

## Item No: 8

Application No. - FUL/2017/2485

Description of Development - Demolition of existing buildings at 5-23 St Columbas Close and erection of a 3 to 6 storey building to provide student rooms with ancillary facilities

Site Address - Land at 5 -11 and 21-23 St Columbas Close

### Recommendation

Planning committee are recommended to grant planning permission in accordance with the Local Plan 2016 to 2031 and the amended conditions outlined below, and the completion of a unilateral undertaking by the applicant to provide contributions to the NHS of £7,073 to provide additional health care services to meet patient demand

### Introduction

The applicants have confirmed that they will not be removing trees outside of the application site and an amended drawing has been submitted.

### Policy

The Local Plan 2016 to 2031 was adopted by Full Council on 5 December (and was formalised on 6 December) and so will now act as the starting point when determining planning applications. The Policies in the CDP have now been superseded and therefore are no longer relevant in the determination of this application.

The Officer's report lists Policy EM6 as Air Quality. This is now Policy EM7 in the adopted Local Plan 2016 and Contamination is Policy EM6. Both are relevant Policy considerations for this application.

### Consultation/Appraisal

WCC Ecology recommended refusal due to the concerns they had with the Local Geological Site. These issues have now been resolved and they have no objection subject to conditions. As the geological issues have now been resolved Members will note that reference to this has been removed from the recommendation.

Sustainability (CCC) has indicated no objections.

WM Fire Service have no objection and commented as follows:-

- We would require vehicle access for a pumping appliance to within 45m of the every point on the projected plan area (this would need confirming)
- If the highest floor level is more than 18m above fire service access level then a firefighting shaft containing firefighting lift and fire mains would be required (also to be confirmed)

The applicants have confirmed that these are standard requirements that they can achieve and will ensure compliance.

### Conditions/Reasons

Following revised comments from Ecology, condition 21 has been amended and condition 25 (tree protection) has been added. Other conditions have been amended so that the reasons reflect the adoption of the Local Plan. A complete set of conditions follows:-

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

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:
  - 1675\_PL001 Site Location Plan
  - 1675\_PL002 Site Plan
  - 1675\_PL101 Lower Ground Floor
  - 1675\_PL102 Ground Floor
  - 1675\_PL103 First Floor
  - 1675\_PL104 Second Floor
  - 1675\_PL105 Third Floor
  - 1675\_PL106 Fourth Floor
  - 1675\_PL107 Fourth Floor Mezzanine
  - 1675\_PL108 Fifth Floor
  - 1675\_PL109 Fifth Floor Mezzanine
  - 1675\_PL110 South West Elevation
  - 1675\_PL111 North West Elevation
  - 1675\_PL112 South East Elevation
  - 1675\_PL113 North East Elevation
  - 1675\_PL114 Long Sections
  - 1675\_PL115 Building Sections
  - 1675\_2730-501 Arboricultural Survey
  - 1675\_2730-501A Tree Survey
  - 1675\_2730-501B Tree Retention/Removal
  - 1675\_2730-103 and 104B Landscape Layout
  - 1675\_2730-201A Planting Plan

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 facing and roofing materials which shall be submitted to and approved in writing by the local planning authority.

To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policies DE1 and HE2 of the Coventry Local Plan 2016.

4. The development shall only be undertaken in strict accordance with details of both hard and soft landscaping works hereby approved. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the building hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 5854:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations.

To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DE1, GE3 and HE2 of the Coventry Local Plan 2016.

5. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This strategy will include the following components:
  - i) A preliminary risk assessment which has identified:

- all previous uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors; and
  - potentially unacceptable risks arising from contamination at the site.
- ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iii) The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented in full accordance with the approved details.

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 109 of the National Planning Policy Framework.

6. Notwithstanding the submitted plans and drainage strategy, the development shall proceed in accordance with drainage details which shall first be submitted to and approved in writing by the local planning authority and shall incorporate the following:-
- i) The development surface water discharge rate must be managed to a limiting value of 5.0 l/s offsite. In this instance surface water storage could be below ground to suit the confines of the site.
  - ii) Provisions must be made for the drainage of the site to ensure there are no temporary increases in flood risk, on or off site, during the construction phase.
  - iii) Evidence that receiving water bodies or sewers are capable of accepting the attenuated flows specified by the Lead Local Flood Authority and that this will not exacerbate the flood risk on or off site. This will include capacity calculations and outcomes, not just the correspondence from Severn Trent Water Ltd in isolation, accepting the point discharges. Evidence of existing sub catchments within the site are needed to support the connectivity survey and confirm the acceptability of proposed point discharges to the watercourses and infrastructure sewers.
  - iv. All 'within building plot' drainage must be considered for the incorporation of water reuse systems, such as grey water harvesting, to manage down both peak and total rainfall runoff discharging to sewer systems, watercourses and groundwater.
- v. The development must be considered for the implementation of permeable paving for the management of total surface water flows, and water filtering in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.
- vi. Evidence to show the management of overland flow routes in the event of exceedance or blockage to the drainage system. Details should include demonstration of how the building will be protected in such an event.
- vii. Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway.
- viii). Where new or redevelopment site levels result in the severance, diversion or the reception of natural land drainage flow, the developer shall maintain existing flow routes (where there are no flood risk or safety implications) or intercept these flows and discharge these by a method approved by the Local Planning Authority.
- ix) Foul drainage plans.

To ensure a satisfactory means of drainage and to prevent an increased risk of flooding in accordance with Policy EM4 of the Coventry Local Plan 2016 and the NPPF.

7. The development shall proceed in accordance with the mitigation measures set out in the preliminary UXO Risk Assessment reference EP4598-00.

In the interests of safety of all users in accordance with Policy DE1 of the Coventry Local Plan 2016.

8. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'

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

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

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

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

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without

unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Local Plan 2016.

11. 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 8, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 9, which is subject to the approval in writing of 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 10.

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

12. Any gas boilers must meet a dry NO<sub>x</sub> emission rate of <40mg/kWh

To mitigate the impact of the development on air quality in accordance with Policy EM1 of the Coventry Local Plan 2016.

13. No development shall take place, including any works of demolition, until a Construction and Environmental Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during construction in-line with the Best Practice Guidance entitled 'The control of dust and emissions from construction and demolition' produced by the Greater London Authority and London Councils.;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development

In the interest of highway safety and the free flow of traffic, to protect residential amenity and to mitigate the impact of the development on air quality in accordance with Policies AC1, AC3, DE1 and EM1 of the Coventry Local Plan 2016.

14. Prior to the installation of any plant or machinery a noise assessment using the methodology of British Standard BS4142 shall be submitted to and approved in writing by the local planning authority to demonstrate that noise from any proposed plan shall not exceed the established background (LA90) noise levels.

To protect the amenities of future occupiers and nearby residents in accordance with Policies DE1 and EM1 of the Coventry Local Plan 2016.

15. Prior to occupation of the new student accommodation hereby approved the cycle storage area shall be implemented, retained therein after and kept available for this use at all times.

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 EM1 and AC4 of the Coventry Local Plan 2016.

16. The development shall operate in full accordance with the approved student management plan.

To ensure that the development is compatible with nearby uses and so that it does not adversely impact upon the safe and free flow of traffic in the vicinity of the site in accordance with Policies AC1 and AC3 of the Coventry Local Plan 2016.

17. Prior to the occupation of the buildings hereby approved the existing vehicular accesses onto the adjoining highway shall be permanently closed. Details of the means of closure and reinstatement of these existing accesses shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on the development hereby approved.

In the interests of highway safety in accordance with Policy AC1 of the Coventry Local Plan 2016.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) the windows to be formed in the north-west facing elevation of the building hereby permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed.

To ensure the amenities of adjoining properties are not detrimentally affected through overlooking or loss of privacy in accordance with Policy DE1 of the Coventry Local Plan 2016.

19. The development hereby permitted shall only be occupied for the purpose of student housing and shall not be occupied for the purpose of general needs accommodation unless and until a mechanism has been submitted to and approved in writing by the local planning authority for the provision of 25% affordable housing with 12.5% being for social rent and 12.5% for intermediate tenure housing. Thereafter, any occupation shall be implemented in full accordance with the agreed mechanism.

To ensure affordable housing provision In accordance with Policy H10 of the Coventry Local Plan 2016.

20 No development shall commence until adequate measures have been taken to protect the existing rock formation of the adjacent Local Geological Site during development has been submitted to and approved in writing by the local planning authority. The scheme shall include details of how the Local Geological Site will be protected above and below ground together with an agreed buffer zone. Thereafter the development shall proceed in accordance with the approved details.

To ensure protection of an important geological site in accordance with Policy HE3 of the Coventry Local Plan 2016 and the NPPF.

21. The development hereby permitted shall not commence until a Construction, Ecological and Geological Management Plan has been submitted to and approved in writing by the local planning authority. In discharging this condition the local planning authority expect to see details concerning protection of the Local Geological Site (LGS), pre-commencement checks for bats and breeding birds and appropriate working practices and safeguards for wildlife and the LGS that are to be employed whilst works are taking place on site. The agreed Construction, Ecological and Geological Management Plan shall thereafter be implemented in full.

To ensure species protection in accordance with Policy HE3 of the Coventry Local Plan 2016.

22. The development hereby permitted shall either be timetabled and carried out to avoid the bird breeding season (March to September inclusive) or shall not commence until a qualified ecologist has been appointed by the application 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 the works shall not proceed in that area until outside of the nesting bird season (March to September inclusive) or until the young have fledged, as advised by the ecologist.

To ensure species protection in accordance with Policy GE3 of the Coventry Local Plan 2016 and the NPPF.

23. The development hereby permitted shall not commence until details of all external light fittings and external light columns have been submitted to and approved in writing by the local planning authority. The details shall include lighting to be restricted on the southern and eastern side of the development and to be kept to a minimum at night across the whole site in order to minimise impact on foraging bats and shall have consideration of the following

- Narrow spectrum lighting should be used to avoid the blue-white wavelengths.
- Lighting should be directed away from vegetated areas.
- Lighting should be shielded to avoid spillage onto vegetated areas.
- The brightness of lights should be as low as legally possible.
- Lighting should be timed to provide some dark periods.
- Connections to areas important for foraging should contain unlit stretches.

Thereafter the development shall be carried out in accordance with the approved details.

In the interests of species protection in accordance with Policy GE3 of the Coventry Local Plan 2016, the NPPF and ODPM Circular 2005/06.

24. No development shall commence, including site clearance and demolition, until mitigation measures for the protection of bats has been agreed with Natural England and submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in full accordance with the agreed measures.

In the interests of species protection in accordance with Policy GE3 of the Coventry Local Plan 2016, the NPPF and ODPM Circular 2005/06.

25. No part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site and on the adjacent Local Geological Site (LGS) has been submitted to and approved in writing by the local planning authority. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered or any excavation take place. The scheme must also include details to ensure the adjacent LGS is not harmed. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed.

To protect trees and other features on site and on the adjacent geological site during construction in accordance with Policy GE3 of the Coventry Local Plan 2016.

#### INFORMATIVE:

1. Planning consent is not consent to work on the highway. To carry out any proposed highway works associated with the planning consent approval must first be obtained from the Local Highway Authority. The applicant is reminded that as the developer or their contractors, they are responsible for contacting the Highway Authority – 02476 832062 to ensure all necessary licenses and permissions are in place. It is an offence

under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.