location which exceeded 2ms in height along the side shared boundary with No.28 and the application property. No.28 have erected decking within their back garden which projects from their rear elevation, along the side shared boundary with the application property.

Under Permitted Development¹ a householder can erect a 2m high boundary fence without requiring formal planning permission. This is considered an acceptable level of harm.

The application seeks permission for a fence that will be 2.4m high when measured from the application property (26 Warwick Avenue), but, will only be 2m high when measured from the existing decking at No.28 Warwick Avenue.

Taking all of the above into account, it is considered that the proposal will not cause demonstrable harm to the occupiers of the adjacent properties, No.28 & No.22 through increased visual intrusion or loss of light.

Other Matters

The objection submitted is concerned with private land and boundary disputes between the two neighbours, No.28 & No.26.

No.28 has a benefit of easements and rights to access for maintenance to their property over No.26's property and land.

Reference has been made in this report to easements and restrictive covenants that might effect this proposed development; these are private law rights and as a consequence are not material to this application and should not be considered and taken into account when reaching a decision in relation to this application.

Conclusion

The proposed development is considered to be acceptable in principle and has been designed so that it will not result in any significant impact upon neighbour amenity or the character of the area, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with Policy DE1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

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. The development hereby permitted shall be carried out in accordance with the following approved documents:
Proposed New Boundary Fence & New Railings / Gate - Plans and Elevations - 18.8215.GA.001d
Proposed Rear Fence & Trellis Elevations - Drawing No.18.8215.SK.101c

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

3. The existing hedge(s), tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the

written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations (excluding hard surfaces).

Reason: *To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policy DE1 of the Coventry Local Plan 2016.*

4. The hard surface in relation to the off-street car parking within the curtilage of the property shall be made of permeable materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the house and such provision shall be retained thereafter.

Reason: *To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies EM4 and HW1 and DS3 of the Coventry Local Plan 2016.*

REFERENCE NUMBER
HH/2019/0121

SITE:
26 WARWICK AVENUE

SCALE 1:1250



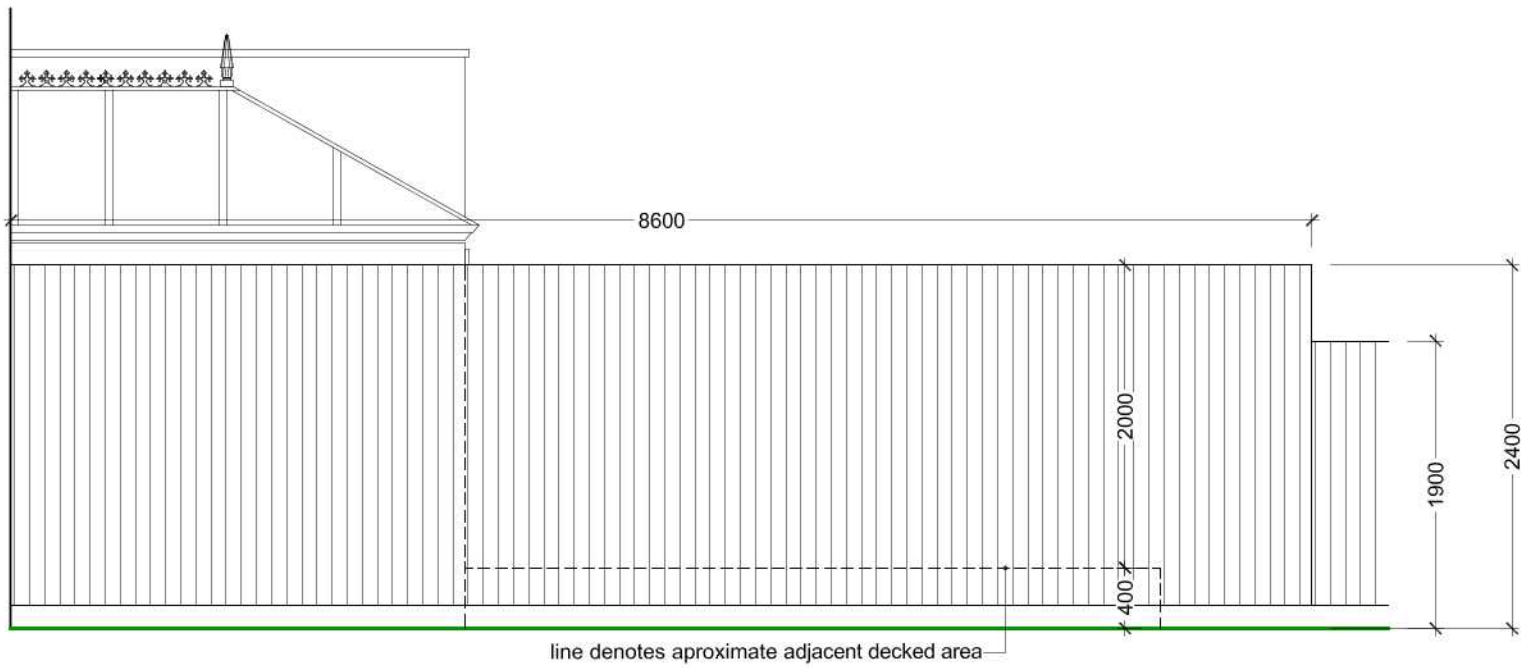
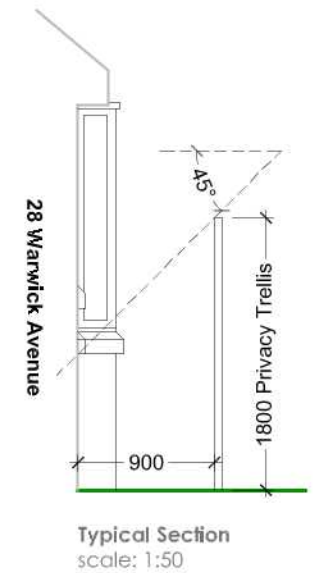
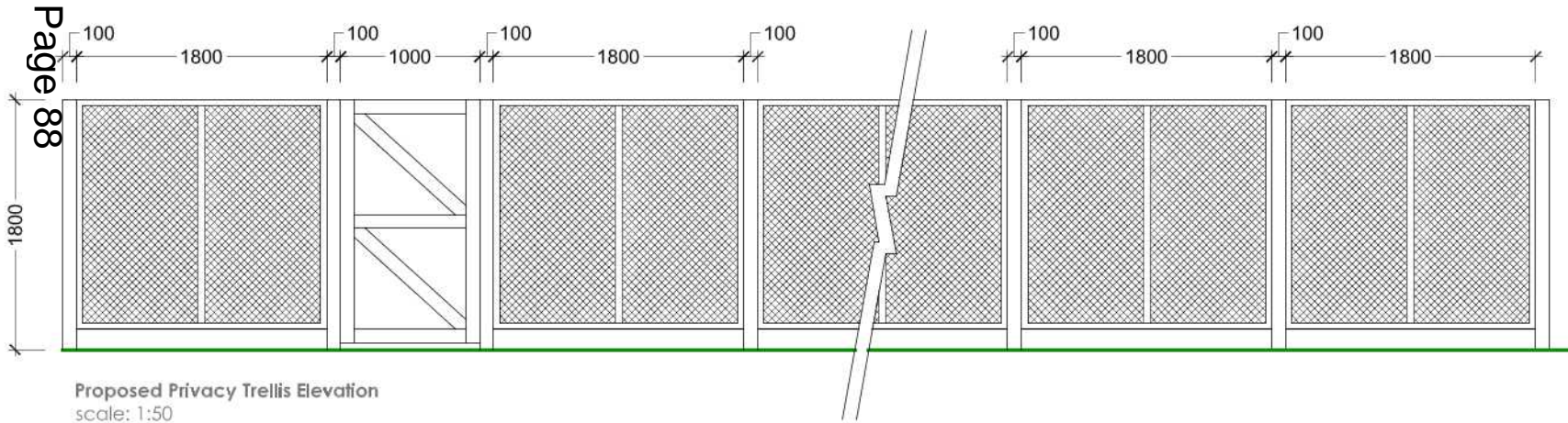


Image of Similar Proposed Privacy Trellis

Revisions:

Rev. a. Privacy Trellis added. drawn: ms	checked:	date: Nov 18
Rev. b. Dimension added to indicate new fence 2m above adjacent neighbours raised deck area. Additional Privacy Trellis added & new gate in accordance with proposed plans. drawn: ms	checked:	date: Jan 19
Rev. c. Additional Dimension added. drawn: ms	checked:	date: Feb 19

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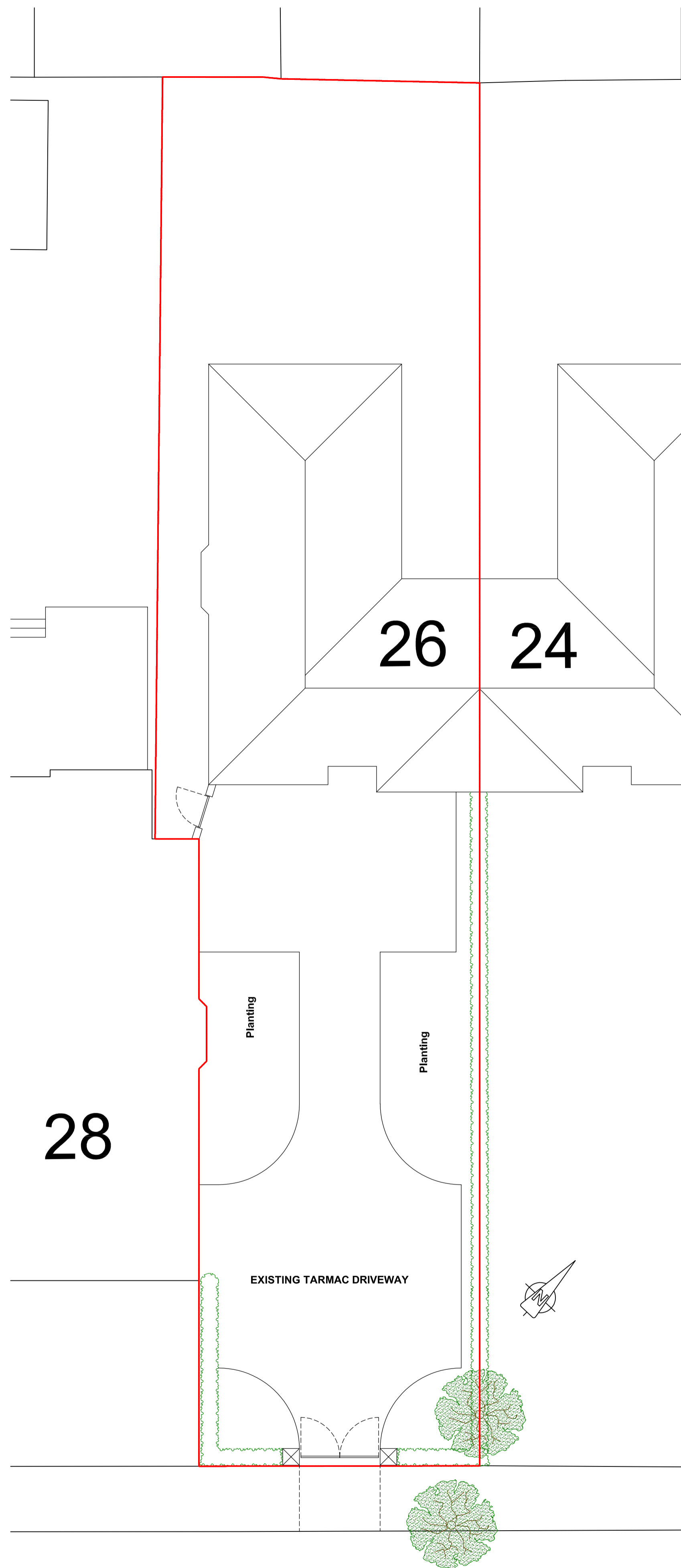
PLANNING

Ms S Murray
26 Warwick Avenue, Coventry, CV5 8DG

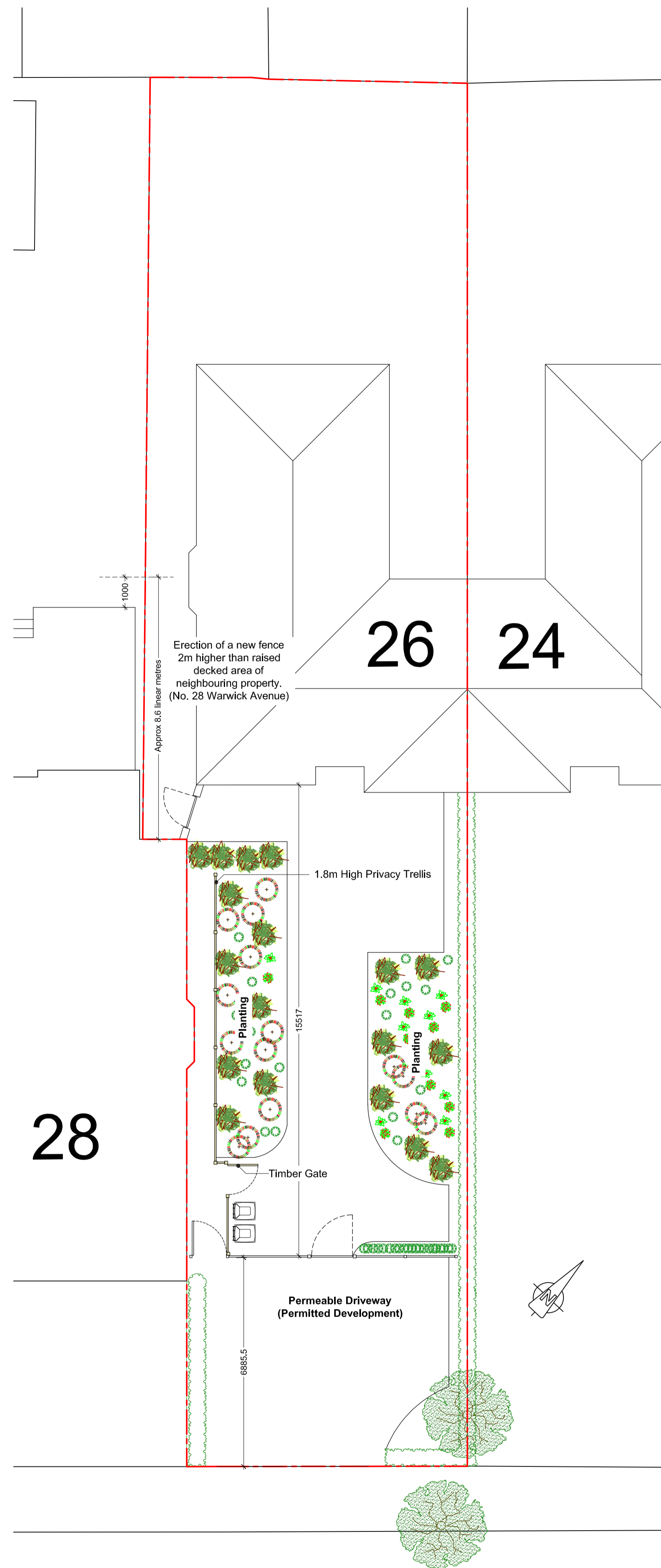
Proposed Rear Fence (Retrospective) & Trellis Elevations

scale: 1:50 @ A4 18.0215 SK, 10%
drawn: ms checked: date: Oct 18

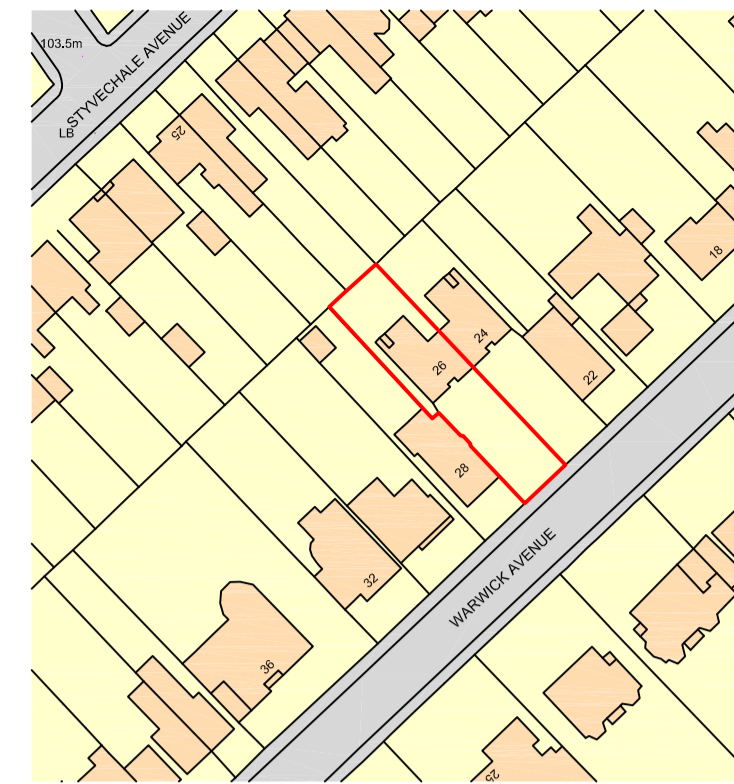
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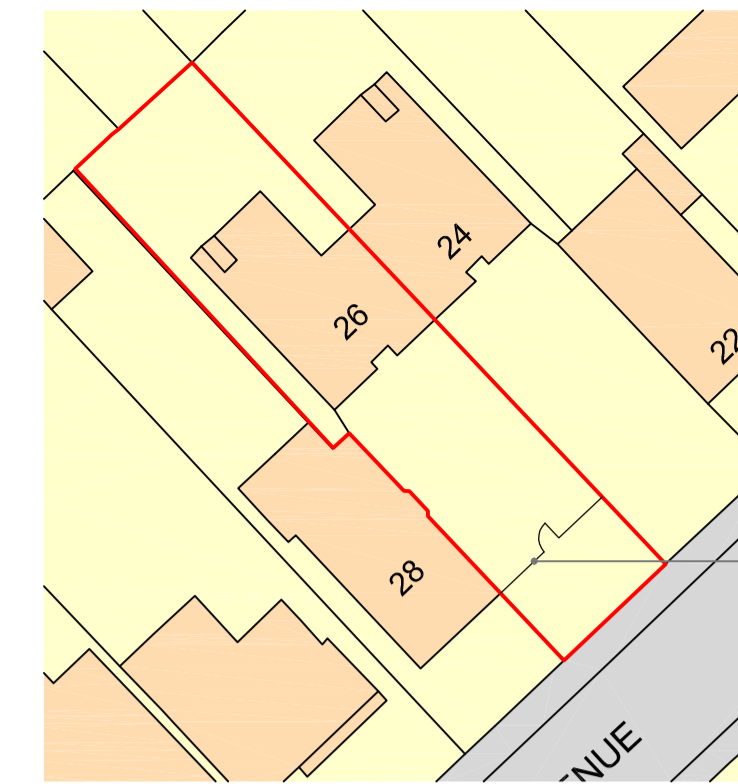
Existing Site Plan
scale: 1:100



Proposed Site Plan
scale: 1:100

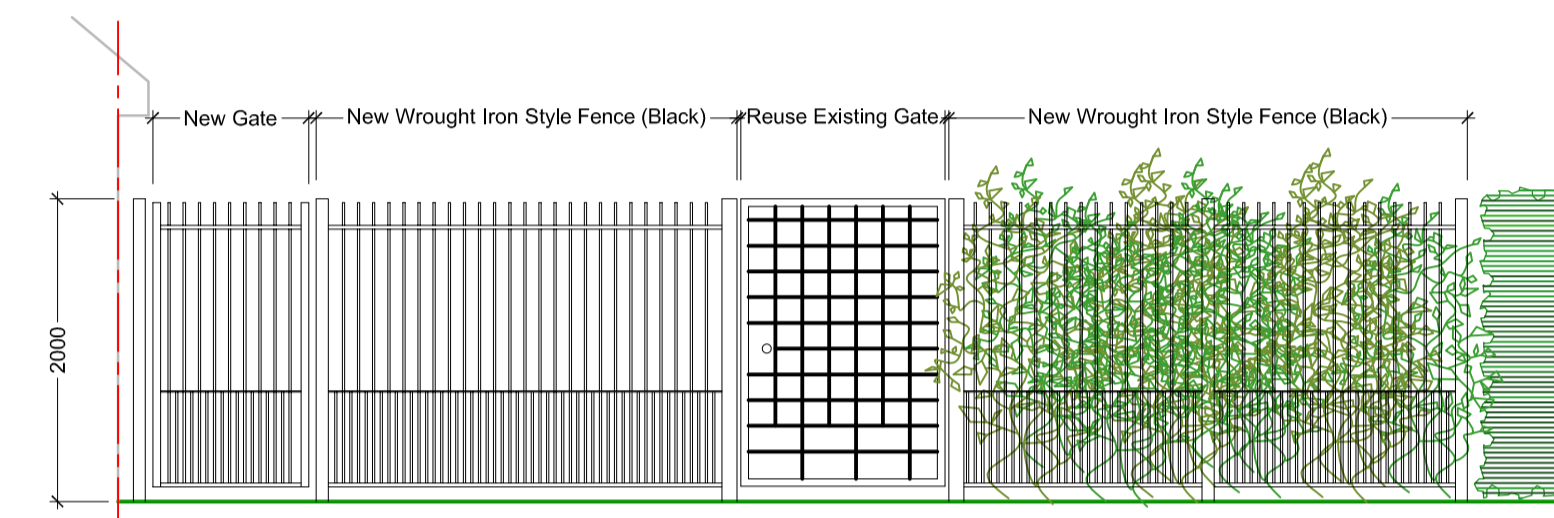


Location Plan
scale: 1:1250

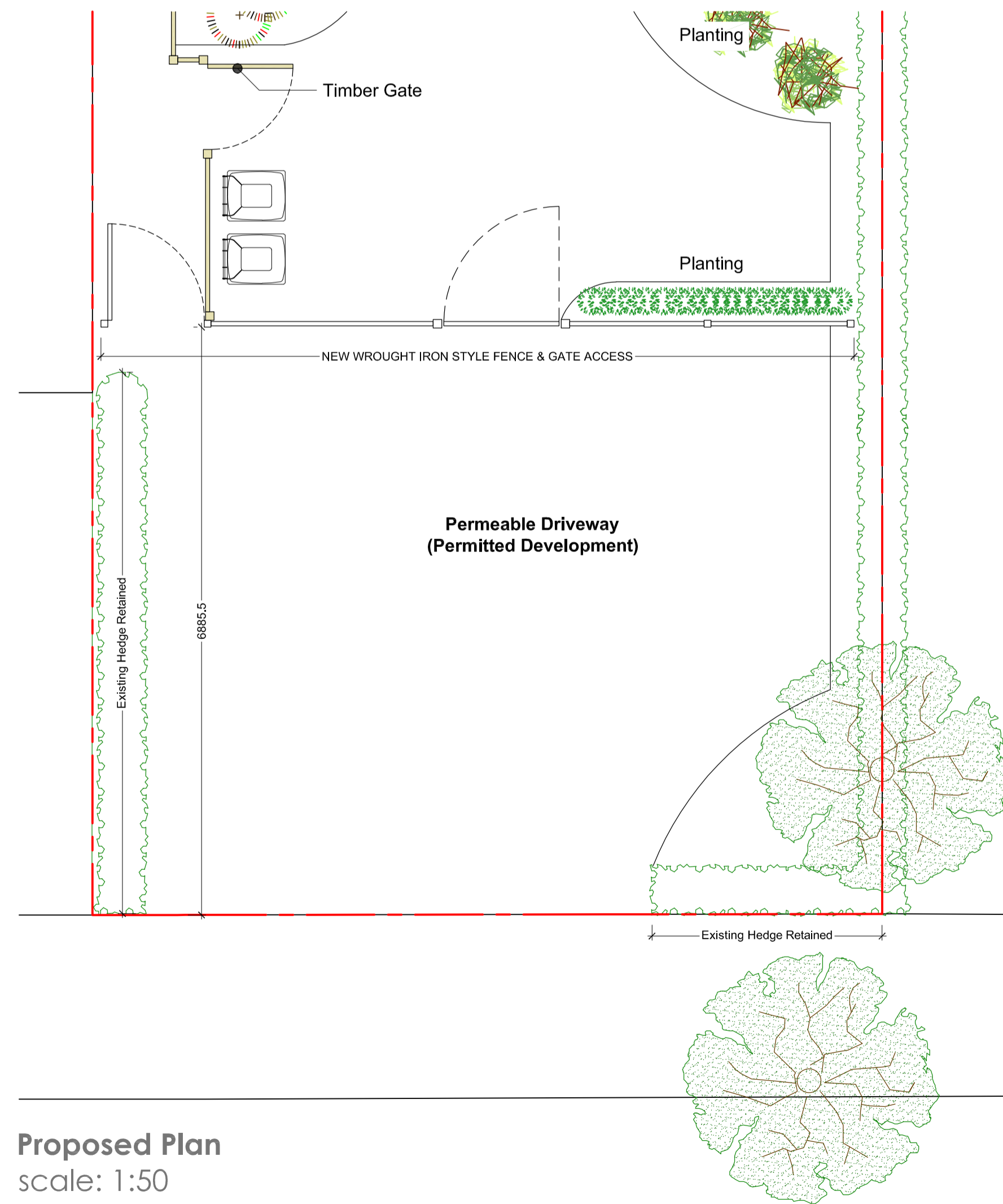


Block Plan
scale: 1:500

General Notes:
Site boundaries are taken from information provided by Ordnance Survey in addition to local dimensional survey information. All setting out dimensions to be checked on site prior to the commencement of any works.



Proposed Elevation
scale: 1:50



Proposed Plan
scale: 1:50

- Revisions:
- Rev a Inclusion of 2.4m high fence to the south west boundary in accordance with comments received from the planning officer.
drawn: ms checked: date: Oct 18
 - Rev b Privacy trellis added. Height of gate reduced as noted in comments received.
drawn: ms checked: date: Nov 18
 - Rev c Drop Kerb & Permeable drive notes removed in accordance with Planning Officers comments.
drawn: ms checked: date: Nov 18
 - Rev d Annotation revised to rear fence. Additional gates added to frontage in privacy trellis in accordance with discussions of applicants solicitor.
drawn: ms checked: date: Jan 19

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PLANNING

Ms S Murray
26 Warwick Avenue, Coventry, CV5 6DG

Proposed New Boundary Fence & New Railings / Gate
Plans & Elevation

scale AN @ A1 18.8215.GA.001d
drawn ms checked date Sept 18

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