



Planning Committee

Time and Date

2.00 pm on Thursday, 20th February, 2025

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 Previous Meeting held on 12 December 2024** (Pages 3 - 6)

5. **Late Representations**

To be circulated at the meeting.

6. **Application PL/2024/0001282/FULM - The New Haven, Dillotford Avenue**
(Pages 7 - 40)

Report of the Strategic Lead for Planning

7. **Application PL/2024/0002336/HHA - 21 Nutbrook Avenue** (Pages 41 - 50)

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, 12 February 2025

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

Carolyn Sinclair / Tom Robinson
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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 / Tom Robinson
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Coventry City Council
Minutes of the Meeting of Planning Committee held at 2.00 pm on Thursday, 12
December 2024

Present:

Members: Councillor L Harvard (Chair)
 Councillor P Akhtar
 Councillor R Bailey
 Councillor J Gardiner
 Councillor T Jandu
 Councillor G Lewis
 Councillor K Maton
 Councillor J McNicholas
 Councillor C Miks

Other Members: Councillors N Akhtar, Cabinet Member for Housing and
 Communities

Employees (by Service
Area):

Adults and Housing J Crawshaw

Planning and Regulation R Back
 R Edgington
 Y Lam
 A Lynch
 N Radwanska
 E Spandley

Highways and
Transportation L Albrington
 N Benison
 B Malin

Law and Governance O Aremu
 T Robinson
 A Veness

Apologies: Councillor G Lloyd

Public Business

60. Declarations of Interest

There were no declarations of interest.

61. Members Declarations of Contact on Planning Applications

There were no declaration of contacts.

62. **Minutes of Previous Meeting 7th November 2024**

The Minutes of the meeting held on 7 November 2024 were agreed and signed as a true record.

63. **Late Representations**

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

| Application | Site | Minute |
|---------------------|----------------------------------|---------------|
| PL/2024/0000935/FUL | Ribbon Court, 689 Foleshill Road | 64 |

64. **Application - PL/2024/0000935/FUL - Ribbon Court, 689 Foleshill Road**

The Committee considered a report of the Strategic Lead for Planning detailing the above application for change of use from sheltered housing for older person(s) to temporary accommodation. (Sui Generis). The application was recommended for approval.

The Committee considered two petitions. The first petition objected to the change of use for 689 Ribbon Court and requested residents parking permits on Churchill Avenue bearing 94 signatures sponsored by Councillor S Nazir, a Foleshill Ward Councillor. It was noted that part of this petition requested a residents only parking scheme on Churchill Avenue and that this part of the petition would be considered separately as it was not a planning matter. The second petition expressed strong concerns regarding the proposal to convert the Ribbon Court building into a homeless shelter on Foleshill Road, Coventry bearing 55 signatures also sponsored by Councillor S Nazir. Councillor Nazir spoke in respect of the petitions. Statements objecting to the application were read on behalf of both petition spokespersons. An additional 3 registered speakers attended and spoke in respect of their objections to the application. The applicant's agent spoke in support of the application.

The Late Representations report set out updates to neighbour responses, local homelessness figures for the city, and car ownership census data for Foleshill Ward in relation to parking.

RESOLVED that planning permission be granted in respect of Application PL/2024/0000935/FUL subject to conditions listed in the report; and delegate authority to the Strategic Lead Planning, in consultation with the Chair to agree any amendments to these conditions, which are considered necessary.

65. **Application - PL/2024/0002137/HHA - 12 Broadway**

The Committee considered a report of the Strategic Lead for Planning, detailing the above application for replacement of existing windows with uPVC sliding sash windows and new roof light. The application was recommended for approval.

RESOLVED that planning permission be granted in respect of Application PL/2024/0002137/HHA subject to conditions.

66. **Application - PL/2024/0002068/HHA - 35 Malvern Road**

The Committee considered a report of the Strategic Lead for Planning, detailing the above application for proposed single storey side and rear wrap around extension and first floor rear extension. The application was recommended for approval.

RESOLVED that planning permission be granted in respect of Application PL/2024/0002068/HHA subject to conditions.

67. **Outstanding Issues**

There were no outstanding issues.

68. **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 3.30 pm)

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| Planning Committee Report | |
|----------------------------------|--|
| Planning Ref: | PL/2024/0001282/FULM |
| Site: | The New Haven, Dillotford Avenue, Coventry, CV3 5DU |
| Ward: | Earlsdon |
| Proposal: | Demolition of existing public house. Erection of new apartment block of 28 x 1 bed apartments with associated carparking and landscaping (Reduced from 31 no. units) |
| Case Officer: | Richard Edgington |

SUMMARY

The application as submitted seeks consent for full planning permission (inclusive of all detailed matters) for the erection of 28 no. 1-Bed apartments with associated works. The application site whilst not formally allocated within the Local Plan for housing, lies within an established residential area in a sustainable location. The use of the public house is understood to have ceased in its typical form back in 2021, although it is understood the commercial kitchen has been used on an intervening basis. However, the site has laid largely vacant since having been actively marketed as a tenancy opportunity and latterly as a freehold site.

The application has been subject to a number of amendments and requests for technical information due to some issues with the original documents as submitted. The applicants have duly provided the additional information as requested, and together with design amendments are now deemed to be acceptable.

BACKGROUND

The application as submitted sought consent for a part two and part three storey building to create 31 1-Bed flats together with associated works inclusive of the demolition of the public house. During the course of the original consultation, a number of concerns were raised by ward members (Earlsdon and Cheylesmore) and residents as to the quantum of development, scale, design, highway impact, parking and other considerations (which are set out in greater detail below), concerns were also raised by officers in respect of the original design and supporting information. The applicants subsequently undertook a consultation/engagement session with members and residents to discuss the proposals and have subsequently made changes to the scheme as a result. The Local Planning Authority, in the spirit of Paragraph 38 of the NPPF (2024) extended the timeframe of the determination to allow for a period of re-consultation on amended plans and supporting information ahead of the application being considered at planning committee.

KEY FACTS

| | |
|--|--|
| Reason for report to committee: | The application has been referred to planning committee due to the number of representations received and due to objections being received from Cllrs; Kelly, Tucker, Sandhu, Bailey and Mosterman |
| Current use of site: | Public House/Car Park – Vacant |
| Proposed use of site: | Residential |
| Proposed no of units | 28 |

| | |
|--------------------------|--------------------------------|
| Housing mix | 28x 1-Bed Units |
| Parking provision | 34 (28x Allocated; 6x Visitor) |

RECOMMENDATION

Planning Committee are recommended to delegate the grant of planning permission to the Strategic Lead for Planning subject to conditions and the completion of a s106 Legal Agreement to secure the contributions summarised in this report, and for the Strategic Lead for Planning to agree any necessary amendments to the s106 Legal Agreement and Planning Conditions in consultation with the Chair.

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: DS3, H3, H4, H6, DE1, AC1, AC2, AC3, AC4, GE1, GE3, GE4, EM4, EM5, EM7, EM8 and IM1 of the Coventry Local Plan 2017 and the emerging Policies in the Local Plan review, together with the aims of the NPPF (2024).

SITE DESCRIPTION

The application site relates to an existing Public House known as the New Haven occupying a prominent corner plot extending to 0.256 hectares, the site is currently vacant having not operated as a Public House for in excess of three years. The site lies within an established and sustainable residential location.

The Public House is set within the site and is orientated 45 degrees and has a prominent corner presence with an L shaped parking/hardstanding area to the front and a garden area for customers to the rear. The site is bound to the north and west by closed boundary fenced treatments, circa 1.8m high, together with some established trees and hedgerows including a number of conifers.

The building itself is 2.5 storey in height, having a sizable, pitched roof, it appears that some slightly later extensions and alterations at ground floor level have been added since the original construction. To the front there are currently provisions for approximately 34 cars within allocated bays, a narrow (0.4m) band of grass runs around the boundary between the car park and the pedestrian highway within Watercall Avenue and Dillotford Avenue with no formal boundary treatments.

It should be noted that the site lies within flood zone 1 and is not subject to any overarching site constraints which are relevant in the determination of this application.

APPLICATION PROPOSAL

The application as proposed seeks consent for a single 'L' shaped structure wrapping around the north eastern and south eastern boundaries, on the junction of Watercall Avenue and Dillotford Avenue. The north eastern boundary, along Dillotford Avenue comprises a three storey element of the scheme set back from the highway by proposed landscaping. To the south eastern boundary along Watercall Avenue lies a two storey element to the scheme, with a three storey flat roof link between the two elements. Again soft landscaping, and on this elevation parking is proposed to the frontage with small areas of amenity space also present. To the southern point of the site lies the proposed vehicular access point to the rear parking courtyard, secured via a gated system. Areas of landscaping are proposed within the rear of the site, together with six visitor parking bays and dedicated cycle and refuse storage areas.

PLANNING HISTORY

The application site does not have an extensive planning history, the original application for the public house and later extensions are included for completeness as follows:

| Application Number | Description of Development | Decision and Date |
|---------------------------|-----------------------------------|--------------------------|
| L1987/0044 | Extensions to bars and car park | Granted 28/07/1988 |
| S/1954/0357 | Erection of licensed premises | Granted 19/10/1954 |

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF) December 2024. 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 revised NPPF increases the focus on the delivery of homes within established residential locations.

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 DS3: Sustainable Development Policy
Policy H1: Housing Land Requirements
Policy H2: Housing Allocations
Policy H3: Provision of New Housing
Policy H4: Securing a Mix of Housing
Policy H5: Managing Existing Housing Stock
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 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

Emerging Local Policy Guidance – Local Plan Review Reg 19 Consultation

The Local Plan review is currently at Reg 19 consultation. Relevant emerging policy relating to this application is:

Policy DS1: Overall Development Needs
Policy DS3: Sustainable Development Policy
Policy H1: Housing Land Requirements
Policy H2: Housing Allocations
Policy H3: Provision of New Housing
Policy H4: Securing a Mix of Housing

Policy H5: Managing Existing Housing Stock
Policy H6: Affordable Housing
Policy H9: Residential Density
Policy GE1 Green and Blue Infrastructure
Policy GE3: Biodiversity, Geological and Landscape Conservation
Policy GE4: Tree Protection
Policy JE7: Accessibility to Employment Opportunities
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 EM1: Planning for Climate Change Adaptation
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

CONSULTATION

Ecology: No objection, subject to conditions.

Economic Development: No objection subject to a condition securing a local employment condition.

Education: No objection or contributions requested due to housing mix.

Highways: Comments received in relation to the re-instatement of the footway.

Housing: No objection, subject to securing 7 no. units as affordable tenure.

Lead Local Flood Authority: No objection, subject to conditions.

National Highways: No comments to make.

NHS CCG: No comments received.

NHS UHCW: No objection, subject to S106 contribution of £17,669.77.

Streetscene and Greenspaces: No comments received.

Sustainability (Energy): No comments received.

Tree Officer: No objection, subject to condition securing tree protection measures.

Urban Design and Landscape: No objection, subject to screening being provided to balconies on plots 12, 13, 23, 25, and 26 and conditions being secured for materials and hard and soft landscaping.

WM Fire Service: Comments received (relating to building regulations).

WM Police: No objection, although comments received advising on boundary treatment specifications, access gate installation (the latter of which have now been proposed).

Neighbour consultation

Immediate neighbours and local councillors within both Earlsdon and Cheylesmore wards (due to the presence of the ward boundaries immediately adjacent to the site) have been notified; a site notice was posted on 16th October 2024. A press notice was displayed in the Coventry Telegraph on 10th October 2024.

Cllr Lynette Kelly: Cllr Kindy Sandhu and Cllr Anthony Tucker: Objection, due to the increase in height/massing and subsequent impact upon the character and appearance of the area and insufficient parking.

Cllr Barbara Mosterman: No objection, whilst an objection was initially received due to the quantum of development, scale of the buildings and impact upon residential amenity, the amendments made address a number of concerns through the height reduction with further consideration given to privacy and overlooking. The visual appearance of the building is now also deemed more appropriate. An element of concern remains in respect of longer term maintenance/management.

No objection in principle, however, consider that the three storey element too tall, out of keeping and will be detrimental to the amenity of neighbouring residents. There is also insufficient parking provision proposed.

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

- a) Impact on ecology/biodiversity
- b) Loss of light
- c) Overlooking
- d) Out of keeping/scale
- e) Lack of infrastructure in the area for additional residents
- f) Loss of the boundary treatments will expose surrounding dwellings/site
- g) Insufficient parking provision provided

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

- h) Efficient use of land
- i) The residential use will improve former noise issues associated with the Public House
- j) Quality design proposed
- k) Wider range of housing for starter homes being provided

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, trees/arboriculture, the impact upon neighbouring amenity, highway considerations, drainage and flood risk, noise, contaminated land, air quality, ecology and other matters.

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 strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Footnote 8 to paragraph 11 confirms that this includes situations where the local authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer set out in paragraph 78).

Based on the provisions of the December 2024 NPPF the Council is able to demonstrate a 5.75 year housing land supply as of 31st December 2024.

Policies DS3, H3, H4, H6 and H9 are all key material considerations in the determination of this application. In this case the application site does not form part of the housing allocations set out within the adopted Local Plan. That being said, the absence of an allocation does not necessarily preclude developments for housing being acceptable, subject to compliance with the relevant policies set out within this report in this case.

In considering the relevant factors, Policy H3 of the adopted Local Plan relates to the provision of new housing and requires sites and developments to provide a quality living environment for future occupiers which does not have contaminants, noise and air quality issues. H3 also sets out a criterion that developments should wherever possible be located;

- a. within 2km radius of local medical services;
- b. within 1.5km of a designated centre within the city hierarchy (policy R3);
- c. within 1km radius of a primary school;
- d. within 1km of indoor and outdoor sports facilities;
- e. within 400m of a bus stop; and
- f. within 400m of publicly accessible green space.

The application site is in a sustainable location, set within an established residential area well served by local amenities inclusive of direct links into the city centre, the application therefore accords with the criterion's requirements as set out.

Housing Mix

Policy H4 requires a suitable mix of homes to be delivered within sites, which should accord with the latest SHMA. In this case the SHMA has been replaced by the Coventry and Warwickshire Housing and Economic Development Needs Assessment (November 2022), HEDNA herein, within the HEDNA it identifies that a mix of dwellings within Coventry should aspire to a mix of 40% of 2-Bed and 40% 3-Beds, together with 10% respectively for 1-Bed and 4-Bed units across sites.

In this case the site provides 28 no. 1-bed units and therefore provides no scope for a greater mix of dwellings to be incorporated into the layout. Whilst this was raised with the applicants during the course of the application, the applicants have set out within their submission that the target market for the units is for smaller/single households seeking either a first-time purchase or downsize. Whilst not the most desirable from a housing mix perspective, weight has been afforded to the fact that the HEDNA applies across the city and that it is not a requirement for a breakdown on each site, indeed the HEDNA alludes to the fact that site factors and viability can contribute to varying mixes within development schemes. This was re-affirmed during the Abbots Lane Public Inquiry in which the Inspector that whilst; *'there may well be a greater need for larger 3- and 4-bedroom homes in Coventry, that need is citywide. Local Plan Policy H4 does not suggest that this need must be met on all sites; the policy makes specific reference to balancing house types and sizes across the city. Moreover, the policy accepts that there may be good locational reasons why larger houses may not be appropriate, and sites with severe constraints where housing mix may impact on viability.* In this context, and when weighing the tiled balance against the proposal it is deemed that the housing mix is acceptable and not contrary to Policy H4.

Affordable Housing

Policy H6 relates to the delivery of affordable housing provision, and on sites containing 25 dwellings or more, 25% is expected to be of affordable tenure. This has duly been met by the applicants with seven of the units being allocated within the approved plans as affordable tenure. Housing Officers raise no objections to the provision of the units and anticipate that the mix will be 50:50 affordable rent/intermediate as per the requirements of H6. The tenure of these units have duly been agreed within the S106 agreement.

Residential Density

Policy H9 relates to residential density, the application site is partly previously developed where the buildings were formerly located, but the remainder of the site remains greenfield. The NPPF places high regard on making an efficient use of land, to this end the NPPF and H9 require developments to provide a density of at least 30 dwellings per hectare (dph) for greenfield sites and 35 dph for previously developed sites. In this case the site area totals 0.256 hectares, with the proposed development seeking consent for 28 units, the density of the site is 109 dph which is well above the minimum density requirement for the site and therefore not contrary to Policy H9.

Taking the above into account, the presumption in favour of sustainable development does apply in this case, and the site is located in an existing urban area bound on three sides by residential dwellings. The mix of the units is not deemed unacceptable in principle, and the applicants have indicated that 25% affordable housing could also be secured in accordance with Policy H6 of the adopted Local Plan. When assessing the proposal against housing policies alone therefore the application is not deemed unacceptable in principle, the other relevant material planning considerations are set out in the succeeding sections of this report.

Design/Character

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 135 of the NPPF (2024) 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. Paragraph 135 states specifically 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.

At Paragraph 139, the NPPF also states that; “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”.

In this case the application site occupies a prominent corner plot within an established residential area. The building at present is a sizeable 2.5 storey building which is orientated within the site by 45 degrees to allow for an element of openness and car parking area to the front of the site. Considering the locality, there is noted to be a mixed

character with a varying composition of dwellings in the form of flats, semi-detached and terraced units, many of which also have a varying composition of materials.

With the removal of the Public House, there will be a change of character in the area in that the proposed development is situated closer to the front boundaries of the site, however it is considered that the siting of the building will create a focal point on what is a relatively prominent corner. Considering the Watercall Avenue elevation, the ridge and eaves heights echo those of the adjacent dwellings and create a relatively traditional composition of red brick and hanging tile elevations. These finishes give a nod to the part tiled front elevations of the neighbouring dwellings with a complimentary material, which is to be secured via condition for sample details. Whilst the installation of balconies to the frontage marks a departure from the surrounding dwellings, the modestly proportioned and simple design of the balconies are considered to be of a quality design which allow for amenity space and additional interest in this element of the design.

The building steps up on the corner of Dillotford Avenue to a three storey building, with a flat roofed link connecting the two and three storey elements, providing the stairwell and lift. The stairwell design itself is conventional with a hanging tile finish with partial vertical glazing. Officers did indicate during the course of the application that the design of this link should be improved with additional glazing or a more interesting elevational finish. However, the applicants were not amenable to such change and opted to retain the design similar to that which was originally submitted due to the challenges a design change would likely create with the lift and stair area. Whilst the finish is not what officers consider to be the highest quality of designs, when balancing the visual impact against the delivery of homes, and indeed the relatively modest area where this link would be located relative to the wider elevations of the building, the retained arrangement is deemed acceptable.

It is acknowledged that the applicants have made amendments to the Dillotford Avenue elevation to address concerns raised by officers at that time also. As originally submitted, a varying material palette was proposed and the central gable on the elevation had a contrasting pitch which appeared incongruous and out of keeping. This has now been amended to replicate the other two gables on the elevation which is deemed to be a more positive design response. The glazed links to this elevation are of a higher quality design and the balconies too retain a simple and relatively minimal design which is acceptable.

The landscaping to the front is also considered to be a positive response, which creates a more visually attractive frontage whilst providing defensible space to the ground floor windows. The installation of small ground floor courtyards for the units adjacent to the allocated parking bays for the respective unit is a positive design response and re-enforces the continuation of the building line within Watercall Avenue.

The creation of a side access, of which is gated at the Police's recommendation to a private parking area with amenity planting, cycle and refuse storage is also deemed to provide a well-considered design response which would largely conceal the parking and services from the surrounding area, whilst create a safe, suitable and convenient environment for future occupiers. A suitable lighting scheme will be required within the rear area, this will likely be in the form of a low level lighting scheme within areas of planting and at various points around the site i.e. within/next to the cycle and refuse stores, these details have duly been secured within the list of conditions.

With regards the landscaping improvements, the majority of trees/hedges to the western boundary are to be retained with an enhanced planting scheme to be adopted across the wider site, including to the front of the building. To date, very limited information has been provided with the detailed landscape design, as such it is also deemed necessary to secure full details of the hard and soft landscaping via condition together with any details of boundary treatments.

Overall, it is deemed that the proposed development adopts an acceptable design which marks a positive contribution to the area overall, whilst also seeking to optimise the land available for the residential development.

Impact on Residential Amenity

Whilst the preceding section of this report sets out the primary design considerations, good design is linked to achieving a quality residential environment, Policies H3 and DE1 are of particular relevance when considering new development proposals. Whilst Policy H5 also seeks to ensure development proposals do not have a detrimental impact upon the amenity of occupiers of the existing housing stock, this is also highlighted within part f of Paragraph 135 of the NPPF (2024) as referenced above.

Considering the layout and quantum of the development within the site, it is considered positive that each of the flats benefit from private outdoor amenity space, the upper floor units have private balconies approximately 5-7 sq. m in area (dependent on unit), whilst the ground floor units benefit from terraces 14-20 sq. m (dependent on unit/plot). This provision is deemed to accord of Principle 28 of the adopted New Residential Design Guide SPD (2023) which requires ground floor units to have a terrace with a minimum depth of 3m, whilst upper floor units should have a minimum depth of 1.5m and are wider than their depth, the amenity space duly meet these requirements. Within the course of the consultation it is recognised that neighbouring residents have raised concerns in respect of overlooking from balconies in particular. The separation distances are in excess of 35m, which whilst acceptable there will be an risk of overlooking from plots 12, 13, 23, 25, and 26 (facing the rear), as such it is deemed necessary to require privacy screening on the balconies to directly mitigate against the risk of any overlooking. These screens have duly been secured via condition.

With respect to the internal living space, the amenity spaces are all accessible from the primary living/dining areas. Due consideration has been given to the layout and internal living space for the proposed units, whilst not formally adopted within policy the Government's Nationally Prescribed Space Standards (2016) set out suggested internal living space standards for residential units, with a 1-Bed 1 person flat being recommended to provide 39 sq. m and a 1-Bed 2 person flat being recommended to provide 50 sq. m, the units have a range of internal areas, only two of the units sit below 39 sq. m (very marginally at 38.9 sq. m) whilst seventeen units sit between 39 – 50 sq. m with the remaining 9 units being in excess of 50 sq. m. It is deemed that the general layout of the flats and sizes are acceptable and provide a good standard of living accommodation, enhanced by the provision of the aforementioned private amenity space.

Previous sections of this report has made reference to cycle and refuse storage, in this case dedicated areas are provided allowing for allocated and secure storage for future

occupiers. Provisions have been made for a cycle storage facility for each unit with visitor spaces also provided. The locations of the two refuse storage areas also allow for convenient access for all units, further enhanced by the provision of lifts internally.

Referring back to the concerns raised by residents in respect of overlooking and loss of privacy, consideration has also been given the separation distances set out within the adopted residential design guide SPD, which indicates that a minimum of 13m rear to side separation should be achieved where there are side facing windows, increasing to 20m for a rear to rear relationship (for two storey relationships). In this case the Watercall Avenue part of the scheme aligns with the existing front and rear building lines and does not include habitable rear facing windows, with non-habitable rooms only being served to this elevation (communal areas and bathrooms. No side elevational windows are also sought on this elevation either facing towards No. 89 Watercall Avenue.

The Dillotford Avenue elevation is located in excess of 20m from the rear of properties on The Chesils and also include high level side facing windows to the nearest residential units at 110 and 112 The Chesils. The rear elevation of the Dillotford Avenue elevation does however include habitable room windows and balconies, whilst the balconies have already been discussed, the windows are set in excess of 30m from the boundary and therefore accord with the requirements of the adopted SPD and adopt a suitable relationship.

Finally in respect of amenity, it is noted that a plant room is proposed to the ground floor to provide communal servicing, at the present time no details of the plant has been provided, however details of any plant and associate noise and sensitivities to the nearest receptors will be required prior to the first use of any plant, this has duly been secured via condition.

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.

As indicated the application site lies within an established residential area well served by the surrounding road network. It is not anticipated that the development would create significantly more trips than what would otherwise could have arisen through the use of the site as a Public House. The site is considered to be well served by local amenities including local shops and medical services and does not therefore give rise to concerns in respect of the local road network. No objections have been raised from highways on impacts on surrounding junctions.

The 31-unit scheme plans received an objection from the Highway Authority due to concerns with the width of the access, the manoeuvring space within the car park area, and the presence of frontage parking on the Dillotford Avenue elevation, and the proximity of the front allocated space, which was adjacent to the access route into the site. These concerns were duly discussed with the applicants and formed part of the rationale for the reduction of units across the site. In reducing the units, a wider access has been achieved, and there was no longer a requirement to install parking adjacent to the access point or along the Dillotford Avenue elevation, whilst also allowing some additional space within the parking area to the rear. These changes are deemed to address the concerns previously raised, and whilst some works will be required to the existing highway to close existing crossings, these works have duly been secured via condition to be completed ahead of first use of the approved crossing.

Due consideration has also been given to refuse and delivery vehicles to the rear of the site, hence the request for a wider access, the manoeuvring has now been tracked and the layout now allows for movements of larger vehicles, specifically in reference to the refuse collection vehicles which had previously been impeded through the original layout.

With regards the parking provision, it is acknowledged that a number of the representations received raise concerns on the shortfall of parking provision associated with the proposed use of the site, and that the development will be detrimental to the existing on-street capacities of the on-street provision. Whilst due consideration has been given to these concerns it has been assessed that the application site, with 28 1-Bed units requires one allocated parking space per unit, with a total of 6 visitor bays, based on 1 space per every 5 dwellings. The site layout duly makes provisions for these spaces and thereby accords with the requirements set out in Appendix 5 of the Coventry Connected SPD (Parking Standards). Cycle parking spaces are also provided for each unit as per the requirements of the Coventry Connected SPD. Within the conditions attached to this recommendation is the requirement for EV charging provision to be adopted within the site also.

Taking the above into account, it is deemed that the application has an acceptable impact in highway terms, subject to the aforementioned conditions which are duly set out at the end of this report.

Drainage and Flood Risk

Policy EM4 for the Local Plan states that all major developments must be assessed in respect of the level of flood risk from all sources and that all opportunities to reduce flood risk in the surrounding area must be taken, including creating additional flood storage. Furthermore, Policy EM5 states that all development must apply SuDS and should ensure that surface water runoff is managed as close to its source as possible.

As originally submitted the LLFA raised concerns with the application due to the shortfall of the drainage and flood risk information provided with the application, which resulted in an objection being raised. The applicants have however, during the extended time period of the application, have undertaken new supporting information and a detailed drainage design which is the LLFA considers to be acceptable, thereby the objection previously raised has been removed.

Within the detailed design it is noted that the use of the permeable paving is to be used and that cellular attenuation features are included under a significant proportion of the parking area which allows for a sizeable area of storage/attenuation. Whilst final engineering designs are required it is deemed that these can be secured via condition. This application is therefore considered to not be contrary to Policies EM4 and EM5 of the Local Plan.

Contaminated land

Policy EM6 seeks to ensure that redevelopment of previously developed land does not have a negative impact on water quality, either directly through pollution of surface or ground water or indirectly through the treatment of waste water by whatever means.

As part of the application submission the applicants submitted a Ground Conditions Report which covers contamination issues within the site. The report noted that an intrusive investigation be undertaken, with any remediation required ahead of any dwellings being constructed and occupied.

Environmental Protection again note the content of the report and have requested that conditions be appended to the decision requiring further ground contamination works to be undertaken ahead of the construction of any proposed dwellings. This accords with the recommendations of the submitted Ground Conditions Report, had the application therefore been acceptable, suitably worded conditions would have been appended to secure the required remediation.

Air Quality

Policy EM6 seeks to ensure that redevelopment of previously developed land does not have a negative impact on water quality, either directly through pollution of surface or ground water or indirectly through the treatment of waste water by whatever means. 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. Policy H3 of the Local Plan states that a suitable residential environment will be

safe from environmental pollutants such as land contamination, excessive noise and air quality issues.

The applicants have submitted an air quality assessment, the recommendations and mitigation proposed within the statement has duly been considered as no objection was raised by Environmental Protection, subject to conditions securing low emission boilers and EV charging spaces. A CEMP is also secured to manage air quality issues during the construction phase, with these conditions attached the application is considered acceptable.

Trees

Paragraph 136 of the NPPF (2024) attributes trees to making an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. As such the NPPF is clear in that planning decisions should ensure that new streets are tree-lined and that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

Policy GE4 of the Local Plan states the development proposals will be positively considered provided that:

- a) there is no unacceptable loss of, or damage to, existing trees or woodlands during or as a result of development, any loss should be supported by a tree survey.
- b) trees not to be retained as a result of the development are replaced with new trees as part of a well-designed landscape scheme; and
- c) existing trees worthy of retention are sympathetically incorporated into the overall design of the scheme including all necessary measures taken to ensure their continued protection and survival during construction

In this case the site contains a number of trees to the western boundary separating the site and the Chesils, as part of the re-development of the site the majority of trees are being retained, an arboricultural impact assessment and method statement with a constraints plan, no objections have been raised by the Tree Officer for the scope of works and compliance conditions have been appended to the decision to secure the measures as set out. The retained trees will form part of the wider proposed landscaping proposals secured via condition.

Ecology

Paragraph 187 (d) of the NPPF (2024) states that planning decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures within the site.

Policy GE1 of the adopted Local Plan expects new development proposals to make provision for green infrastructure to ensure that such development is integrated into the landscape and contributes to improvements in connectivity and public access, biodiversity, landscape conservation, design, archaeology and recreation. Whilst also maintaining the quality and quantity of existing green infrastructure, and where the quantity is not retained, enhancement to quality is expected.

Policy GE3 of the Local Plan states proposals for development will be permitted provided that they protect, enhance and/or restore habitat biodiversity. Development proposals will be expected to ensure that they:

- Lead to a net gain of biodiversity, where appropriate, by means of an approved ecological assessment of existing site features and development impacts.
- Protect or enhance biodiversity assets and secure their long-term management and maintenance.
- Avoid negative impacts on existing biodiversity; and
- Preserve species which are legally protected, in decline, are rare within Coventry or which are covered by national, regional or local Biodiversity Action Plans.

In this case the site is not located within, or in proximity of, a statutory or non-statutory wildlife site and is laid primarily to hardstanding with managed grassland to the rear of the site, albeit with a number of trees and hedges.

As with other areas of information, the information originally submitted was subject to an objection from the Council’s Ecologist as the documents did not provide sufficient detail and mitigation to ensure that 10% BNG could be achieved within the site. The applicants have however updated the information provided and includes a Preliminary Ecological Appraisal, Biodiversity Net Gain Report and Preliminary Bat Roost Assessment. The reports make a series of recommendations to include a detailed, native planting scheme with wildlife friendly flowers and species (attached via hard/soft landscaping condition), together with undertaking works outside of nesting season. With the proposed site layout, the net gain achieved for biodiversity across the site equates to an improvement of 0.04 habitat units or 12.47%, an uplift of the minimum requirement set out within the Environment Act 2021, there is also a significant increase proportionately with the hedgerow habitats being improved by 0.36 habitat units or 436.04%, this figure appears significant due to the presence of hardstanding and managed grassland.

Based on the above the application as proposed accords with the aforementioned policies and, subject to conditions relating to; nesting birds; hedgehog habitat enhancement; additional biodiversity features (i.e. bat and swift boxes) and a habitat management and monitoring plan the application is deemed acceptable.

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, together with the provision of 25% affordable housing on a 50:50 tenure split. The financial heads of terms are as follows:

| Contribution | Amount | Towards |
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| NHS UHCW | £17,669.77.00 | Improvements to existing hospital infrastructure to expand capacity to meet |

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| | | the additional needs of residents from the development site. |
| Total | £17,669.77 | |

The developer has agreed to the requested contributions.

Other Matters

Within the consultation, it is noted that the Council's Economic Development Service requested a condition be appended to any approval to secure a local employment strategy during the construction phase to target local workers where possible, this request is in line with Policy JE7 of the adopted Local Plan (2017) and is typically applied to all major developments, as per the threshold set out within the policy. This is duly appended to the decision.

WM Fire Service also made comments on the application during the course of the consultation, the comments provided raised no objections and instead set out expectations of flatted developments primarily relating to building regulations. The applicants are duly aware of the comments and an informative has been appended to the decision recommending that the applicants consider the requirements ahead of any construction commencing.

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 is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, highway safety, ecology 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, H3, H4, H6, DE1, AC1, AC2, AC3, AC4, GE1, GE3, GE4, EM4, EM5, EM7, EM8 and IM1 of the Coventry Local Plan 2017, together with the aims of the NPPF (2024).

CONDITIONS / REASONS

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| 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> |
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| 2. | <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Location Plan DWG 00a Site Plan - Residential Scheme DWG 01h Proposed Ground Floor Plan DWG 06e First Floor Plan DWG 23/103 07c Second Floor Plan DWG 23/103 07c Proposed Elevations DWG 23/103 09c Tree Protection Plan DWG Arbtech TPP 01 Arboricultural Method Statement Arboricultural Impact Assessment Plan DWG Arbtech AIA 01 Biodiversity Net Gain Biodiversity Metric Calculation Preliminary Roost Appraisal Drainage Construction Details DWG 101-P1 Drainage Strategy DWG 100-P1 Manhole Schedule DWG 102-P1 Foul and Surface Water Drainage Strategy Revision A External Works Surfacing Plan DWG XXX-P01</p> |
| Reason | <i>For the avoidance of doubt and in the interests of proper planning</i> |
| 3. | <p>Prior to their incorporation into the development, details of:-window/ door frame colour and materials;-glazing details;-brick and mortar details;-cladding details including colour/finish and profile, fixing systems and joint details;-details of any rainwater goods;-details of any vents/grilles; 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> |

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| 4. | No lighting or illumination of any part of any 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 | <i>To safeguard the amenities of the adjoining occupiers of the development in accordance with Policy DE1 of the Coventry Local Plan 2017.</i> |

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| 5. | Prior to the first occupation of the development hereby permitted, details of both hard and soft landscaping works shall be 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 type of bricks and 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 strict accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details within 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. 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 | <i>To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GE1 and DE1 of the Coventry Local Plan 2017.</i> |

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| 6. | Notwithstanding the provision 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, the balconies associated with units 12, 13, 23 and 25 hereby permitted shall not be used unless and until details of the privacy screen to be provided to the associated units have been submitted to and approved in writing by the Local Planning Authority. The privacy screen shall be installed in strict accordance with the approved details before the balcony is first used and thereafter shall be retained in situ and shall not be removed or altered in any way. |
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| Reason | <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> |
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| 7. | 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, windows to be formed in the north-west side facing elevations serving flats 1, 2, 12, 13, and 25 and the south-west side facing elevations serving flats 11 and 22 hereby permitted 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. |
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| Reason | <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> |
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| 8. | No development or other operations (including any demolition, site clearance or other preparatory works) shall commence unless and until the tree protection measures identified in the approved application documentation have been put into place in strict accordance with the approved details and thereafter they shall remain in place during all construction work. In addition no excavations, site works, stock piling, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy or root protection area of any protected tree(s); no equipment, machinery or structure shall be located within this zone; no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). |
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| Reason | <i>To protect those trees which are of amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy GE3 and GE4 of the Coventry Local Plan 2017.</i> |
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| 9. | Notwithstanding the submitted details, no building works shall commence (including any demolition or preparatory works) unless and until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: (i) the location on the site of the affordable housing provision to be |
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| | <p>made</p> <p>(ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing</p> <p>(iii) the arrangements for the transfer of the affordable housing provider;</p> <p>(iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and</p> <p>(v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.</p> |
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| Reason | <i>To ensure the provision of adequate affordable housing in accordance with Policies H1 and H6 of the Coventry Local Plan 2017.</i> |
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| 10. | No residential accommodation unit hereby permitted shall be occupied unless and until the external amenity space for each respective unit has been laid out and provided in full accordance with the details shown on the approved plans and thereafter shall remain available for use at all times. |
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| Reason | <i>In the interests of the amenities of the future occupants of the residential accommodation in accordance with Policy DE1 of the Coventry Local Plan 2017.</i> |
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| 11. | The residential accommodation hereby permitted shall not be occupied unless and until the bin storage areas have been provided in full accordance with the details shown on the approved plans and thereafter they shall remain available for use at all times and shall not be removed or altered in any way. |
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| Reason | <i>In the interests of the amenities of the future occupants of the residential accommodation in accordance with Policy DE1 of the Coventry Local Plan 2017.</i> |
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| 12. | Prior to the first occupation of the development hereby permitted, details of general ecological habitat enhancement measures and hedgehog mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. Such measures shall include; retention and management of boundary vegetation, and hedgehog friendly boundary fencing and gates. The habitat enhancement measures shall be undertaken in strict 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. |
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| Reason | <i>To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2017 and the advice contained within the NPPF.</i> |
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| 13. | Prior to the first occupation of the development hereby permitted at least 4 no. bird boxes shall be installed on the building at no less than 4m high; and once installed they shall be retained and shall not be removed or altered in any way. |
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| Reason | <i>To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2017 and the advice contained within the NPPF.</i> |
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| 14. | No demolition of buildings or vegetation removal shall take place between 1st March and 31st August (inclusive) unless a survey to assess the nesting bird activity on the site during this period has been undertaken by a qualified surveyor, and a scheme to protect any nesting birds identified on the site has first been submitted to and approved in writing by the Local Planning Authority. No demolition of buildings or vegetation removal between 1st March and 31st August (inclusive) other than in strict accordance with the approved bird nesting protection scheme. |
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| Reason | <i>To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2017 and the advice contained within the NPPF.</i> |
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| 15. | Prior to the first occupation of the development hereby permitted a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following: a) Description and evaluation of features to be managed; b) Ecological trends and constraints on site that might influence management; c) Aims and objectives of management, including mitigation and enhancement for species identified on site; d) Appropriate management option for achieving aims and objectives; e) Prescriptions for management actions; f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period); g) Details of the body or organisation responsible for implementation of the plan, along with funding mechanism(s) for that body or organisation; h) Ongoing monitoring and remedial measures, including where monitoring shows that conservation aims and objectives of the LEMP are not being met. The LEMP plan shall be implemented in strict accordance with the approved details within three |
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| | months of the first occupation of the development and thereafter shall not be withdrawn or amended in any way. |
| Reason | <i>In order to safeguard and enhance habitat on or adjacent to the site in order to secure an overall biodiversity gain in accordance with Policy GE3 of the Coventry Local Plan 2017.</i> |
| 16. | No development (including any demolition or preparatory works) shall commence unless and until a survey for the presence of bats has been carried out by a qualified surveyor and has been submitted to and approved in writing by the Local Planning Authority. Should the presence of bats be found then no demolition or preparatory works shall take place until full details of measures for bat mitigation and conservation in accordance with good practice guidelines have been submitted to and approved in writing by the Local Planning Authority. All works shall be implemented in strict accordance with the approved timings and details and once undertaken any mitigation works shall not be removed or altered in any way. |
| Reason | <i>To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2017 and the advice contained within the NPPF.</i> |
| 17. | No part of the development hereby permitted shall be occupied unless and until cycle parking facilities have been provided in full accordance with the approved details. 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> |
| 18. | 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; and any report of the findings must be submitted to and approved in writing by the local planning authority prior to the commencement of development (including any demolition). The report of the findings, to be conducted in accordance with Environment Agency Guidance Land Contamination: Risk Management (2021) and must include (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risk to; human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service |

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| | 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) |
| Reason | <i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2017 and the aims and objectives of the NPPF.</i> |
| 19. | The development shall only be undertaken in accordance with 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, which shall be submitted to and approved in writing by 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 | <i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2017 and the aims and objectives of the NPPF</i> |
| 20. | 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 the remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. |
| Reason | <i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2017 and the aims and objectives of the NPPF</i> |
| 21. | Prior to occupation of the development hereby permitted and following completion of the measures identified within the remediation scheme approved under condition No. 20, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to the Local Planning Authority for approval in writing. |
| Reason | <i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2017 and the aims and objectives of the</i> |

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| | <i>NPPF.</i> |
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| 22. | 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 No. 18, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition No. 19, which shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition No. 20. |
| Reason | <i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2017 and the aims and objectives of the NPPF (2024).</i> |

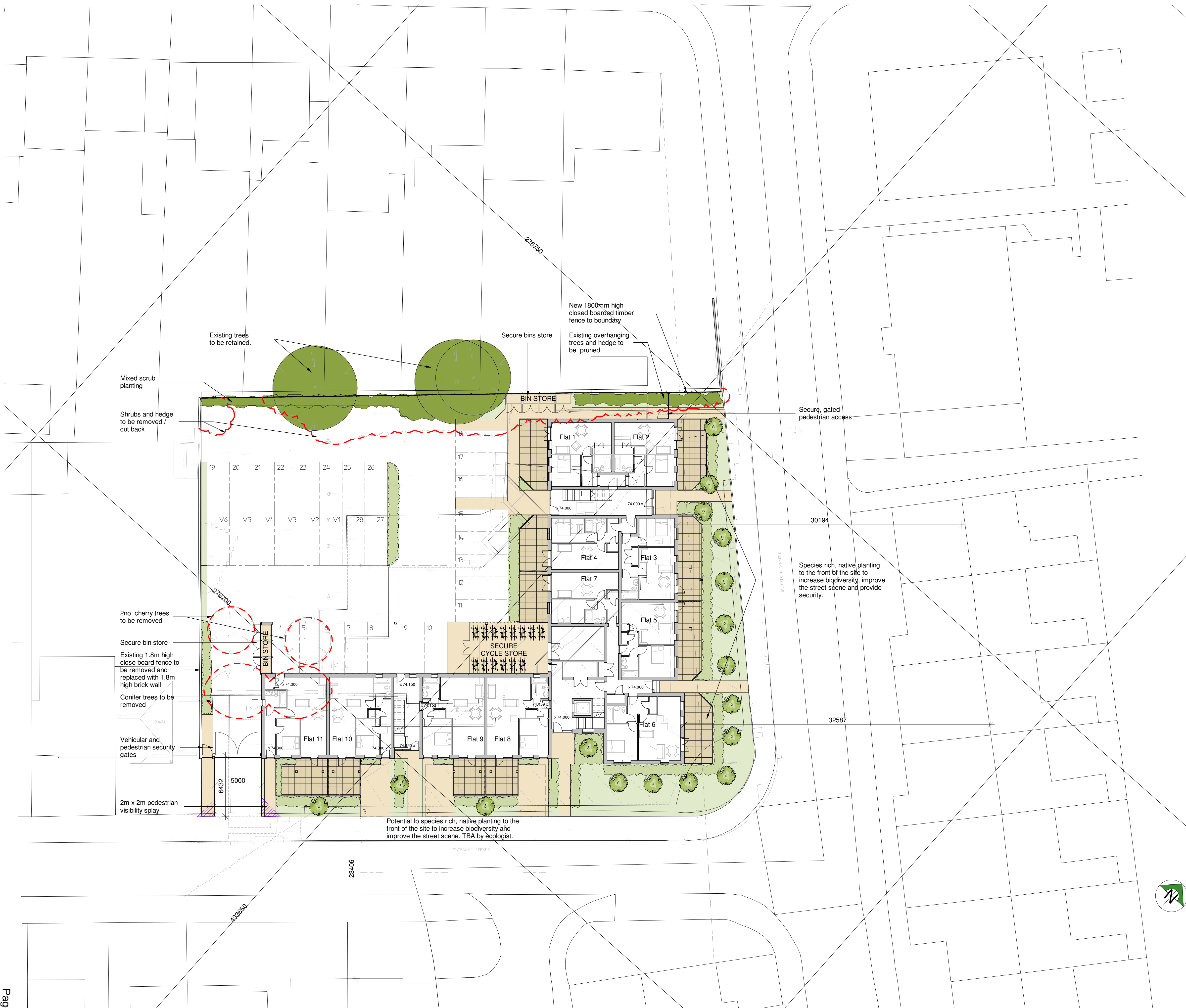
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| 23. | Prior to their incorporation into the development hereby permitted, a package of measures to minimise the impact of the development upon local air quality shall be submitted to and in writing by the Local Planning Authority. These measures shall have consideration of the following: -(i) Provision for electric vehicle recharging points or dwellings to be made 'EV-ready' so a power connection is available to install an EV charge point as required;(ii) 10% of parking provision to be for EV re-charging on non-residential development(iii) Use of low NOx boilers (to have a maximum dry NOx emissions rate of 40mg/kWh);(iv) A construction method statement demonstrating how dust and noise emissions are to be mitigated during construction. The measures shall be installed in full accordance with the approved details prior to first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way. |
| Reason | <i>To mitigate the impacts of development on air quality during and post construction in accordance with Policies DS3 and EM7 of the Coventry Local Plan 2017.</i> |

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| 24. | The development hereby permitted shall only proceed in strict accordance with a scheme for targeting and utilising local people for construction and employment, which shall be submitted to an approved in writing by the Local Planning Authority. |
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| Reason | <i>To secure local employment in accordance with the City Council jobs strategy and Policy JE7 of the Coventry Local Plan 2017.</i> |
| 25. | The development hereby permitted shall not be occupied until works to the footway to close the redundant existing vehicular accesses onto Watercall Avenue and Dillotford Avenue have been completed and accesses permanently closed, the footway reinstated, and any associated footway works completed in full accordance with the details shown on the approved drawings. |
| Reason | <i>In the interests of highway safety in accordance with the aims and objectives of Policies AC1 and AC2 of the Coventry Local Plan 2017.</i> |
| 26. | The development hereby permitted shall not be occupied unless and until the access to the site, manoeuvring space and car parking area indicated on the approved drawings have been provided in full accordance with those details and thereafter those areas shall be kept marked out and available for such use at all times. |
| Reason | <i>In the interests of highway safety in accordance with the aims and objectives of Policies AC1, AC2 and AC3 of the Coventry Local Plan 2017.</i> |
| 27. | No development (including any demolition) shall take place unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of: - hours of work; - hours of deliveries to the site; - the parking of vehicles of site operatives and visitors during the demolition/construction phase; - the delivery access point; - the loading and unloading of plant and materials; - anticipated size and frequency of vehicles moving to/from the site; - 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 demolition and construction; - measures to control the presence of asbestos; - measures to minimise noise disturbance to neighbouring properties during demolition and construction; - details of any piling together with details of how any associated vibration will be monitored and controlled; and - a scheme for recycling / disposing of waste resulting from demolition and construction works. Thereafter, the approved details |

| | |
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| | within the CMP shall be strictly adhered to throughout the construction period and shall not be amended in any way . |
| Reason | <i>The agreement of a Construction Management Plan prior to the commencement of development is fundamental to ensure a satisfactory level of environmental protection; to minimise disturbance to local residents and in the interests of highway safety during the construction process in accordance with Policies EM7, AC1 and AC2 of the Coventry Local Plan 2017.</i> |

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Proposed planting

- Shrub planting to include hawthorn, blackthorn, hornbeam hedge and low level honeysuckle such as Lonicera nitida "Baggesen's Gold" and / or Lonicera pileata.
- All hedgerows to the front of patios to be maintained at 1.2m height.
- Trees to be a mix of field maple, hazel, crab apple and rowan
- Lawn

Accommodation schedule

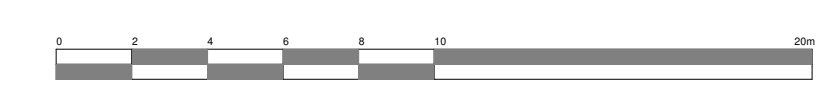
| | 1 bed | TOTAL |
|--------------|-------|-------|
| Ground Floor | 11 | 11 |
| First Floor | 13 | 13 |
| Second Floor | 4 | 4 |
| | 28 | 28 |

Parking requirement

28 bed spaces = 28 car parking space
 1 bed = 1 visitor space per 5 dwellings
 = 6 visitor spaces

TOTAL REQUIREMENT
 34 parking spaces
 28 cycle spaces

| Rev. | Date | Description | By | Ckd |
|------|----------|---|-----|-----|
| A | 06.12.23 | No. of units increased | ZLM | |
| B | 09.02.24 | Layout amended to all 1 bed | ZLM | |
| C | 14.02.24 | Dotted lines added to indicate removed planting | ZLM | |
| D | 15.03.24 | Additional planting and planting key added to meet BNG requirements | ZLM | |
| E | 27.03.24 | Dimensions to adjacent buildings added. Pedestrian visibility splay to exit car park added. | ZLM | |
| F | 03.05.24 | Client name amended | ZLM | |
| G | 02.12.24 | Building moved closer to Dilford Ave to meet highways requirements. Access gates added. Revised building design shown. More planting added. | ZLM | |
| H | 20.01.25 | FFL's amended | ZLM | |



Client: **Because we care cleaning Ltd**

Project Title: **Proposed development The New Haven Dilford Ave, Coventry**

Drawing Title: **Site plan - Residential scheme**

Scale: 1:200 Date: Nov 2023 Sheet: A1

Author: ZLM Checked by: []

Job No: 23/103 Drawing No: 01h

Client: **hayward ARCHITECTS LTD**
 19 Station Road, Brackley, Leicestershire LE10 1AW
 Tel: 01455 635 665 Fax: 01455 616 971 www.hayward-architects.co.uk

STATUS: **FEASIBILITY**



SOUTH EAST ELEVATION (FACING WATERCALL AVENUE)



NORTH EAST ELEVATION (FACING DILLOTFORD AVENUE)



NORTH WEST ELEVATION



SOUTH EAST ELEVATION

| Rev. | Date | Description | By | Ckd |
|------|----------|--|-----|-----|
| A | 11.03.24 | Roofs changed from hipped to gables | ZLM | |
| B | 03.05.24 | Client name amended | ZLM | |
| C | 19.12.24 | Amendments to scale, materials and roof form following planners comments. Gates added. | ZLM | |
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|---------------|------------|---|----------|--|--|
| Client | | Because we care cleaning Ltd | | hayward | |
| Project Title | | Proposed development The New Haven Diloftford Ave, Coventry | | ARCHITECTS LTD | |
| Drawing Title | | Proposed elevations | | 19 Stratton Road Hinckley Leicestershire LE10 1AW www.hayward-architects.co.uk | |
| Scale | Date | Sheet | Job No. | Drawing No. | |
| 1:100 | Feb 2024 | A1 | 23/103 | 09c | |
| Author | Checked by | Status | PLANNING | | |
| ZLM | LJW | | | | |

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|----------------------------------|------------------------------|
| Planning Committee Report | |
| Planning Ref: | PL/2024/0002336/HHA |
| Site: | 21 Nutbrook Avenue |
| Ward: | Woodlands |
| Proposal: | Single storey rear extension |
| Case Officer: | Grace Goodman |

SUMMARY

The application proposes a single storey rear extension to an existing bungalow adjacent to an area of ancient woodland (Pig Wood) which is intended to provide specialist accommodation for the applicants family along with carers accommodation.

BACKGROUND

The application has been recommended for refusal. The application has been called in by a Councillor. The application is a revised proposal following the refusal of a similar application in 2022 which was subsequently dismissed at appeal.

KEY FACTS

| | |
|--|---------------------------|
| Reason for report to committee: | Called in by a councillor |
| Current use of site: | Residential dwelling |
| Proposed use of site: | Residential dwelling |

RECOMMENDATION

Planning Committee are recommended to refuse planning permission.

REASON FOR DECISION

- The proposal would impact upon the adjacent ancient woodlands (Pig Wood)
- The proposal would be contrary to Policies: GE3 and GE4 of the Coventry Local Plan 2017 and emerging Policies GE3 and GE4 in the Local Plan review.

SITE DESCRIPTION

The application site relates to a detached bungalow located on the southern side of Nutbrook Avenue. The property benefits from onsite parking and a rear soft landscaped garden. The property has been extended to the rear alongside the eastern boundary, with the built development within the site being around 13.5m from the rear boundary. Directly to the rear boundary of the property is Ancient Woodland (Pig Wood)

APPLICATION PROPOSAL

The application proposes a single storey rear extension along the eastern side boundary of the property. The proposed extension would adjoin a previous extension and garage conversion to the side and rear. The proposed extension would project a further 4.5m beyond the existing extension with a width of 6m with a flat roof and 2 roof lanterns creating a maximum height of 3.1m.

PLANNING HISTORY

HH/2022/0871 - Erection of single storey rear extension – REFUSED 28/07/2022 and subsequently dismissed at appeal.

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF) December 2024. 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".

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 DS3: Sustainable Development Policy

Policy H5: Managing Existing Housing Stock

Policy DE1: Ensuring High Quality Design

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

Policy GE4: Tree Protection

Emerging Local Policy Guidance – Local Plan Review Reg 19 Consultation

The Local Plan review is currently at Reg 19 consultation. Relevant emerging policy relating to this application is:

Policy DS3: Sustainable Development Policy

Policy H5: Managing Existing Housing Stock

Policy DE1: Ensuring High Quality Design

Policy GE3: Biodiversity, Geological, and Landscape Conservation

Policy GE4: Tree Protection

Supplementary Planning Guidance/ Documents (SPG/ SPD):
SPD Householder Design Guide

CONSULTATION

Statutory

None

Non-statutory

Objections have been received from:

- Trees

Neighbour consultation

Immediate neighbours have been notified in accordance with the communication record. No responses were received.

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 visual amenity, impact upon neighbouring amenity, and impact upon ecology and biodiversity.

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 strong 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.”

Design and Visual

Section 12 of the NPPF, specifically paragraph 131 states in part that ‘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’. This is echoed by Policy DE1 and H5 of the Coventry Local Plan 2017 which seeks to ensure that development complement or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. The proposed extension is located to the rear of the property where it will not be visually prominent. The flat roofed design of the extension would be a continuation of existing extensions to the rear of the property and would not be an uncharacteristic feature in this residential setting with matching materials to the main dwelling. The extension would not adversely impact on the visual amenities of the locality

Neighbouring 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. Along the shared boundary No. 19 has an existing wooden shed and garage which the proposal would extend past by only 1.6m. It is considered that as the shed is not a habitable room, the extension is towards to the rear of the property and there is no loss light to the main dwelling house of No 19, the proposals will not adversely impact the neighbour at No.19. It is set away from the shared boundary with no.23 so would have very little impact on this property.

Ecology and biodiversity

The main issue is the location of the proposed extension and its close proximity to the boundary with the adjacent ancient woodland (Pig Wood). This application follows on from a similar previous application in 2022 where the proposal was for a rear extension projecting 8m, resulting in a separation distance of just 5.39m to the rear boundary and ancient woodland. The application was refused as it was considered that *'The proposed extension would be contrary to Policies GE3 and GE4 of the Coventry Local Plan 2016 by reason of its significant projection into the woodland buffer to the adjacent Ancient Woodland (Pig Wood), which would impact upon the root structures of these protected trees and would therefore have a detrimental impact upon the adjacent Ancient Woodland.'* This decision was upheld and dismissed at appeal by the Planning Inspectorate.

The current application whilst revised to propose a lesser projection of 4.5m rather than 8m, still raises serious concerns about its impact upon the adjoining woodland as it would be located within the crown spreads and woodland buffer of the adjacent mature Ancient Woodland trees. Policy GE3 states that sites such as Ancient Woodlands should be protected and enhanced and negative impacts on the existing infrastructure should be avoided. Pig Wood is a small ancient wood in the suburbs of Tile Hill where it attains very high social value. Designated on the basis of the high nature conservation value there are also a number of scarce plants and a good bird community add to this value.

The proposed development would project 4.5m to the rear, leaving a distance of only 8.89m to the woodland boundary, which falls well below the recommended minimum 15m buffer zone and is therefore likely to adversely impact on the adjacent ancient woodland. Due to the high value of these protected ancient woodlands, the government recommended buffer is a minimum at 15 metres from the boundary of the woodland. This is stated within the government guidance document 'ancient woodland, ancient trees and veteran trees' standard advice. Building an extension just under 9m metres away from the ancient woodlands has high potential to cause damage to the roots of the trees that sit close to the border by compressing the soil and as a result damage the life of the ancient trees. Whilst it is recognised that normally tree protection areas of 12 times the diameter of the trees is accepted for the root protection areas, the requirement for ancient woodlands is for a minimum 15m buffer zone given the importance of protecting these important historic and ecological features.

It is recognised that alterations have been made to the development since the previous application to ensure the extension is further away from the ancient woodland boundary. However, our position remains the same in that the proposed building should extend no closer to the woodlands than the existing built development on site. Whilst, we have every sympathy with the applicants and understand the need for the extensions, personal

circumstances cannot be given significant weight in reaching a decision, which is the view which was taken by the Inspector when considering the previous application. The inspector had considerable sympathy for the appellant's circumstances, but stated "the courts have generally taken the view that planning is concerned with land use in the public interest. Although personal circumstances can sometimes justify a personal or temporary permission, that would not be appropriate here where a permanent structure is intended. As such these are matters to which I can attach only moderate weight in making this decision"

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.

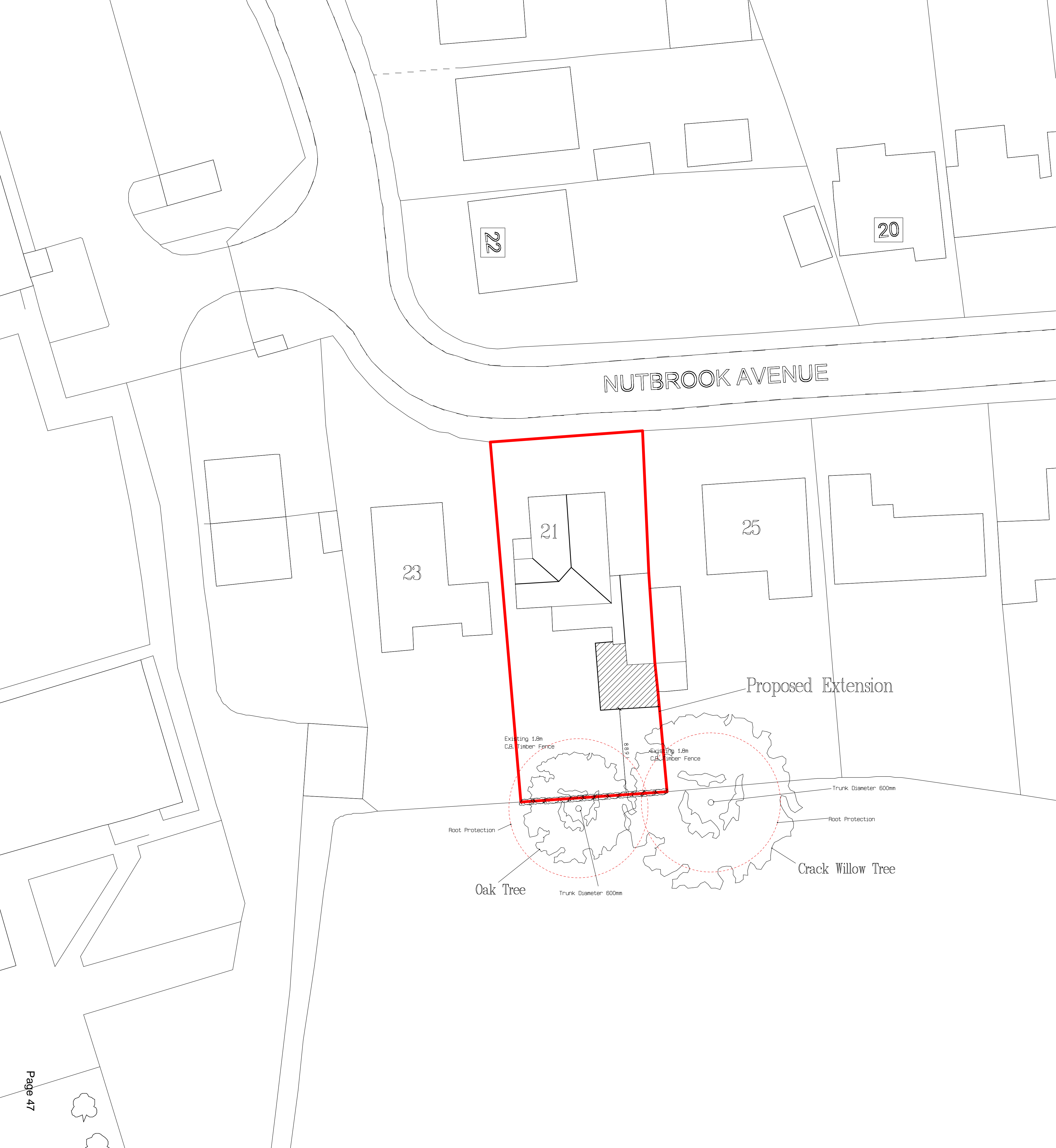
Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

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

Conclusion

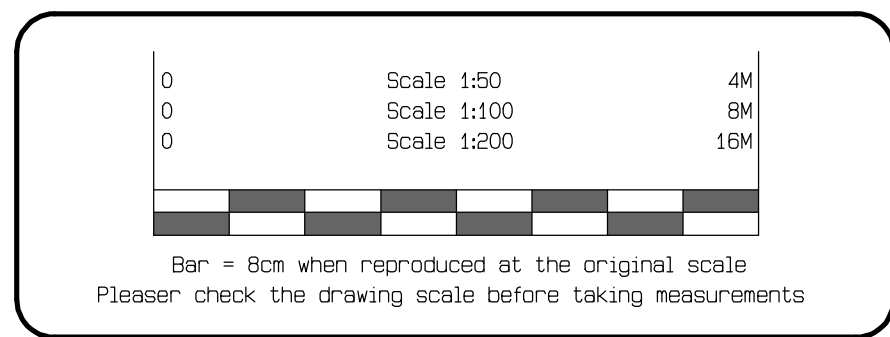
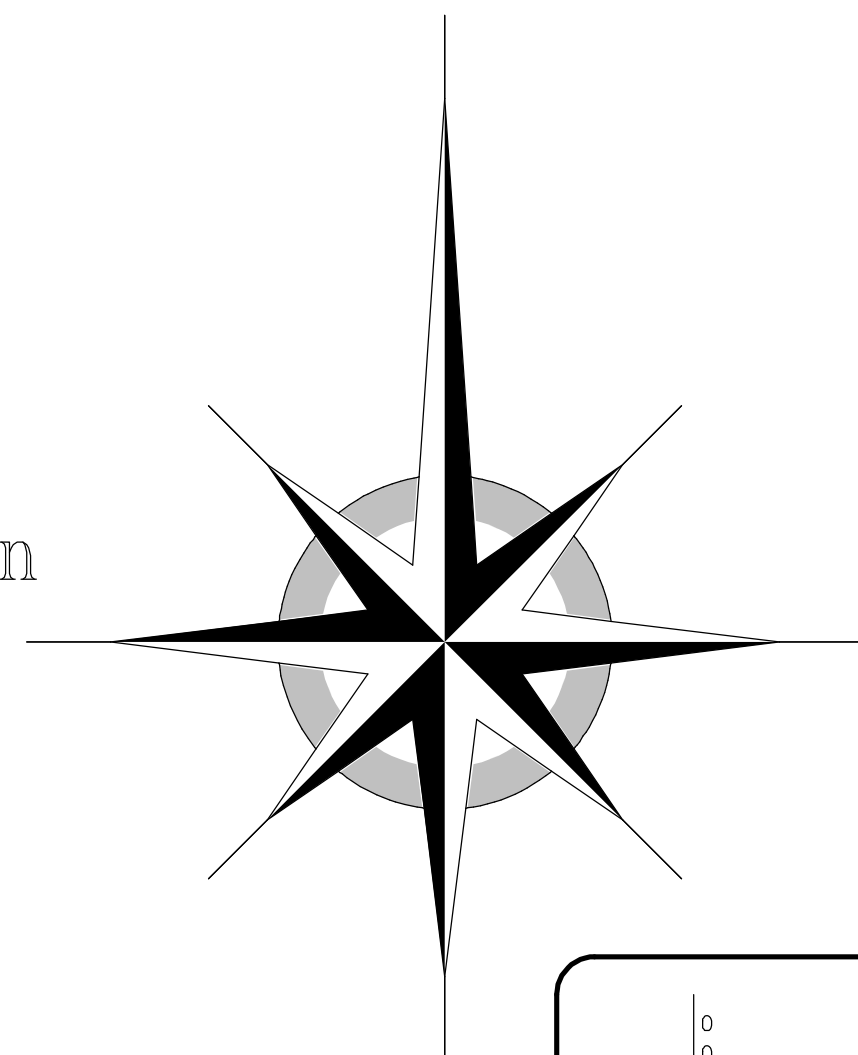
The proposed extension would be contrary to Policies GE3 and GE4 of the Coventry Local Plan 2017 and the emerging Policies GE3 and GE4 in the Local Plan review and the principles of the NPPF 2024 by reason of its significant projection into the woodland buffer to the adjacent Ancient Woodland (Pig Wood), which would impact upon the root structures of these protected trees and would therefore have a detrimental impact upon the adjacent Ancient Woodland.

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Location Plan
Scale 1:1250

Site/Block Plan
Scale 1:200



CDM Regulations 2015 :
Nothing in our appointment or provision of drawings shall be deemed to create any appointments or obligations as a duty holder to Regulation 7 of the CDM Regulations 2015.

Smoke Detection to BS EN 14604 and BS5834 Pt 6 2019 Min L3 standard. Smoke Detection to be mains operated with battery back-up. Smoke heads to be Max 7M from any kitchen and Living Room doors and 3M from any bedroom doors. A separate Conformance Certificate is to be provided by the Installation Contractor.

NOTE
In the absence of detailed ground condition information the foundations assume satisfactory ground bearing conditions, which must be verified on site and agreed suitable with L.A. Officer. Further consideration to detail may have to be given either before or during construction. Building Contractor to ensure that work is carried out only to the officially APPROVED plans. IF IN DOUBT ASK.

THIS DRAWING IS NOT A CONTRACTUAL DRAWING and is principally prepared to obtain Local Authority Approvals. Nor does it constitute a production drawing. Further consideration may have to be given to details on site either before or during the contract period.

CLIENT TO NOTE
You as the Employer have a responsibility under the PARTY WALL ACT 1996 to ensure that all aspects of the said act are adhered to. Your attention is drawn to your responsibilities under the afore mentioned act, namely that you should inform your neighbours in writing that you intend to carry out works to a Party Wall and that he may have certain requirements of his own. You may wish to consult a solicitor or Party Wall Surveyor for further advise on this matter. (Refer to DPM Literature available from your local council offices)

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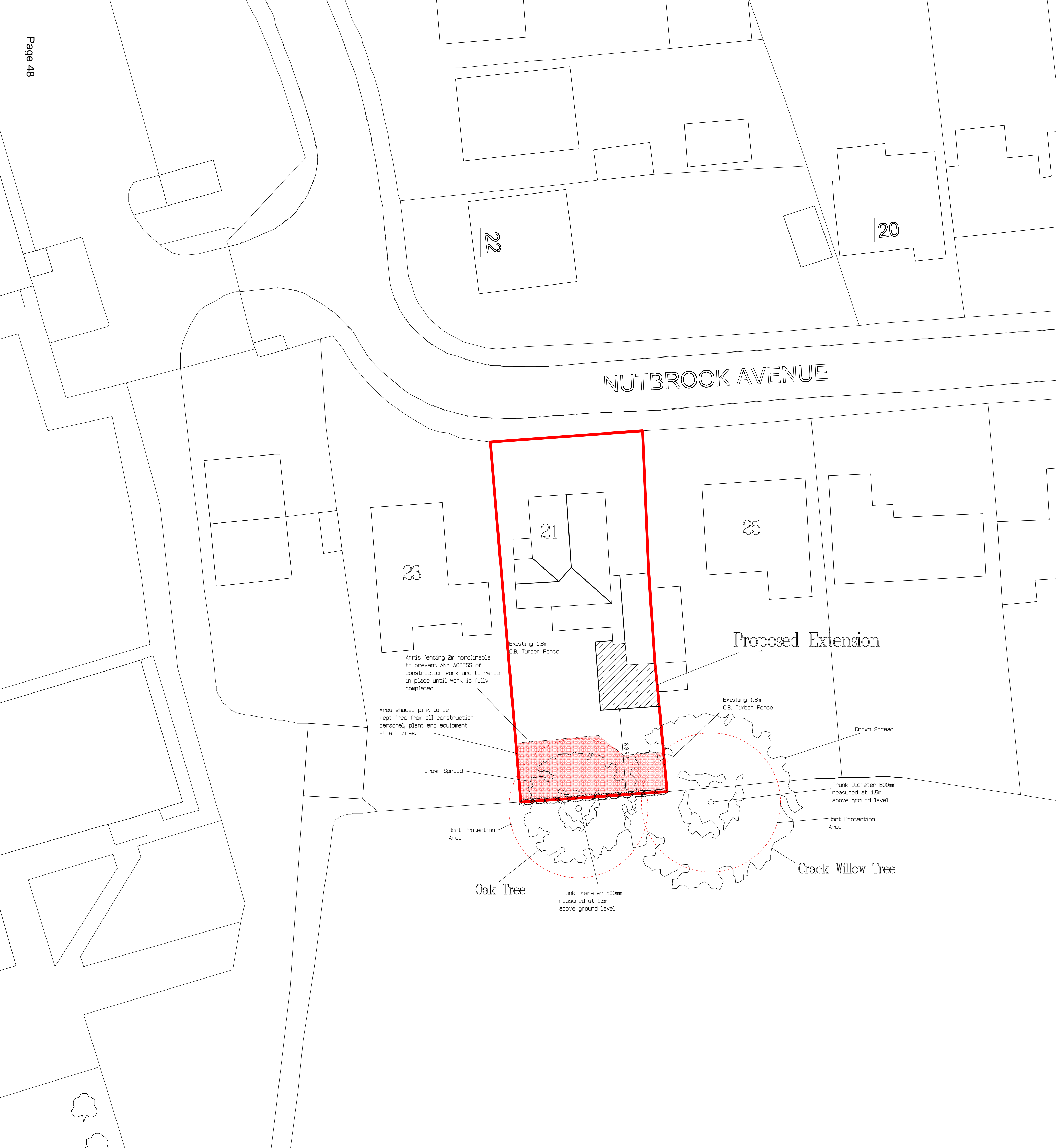
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Coventry
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R.C.I. Design Ltd.

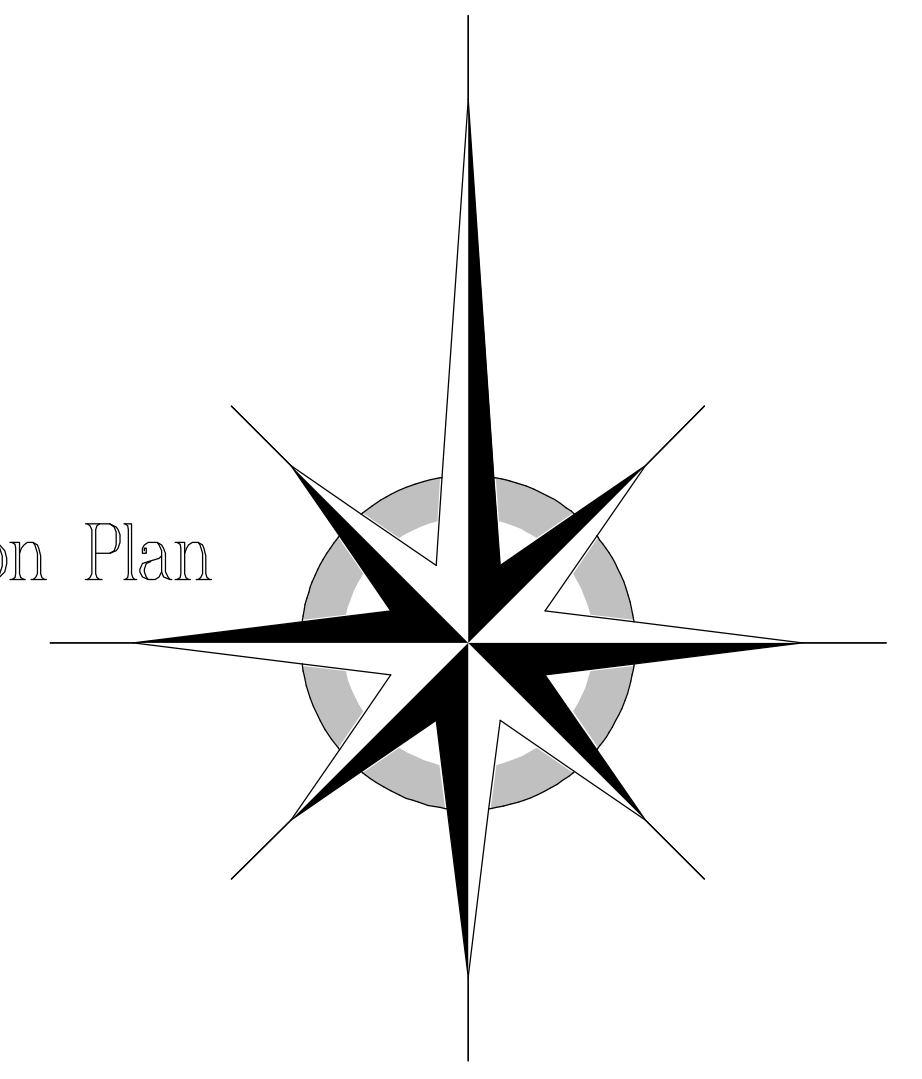
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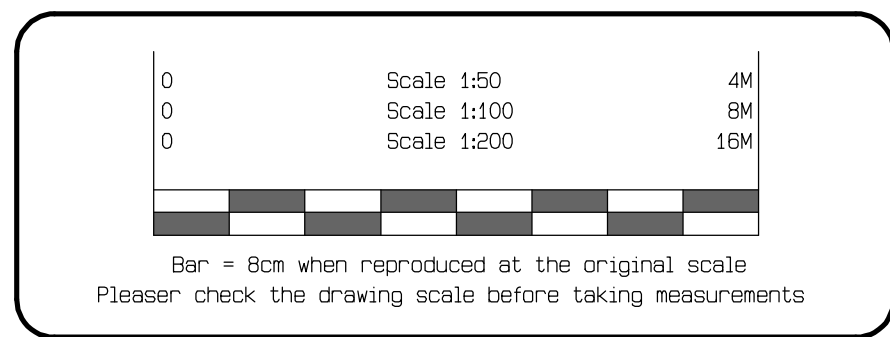
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| SCALE | DATE | DRG No: 9386-03 |
| 1:200 1:1250 | Nov 2024 | REV: |



Tree Protection Plan
Scale 1:200



All tree protection measures will be erected to the RPA's prior to any site activity taking place upon the site.



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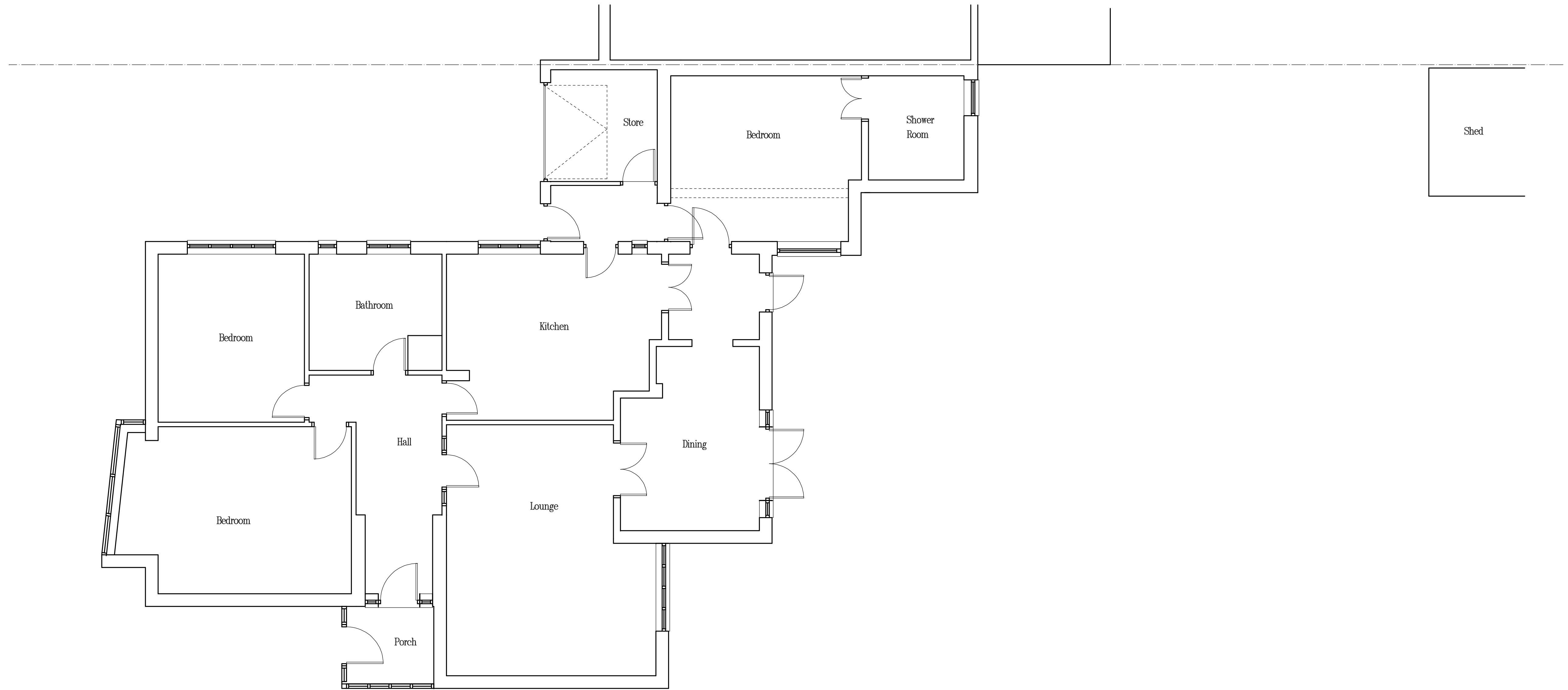
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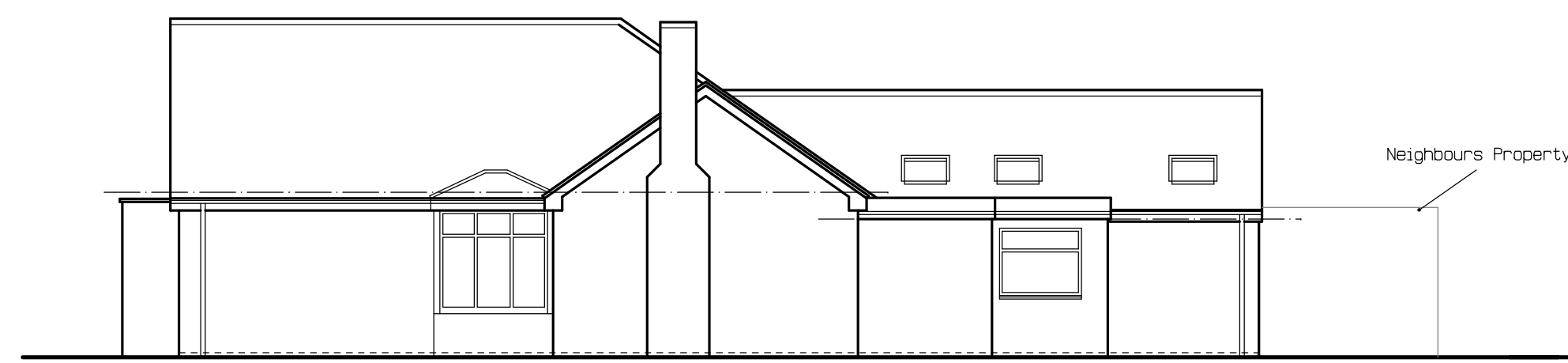
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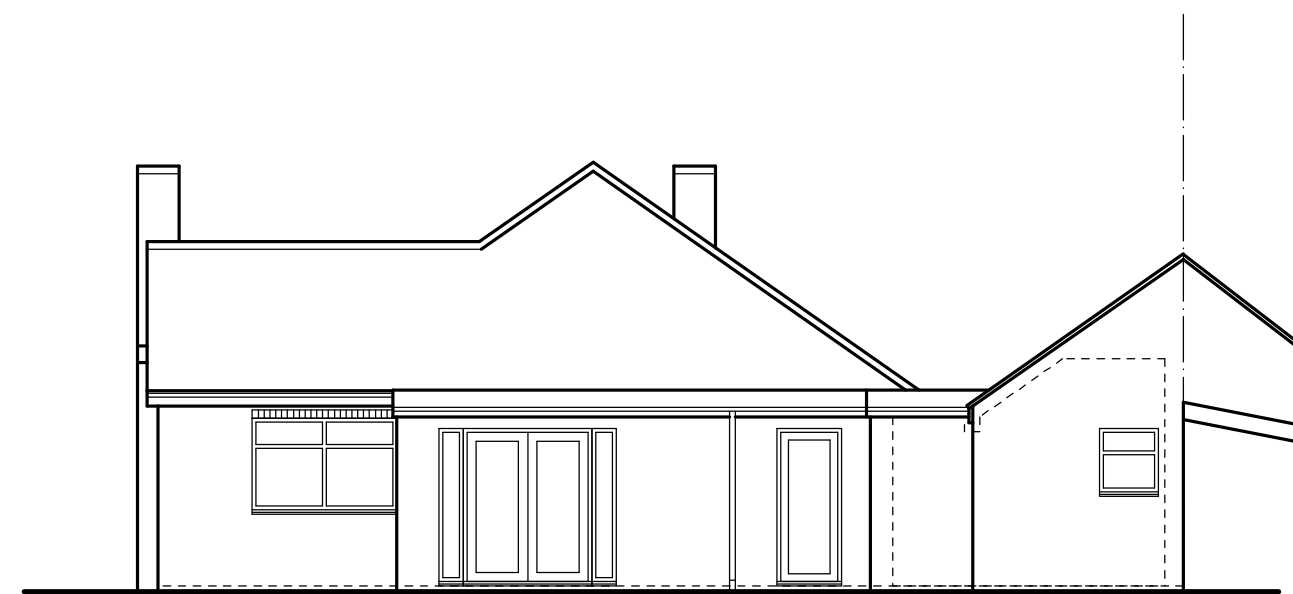
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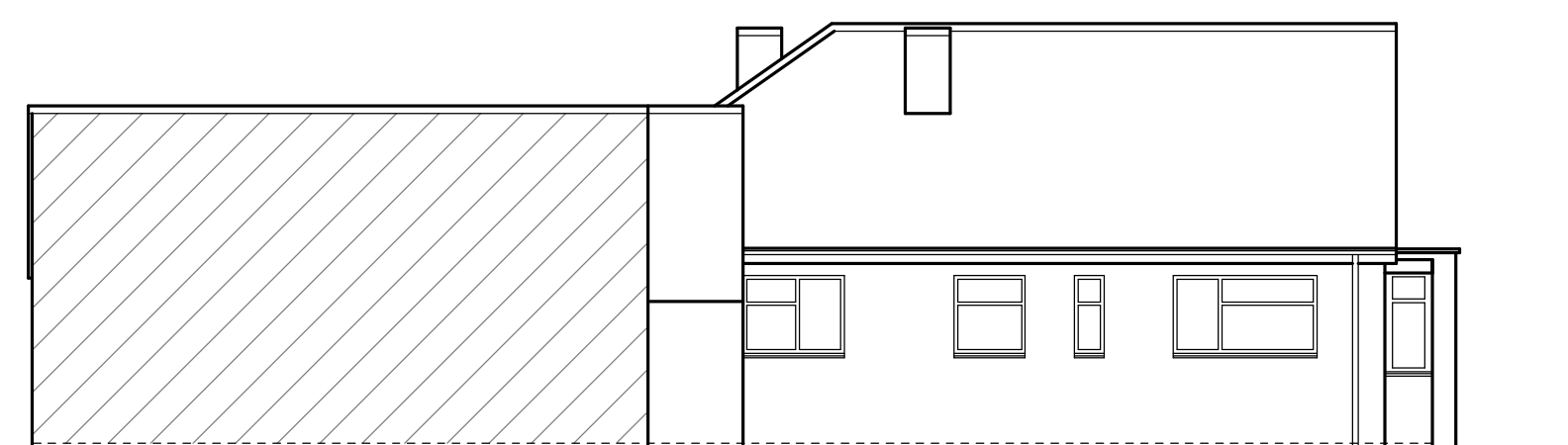
Existing Ground Floor Plan



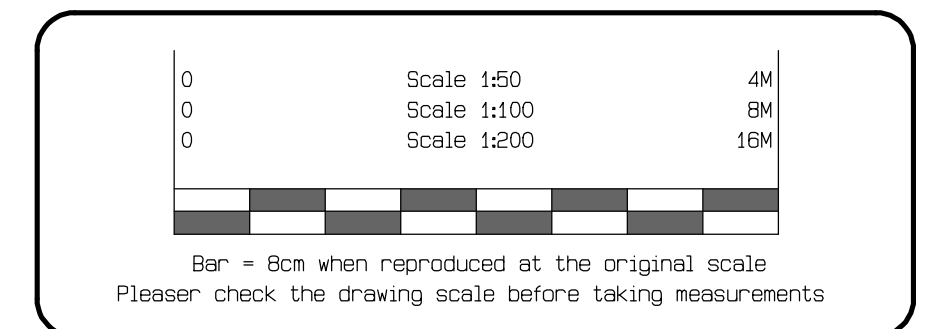
Existing Side Elevation



Existing Rear Elevation



Existing Side Elevation



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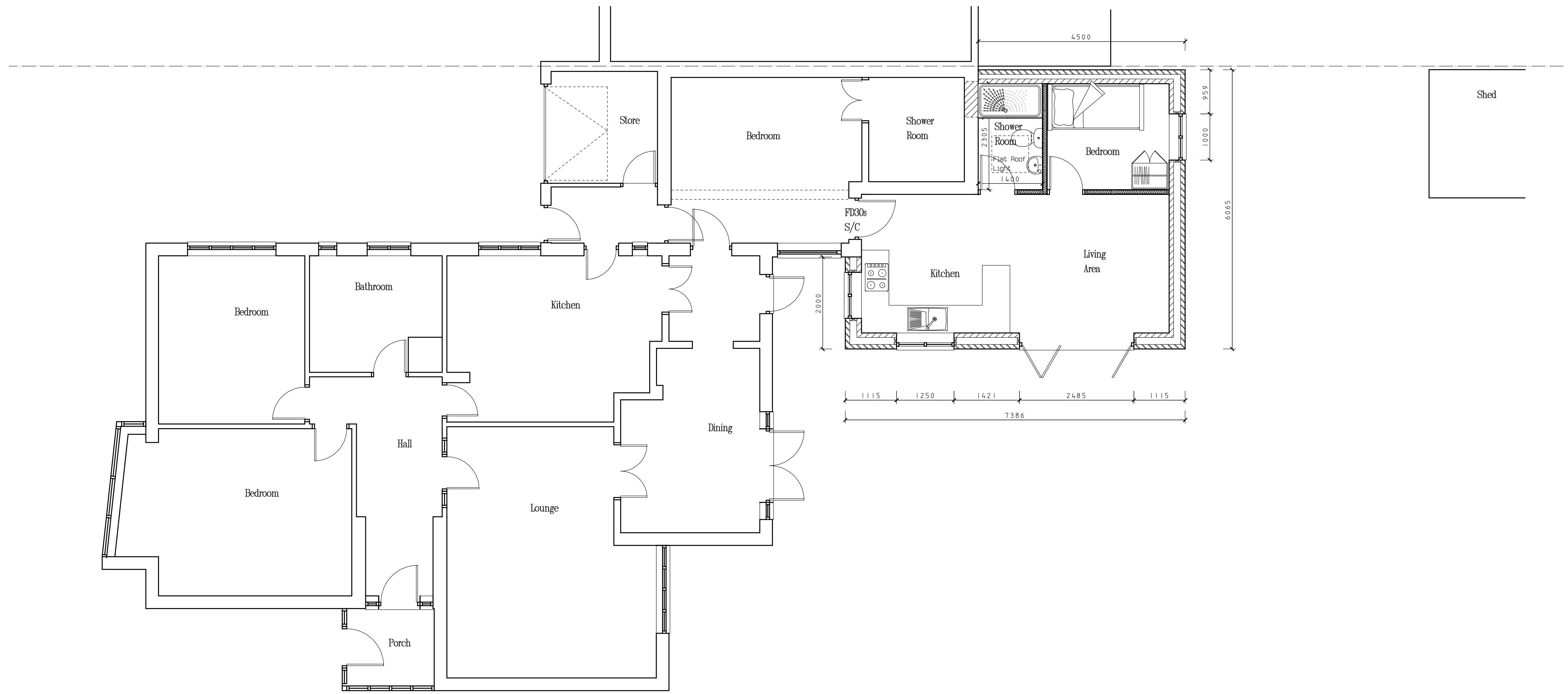
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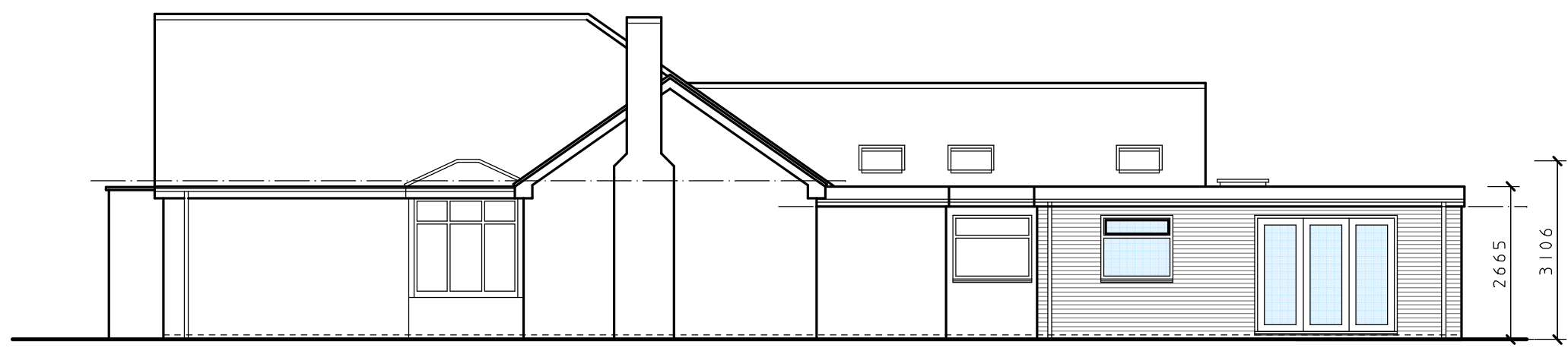
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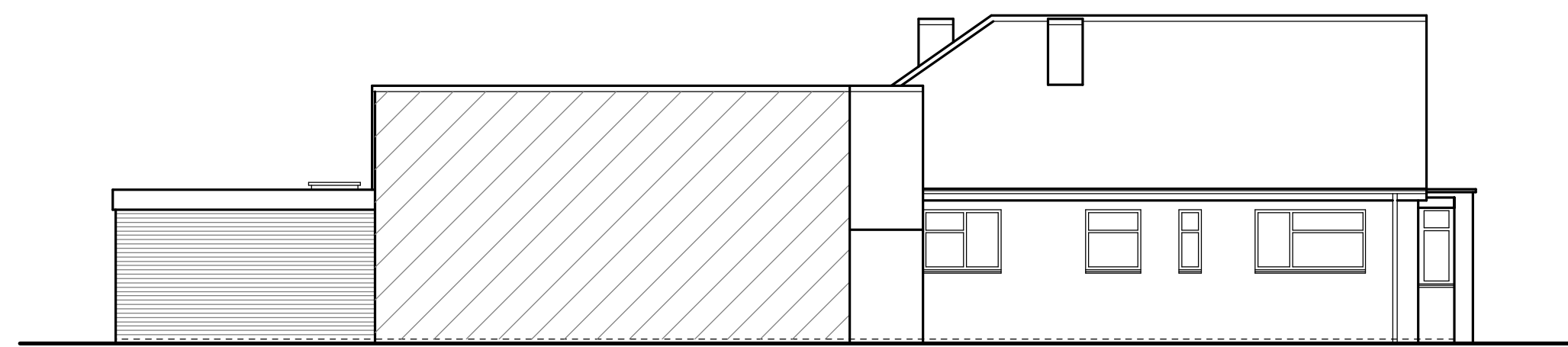
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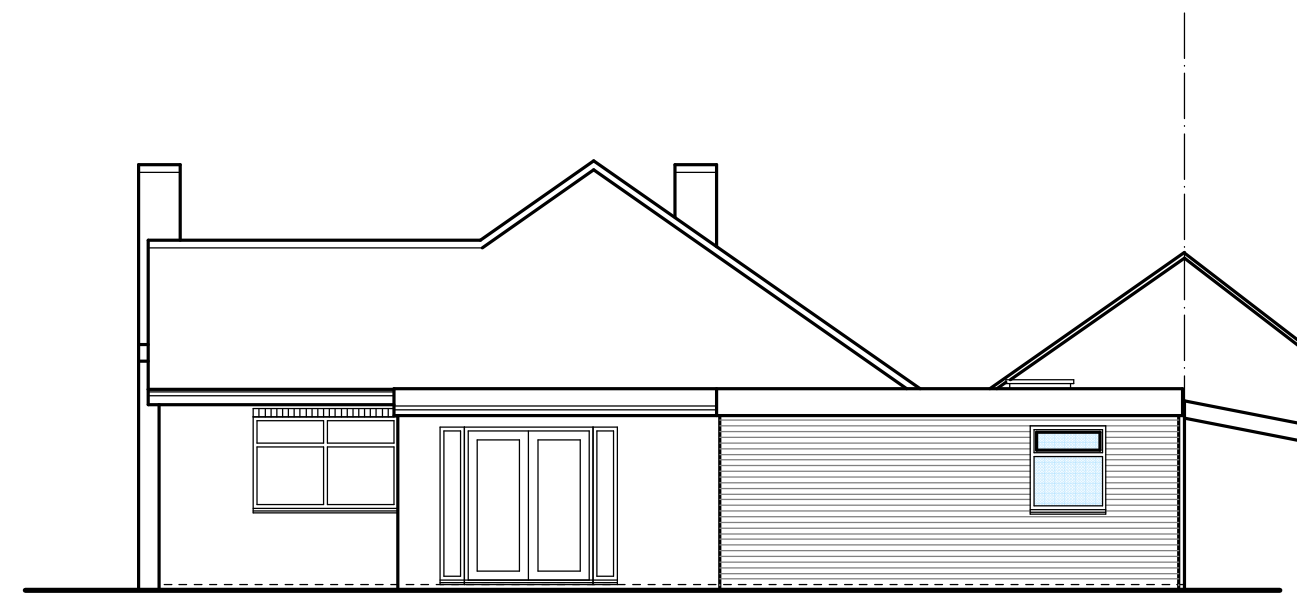
Proposed Ground Floor Plan



Proposed Side Elevation



Proposed Side Elevation



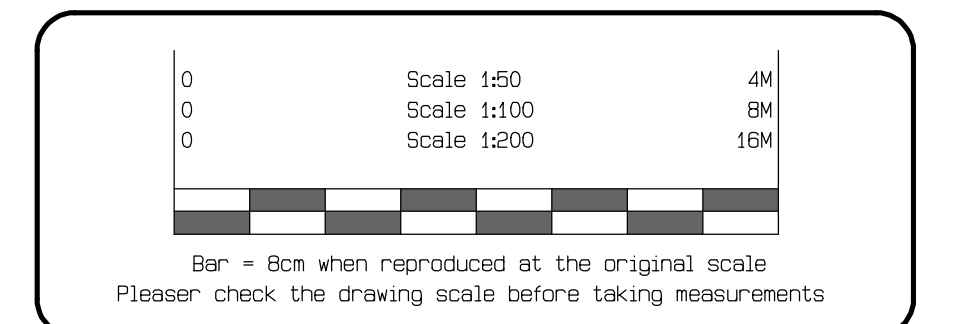
Proposed Rear Elevation

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