

**Time and Date**

2.00 pm on Thursday, 7th November, 2024

Place

Committee Room 3 - Council House

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 Strategic Lead for Planning, be declared before the application is considered.

4. **Minutes of the Meeting held on 17 October 2024** (Pages 3 - 6)

5. **Late Representations**

To be circulated at the meeting.

6. **Application PL/2023/0002649/RESM - 401 London Road** (Pages 7 - 28)

Report of the Strategic Lead for Planning

7. **Application PL/2024/0001183/FUL - 189 Cheveral Avenue** (Pages 29 - 40)

Report of the Strategic Lead for Planning

8. **Outstanding Issues**

There are no outstanding issues.

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

Julie Newman, Director of Law and Governance, Council House, Coventry

Wednesday, 30 October 2024

Note: The person to contact about the agenda and documents for this meeting is Carolyn Sinclair carolyn.sinclair@coventry.gov.uk

Membership: Councillors N Akhtar (By Invitation), P Akhtar, R Bailey, J Gardiner, L Harvard (Chair), T Jandu, G Lewis, G Lloyd, K Maton, J McNicholas, C Miks and D Toulson (Deputy Chair)

Carolyn Sinclair
carolyn.sinclair@coventry.gov.uk

46. **Minutes of Previous Meeting held on 12 September 2024**

The Minutes of the meeting held on 12 September 2024 were agreed and signed as a true record.

47. **Late Representations**

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

Application	Site	Minute
PL/2023/0002359/RESM	Whitley Pumping Station, London Road	48
PL/2024/0001179/FUL	40 Ansty Road	49

48. **Application PL/2023/0002359/RESM - Whitley Pumping Station, London Road**

The Committee considered a report of the Strategic Lead for Planning detailing the above application for submission of Reserved Matters for details of appearance, layout, scale and landscaping of 149 new dwellings with public open space, drainage, car parking and other associated works pursuant to planning permission OUT/2020/2521 for Hybrid planning application comprising: 1) Outline planning for erection of up to 195no dwellings (Use Class C3), new vehicular access onto London Road with associated access works, parking, landscaping and ancillary works. All matters reserved except access. 2) Full planning for the renovation of the existing Lodge Building to provide one dwelling house (Use Class C3); Change of use of the existing Pump House to provide four flats (Use Class C3), associated access works, parking, landscaping and ancillary works granted 12/05/2023. The application was recommended for approval.

The Committee considered a petition requesting Tree Preservation Orders be made on the trees on the land from the Alan Higgs Centre to the London Road (which this site forms part of) and bearing 167 signatures sponsored by Councillor R Bailey, a Cheylesmore Ward Councillor. Councillor Bailey and the petition spokesperson spoke in respect of the petition and another registered speaker attended and spoke in respect of her objections to the application. The applicant spoke in support of the application.

RESOLVED that planning permission be granted in respect of Application PL/2023/0002359/RESM subject to conditions.

(Councillor C Miks did not consider or vote on this application as she was not present for the item)

49. **Application PL/2024/0001179/FUL - 40 Ansty Road**

The Committee considered a report of the Strategic Lead for Planning, detailing the above application for the erection of two-storey front and rear extension with first floor side extension and single storey side and rear extensions to accommodate an increase from 6no. bedroom Care Home (Use Class C2) to 9no. bedrooms with ancillary facilities, with the erection of outbuilding and ancillary

landscaping and parking provision including improvements to existing vehicular access. The application was recommended for approval.

Councillor R Singh, a Lower Stoke Ward Councillor, attended and spoke in respect of his objections to the application. The applicant and the applicant's agent spoke in support of the application.

Arising from a question in respect of how to contact Care Home staff should there be any concerns raised, it was proposed and agreed that the Management Plan be made a separate condition and updated to include relevant contact details.

RESOLVED that planning permission be granted in respect of Application PL/2024/0001179/FUL subject to conditions including an additional condition that the Management Plan be updated to include relevant contact details and be available to access online.

50. **Outstanding Issues**

There were no outstanding issues.

51. **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 3.50 pm)

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Planning Committee Report	
Planning Ref:	PL/2023/0002649/RESM
Site:	401 London Road, Coventry
Ward:	Binley and Willenhall
Proposal:	Submission of reserved matters in respect of application reference OUT/2020/2882, granted on 16/09/2021 for Outline application (with all matters reserved except access): for erection of up to 24 dwellings with car parking, served off the existing accesses.
Case Officer:	Liam D’Onofrio

SUMMARY

This is a Reserved Matters application relating to Outline planning application OUT/2020/2882, which was granted at Planning Committee on 02nd September 2021. Matters for consideration under this application include:

- Appearance;
- Landscaping;
- Layout; and
- Scale.

BACKGROUND

The outline application was previously considered by Planning Committee on 02/09/21 where it was resolved:

(a) That the grant of planning permission in respect of Application OUT/2020/2882 be delegated to the Strategic Lead for Planning, subject to conditions listed in the report and the completion of a S106 agreement.

(b) That the application for Reserved Matters on this site be brought to this Committee in due course.

The decision notice was subsequently issued on 16/09/2021.

KEY FACTS

Reason for report to committee:	Members have requested that the Reserved Matters be brought back to Committee.
Current use of site:	Residential
Proposed use of site:	Residential
Proposed no of units	Up to 24 no. dwellings – 14 no. are proposed

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to conditions summarised in this report.

REASON FOR DECISION

- The proposal is established as acceptable in principle under Outline consent.
- 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, DS4(a), H1, H2, H3, H4, H6, H9, HE2, GE1, GE3, GE4, JE7, DE1, AC1, AC2, AC3, AC4, EM1, EM2, EM4, EM5, EM7 and IM1 of the Coventry Local Plan 2017, together with the aims of the NPPF.

SITE DESCRIPTION

The site is an inverted L shape and has a frontage to London Road with two existing vehicular access points. The site is generally flat and occupied by a large Edwardian detached house set back from the road by some 19no. metres; a former granary building; a store and garages.

The site is part of a larger Housing Allocation site (Policy H2:9), which also comprises the Whitley Pumping Station site on London Road (which adjoins the NE and NW boundaries) and the Allard Way site. The application site will remain independent from these sites and accessed from London Road. The Folly Lane Boys Club venue adjoins the southern boundary of the site and also forms part of the Policy H2:9 allocation.

APPLICATION PROPOSAL

This Reserved Matters application is for 14 units with associated landscaping and car parking. The Edwardian dwellinghouse has consent for demolition, but will be retained as part of the scheme and converted into 2 two-bedroom apartments. The adjacent Granary outbuilding will be retained and converted into 1 one-bedroom unit. The two new apartment buildings will provide 11 one-bedroom units.

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/2020/2882 (401 London Road)	Outline application with all matters reserved except access for erection of up to 24 dwellings with car parking, served off the existing accesses.	Granted 02/09/2021
Adjoining sites in allocation H2:9		
PL/2023/0001225/RESM Allard Way site (adjoining site within allocation H2:9)	Reserved matters application for the development of 125 dwellings, including appearance, landscaping, layout, and scale.	Granted 15/12/2023
RMM/2022/1904 Allard Way site (adjoining site within allocation H2:9)	Submission of reserved matters in respect of application reference OUT/2020/2665, granted on 21/12/2021 for Outline application (with all matters reserved except access): Erection of up to 125	Refused 14/10/2022

	<p> dwellings, new vehicular access onto Allard Way, public open space, drainage, landscaping, car parking areas and other works.</p>	
<p>OUT/2021/2665 Allard Way site (adjoining site within allocation H2:9)</p>	<p>Outline application (with all matters reserved except access): Erection of up to 125 dwellings, new vehicular access onto Allard Way, public open space, drainage, landscaping, car parking areas and other works.</p>	<p>Granted 02/09/21</p>
<p>PL/2023/0002359/RESM Whitley Pumping station, London Road (adjoining site within allocation H2:9)</p>	<p>Submission of Reserved Matters for details of appearance, layout, scale and landscaping of 149 new dwellings with public open space, drainage, car parking and other associated works pursuant to planning OUT/2020/2521 for Hybrid planning application comprising: 1) Outline planning for erection of up to 195no dwellings (Use Class C3), new vehicular access onto London Road with associated access works, parking, landscaping and ancillary works. All matters reserved except access. 2. Full planning for the renovation of the existing Lodge Building to provide one dwelling house (Use Class C3); Change of use of the existing Pump House to provide four flats (Use Class C3), associated access works, parking, landscaping, and ancillary works granted 12/05/2023.</p>	<p>Granted 18/10/24</p>
<p>OUT/2020/2521 Whitley Pumping station, London Road (adjoining site within allocation H2:9)</p>	<p>Hybrid planning application comprising: 1) Outline planning for erection of up to 195no dwellings (Use Class C3), new vehicular access onto London Road with associated access works, parking, landscaping, and ancillary works. All matters reserved except access. 2. Full planning for the renovation of the existing Lodge Building to provide one dwellinghouse (Use Class C3); Change of use of the existing Pump House to provide four</p>	<p>Granted 12/05/23</p>

	flats (Use Class C3), associated access works, parking, landscaping, and ancillary works.	
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POLICY

National Policy Guidance

National Planning Policy Framework (NPPF) December 2023. The NPPF 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”.

Consultation was recently carried out seeking views on the Government’s proposed approach to revising the NPPF. It also sought views on a series of wider national planning policy reforms. The consultation closed on 24th September 2024.

The National Planning Practice Guidance (NPPG) 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 DS4: (Part A) – General Masterplan Principles
- Policy H1: Housing Land Requirements
- Policy H2: Housing Allocations
- Policy H3: Provision of New Housing
- Policy H4: Securing a Mix of Housing
- Policy H6: Affordable Housing
- Policy H9: Residential Density
- Policy GE1 Green Infrastructure
- Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
- Policy GE4: Tree Protection
- Policy JE7: Accessibility to Employment Opportunities
- Policy DE1 Ensuring High Quality Design
- Policy HE2: Conservation and Heritage Assets
- Policy AC1: Accessible Transport Network
- Policy AC2: Road Network
- Policy AC3: Demand Management
- Policy AC4: Walking and Cycling
- Policy EM1: Planning for Climate Change Adaptation
- Policy EM2: Building Standards
- Policy EM3 Renewable Energy Generation
- Policy EM4 Flood Risk Management
- Policy EM5 Sustainable Drainage Systems (SuDS)

Policy EM7 Air Quality
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
SPD Householder Design Guide
SPD Air Quality
SPD Open Space

CONSULTATION

No objections subject to conditions have been received from:

- Highways (CCC)
- LLFA (CCC)
- EP (CCC)
- Ecology/Trees (CCC)

No Objections received from:

- West Midlands Fire Service
- West Midlands Police

Neighbour consultation

Immediate neighbours and local councillors have been notified; a site notice was posted on 05/07/24. A press notice was displayed in the Coventry Telegraph on 11/07/2024.

One representation has been received from both Morris Homes (the developer of the adjoining Whitley Pumping station site) and Homes England objecting to the development on the following grounds:

- a) Land ownership concerns/incorrect red line site.
- b) No consideration to the masterplan.
- c) Amenity of the proposed dwellings – separation distances, overlooking, overshadowing, overbearing.
- d) Design quality / Parking standards.

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are principle of development, policy aspects, layout/design and visual amenity, the impact upon neighbouring amenity, noise, highway considerations, flood risk, air quality, ecology, and infrastructure.

Principle of development

The National Planning Policy Framework, paragraph 11, states that “Plans and decisions should apply a presumption in favour of sustainable development. For Decision Making, this means:-

- c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.” Footnote 8 to paragraph 11 confirms that this includes situations where the local authority cannot demonstrate a five-year supply of deliverable housing sites.

The Coventry Local Plan was formally adopted on 6th December 2017. Since it was adopted the Government introduced the Standard Method, a standardised way of calculating minimum housing need. As the Local Plan is now more than five years old the Standard Method is now the determining factor when considering local housing need. The Standard Method incorporates an uplift which applies to certain cities and urban centres (including Coventry). When using the Standard Method the Council is not able to demonstrate a five-year housing land supply. As such, the tilted balance is engaged and therefore planning permission should be granted, unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits” when assessed against the policies of the NPPF taken as a whole.

Consultation was recently carried out seeking views on the Government’s proposed approach to revising the NPPF. The proposed revisions fundamentally change the calculation and outcome of the Standard Method resulting in a lower housing target for Coventry. As the revisions are currently the subject of consultation, the changes are only considered to be afforded limited weight at this stage.

The application site was allocated for housing under Policy H2:9 of the Coventry Local Plan. There are two other outline planning applications, which relate to the allocation, Whitley Pumping Station, London Road (OUT/2020/2521) and Allard Way (OUT/2020/2665).

The southern section of the allocation to which this application relates was granted outline planning permission under OUT/2020/2882 for the erection of up to 24no dwellings with car parking, served off the existing accesses.

The principle for the development is therefore established through the allocation and outline permission and this application will assess those reserved matters of detail.

Policy Aspects

Housing Mix

Policy H4 ‘Housing Mix’ recognises circumstances where it may not be appropriate to provide the full range of housing types, such as on sites where opportunities for a range of different house types are limited.

The previous outline application noted that it is expected that the development would comprise market housing for one bedroomed dwellings and therefore the requirement to provide a housing mix is not required.

Affordable Housing

The scheme provides less than 25 dwellinghouses and does not trigger the need for affordable housing.

Open Space

The outline scheme confirmed that the application site is not accessible by the public and due to its small size, there is no requirement to provide publicly accessible open space on site.

Residential Density

The NPPF promotes the most efficient and effective use of land and Local Plan Policy H9: 'Residential Density', states that residential development must make the most effective and efficient use of land whilst ensuring compatibility with the quality, character, and amenity of the surrounding area. Developments should achieve a minimum of 35 dwellings per hectare (net) on Previously Developed Land.

The Outline planning permission allows up to 24 dwellings on the site. With the retention of the existing Edwardian house the scheme will provide a total of 14 new dwellings or 70 dwellings per hectare.

The retention of the Edwardian house is considered positive, although it is not listed or locally listed and has consent to be demolished. Amendments have been required to make the scheme acceptable, including the removal of a third floor to Block 1 and part of the third floor from apartment Block 2. It is therefore considered that the scheme does make the most effective use of the land whilst ensuring compatibility with the quality, character, and amenity of the surrounding area.

Layout/Design & 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.

Paragraph 131 of the NPPF states the creation of high-quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The National Planning Policy Framework, paragraph 135 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 139) “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”.

Outline condition 4 required the reserved matters application to include the following specific requirement:

- i) No buildings or other structures shall be placed within 10m measured from the back of footpath on London Road.

The scheme proposes the positive retention of the existing Edwardian house and its Granary outbuilding, which are set back well over 10m from London Road. The retained Edwardian house will form the dominant element within the street scene, with the new development blocks located to the side and rear of this building. The Edwardian house will be converted into two apartments each with 2-bedrooms and the adjoining granary building will be sympathetically extended to the side and converted into a single one-bedroomed unit.

The massing of the two new blocks on site has evolved significantly. Block 1 was initially a three-storey apartment building and has been amended to a 2-storey building providing four 1-bedroom units, each set over two floors. Block two was initially a three-storey apartment block and whilst the third floor remains, the design of the building has been amended to provide lower two-storey elements, improving the proportions of the building. Block 2 will provide seven 1-bedroom units.

The design has also radically altered from a very simple design solution to one with more traditional architectural features that better reflects the Granary outbuilding and provides a more holistic building group set around the Edwardian house.

There have been layout amendments related to the amenities of future occupiers of the application site and also the adjoining Whitley Pumping Station site. These are considered in more detail within the ‘Residential Amenity’ section of the report.

Outline condition 12 requires sample details of all facing and roofing materials to be submitted at reserved matters stage. The applicant confirms that it is intended that the new buildings will be constructed in an orange/red brick with grey roof tiles to reflect the existing buildings on site. With changing availability of materials exact details cannot be provided at this stage. Officers are content that this can be secured by further condition.

Outline condition 13 requires 'Secured by Design' details to be submitted at reserved matters stage. The applicant confirms that the site is contained with no through routes and the existing property has principal windows to all elevations providing natural

surveillance of the site. The proposed buildings frame the communal spaces to ensure natural surveillance. The applicant has confirmed that the new blocks will have access control systems and visitor door entrance systems that comply with the current building regulations and all ground floor windows will have restrictors.

The layout and design are considered to accord to Policy DE1 and the aims and objectives of the NPPF.

Impact on residential amenity

The SPD states that: A minimum distance of 20m is generally accepted guideline for there to be no material loss of privacy between the rear of two storey buildings directly facing each other (i.e., a back-to-back relationship). A minimum separation distance of 12m is sought between built form to provide an acceptable level of light/outlook.

The closest existing residential properties are on the opposite side of London Road with necessary separation distances met to ensure that there is no significant impact upon residents' outlook, privacy or amenity.

Initially Block 1 was proposed as a three-storey building set 2 metres from the NW site boundary. In addition to creating poor outlook for future occupiers of Block 1, the building created overlooking of the rear gardens of Plots 1 and 2 on the adjoining Whitley Pumping Station site. Plots 1 and 2 have been re-orientated so that they sit at 90-degrees to Block 1 and window-to-window separation is therefore acceptable. Block 1 has also been moved to 3 metres off the common boundary and reduced to a 1.5-storey building to create an improved relationship. The application site also sits on a lower land level to the adjoining Whitley Pumping Station site, which reduces impact further.

To maintain privacy for future occupiers of the adjoining Whitley Pumping Station site the rear elevation of Block 1 has been re-designed so that first-floor rooms are served by rooflights. As these rooms relate to a non-habitable bathroom/small home office the residential amenity is considered acceptable.

Block 2 will provide an acceptable minimum 13 metres of built form separation to the proposed terrace of dwellings to the NE of the site on the adjoining Whitley Pumping Station development site. The NE facing windows in Block 2, which has an L-shape footprint, will be set 10m off the boundary and provide a 20m window-to-window separation distance to approved dwellings on the Whitley Pumping Station site. There are some dwellinghouses on the Whitley Pumping Station site that are set 9.6m off the common boundary; however, as these do not directly face Block 2 any shortfalls are very minor in nature. Windows to the southern elevation facing Folly Lane Boys Club relate to non-habitable rooms so as not to prejudice any future re-development of this site. Balconies will have side privacy screens to limit overlooking and a condition is suggested to control balcony and privacy screen detailing.

In terms of outdoor space, Principle 28 Outdoor Amenity – Apartment Schemes of the SPD states that: Flatted developments will be expected to provide private outdoor amenity space for each unit. Wherever possible, all ground floor flats should have access to a well-defined private area of amenity space which:

- Directly adjoins and is accessible from the flat;
- Has a minimum depth of 3m;

- Is the same width of the dwelling it serves;
- Is clearly identified by boundary treatments, including railings, low wall or a hedge; and
- Has a privacy screen between dwellings.

Unless conservation, privacy, design or amenity issues negate against the use of balconies, all flats above ground floor should be provided with balconies which:

- Are a minimum of 1.5m deep;
- Are wider than their depth; and
- Provide for privacy. Screens, recesses, and orientation are potential design solutions to provide for this.

All new units will benefit from either a minimum 3m deep garden area or balcony. The Granary and ground floor apartment within the Edwardian house will both have private garden areas. The first-floor apartment within the Edwardian House will have access to an existing balcony on the principal elevation of the property. The units are appropriately sized and separation distances between apartments within the site are acceptable. It is considered that the scheme will provide a high-quality residential environment. Whilst the garden areas are small, these dwellings are more akin to apartments than family dwellings and as such their amenity space is considered acceptable.

In terms of addressing the concerns of the developer of the adjoining Whitley Pumping Station site the outline masterplan was indicative and the applicant has made positive amendments to address design and amenity concerns. Land ownership concerns are a private matter between landowners to resolve; however, the red line site has since been corrected so that reflects that of the Outline application.

The scheme is therefore in accordance with Local Plan Policy H3, DE1 and DS3.

Noise

Outline condition 4 iv) requires an environmental noise assessment and any necessary mitigation measures.

A noise assessment has been included with the scheme to consider road noise and music and entertainment noise from the adjoining Folly Lane Boys Club & Old Boys Association. EP are content with the noise report and suggested mitigation measures. This will be applied as a condition that development proceeds in accordance with the approved mitigation details.

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.

Policy AC4 of the Local Plan states that development proposals should incorporate appropriate safe and convenient access to walking and cycling routes. Where these links

do not exist, new and upgraded routes will be required and these must appropriately link into established networks to ensure that routes are continuous.

The layout provides for one parking space for each of the new apartments, two parking spaces for the units within the Edwardian House and Granary and also two visitor parking spaces for spaces. Highways have raised no objection to the scheme in terms of layout or parking provision.

Outline condition 6 requires details of cycle parking facilities to be provided at reserved matters stage. The cycle store will utilise an existing brick built and tiled roof outbuilding on site to provide a secure communal storage area that protects cycles from the elements. The store will provide ample storage to accord with Policy AC4.

Outline condition 7 requires bin storage details to be submitted with the reserved matters application. The submitted plans show two dedicated bin store areas secured by 1.8m high timber board fencing.

Outline condition 14 requires a construction management plan to be submitted with any reserved matters application. The Construction Management Plan has required some additional information on wheel washing / dust control to satisfy Highways and EP and the submitted document is now acceptable.

Information has also been provided for Outline condition 18 - full engineering and construction details of the proposed modifications to the existing vehicular accesses. This information is not required as part of the reserved matters application and the correct process for agreeing this information will be via a separate discharge of condition application.

The scheme accords with Policies AC3 and AC4 and the Appendix 5 Car and Cycle Parking Standards.

Flood Risk

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.

Outline condition 15 requested a scheme for the provision of surface water drainage, incorporating SuDS attenuation techniques and foul drainage at reserved matters stage.

Detailed information has been provided, which the Drainage Team are satisfied with, and no objections have been raised.

Air quality

Policy EM7 states that major development schemes should promote a shift to the use of sustainable low emission transport to minimise the impact of vehicle emissions on air quality.

Outline condition 8 requires measures to minimise the impact of the development upon local air quality, to include (i) Provision for electric vehicle recharging points, (ii) Use of

low NOx boilers, (iii) A construction method statement demonstrating how dust and noise emissions are to be mitigated during construction.

The applicant confirms that the scheme will comply with current Building Regulations, which require all new homes to be fitted with EV Charging points and low carbon heating solutions by 2025. A layout plan has been provided to show the EV charging points to serve each flat.

The scheme therefore accords with Policy EM7.

Ecology/landscaping

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

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.

Outline Condition 11 requires a Construction Environmental Management Plan (CEMP) to be submitted at reserved matters stage. Ecology have reviewed this CEMP and have asked that precautionary measures are added for reptiles and amphibians to ensure that no species are harmed by the work. The CEMP has been updated accordingly and Ecology have no further objection.

In terms of trees, Outline condition 4 required the reserved matters application to include the following specific requirements:

- ii) All existing hedges along the northern boundary and London Road frontage shall be retained;
- iii) All existing category B trees as shown on drawing titled Tree Constraints Plan, shall be retained.

All existing hedges are proposed to be retained (except where proposed modifications to the existing London Road vehicular access are required as part of the outline scheme) and all category B trees are retained, with the exception of T13, which forms part of the group of 12 pollarded Lime trees that run across the London Road frontage and NW boundary. It is accepted that this tree was felled due to excessive leaning.

Outline condition 5 requires an Arboricultural Impact Assessment to assess the direct and indirect implications of trees upon the proposal and visa-versa, including services, an Arboricultural Method Statement, and a Dimensioned Tree Protection Plan.

The supporting information includes an Arboricultural report with a full survey and categorisation of the trees and identified the root protection areas.

The supporting Planning statement notes that in considering drainage proposals the routes of new drains have been selected to preclude the possibility of any damage to trees or their roots within the site. The Tree Protection and landscape plan shows the measures required to protect these trees throughout construction through fencing and

other measures such as ensuring that kerbing in proximity to trees is carried out with no dig construction.

Through advice from the Tree Officer the layout has been amended to create greater separation between the hardstanding of the car park and the two Hornbeam trees (T16 & T17). A bin store sits between retained Lime trees (T10 & 12) and a no-dig construction is specified, which can be secured by condition.

The scheme accords with Policy GE3 and GE4.

Equality Implications

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development.

Conclusion

The proposed development will not result in any significant impact upon neighbour amenity, highway safety, ecology or infrastructure, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies : DS1, DS3, DS4(a), H1, H2, H3, H4, H6, H9, HE2, GE1, GE3, GE4, JE7, DE1, AC1, AC2, AC3, AC4, EM1, EM2, EM4, EM5, EM7 and IM1 of the Coventry Local Plan 2017, together with the aims of the NPPF.

CONDITIONS / REASON

1.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Dwg No. 1:1250 location plan, TO BE UPDATED</p> <p>Clay Civil Consulting Technical Note: Surface Water Drainage Strategy rev 03 received 24/10/24</p>
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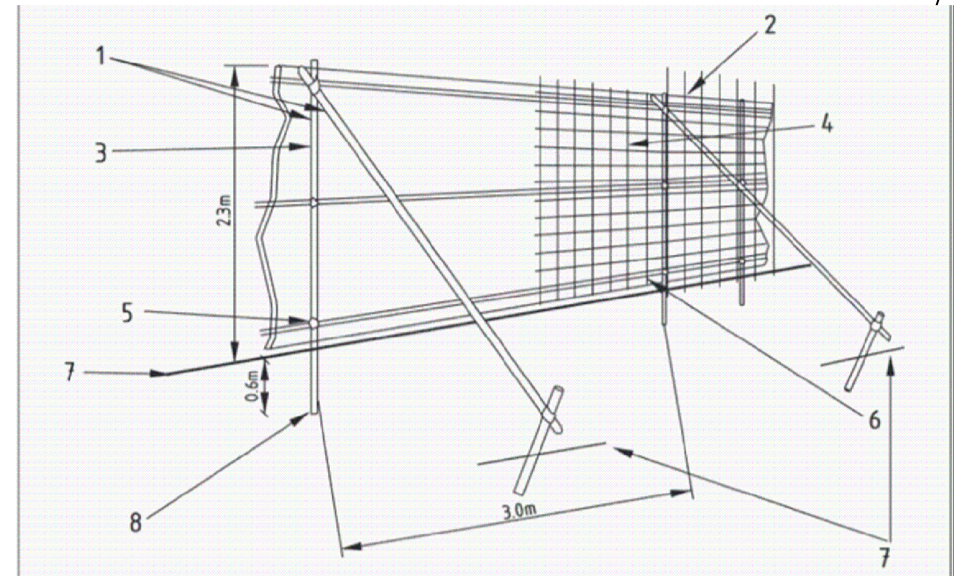
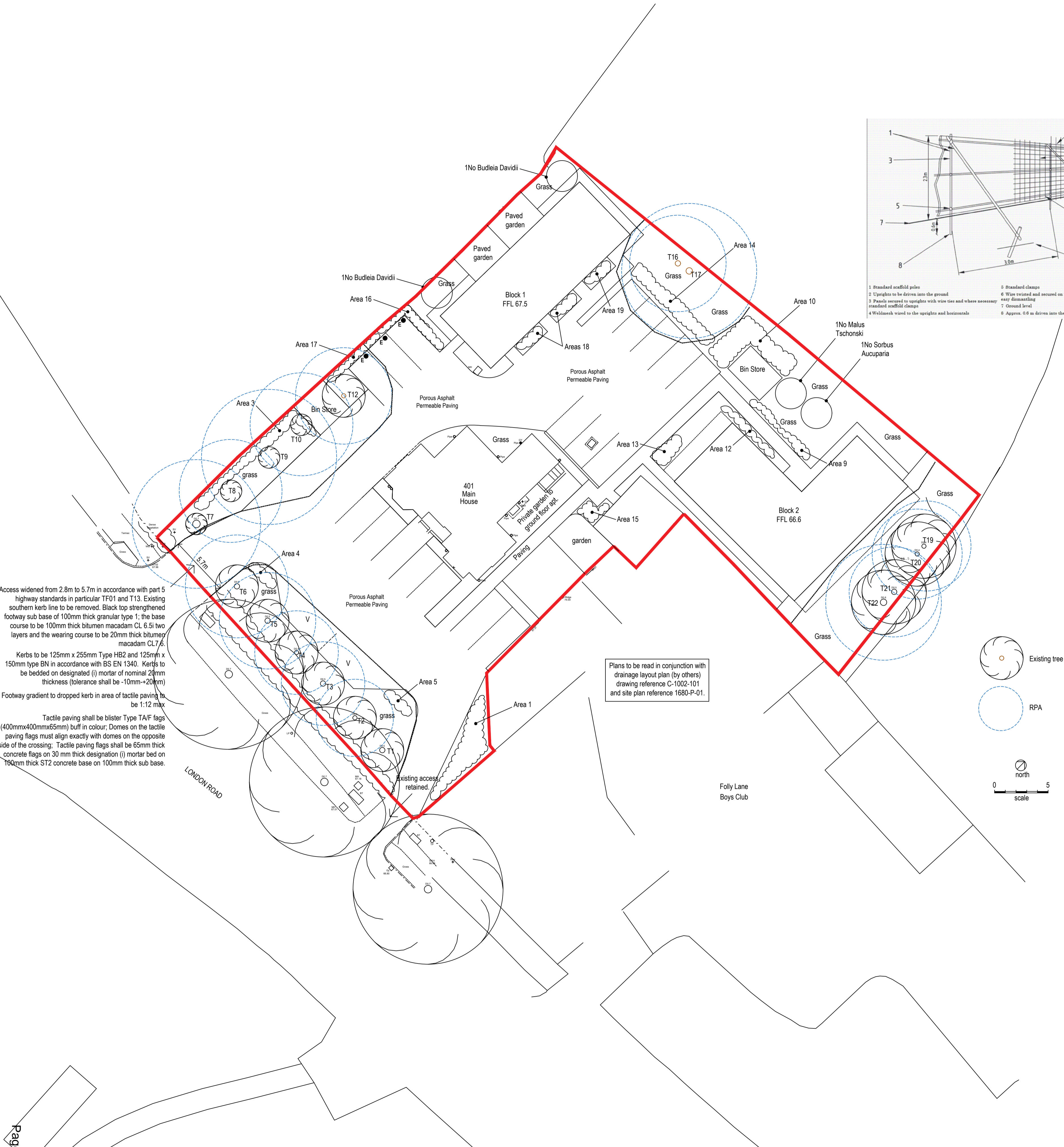
	<p>Clay Civil Consulting Technical note: BRE 365 Infiltration Testing February 2024</p> <p>HR Wallingford Run off & Surface water storage requirements for sites</p> <p>Noise.co.uk Environmental Noise Survey 23rd September 2024 Report No 22756-1-R2</p> <p>A Construction Environmental and Construction Management Plan (CEMP/CMP) Updated August 2024</p> <p>Plan to accompany CEMP/CMP UKLS-2284_01_TOPO B Sheet 1 of 1</p> <p>Causeway Drainage Modelling Results</p> <p>Proposed elevations DWG 1680-P-04_J</p> <p>Block Two Floor Plans DWG 1680-P-03_H</p> <p>Block One Floor Plans and Elevations DWG 1680-P-02_P</p> <p>Proposed site Plan DWG 1680-LP-01_P</p> <p>Proposed granary plans and elevations DWG 1680-P-07_A</p> <p>Planning Statement received 24/10/24</p>
Reason	<i>For the avoidance of doubt and in the interests of proper planning.</i>

2.	<p>Prior to their incorporation into the development hereby permitted, sample details of all facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. These details shall be installed only in full accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.</p>
Reason	<i>To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy DE1 of the Coventry Local Plan 2017.</i>

3.	<p>Prior to their incorporation into the development, details of balcony design including materials/colour coating of supports, balustrades, bases, soffits, and privacy screens (as relevant) shall be submitted to and approved in writing by the Local Planning Authority. The balconies shall be installed only</p>
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	in full accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.
Reason	<i>To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area and also to safeguard the privacy and amenities of adjoining occupiers in accordance with Policies H3 and DE1 of the Coventry Local Plan 2017.</i>
4.	Prior to its incorporation into the development, details of a no-dig construction for the bin store located between Lime trees T10 and T12 shall be submitted to and approved in writing by the Local Planning Authority. The bin store shall be installed only in full accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.
Reason	<i>In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy GE4 of the Coventry Local Plan 2017.</i>
5.	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any statutory instrument amending, revoking and/or replacing that Order, no buildings or enclosures shall be provided within the curtilage of, and no extensions, enlargements or additions erected or constructed to the dwellinghouses hereby permitted without the prior grant of planning permission by the Local Planning Authority.
Reason	<i>Having regard to the layout and general nature of the proposed development and its relationship with adjoining properties it is important to ensure that no development is carried out which would detract from the appearance of the area and affect the amenities of adjacent properties in accordance with Policies H3 and DE1 of the Coventry Local Plan 2017.</i>
6.	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any statutory instrument amending, revoking, and/or replacing that Order; (i) the stairwell window to be formed in the northeast facing elevation of Block 1 hereby permitted; and

	<p>(ii) the first floor bathroom and stairwell windows and second floor stairwell windows to be formed in the southwest facing elevation of Block 2 hereby permitted;</p> <p>shall only be glazed or re-glazed with obscure glass and any opening part of any window will be at least 1.7m above the floor of any room in which the window is installed</p>
Reason	<p><i>In the interests of the amenities of the occupiers of nearby properties in accordance with Policy DE1 of the Coventry Local Plan 2017.</i></p>



- 1 Standard scaffold poles
- 2 Cylinders to be driven into the ground
- 3 Poles secured to uprights with wire ties and where necessary standard scaffold clamps
- 4 Whiteash wired to the uprights and horizontals
- 5 Standard clamps
- 6 Wire treated and secured on inside face of fencing to avoid easy dismantling
- 7 Ground level
- 8 Approx. 0.6m driven into the ground

Heracle fencing for RPA's during construction. All works within the RPA's to be work by hand.

New landscaped areas

All works with the RPA's to be non-machine works and all to be done by hand.

GENERAL NOTES

NOTES REGARDING BOUNDARY TREATMENT-
All external (where replaced) and party house fencing to be 1800mm Close Board including rear pedestrian gate access.
All existing fences to perimeter of site to be retained. If exposed and in poor condition once site cleared to be replaced or faced internally with 1800 close board fence within site

NOTES REGARDING hedgehog -
See Landscape plan - provide to each length of garden fence 'Jacksons Hedgehog Gravel Board' or suitable alternative to allow free movement of hedgehogs through gardens

NOTES RE LANDSCAPE (read with landscape plan)
SOILS: to be prepared in accordance with BS 8601:2013 and BS 4428:1989 and to Ground Specialist Report from ASL for any imported and as saved topsoil to be in accordance with BS 3882: 2015 'Multipurpose Grade'

Grass areas to be a minimum depth of 150mm, Shrub beds 450mm depth and forestry / transplants 300mm depth. Any weed / grass growth to be sprayed out with appropriate herbicide at least 10 days prior to cultivation. Proprietary non peat compost to BSI PAS 100 to 50mm depth.
PROPOSED PLANTING: Should planting be required outside of the planting season (October - March) any bare root or rootball stock specified is to be replaced with containerised stock to an appropriate or similar specification

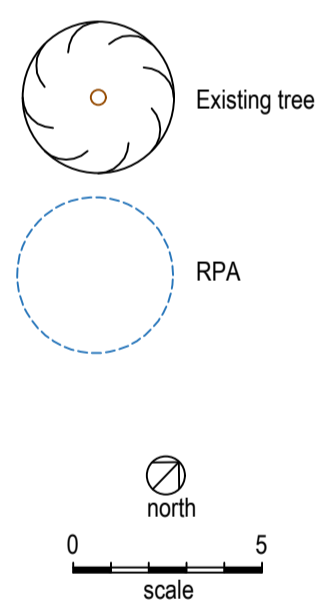
SHRUB & HERBACEOUS PLANTING: plants to be in accordance with BS 3936 and handled in accordance with CPSE guidelines and planted in accordance with BS 4428:1989.

All shrubs to have a minimum of three breaks. Well water plants immediately after planting and prior to spreading of mulch. Planting areas to be covered with 75mm depth amenity grade bark mulch and kept weed free.

HEDGE PLANTING: plants to be in accordance with BS 3936 and handled in accordance with CPSE guidelines and planted in accordance with BS 4428:1989. Hedge plants to be pit planted in single or double staggered rows 300mm apart at 450mm centres (or as scheduled). Well water plants immediately after planting and prior to spreading of mulch. Planted areas to be covered with 75mm depth bark mulch and kept weed free. Where necessary plants to be protected from rabbits with rabbit fence and / or individual rabbit mesh guards securely staked. Unless otherwise indicated on the drawing it is assumed that all hedges are to be maintained at a maximum height of 1.5m for the purposes of the NHBC guidelines.

TURFING: Grass turf areas to be cultivated turf, laid in accordance with BS 4428:1989. Topsoil to be rotovated and levelled as required and any debris or stones greater than 50mm diameter removed. Pre-turfing fertiliser to be applied in accordance with manufacturers instructions. Turf to be laid from planks with broken joints well butted up, pegged to slopes where required. Well water after laying to avoid shrinkage.

SEEDING: grass areas to be seeded in accordance with BS 4428:1989 during March, April or September. Topsoil to be rotovated and levelled as required and any debris or stones greater than 20mm diameter removed.



Access widened from 2.8m to 5.7m in accordance with part 5 highway standards in particular TF01 and T13. Existing southern kerb line to be removed. Black top strengthened footway sub base of 100mm thick granular type 1; the base course to be 100mm thick bitumen macadam CL 6.51 two layers and the wearing course to be 20mm thick bitumen macadam CL 7.6

Kerbs to be 125mm x 255mm Type HB2 and 125mm x 150mm type BN in accordance with BS EN 1340. Kerbs to be bedded on designated (i) mortar of nominal 20mm thickness (tolerance shall be -10mm/+20mm)

Footway gradient to dropped kerb in area of tactile paving to be 1:12 max

Tactile paving shall be blister Type TAF flags (400mmx400mmx55mm) buff in colour; Domes on the tactile paving flags must align exactly with domes on the opposite side of the crossing. Tactile paving flags shall be 65mm thick concrete flags on 30 mm thick designation (i) mortar bed on 100mm thick ST2 concrete base on 100mm thick sub base.

Plans to be read in conjunction with drainage layout plan (by others) drawing reference C-1002-101 and site plan reference 1680-P-01.

- Area 1&8&12&18&19
- Pyracantha orange glow 2L pot 40/60 height, 3 per metre
- Prunus Olto Luyken 2L pot 3-5 per metre 20-40cm height
- Pyracantha Rogersiana 2L pot 40/60 height, 3 per metre
- Area 3
- Photinia Red Robin 3L pot 40/60 height 3 per metre single stagger 300mm
- Pyracantha Rogersiana 2L pot 40/60 height, 3 per metre
- Area 4&5
- 30No Cotoneaster x Skogholm
- 30-40No Diactor, 2L pot
- 35No Viburnum x Juddii
- 30-40, 3L pot
- 35 Hedera Helix Glacier
- 40-60, 2L pot
- Area 10
- Native mix of Quickthorn 45-60cm, 300mm apart staggered, Hornbeam 45-60cm, 450mm apart staggered, Privet 45-60cm, 300mm apart staggered.
- Area 13&14
- Cotoneaster Coral Beauty to frontline, 3per metre sq.
- To rear Cotoneaster Lacteus, 3per meter sq.
- Area 15
- Euonymus Japonicus Mont, 450mm centres.
- Area 16
- Pyracantha Rogersiana, 500mm centres.
- Area 17
- Cotoneaster Lacteus, 3 per metre sq.

Note - No area 11 (omitted)

Pre-seed fertiliser to be applied in accordance with manufacturers instructions. Lightly rake areas after sowing. Seed to be Germinial Seeds mix A19 'All Purpose Landscaping' (or similar)

MAINTENANCE: To be carried out at approximately monthly intervals to include the following by contractor until transferred to management company:

- a. Eradicate weeds by hand or appropriate chemical means.
- b. Cut out dead or / and damaged stock or branches, prune as required.
- c. Ensure all shrubs and trees are firmed in, securely staked and tied.
- d. Collect litter, sweep and tidy site.
- e. Apply suitable non-residual pesticides, fungicides, fertilisers and water as required.
- f. Carry out grass mowing to turf when attained 100mm, cut to 35mm (50mm for shaded areas).
- g. All hedges to plot frontages be maintained at a max height of 1.0 to 1.5 m. Hedges and shrub planting if within visibility splays to be maintained in accordance with current highways design guidelines at 600mm.

WATERING: all plant material to be watered by contractor until transferred to management company in dry periods until established during April through to September. Frequency of watering regime to be determined by weather conditions, soil conditions and underlying geology, all plant beds to be watered to ensure soil is consistently moist to promote successful establishment. As a guide only it is suggested that during hot, dry periods, plants are to be watered every six to ten days

Tree Number	Species	Category	RPA radius
T1	Lime	B	5.4
T2	Lime	B	3.6
T3	Lime	B	3.9
T4	Lime	B	3.9
T5	Lime	B	4.5
T6	Lime	B	4.8
T7	Lime	B	6.0
T8	Lime	B	4.8
T9	Lime	B	6.3
T10	Lime	B	4.8
T11	Lawson Cypress	U	r/a
T12	Lime	B	4.5
T13	Lime	B	5.4
T14	Mountain Ash	U	2.4
T15	Flowering Cherry	C	2.4
T16	Hornbeam	B	4.5
T17	Hornbeam	B	6.3
T18	Common Hazel	C	4.8
T19	Hornbeam	B	3.0
T20	Swedish Whitebeam	B	3.9
T21	Ash	B	4.2
T22	Hornbeam	B	5.4
T23	Hornbeam	C	8.7
T24	Hornbeam	C	8.7

Drawing to be read in conjunction with Clay Civil Consultants drawing C-1002-101.



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01926 512 400
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Job:
Feasibility layout for 401 London Road, Coventry

Client:
Mr P Wroe

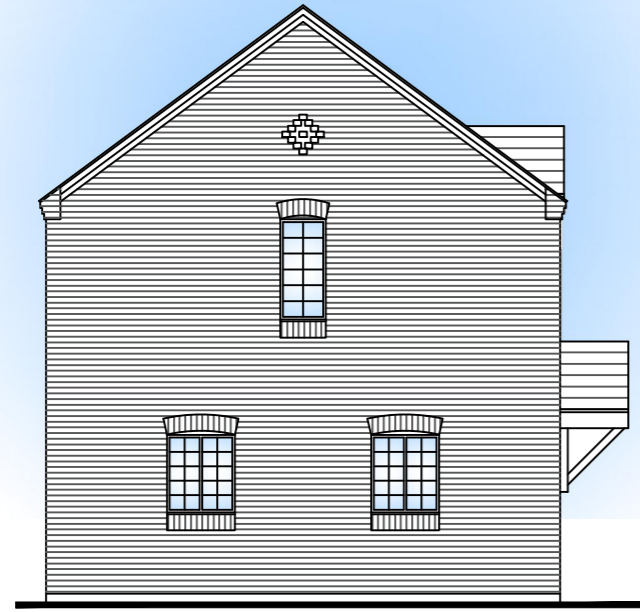
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Proposed tree protection, landscape & external works Plan

Scale:
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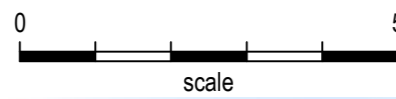
Date:
Sept 2023

Dwg No:
1680-LP-01_P

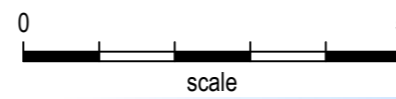
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Elevation 1 - side elevation
1:100



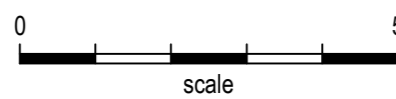
Elevation 2 - front elevation
1:100



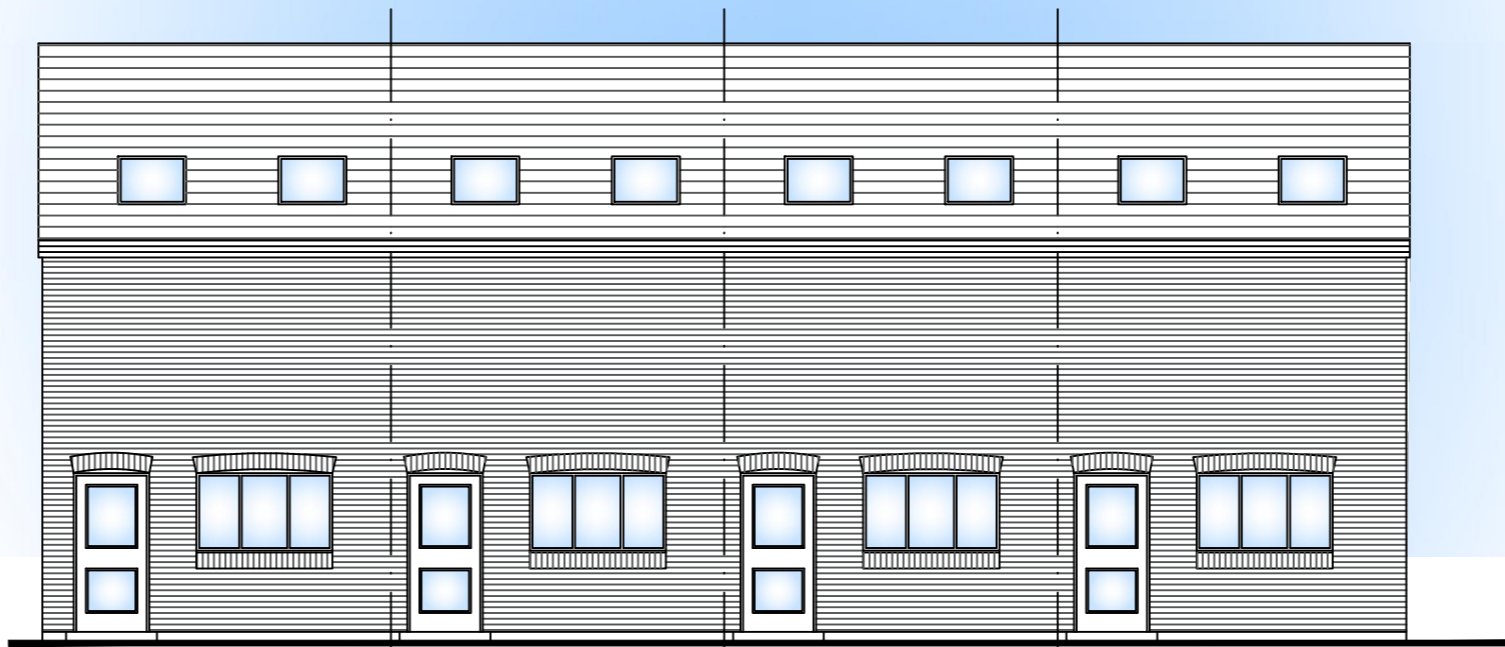
Facing brick to be orange/red to match existing main house.
 Tiles to be grey tiles to match existing main house.
 Brick soldiers to window heads and cills.



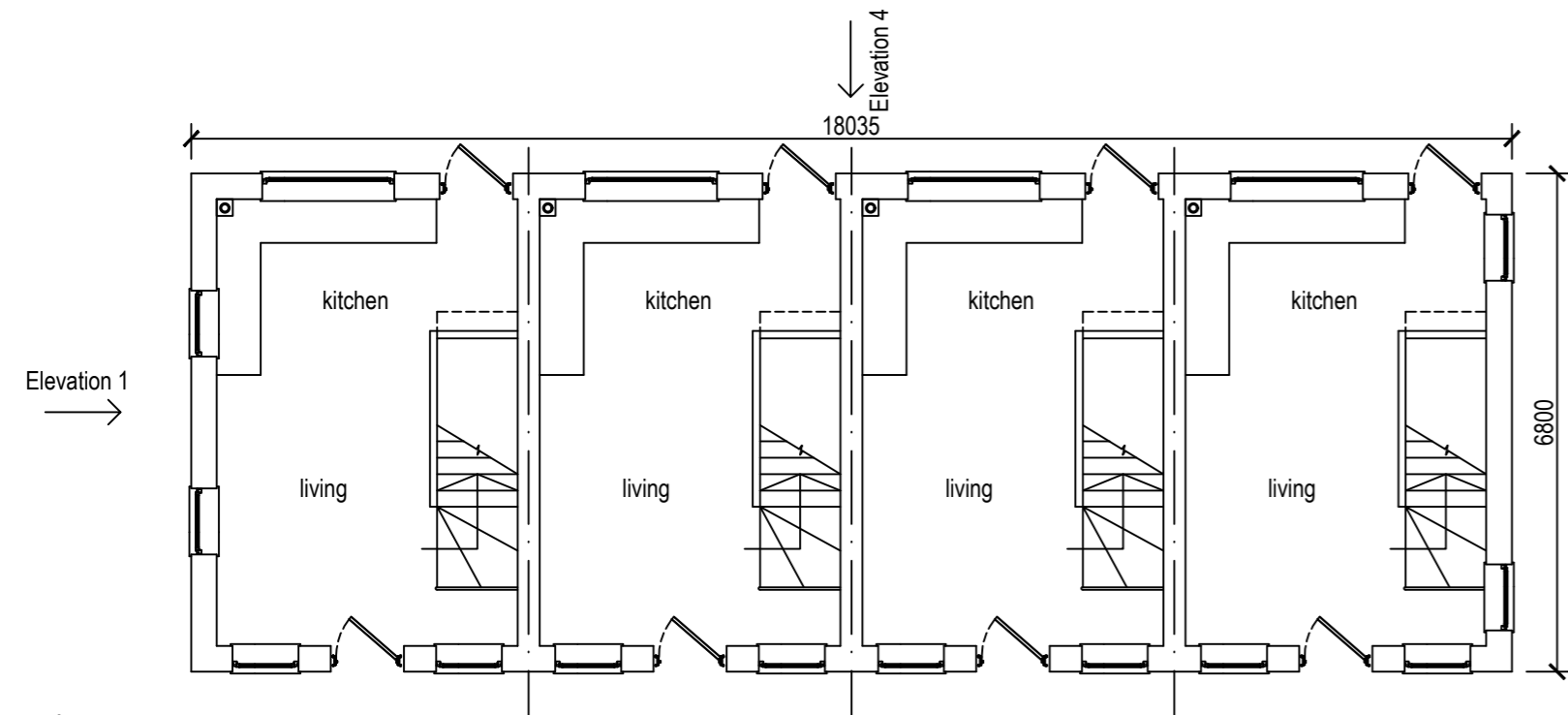
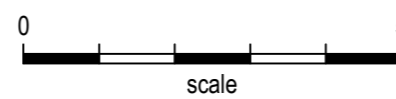
Elevation 3 - side elevation
1:100



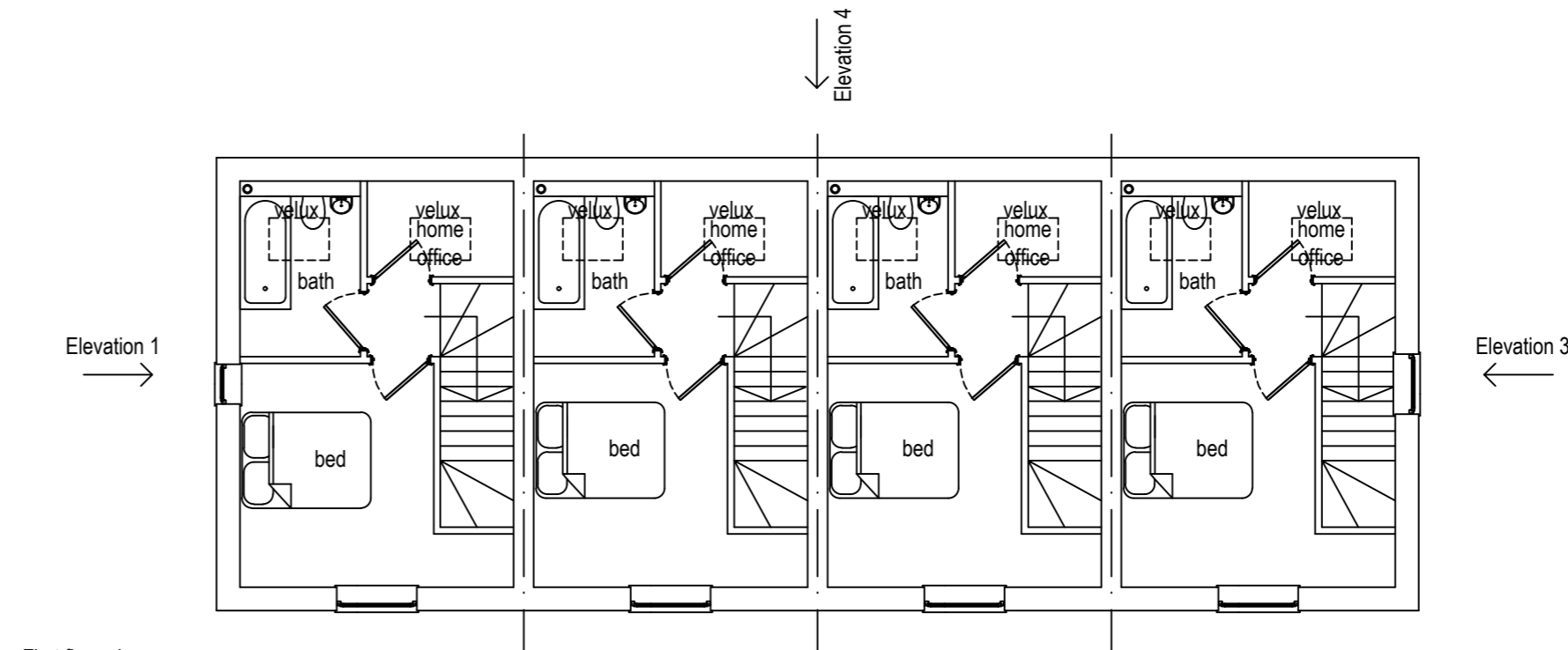
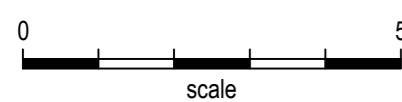
Obscure glazing
fixed shut



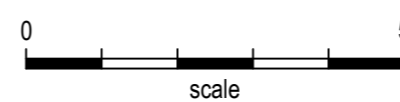
Elevation 4 - rear elevation
1:100



Ground floor plan
Plots 1 - 4
1:100



First floor plan
Plots 1 - 4
1:100



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Job:

Feasibility layout for
 401 London Road, Coventry

Client:

Mr P Wroe

Drawing title:

Block One
 Plans & Elevations

Scale:

1:100 @ A2

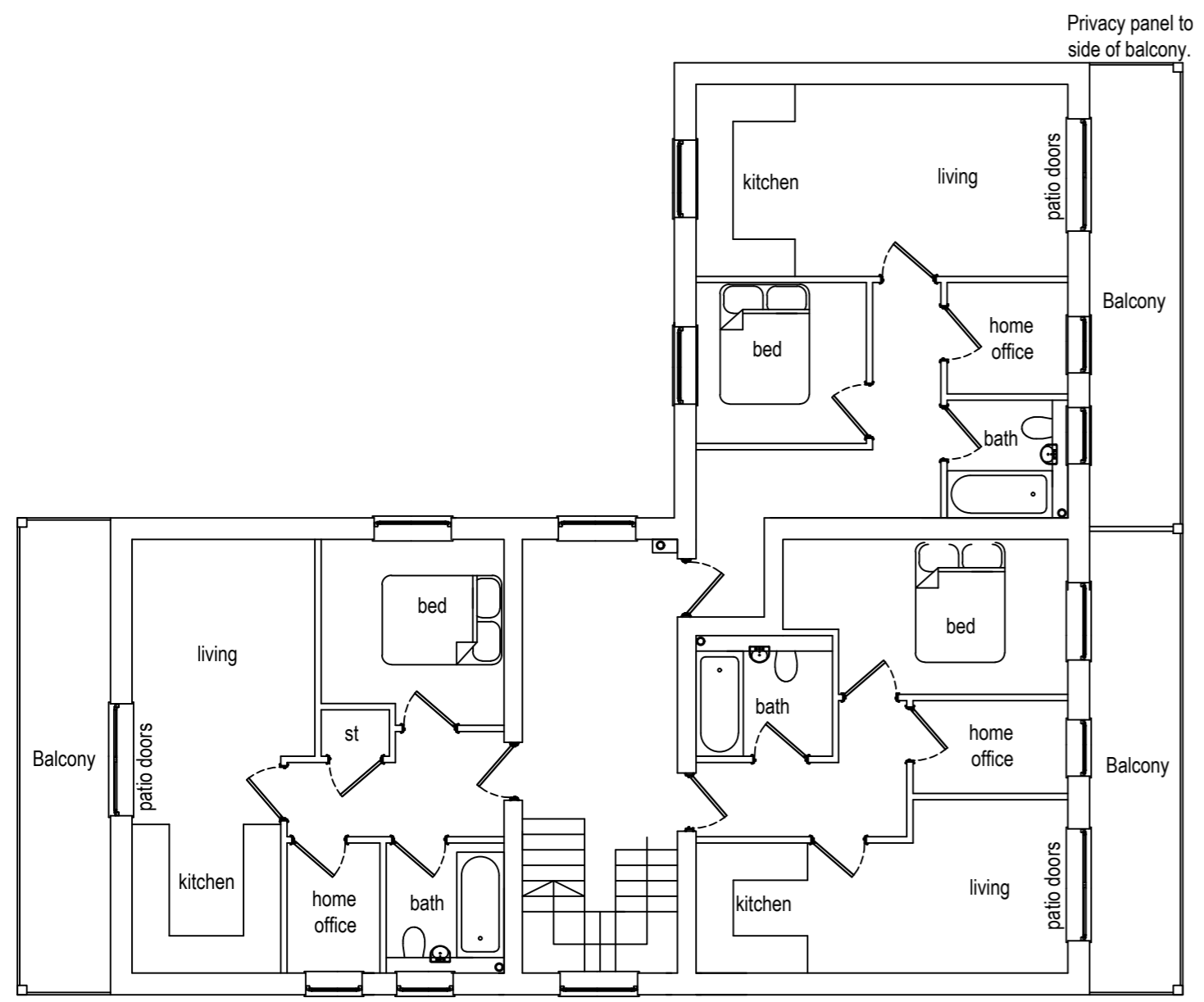
Date:

Dec 2023

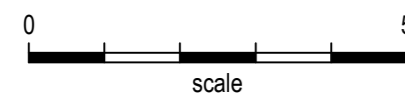
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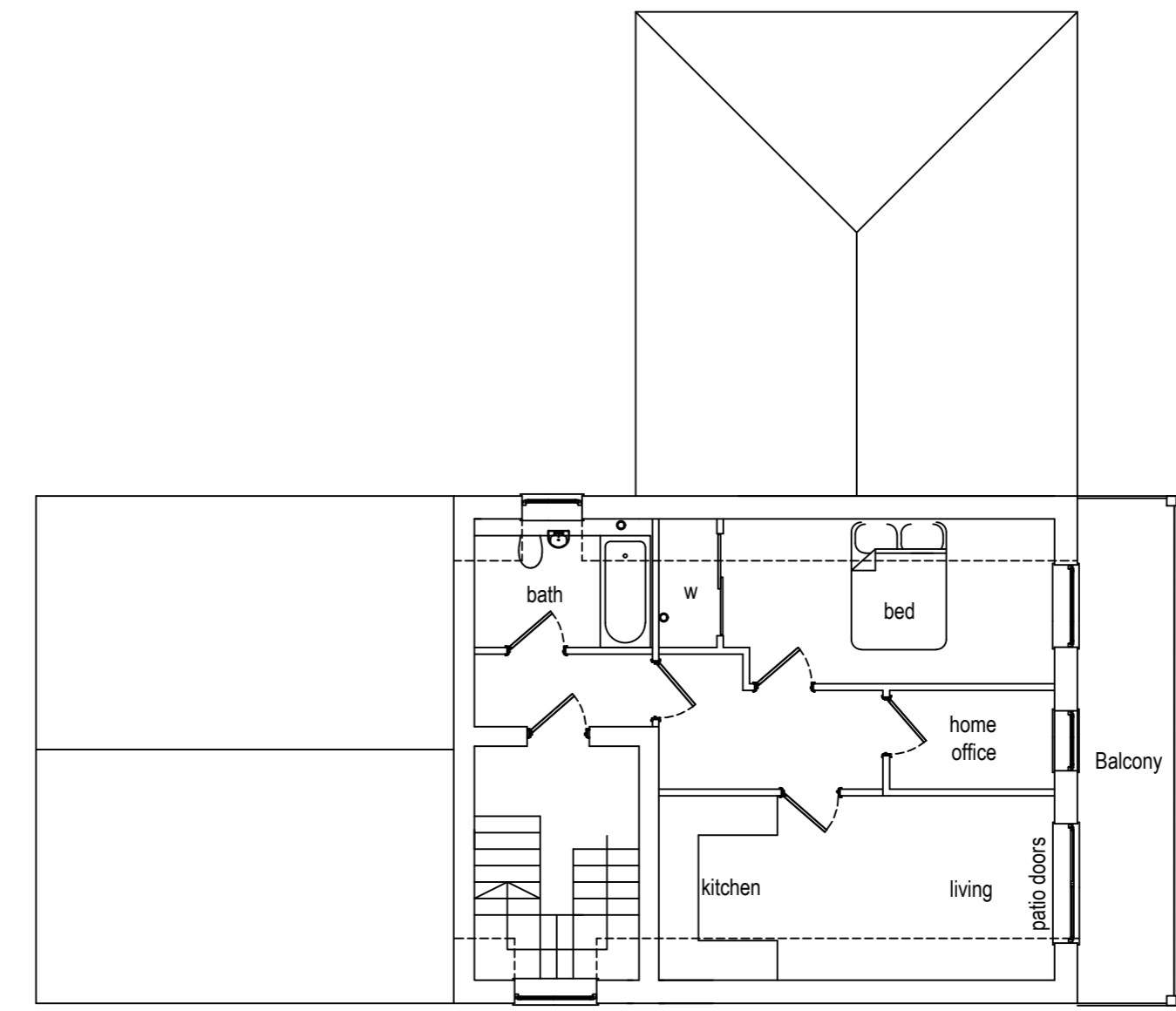
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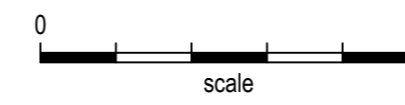
First floor plan
 Plots 8, 9 & 10
 1:100



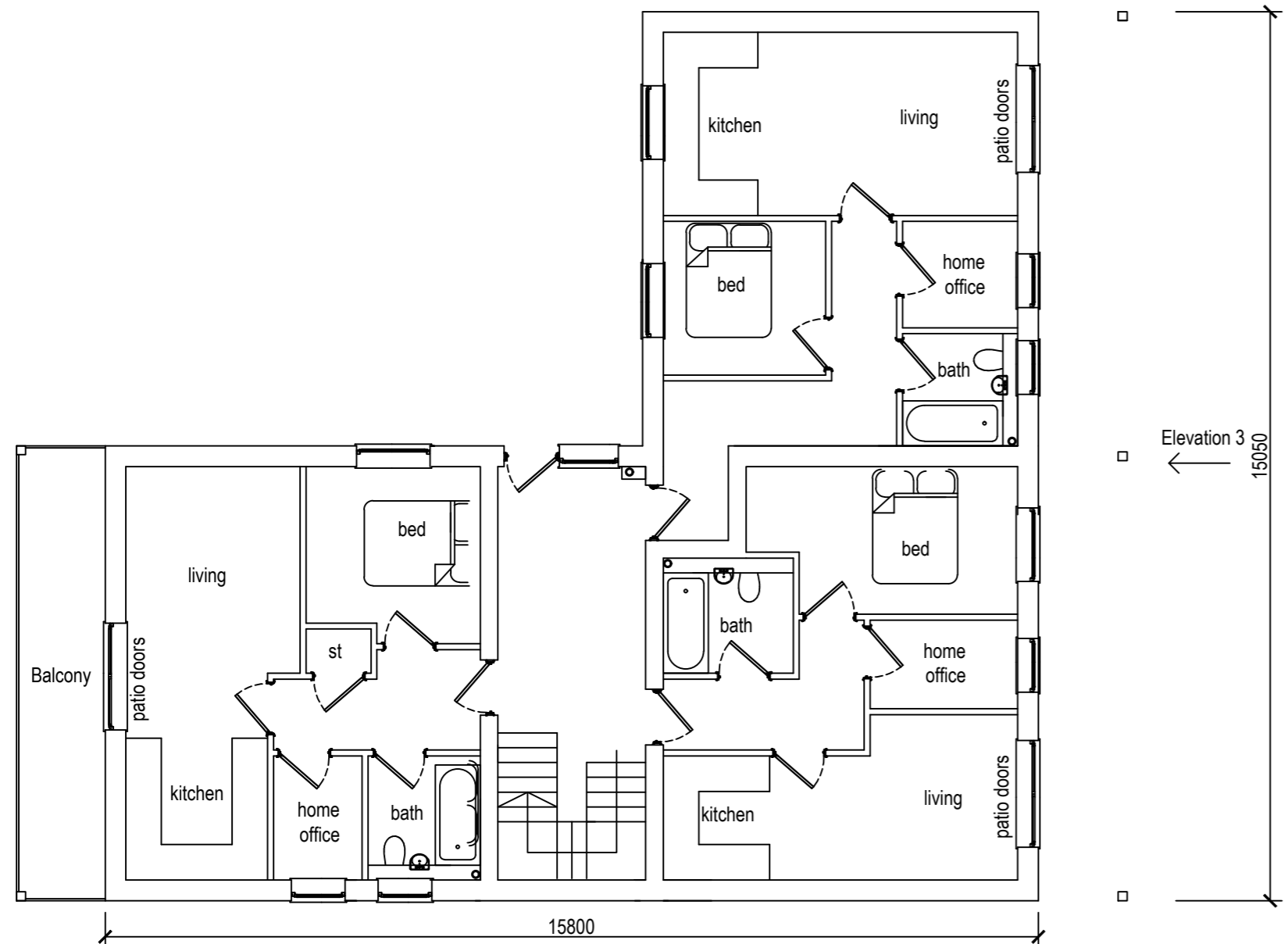
Elevation 4
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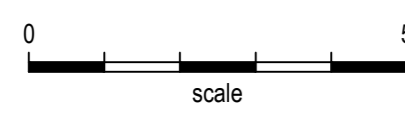
Second floor plan
 Plot 11
 1:100



Privacy panel to side of balcony.

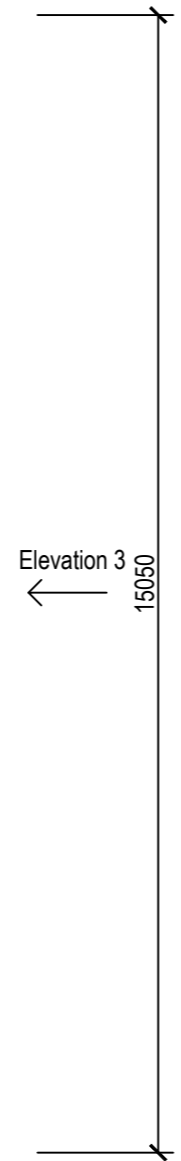


Ground floor plan
 Plots 5, 6 & 7
 1:100



Elevation 2
 ↑

Elevation 3
 ←



Elevation 1
 →



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Job :
 Feasibility layout for
 401 London Road, Coventry

Client :
 Mr P Wroe

Drawing title :
 Block Two
 Plans

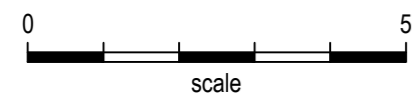
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Date :
 Sept 2023

Dwg No :
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Elevation 3
1:100

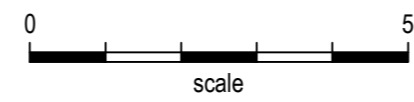


 Obscure glazing

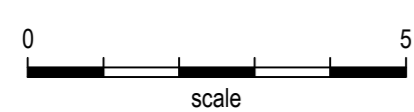
Facing brick to be orange/red to match existing main house.
Tiles to be grey tiles to match existing main house.
Brick soldiers to window heads.
Stone cills to all windows.



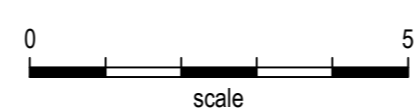
Elevation 4
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Elevation 1
1:100



Elevation 2
1:100



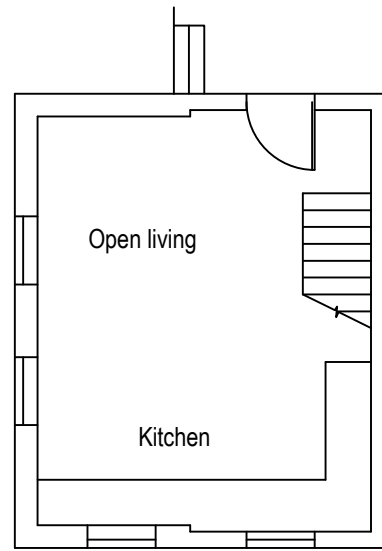
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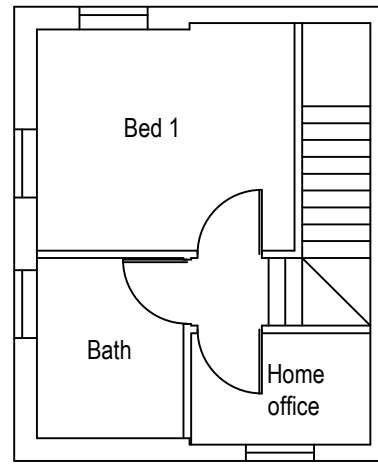
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Job:	Feasibility layout for 401 London Road, Coventry
Client:	Mr P Wroe
Drawing title:	Block Two Elevations
Scale:	1:100 @ A2
Date:	Sept 2023
Dwg No:	1 6 8 0 - P - 0 4 _ J

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Proposed granary
 Ground floor plan
 1:100



Proposed granary
 First floor plan
 1:100



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 Warwickshire, CV8 1LQ
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 info@ramus-architects.co.uk

Job :

Feasibility layout for
 401 London Road, Coventry

Client :

Mr P Wroe

Drawing title :

Proposed granary plans
 and elevations

Scale :

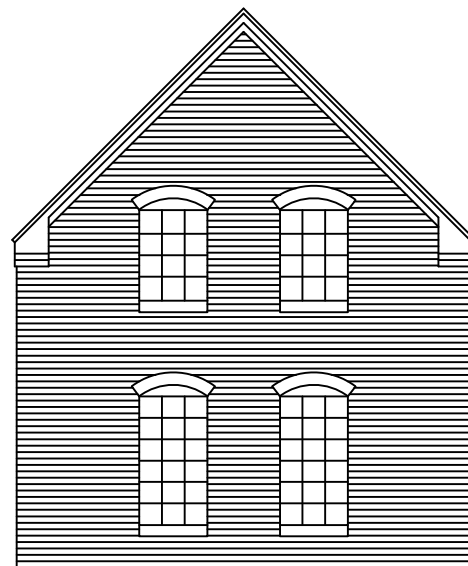
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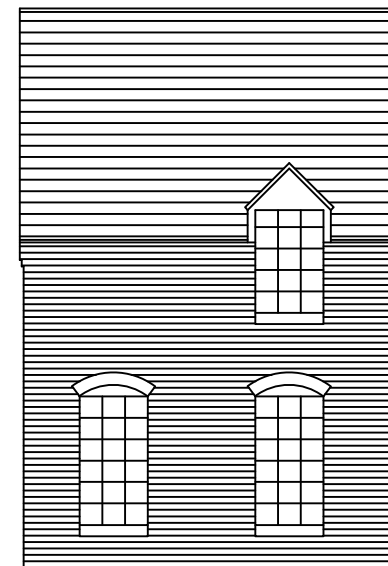
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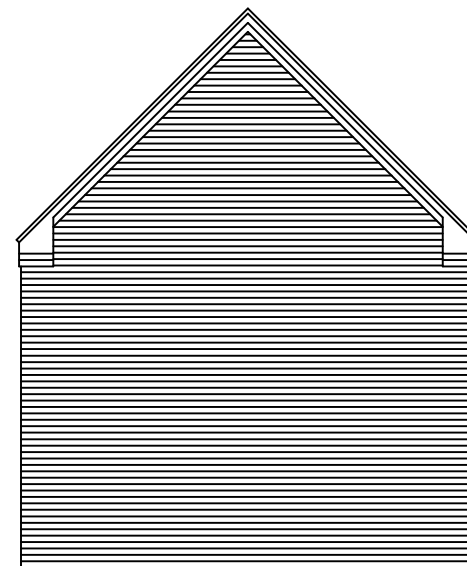
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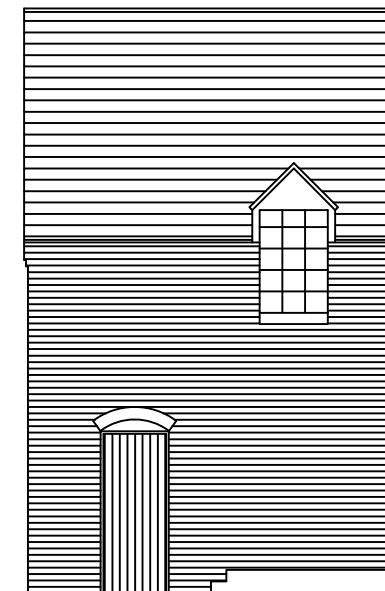
Proposed granary
 Side elevation
 1:100



Proposed granary
 Front elevation
 1:100



Proposed granary
 Side elevation
 1:100



Proposed granary
 Rear elevation
 1:100

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Planning Committee Report	
Planning Ref:	PL/2024/0001183/FUL
Site:	189 Cheveral Avenue
Ward:	Radford
Proposal:	Application for Change of Use from retail to hot food takeaway use including external flue
Case Officer:	Pavan Flora-Choda

SUMMARY

Change of use from retail to hot food takeaway. External alterations are for the installation of a flue to the side/rear.

BACKGROUND

A previous similar application was refused due to insufficient information being submitted in relation to noise and odour emanating from the flue. The application has been recommended for approval. The application has been referred to Planning Committee as it has received 5 or more objections.

KEY FACTS

Reason for report to committee:	The application has been referred to planning committee as 5 objections have been received
Current use of site:	Vacant retail unit (last used as an electrical repair and sale shop) residential flats to first floor are existing
Proposed use of site:	Hot food takeaway and the installation of flue

RECOMMENDATION

Planning Committee are recommended to grant planning permission subject to conditions summarised in this 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: DS1, DS3, DE1, AC1, AC2, AC3, AC4, R6, EM1, EM2, EM3, EM4, EM5, EM7 of the Coventry Local Plan 2017, together with the aims of the NPPF.

SITE DESCRIPTION

The site comprises an existing vacant retail unit situated at the corner of Cheveral Avenue and Telfer Road, approximately 1.2 miles from Coventry City Centre. The application site sits within an existing row of shops which is not a designated district centre. The other retail units on this site include Convenience store, Pet Store, Hair salon, Grocer's, hot food takeaway, Mobile phone shop. Telfer Road is residential.

APPLICATION PROPOSAL

This application proposes a change of use of the ground floor retail unit to a hot food takeaway. The hot food takeaway will comprise of a seated serving area to the front with approximately 16 seats with a reception area to take and collect orders. To the rear is a proposed kitchen area with a proposed internal flue extraction system. The internal flue will have an outlet through the kitchen roof.

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
PL/2023/0002136/FUL	Application for change of use from retail to hot food takeaway	REFUSED due to insufficient information being submitted to demonstrate satisfactory impact of the flue upon neighbours via noise and odour

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF) December 2023. The NPPF 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".

Consultation was recently carried out seeking views on the Government's proposed approach to revising the NPPF. It also sought views on a series of wider national planning policy reforms. The consultation closed on 24th September 2024.

The National Planning Practice Guidance (NPPG) 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 2017, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application is:

Policy DS1: Overall Development Needs

Policy H9: Residential Density

Policy DE1 Ensuring High Quality Design

Policy AC1: Accessible Transport Network

Policy AC2: Road Network

Policy AC3: Demand Management

Policy AC4: Walking and Cycling

Policy AC5: Bus and Rapid Transit

Policy R6: Restaurants, bars and hot food takeaways

Policy EM1: Planning for Climate Change Adaptation

Policy EM2: Building Standards

Policy EM3 Renewable Energy Generation

Policy EM4 Flood Risk Management

Policy EM5 Sustainable Drainage Systems (SuDS)

Policy EM7 Air Quality

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPD Delivering a More Sustainable City

SPD Coventry Connected

SPD Hot Food Takeaway

CONSULTATION

Statutory

Highways- initially objected to the proposal due to insufficient car parking. However, no objection following recalculation of required spaces.

Non-statutory

No Objections received from

Environmental Protection

At the time of writing the report comments have not been received from:

Waste

Neighbour consultation

Immediate neighbours and local councillors have been notified; a site notice was posted on 17th July 2024.

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

- a) odour
- b) parking
- c) late opening hours
- d) excessive takeaways in the area
- e) noise

- f) unsightly flue
- g) litter
- h) existing rodent issue

2 letters of support have been received, raising the following material planning considerations:

- i) Good for local community

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

- j) Anti-social behaviour

One letter has been received with multiple signatures raising concerns. This letter has not been sponsored by a Councillor so is not classed as a petition. The concerns are as follows:

- Impact of noise
- Concerns regarding traffic and parking
- Anti-social behaviour
- Appearance of the flue
- Refuse issues contributing to litter
- Impact on local businesses such as existing hot food takeaways
- Against policy for number of takeaways in a given area

Any further comments received will be reported within late representations.

APPRAISAL

It is important to note that the application proposal is the same as the previous refusal (PL/2023/0002136/FUL) other than a change of design and positioning of the existing flue. That application was refused as insufficient noise and odour information was provided as part of the application.

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

Principle of development

The application is for the change of use from existing retail use (E(a)) to hot food takeaway (sui generis) and therefore requires planning permission.

Policy R6 of the Coventry Local Plan states Proposals within defined centres will be permitted provided they:

- a) would not result in significant harm to the amenity of nearby residents or highway safety;
- b) would not result in harmful cumulative impacts due to the existence of any existing or consented proposed outlet;

c) are in accordance with the emerging Hot Food Takeaway Supplementary Planning Document (in particular, proposals for A5 uses); and
d) are compatible with other Plan Policies.

The Policy does not prevent takeaways outside defined Centres but rather offers encouragement for them to be located within them. The application site is situated in an existing row of shops, however, is not located in a district centre. The nearest district centre is approximately 500 metres to the north at Jubilee Crescent.

The Hot Food Takeaway SPD encourages balanced and diverse shopping areas and helps to reduce the concentration of hot food takeaways in a given area. The SPD states that in an area that has become over concentrated with hot food takeaways (with the exception of Coventry City Centre), further hot food takeaway applications will not be permitted. An area will be classed as over concentrated with hot food takeaways if the proposed address falls into a Lower Super Output Area (LSOA) where the number of takeaways per one thousand population exceeds the average for England as per the most up to date data on a national database known as the FEAT tool.

The FEAT tool has found that England's average is 1.05 HFTA's per 1000 population. In Coventry as a whole, it was found there are 1.8 per 1000 population. Within this section of Radford, which is the area under question, there are 0.81 per 1000 population. This confirms that there is not an over concentration of hot food takeaways in this area.

In addition to this the Hot food takeaway SPD states applications will not be approved if the hot food takeaway falls within a 5-minute walk from the gate(s) of any primary or secondary school (including any Special School, Sixth Form College and Academy), within or outside Local Education Authority Control.

Below is a list of the schools within the vicinity of the proposed site:

Barrs Hill School- 18 minute walk
Radford Primary Academy-11 minute walk
Hill Farm Primary School- 8 minute walk

The above list demonstrates there are no schools within a 5-minute walk from the proposed hot food takeaway. Further to the above information, the proposal is not contrary to Policy R6 of the Local Plan or the Hot Food Takeaway SPD, subject to satisfactory impact upon amenity and highways.

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.

Paragraph 131 of the NPPF states the creation of high-quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The National Planning Policy Framework, paragraph 135 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 139) “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”.

The proposed flue will be visible from Telfer Road. The current proposal shows the flue to be internally installed with an outlet for the flue to the rear of 189 Cheveral Avenue. The flue is set back within the corner of the first floor L shaped rear elevation. In addition, the flue will not exceed the height of the existing main roof and plans are annotated to indicate the flue will be colour coated to match the existing elevation. It is considered that the modest flue would not have a material adverse impact upon the character of the host building or streetscene.

There are no other changes proposed to the front elevation and any new signage would be subject to Advertisement Consent.

Impact on residential amenity

Policies H3, H5 and DE1 of the adopted Local Plan seek to ensure that development proposals provide a suitable living environment for future occupiers, whilst also not resulting in a detrimental impact to existing/neighbouring residential occupiers, the NPPF reaffirms the importance of quality design.

The flue is to be installed in close proximity to a habitable window to the first floor flat associated with the application site. A noise assessment has been submitted with the application and following amendments confirms that a level of -1dB for the proposed flue is found (which means it does not exceed the background noise level) and this is considered to be low noise impact. Furthermore, the bedroom benefits from dual aspect windows. It is also acknowledged that the first-floor flat is existing and is situated above

a retail unit on a street with a row of shops. Therefore, some level of noise is expected when agreeing to live in this location.

With regards to the noise impact on neighbours, number 1 Telfer Road abuts the site boundary to the rear of the application site. The noise assessment found a level of -11dB at 1 Telfer Road. This level of noise emission is considered not to be audible at any time. Given that number 1 Telfer Road is the closest residential property to the boundary, it is not considered that the installation of the flue will result in noise disturbance to the local residents.

Notwithstanding, the existing use is retail with opening hours that would not be considered unsociable. The application proposal is a change of use and the application form states the following opening times; Monday to Friday 12:00-22:30, Saturday 12:00-23:30 and Sunday 12:00-22:30. It is not considered that these operating hours for a HFTA are unreasonable, however it is evident that there is another hot food take away on the street which has permission for operating hours no later than 08:00 to 22:00. Therefore, a suitably worded condition could be added to any permission granted to ensure that the operating hours do not exceed the existing hot food takeaway on the street, which would ensure that any disturbance caused by customers or delivery drivers should not exceed the existing on Cheveral Avenue.

Environment Protection have no objections following the submission of the noise assessment and odour information provided with this application.

The waste department has been consulted as part of the application and no comments were received as the application is not in relation to a residential development. It is recommended however that a 1000litre bin is in place for the proposed development. The agent has submitted a plan to show where the existing bins are stored. The Hot Food Takeaway SPD: Policy EM8 (waste management) asks that commercial bins are stored within the site boundary and should be of a suitable size to ensure not to cause a nuisance to neighbouring residential or commercial properties. A reasonably worded condition can be added to any permission granted to ensure there is sufficient bin storage for the proposal within the existing site boundary.

Further to the above, it is not considered the proposal will have a detrimental impact on future or existing occupiers.

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.

Parking provision should accord with the maximum standard expressed in Appendix 5 unless it has been clearly demonstrated that the site is in a highly accessible location where transport, by means other than the private car is a realistic alternative. In that respect lower levels of provision may be considered acceptable where the site is in close proximity to the City Centre, a train station, a high-quality rapid transport route or other public transport interchange and where there is a package of measures (proportionate to the scale of development) to enable sustainable means of transport. Any variation from the maximum standard must be fully justified by proportionate evidence.

The Highways department were consulted as part of this application and originally objected to the proposal due to the proposal providing insufficient parking provision. It is important to note that on the previous application the Highways department did not object to the proposal. Following recalculations of the usable floor space for the public (approximately 29sqm) it was considered that the proposal is acceptable. Subsequently, the Highways department no longer object to the proposal.

For a hot food takeaway 1 car parking space is required per 10m² public area: 1 cycle parking space per 10 FTE staff, 1 per 200m² for customers and 1 per 400m² for staff with a minimum of 2 cycle parking spaces being provided. It has been calculated that the usable public hot food takeaway area is approximately 29 square metres (excluding the reception till area). The parking requirement for the existing retail unit is two and the requirement for the proposed HFTA is three. Therefore, the proposal will result in the increased requirement of 1 car parking space. Given the location of the proposal in a row of shops with residential area, it is considered that the proposal is situated in a sustainable location which can be accessed by foot. The requirement of a single additional car parking space is not considered to have a detrimental impact on the car parking provision in the area. It is also noted that a parking bay outside the row of shops provides car parking allowance for up to 1 hour for approximately 4 vehicles. The grocery store has its own provision of off-road parking on Villa Road for up to approximately 7 vehicles. With this in mind, as well as a bus stop a few steps from the proposed site and unrestricted street parking on Telfer Road and Villa Road, the proposal is not considered to have a significant detrimental impact on the existing parking provision in the area. It is noted that the proposal does not include a cycle parking, and a suitably worded condition could be attached to any permission granted prior to the use of the hot takeaway to ensure sufficient cycle parking is provided.

Equality Implications

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development.

Conclusion

In conclusion, it is noted that the other than the flue position and updated noise and odour information, the application does not differ to the previous refusal (PL/2023/0002136/FUL). The noise and odour information submitted has overcome the previous concerns of Environmental Protection. In addition, Highways raise no objections to the proposal.

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, detrimental impact to character of area, highway safety, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DE1, DS3, AC1, AC2, AC3, AC4, R6, EM7 of the Coventry Local Plan 2017, the Hot Food Takeaway SPD together with the aims of the NPPF.

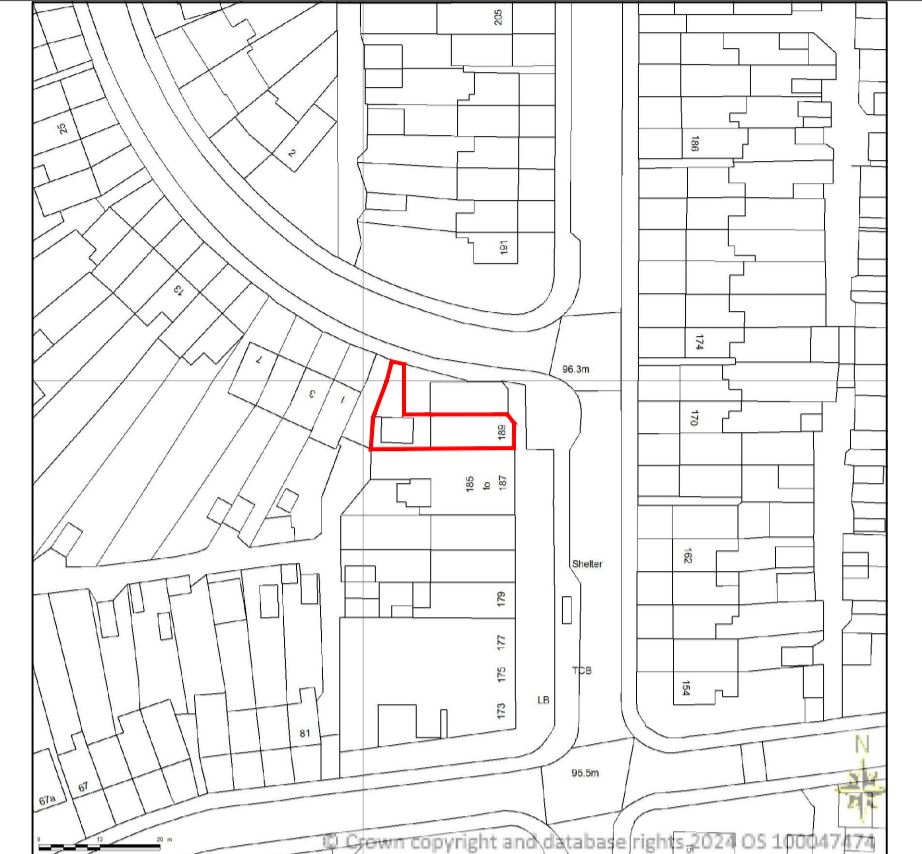
CONDITIONS / REASON

1.	The development hereby permitted shall begin not later than 3 years from the date of this decision.
Reason	<i>To conform with Section 91 of the Town and Country Planning Act 1990 (as amended).</i>
2.	The development hereby permitted shall be carried out in accordance with the following approved plans: Noise Assessment (revised 7/8/24), Existing and Proposed floor plans and elevations Dwg no 4141-200 Rev C.
Reason	<i>For the avoidance of doubt and in the interests of proper planning.</i>
3.	No customers shall be permitted to be on the premises and no hot food deliveries shall be carried out from the premises other than between the

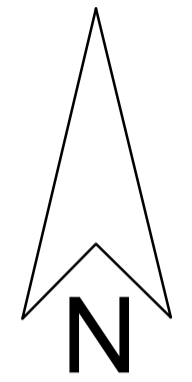
	hours of 08:30 and 22:00 each day, unless otherwise agreed in writing by the Local Authority.
Reason	<i>To safeguard the amenities of nearby occupiers in accordance with Policy DE1 of the Coventry Local Plan 2017.</i>
4.	Prior to the first use of the development hereby permitted, details of bin storage areas shall be submitted to and approved in writing by the Local Planning Authority. The bin storage areas shall be provided in full accordance with the approved details prior to first use of the development and thereafter they shall remain available for use at all times and shall not be removed or altered in any way.
Reason	<i>In the interests of the amenities of future occupants of the residential accommodation and neighbouring occupiers in accordance with Policy DE1 of the Coventry Local Plan 2017.</i>
5.	Prior to occupation of the hot food takeaway hereby permitted, details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided in full accordance with the approved details prior to first occupation of the building and thereafter those facilities shall remain available for use at all times and shall not be removed or altered in any way.
Reason	<i>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 DS3, AC3 and AC4 of the Coventry Local 2017.</i>
6.	Prior to the commencement of the use hereby approved, the flue system and odour extraction system are to be installed and maintained in full accordance with the approved details as set in Noise Assessment (revised 7/8/24), Extraction and Ventilation schedule produced by Blue Flames dated 7th August 2024. The equipment shall thereafter be permanently maintained in full accordance with the manufacturer's instructions and be operated at all times when cooking is carried out. Any external ducting shall be colour coated in full accordance with the approved details within one month of its installation.
Reason	<i>To safeguard the amenities of the adjoining occupiers of the development in accordance with Policy DE1 of the Coventry Local Plan 2017.</i>

1:5 = 25cm	1:200 = 10m
1:10 = 50cm	1:250 = 12.5m
1:20 = 100cm	1:500 = 25m
1:50 = 2.5m	1:1250 = 62.5m
1:100 = 5m	1:2500 = 125m

Note:
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Site Location Plan
scale 1:1250



Block Plan
scale 1:500

Note:
-All Dimensions are in millimeters and are approximate.

DESIGNFORMULA
07814262723

Project Title: 189 Cheveral Avenue
Coventry

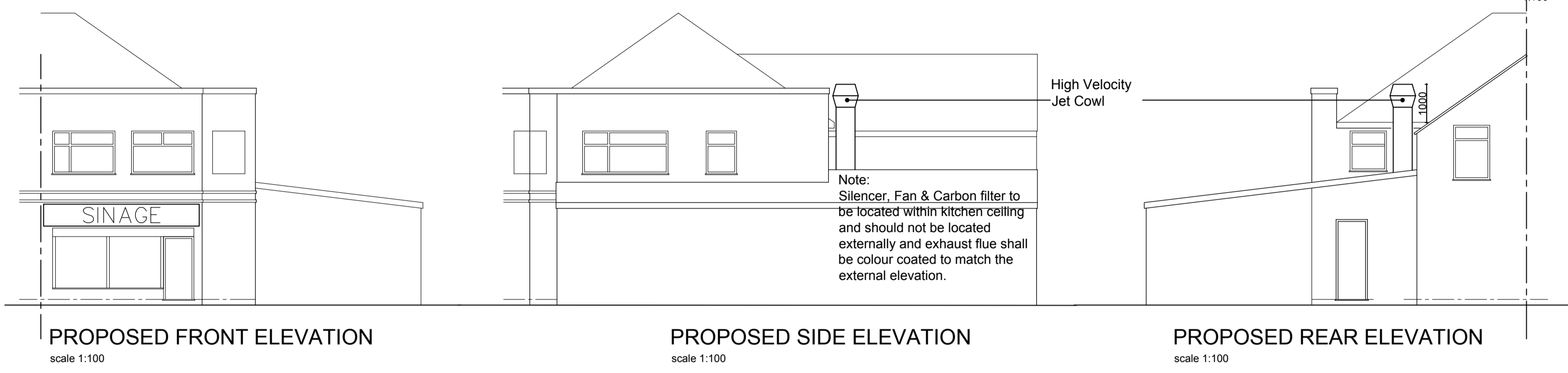
Details: Change of Use Application
Shop/Retail to Takeaway Use
Including External Flu

Drawing: Existing & Proposed
Plans & Elevations **PLANNING**

Scale:
as noted @ A1

Date:
June 2024

Drg No:
4141-200Rev C

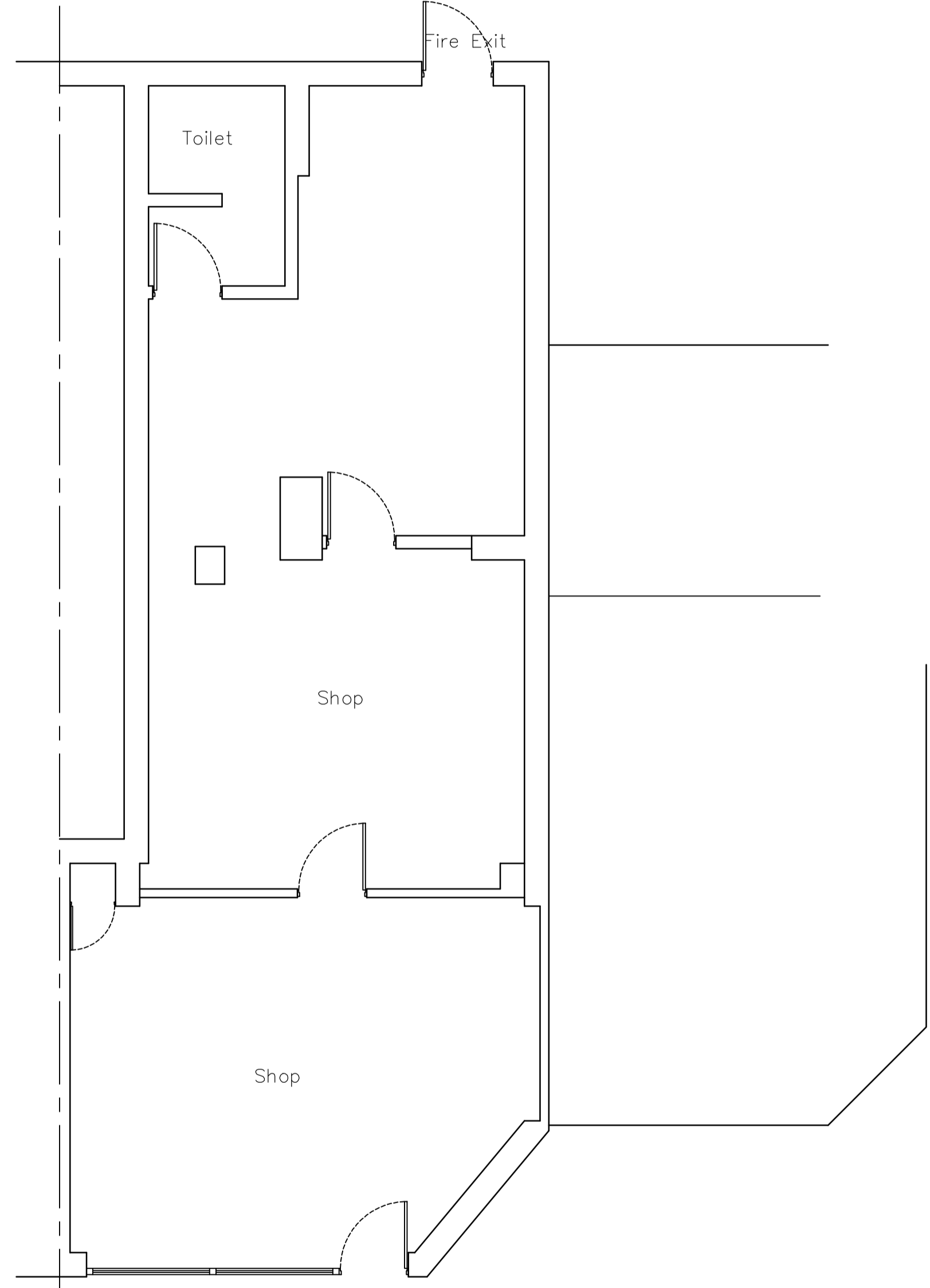


PROPOSED FRONT ELEVATION
scale 1:100

PROPOSED SIDE ELEVATION
scale 1:100

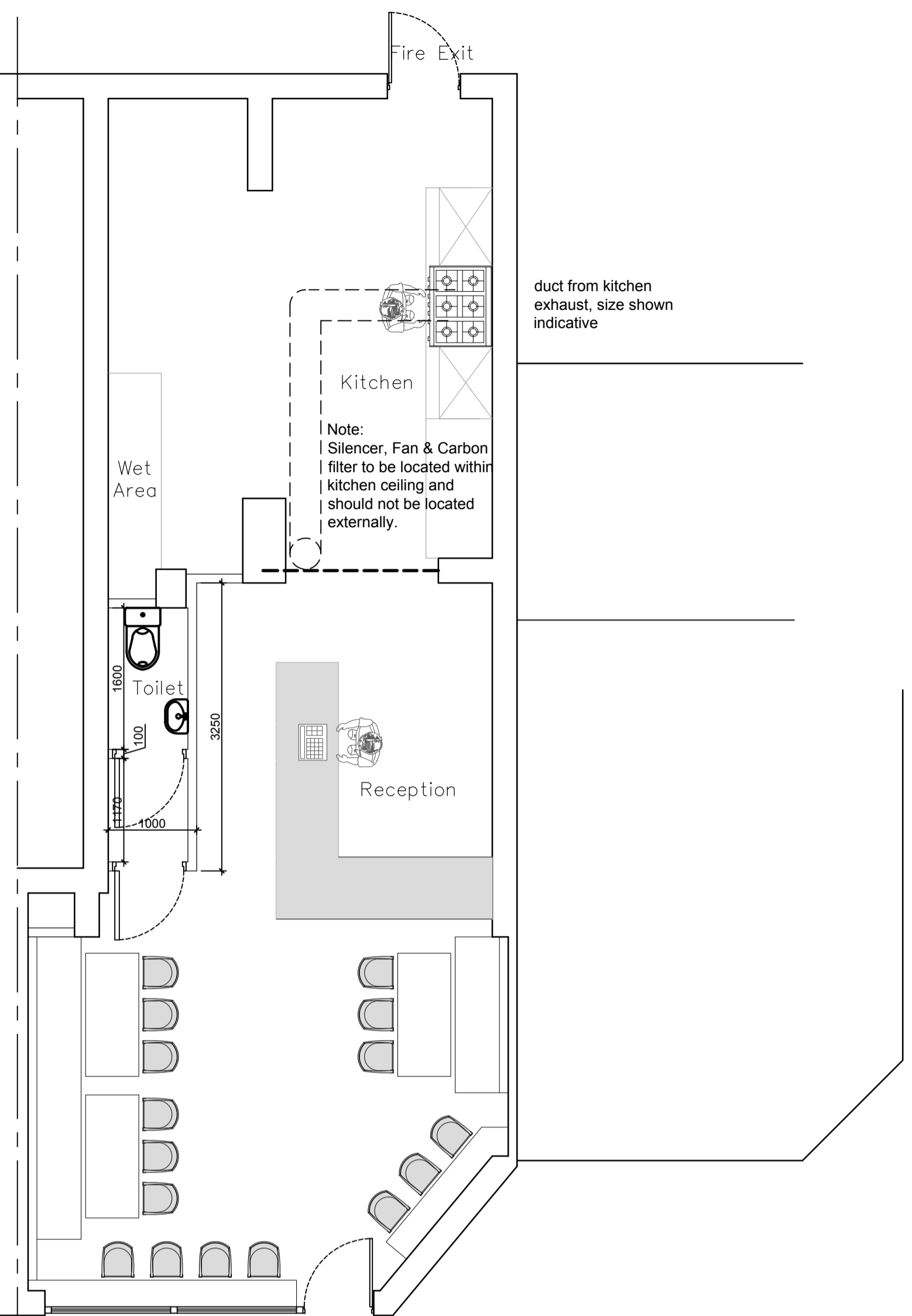
PROPOSED REAR ELEVATION
scale 1:100

Note:
Silencer, Fan & Carbon filter to be located within kitchen ceiling and should not be located externally and exhaust flue shall be colour coated to match the external elevation.



EXISTING GROUND FLOOR PLAN
scale 1:50

Rev C - Redline boundary adjusted to suit ownership boundary and bins location identified and missing roof shown on the existing elevation
Rev B - Silencer, Fan & Carbon Filter located to kitchen ceiling and only extraction flu will be taken above roof level.
Rev A - Extraction Flue relocated away from the prominent location as requested.



PROPOSED GROUND FLOOR PLAN
scale 1:50

duct from kitchen exhaust, size shown indicative

Note:
Silencer, Fan & Carbon filter to be located within kitchen ceiling and should not be located externally.



EXISTING FRONT ELEVATION
scale 1:100

EXISTING SIDE ELEVATION
scale 1:100

EXISTING REAR ELEVATION
scale 1:100

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