

Planning Committee Report	
Planning Ref:	FUL/2017/0756
Site:	Little Cedars, Meadfoot Road, Coventry
Ward:	Binley and Willenhall
Applicant:	Mr and Mrs Morley
Proposal:	Demolition of existing building and erection of residential building with 11 units (mix of 1 bed and 2 bed units) with external space provided for each unit
Case Officer:	Liam D'Onofrio

SUMMARY

The application proposes to demolish the existing two-storey detached building and erect a contemporary apartment building with a mix of eleven 1-bedroom and 2-bedroom units. The report considers, amongst other things, the principle of development and matters of design, neighbouring amenity and highway safety.

KEY FACTS

Reason for report to committee:	Councillor Mutton has requested that this application be determined by Planning Committee due to concerns regarding over-development and highway safety. Representations have also been received from more than 5 properties.
Current use of site:	Vacant – formerly Little Cedars Dental Surgery.
Proposed use:	A residential building with a mix of eleven 1 bed and 2 bed units.
Car parking provision:	Eleven parking spaces – one per unit.

RECOMMENDATION

Planning committee are recommended to grant planning permission subject to conditions and subject to the completion of a legal agreement relating to NHS contributions. Failure to complete the agreement by 26/07/17 may result in the application being refused.

REASON FOR DECISION

- The proposal is high quality design providing a distinctive landmark building within the area.
- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal accords with Policies BE2 of the Coventry Development Plan 2001, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

Planning permission is sought for the demolition of the existing two-storey detached former Dentist's Surgery and the erection of an apartment building that rises from single storey to four storey on St James Lane and two storey to four storey on Meadfoot Road. The building will have a distinctive triangular shape with the full four storey height at the junction of St James Lane/Remembrance Road/Meadfoot Road.

The proposed building will have five 2-bedroom flats, one 1-bedroom flat, four 2-bedroom maisonettes (with accommodation split over two-floors) and a one 1-bedroom maisonette (Unit 10), the upper level of which occupies the only section of fourth floor within the building's apex. Units 1 to 6 will all benefit from small outside garden area and Units 7 to 11 will have an outside terrace area.

Eleven off-street car parking spaces will be provided, accessed from Meadfoot Road and there is a communal bin store and a large internal cycle store with room for eleven cycles (one per unit required in the SPD).

SITE DESCRIPTION

The application site relates to a roughly triangular plot located on a prominent corner site northeast of the St James Lane/Remembrance Road junction. The site is located on the southeastern side of Meadfoot Road and the northwestern side of St James Lane. The surrounding area is predominantly residential in nature, characterised by two-storey, gable end dwellinghouses. Open space and Willenhall Community Primary School are located on the opposite side of St James Lane.

PLANNING HISTORY

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

Application Number	Description of Development	Decision and Date
S/1981/0815	Change of use from dwelling house to dental surgery and first floor flat and formation of vehicular access	Granted 1981
S/1989/0445	Entrance porch	Granted April 1989
FUL/2016/2482	Residential building with 11 units and external space	Withdrawn 10/01/17 to allow for a bat survey, noise survey and re-design of terraces to avoid overlooking.

POLICY

National Policy Guidance

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

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

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

Local Policy Guidance

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

Policy OS3 – Local area regeneration
Policy OS4 – Creating a more sustainable city
Policy OS9 - Access by disabled people
Policy OS10 – Planning Obligations
Policy EM2 - Air Quality
Policy EM4 - Flood risk and development
Policy EM5 - Pollution protection strategy
Policy EM6 - Contaminated land
Policy EM8 - Light pollution
Policy H1 - People and their housing needs
Policy H2 - Balancing new and existing housing
Policy H9 - Windfall additions to housing land supply
Policy H12 - Design and density of housing development
Policy AM1 - An integrated, accessible and sustainable transport strategy
Policy AM9 – Pedestrians in new developments
Policy AM12 - Cycling in new developments
Policy AM22 - Road safety in new developments
Policy BE2 - The principles of urban design
Policy BE19 - Lighting
Policy BE20 - Landscape design and development
Policy BE21 - Safety and security
Policy GE14 - Protection of landscape features
Policy GE15 - Designing new development to accommodate wildlife

Emerging Policy Guidance

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

Policy H3 – New Housing
Policy H4 – Housing Mix
Policy DE1 – Ensuring High Quality Design
Policy AC1 – Accessible Transport Network
Policy AC3 – Demand Management
Policy AC4 – Cycling and walking
Policy EM1 – Planning for Climate Change Adaptation
Policy EM4 – Flood Risk Management
Policy EM5 – Sustainable Drainage Systems
Policy EM6 – Air Quality

Supplementary Planning Guidance/ Documents (SPG/ SPD):
SPG Design Guidelines for New Residential Development
SPD Delivering a More Sustainable City

CONSULTATION

No objections, subject to conditions have been received from:

County Ecology
Environmental Protection Officers (CCC)
Highways (CCC)
Public Health (CCC)
University Hospital Coventry and Warwickshire
West Midlands Police

No Objections have been received from:

Environment Agency
Parks and Leisure (CCC)
Urban Design (CCC)

Immediate neighbours and local councillors have been notified; a site notice was posted on 28/04/17. A press notice was displayed in the Coventry Telegraph on 11/05/2017.

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

- a) The building is too high/out of place/ an eyesore.
- b) Loss of privacy to adjoining neighbours and adjacent school.
- c) Highway safety concerns
- d) Poor junction to Meadfoot Rd/Remembrance Rd/ St James Lane.
- e) Insufficient parking/existing parking congestion.
- f) Impact upon pedestrian safety.

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

- g) Concerns raised that building will be used as a hostel, mental health rehabilitation and/or an acute drugs and alcohol unit. Associated concerns with types of clientele using such facilities.

Councillor Mutton has objected to the scheme, writing on behalf of all three Binley and Willenhall Ward Councillors. Whilst there is no objection in principal it is considered that for such a small area this is over-development on a massive scale. Willenhall already has one of the heaviest densities of housing in the city and cannot cope with any more over development. Meadfoot Road is a very narrow street with massive parking problems that sometimes inhibit the emergency services from gaining access. The proposals contained in this planning application will compound the problems further.

A multi-signature letter has been submitted with 42 signatures stating that "The issue is the intended space which will be required for parking for the 11 flats. How this will impact on residents in Meadfoot Road, especially at top end of our street. Parking already an issue with bin/service lorries etc."

Any further comments received will be reported within late representations.

APPRAISAL

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

Principle of development

No policy issues are raised with the loss of the Dentist Surgery use (D1 Use Class) or the demolition of the existing building.

The NPPF 2012, paragraph 49 indicates that housing applications should be considered in the context of the presumption in favour of sustainable development.

Local Plan Policy H1 states that all existing and proposed citizens should have access to a range of housing that is of satisfactory size and condition and within a high quality residential environment. Policy H2 highlights that priority for new housing should be given to the re-use of previously developed land and buildings. Policy H9 dealing with windfall housing sites indicates that proposals for housing development on sites not identified will be permitted subject to: compatibility with nearby uses; the provision of an attractive residential environment; convenient pedestrian access to local facilities; being well served by public transport; and compatibility with other plan policies.

The proposed residential use is compatible with the surrounding predominantly residential uses and the scheme will provide an attractive residential environment in a sustainable location within 350m of Willenhall Local Centre, providing good access to local shops, services and public transport. The proposed development makes use of previously developed and currently vacant land and is considered to provide an appropriately designed building that will emphasise the corner plot and create a landmark feature.

The scheme is therefore considered to be acceptable in principle.

Design

The NPPF Paragraph 56 states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Policy H12 of the Local Plan States that: a high standard of design will be required for new housing development in the City. The density of development should represent the most efficient use of sites consistent with the principles of good design and the creation of a sufficient range of high quality residential environments. Policy BE2 seeks to promote high quality urban design.

The application site is a visually prominent plot with frontages onto two street scenes. A bespoke building design is considered necessary to achieve the best layout solution for the triangular plot. The individually designed, contemporary building respects the building lines on both Meadfoot Road and St James Lane and the height appropriately

addresses the prominent corner, whilst the height decreases towards the existing built development to ensure that the development assimilates with the existing form.

The Council's Urban Designer has raised no objection to the scheme and considers that the design will provide a striking and sculptural landmark corner building; the sloping form of the building ensures that it will address the prominent corner whilst not being overbearing on the neighbouring two-storey dwellings; and the sloping roof form also cleverly allows for roof terraces to the accommodation in the upper floors. Subject to securing appropriate elevational materials the Urban Designer considers that this proposal will make for a positive contribution to the local area.

West Midlands Police have commented on the layout of the scheme, in particular access through the site, and consider that there is potential to generate issues with crime, particularly burglary, criminal damage and anti-social behaviour. To address the Police's concerns a condition is suggested to ensure that 'Secured by Design' standards are incorporated into the development.

Impact on neighbouring amenity

The proposed building will not breach the 45-degree sightline measured from the habitable windows of neighbouring properties. The proposed building will be located 12 metres from the rear elevation of the closest neighbouring property No.2 Meadfoot Road (measured at an oblique angle) in compliance with the SPG. The scheme is not therefore considered to create any significant impact upon the outlook, light or amenities of the occupiers of surrounding properties.

In terms of privacy the scheme provides several terrace areas set within the sloping roof and facing northwest towards No.2 Meadfoot Road. The design has been amended to provide 1.8m high angled vertical louvres to Unit 8's terrace to avoid any direct overlooking to No.2. These louvres will also be set 8 metres off the common boundary. Terraces set within the sloping roof have been designed to ensure that the finished floor level of each terrace is set 1.7m below the roof plane to avoid any overlooking potential. A condition is suggested to secure and maintain this detail.

The scheme is considered to provide a good quality residential environment for future occupiers with good sized rooms and all units benefitting from outside space. Environmental Protection (EP) had requested a noise survey due to the proximity of St James Lane and concerns regarding traffic noise. EP has raised no objection to the completed noise survey, subject to glazing and ventilation specifications proposed within the report being adhered to. A condition is suggested accordingly.

Air quality

EP confirm that the site is located within the Council's Air Quality Management Area and in line with the NPPF p.124 and the Council's Air Quality Action Plan conditions are recommended to minimise the impact of the development on local air quality.

Conditions include ensuring that any gas boilers meet appropriate emission rates (a dry NO_x emission rate of <40mg/kWh), 10% of parking spaces are provided with electric vehicle recharging provisions and the agreement of a method statement to control dust and emissions during construction and demolition prior to commencement.

Highway considerations

The proposed scheme will provide eleven parking spaces, one for each flat. Officers are mindful of residents' concerns regarding the scheme exacerbating existing parking congestion and creating highway safety issues. West Midlands' Police have also questioned whether 11 parking spaces are sufficient for the scheme. Officers are mindful that the lawful use of the site is a dental surgery within a D1 Use Class, which would generate its own traffic and parking demands. The NPPF states that: 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. In this case the Highway Authority considers that the impacts of the development are not severe and has therefore raised no objections to the scheme.

A secure, covered residents' cycle store is located on the ground floor, to provide a cycle space for each resident in accordance with the SPD. Conditions are suggested to ensure that necessary car parking; cycle parking and bin storage areas are provided prior to the first occupation of the building and thereafter kept available for such use at all times.

Ecology/landscaping

The County Ecologist has confirmed that the site has no specific nature conservation designation, and there are no records of protected species within the application site. The Bat and Nesting bird survey identified potential for bats and nesting birds in the roof of the buildings proposed to be demolished and the report therefore recommends that two bat activity surveys are carried out and a nesting bird timings/supervision option, which the Ecologist agrees can be secured by conditions.

The Council's Tree Officer considers that none of the trees on site are of Tree Preservation Order (TPO) quality that would merit their retention. The Tree Officer suggests replacement planting with fastigiated tree varieties (narrow canopies where branches grow more or less parallel to the main trunk), which will also allow better spacing between the building and new landscaping. A hard and soft landscaping condition is suggested to secure planting and appropriate hard landscaping, to include boundary treatments and either permeable hard standing or provision of porous areas on site for surface water run-off.

To ensure there is no net loss of biodiversity from the development the County Ecologist has also requested a condition to secure bat and bird boxes to be erected on the site.

Contributions

University Hospitals Coventry and Warwickshire NHS Trust has requested a contribution of £1965. This figure is based on the Trust's formula: development population and average admission activity rate per head of population by the Trust's costs. The formula has been previously assessed by the Council's Legal Team and found to be CIL compliant. The recommendation is therefore subject to the completion of a legal agreement relating to the requested NHS contribution.

Other considerations

Public Health has raised no objection and considers that the scheme is unlikely to have a negative impact on the health and wellbeing of future residents and the existing

community. A condition is suggested to ensure that the proposed development delivers, as a minimum, the required number of cycle storage spaces for residents and visitors as specified in the SPD.

West Midland's Fire Service has stated that there should be vehicle access for a pump appliance to within 45m of all points within each dwelling. This requirement falls within separate Building Control legislation, however the Fire Service's comments will be added as a note to ensure that applicant is aware of these obligations.

Conclusion

The application is considered acceptable in principle and is not considered to affect neighbouring amenity or highway safety. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies OS4, OS6, OS10, BE2, H9, H12, AM1, AM12, AM22, EM4 and EM5 of the Coventry Development Plan 2001, SPG, together with the aims of the NPPF.

CONDITIONS/REASON

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved documents 2015-P02 AK0012A, 0014A, 0015A, 0016A, 0017A, 0018A, 0020A, 0021A, 0022A.

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

3. The development shall be carried out only in full accordance with sample details of the elevational and roofing materials, which have been submitted to and approved in writing by the local planning authority.

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

4. No part of the residential development hereby permitted shall be occupied unless and until the external amenity space and bin storage areas have been laid out and provided in full accordance with the approved details and thereafter these facilities shall remain available for use at all times.

Reason: *In the interests of the amenities of the future occupants of the residential accommodation in accordance with Policies BE2 & H12 of the Coventry Development Plan 2001.*

5. The development hereby permitted shall not commence unless and until large scale details of the roof terraces have been submitted to and approved in writing by the local planning authority. Details should include cross sections to demonstrate that the terraces will be enclosed by walls at least 1.7m high above

the finished floor level of the terrace. All details shall be carried out as approved prior to first occupation of the building.

Reason: *To ensure the amenities of adjoining properties are not detrimentally affected through overlooking or loss of privacy in accordance with Policies BE2 & H4 of the Coventry Development Plan 2001.*

6. The building shall not be occupied unless and until cycle parking has been provided in accordance with details that have been submitted to and approved in writing by the local planning authority and thereafter those facilities shall remain available for use at all times.

Reason: *In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies OS4 & AM12 of the Coventry Development Plan 2001.*

7. The development shall not be occupied unless and until the car parking areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times.

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

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

Reason: *In the interests of highway safety and the amenities of the occupiers of nearby properties in accordance with Policies AM1 and EM5 of the Coventry Development Plan 2001.*

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

Reason: *To ensure that protected species are not harmed by the development in accordance with the NPPF.*

10. No works to commence on site, including site clearance, unless and until a combined ecological and landscaping scheme has been submitted to and agreed in writing with the Local Planning Authority. The scheme must include all aspects of landscaping, including details of bat and bird boxes, house sparrow nest boxes and their locations. The agreed scheme to be fully implemented before/during development of the site as appropriate.

Reason: *To enhance biodiversity in accordance with the NPPF and ODPM Circular 2005/06.*

11. The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations.

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

12. No development shall take place unless and until a scheme has been submitted to and approved in writing by the local planning authority indicating where and how 'Secured by Design' standards will be incorporated into the development. The scheme shall be implemented in accordance with the approved details and retained at all times thereafter.

Reason: *To ensure the safety and security of future residents in accordance with Policy BE21 of the Coventry Local Plan 2001.*

14. The development shall not commence unless and until details for a package of measures to minimise the impact of the development upon local air quality have been submitted to and approved in writing by the local planning authority. Those measures shall have consideration of the following:-
 - (i) Provision for electric vehicle recharging points;
 - (ii) Use of low NOx boilers (to have a maximum dry NOx emissions rate of

40mg/kWh).

All details shall be carried out as approved.

Reason: *To mitigate the impacts of development on air quality in accordance with Policy EM2 of the Coventry Development Plan 2001.*

15. The development shall proceed in accordance with the submitted noise report by noise.co.uk - reference 17581-1-R1 dated 26th January 2017 and the glazing and ventilation specifications contained in section 8 shall be fully complied with.

Reason: *In the interests of the amenities of the future occupiers of the development in accordance with Policies EM5 and H9 of the Coventry Development Plan 2001.*

16. The development hereby permitted shall either:
- a) Be timetabled and carried out to avoid the bird breeding season (March to September inclusive) to prevent possible disturbance to nesting birds; and
 - b) Not commence until a qualified ecologist has been appointed by the applicant to inspect the building/vegetation to be cleared on site for evidence of nesting birds immediately prior to works. If evidence of nesting birds is found works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by the ecologist.

Reason: *To ensure that protected species are not harmed by the development in accordance with the NPPF.*

[AK0012 Location Plan](#)

[AK0013 Existing Site Plan](#)

[AK0014 Proposed Ground Floor](#)

[AK0015 Proposed 1st Floor](#)

[AK0016 Proposed 2nd Floor](#)

[AK0017 Proposed 3rd Floor](#)

[AK0020 Proposed Elevations 1 of 4](#)

[AK0021 Proposed Elevations 2 of 4](#)

[AK0022 Proposed Elevations 3 of 4](#)

[AK0023 Proposed Elevations 4 of 4](#)