

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	RMM/2018/0316
<b>Site:</b>	Scots Lane
<b>Ward:</b>	Bablake
<b>Applicant:</b>	Bellway Homes
<b>Proposal:</b>	Reserved matters application for the erection of 70 houses, landscaping, associated public open space and car parking served by new access onto Scots Lane (serving plots 4-70) and upgrade/improvements to existing access (serving plots 1-3). Submission of details pursuant to outline planning permission OUT/2016/2918
<b>Case Officer:</b>	Shamim Chowdhury

## **SUMMARY**

This reserved matters application seeks permission for the erection of 70 dwellinghouses together with car parking, landscaping and public open space. The houses are detached, semi-detached and terraced in form and ranging from two to four bedrooms. A public open space and an ecology zone would be created on the northern part of the site where there is an existing pond. An Oak tree (T2), along Scots Lane to the north of the site would be retained in addition to one (Whitebeam, T1) to the southern edge of the site. A number of trees would be retained within the proposed open space area and also, additional trees will be planted.

A pedestrian/cycle link connecting the development site to the nearest bus stop on Holloway Field across the village green has been omitted from the scheme following concerns from the neighbouring residents. As a consequence, the applicant has submitted a Section 73 application (variation of condition) to vary the relevant condition to exclude the pedestrian/cycle link from the scheme (S73/2018/0812). An amended S106 has also been submitted for completion to exclude the pedestrian/cycle link provision and relevant contribution.

The drainage and sewer proposal has been withdrawn from the current submission due to the concerns raised by the residents and officers that the proposed drainage and sewer work would affect the nearby village green land. In this circumstance, the developer wishes to resolve the drainage and sewer work at a later stage through the condition imposed on the outline permission (condition 15).

## **BACKGROUND**

This reserved matters application follows the outline application which was approved by the Planning Committee on 11 May 2017. In the outline approval, access for the development was established which is from Scots Lane. The issues in relation to the site investigation and risk assessment, noise pollution and air quality, ecology and construction management plan which were part of the outline application have already been resolved via a number of discharge of condition applications. A section 106 agreement has already been signed to secure developer's contributions for education, biodiversity, greenspace, healthcare and delivery of affordable housing.

**KEY FACTS**

<b>Reason for report to committee:</b>	Representations from more than 5 properties
<b>Current use of site:</b>	Vacant
<b>Proposed use of site:</b>	Residential dwellings and public open space

**RECOMMENDATION**

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

***REASON FOR DECISION***

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal makes provision for necessary developer contributions.
- The proposal accords with Policies: H3, H4, H6, H9, DE1, DS1, DS3, EM1, EM2, EM6, EM7, GE1, GE3, GE4, AC1, AC2, AC3 and AC4 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## BACKGROUND

### **APPLICATION PROPOSAL**

This reserved matter application proposes the erection of a mix of 70 detached, semi-detached and terraced houses ranging from two to four bedrooms. The proposal also includes the creation of a public open space, ecology zone together with soft and hard landscaping. A new road would be laid out off Scots Lane to serve the development. In addition, the existing access off Scots Lane to the north of the site would be used to provide access to plot 1-3 (a block of terraced houses). Each house would have at least 2 parking spaces and some of the houses would have garages in addition to their parking spaces. Each house would have the provision of electric vehicle re-charging points. 52 houses would be under private ownership and the remaining 18 houses would be affordable, equally divided into shared ownership and rented houses. The proposed development would comprise of 18 two bedroom, 26 three bedroom and 26 four bedroom houses and would be distributed in 31 semi-detached, 29 detached and 10 terraced houses. The houses would be finished with a mix of materials including brick and rendered fenestration under tiled roofs. A detailed landscaping scheme has been submitted which includes plantation of new trees and native hedgerow as part of the scheme together with hard landscaping. A new footpath would be created through the proposed public open space connecting the northern access to the rest of the development.

### **SITE DESCRIPTION**

The application site was the former Coundon Reservoir which was decommissioned and cleared in 2011 and has re-naturalised over time. The site also comprises of a pond, an orchard and some allotment plots on the eastern part. The proposed development site adjoins Radford Road Allotment gardens to the east and a registered village green to the northeast corner between No. 26 and No. 50 Holloway Field. The site is bound to the north by residential properties on Holloway Field and to the south by a covered reservoir operated by Severn Trent Water and beyond that by residential properties on Christchurch Road. Bablake School Playing Fields is to the west opposite the application site.

The site has not been designated for specific development in the current Coventry Local Plan 2016 and is currently a site with low to medium ecology/biodiversity interest. The site is located in Flood Zone 1. The general character of the area is predominantly residential with no special designation or interest such as conservation area or area of special interest.

### **PLANNING HISTORY**

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

<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
FUL/2010/1474	Demolition of existing covered reservoir and construction of new covered reservoir	Approved 06/01/2011
OUT/2016/2918	Outline application with all matters reserved except for means of access,	Approved 11/05/2017

	for residential development of up to 70 dwellings and landscaping with associated public open space and car parking	
DC/2018/0284	Submission of details to discharge condition No.10 - details of site investigation and risk assessment, condition No. 11 and 12 - details of remediation and implementation scheme imposed on planning permission reference OUT/2016/2918 determined 11 May 2017 (decision notice issued 29/09/17) for an outline application with all matters reserved except for means of access, for residential development of up to 70 dwellings and landscaping with associated public open space and car parking.	Approved 22/03/2018
DC/2018/0318	Submission details to discharge condition No. 8 - Construction and Ecological Management Plan imposed on planning permission OUT/2016/2918 determined 11 May 2017 (decision notice issued 29/09/17) for an outline application with all matters reserved except for means of access, for residential development of up to 70 dwellings and landscaping with associated public open space and car parking.	Approved 22/03/2018
DC/2018/1049	Submission of details to discharge condition No. 6(iii) Air Quality Assessment and mitigation measures and condition No. 7 details of construction method statement, imposed on planning permission OUT/2016/2918 for Outline application with all matters reserved except for means of access, for residential development of up to 70 dwellings and landscaping with associated public open space and car parking granted on 11/05/2017.	Approved 24/05/2018
S73/2018/0812	Removal / Variation of condition No. 6 (in part, 6(i) only) to exclude pedestrians/cycle link between the northern part of the site and the bus stop on Holloway Field: imposed upon	Pending

	<p>planning permission OUT/2016/2918 for 'Outline application with all matters reserved except for means of access, for residential development of up to 70 dwellings and landscaping with associated public open space and car parking'.</p>	
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## **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 Local Plan 2016, which was adopted by Coventry City Council on 6<sup>th</sup> December 2017. Relevant policy relating to this application is:

Policy DS1: Overall Development Needs

Policy DS3: Sustainable Development Policy

Policy H3: Provision of New Housing

Policy H4: Securing a Mix of Housing

Policy H6: Affordable Housing

Policy H9: Residential Density

Policy GE1 Green Infrastructure

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

Policy GE4: Tree Protection

Policy JE7: Accessibility to Employment Opportunities

Policy DE1 Ensuring High Quality Design

Policy 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 EM4 Flood Risk Management

Policy EM5 Sustainable Drainage Systems (SuDS)

Policy EM7 Air Quality

### **Supplementary Planning Guidance/ Documents (SPG/ SPD):**

SPG Design Guidelines for New Residential Development

SPD Delivering a More Sustainable City

## **CONSULTATION**

No Objections received from:

- CCC Highways
- CCC Environmental Protection
- CCC Tree Officer

No objections subject to conditions have been received from:

- West Midlands
- Fire Service
- CCC Drainage

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

- Severn Trent Water

Immediate neighbours and local councillors have been notified; five site notices were posted on 16 February 2018. A press notice was displayed in the Coventry Telegraph on 22 February 2018.

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

- a) The proposed pedestrians/cycle link across the village green and the proposed drainage and sewer pipe under the village green would affect the village green;
- b) The pedestrians/cycle link and sewer/drainage work would damage the hedgerow which separates the village green from the application site.
- c) The affordable houses are too small and cramped and therefore will not be in keeping with the existing four houses within the site

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

- d) Welcome building of new houses
- e) Balancing the existing pond would help surface water running

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

- f) Requested confirmation that the two roads that lead to the southern boundary will not be used in the future to continue more development onto the green areas;
- g) Proposed a pedestrian access from the development site to Radford Road Allotments.

All the above comments were received on the initial proposal which included a pedestrians/cycle link across the village green and drainage/sewer pipes under the village green. Following discussions between the applicant and officers, the pedestrians/cycle link over the village green and the drainage and sewer work has been withdrawn from the proposal. Further notification letters have been sent out on 17 May 2018. On this occasion two responses have been received:

- h) One Councillor sought clarification on the amendments proposed
- i) Requested to notify the residents on discharge of drainage condition application

Any further comments received will be reported within late representations.

## **APPRAISAL**

The principle of housing development on the site has already been established via the granting of outline permission. In addition, the site investigation and risk assessment, noise pollution and air quality issues have been resolved through the discharge of conditions which were imposed in the outline application. Developer obligations for contributions towards education, biodiversity, greenspace, healthcare and delivery of affordable housing have been secured through the signing of S106 agreement. Therefore, in determining this application the main issues for consideration are the design/visual aspect, landscaping/open space, impact upon neighbouring amenity and highway considerations.

### **Design/Impact on visual amenity**

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

Paragraph 17 of the NPPF requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Policy H4 of the Local Plan requires proposals for residential development to include a mix of market housing which contributes towards a balance of house types and sizes across the city.

The overall design and layout of the proposed scheme reflects the pattern of development within the surrounding area. The mass and scale would be similar to the houses in the area which are mainly two-storey; although a small number of houses would have additional accommodation in the roof space and therefore would be little higher. The house designs are varied with a mix of terraced, semi-detached and detached houses. Detailing, such as window cills, brick lintels, open porches, canopies and dentil courses along the eaves are included in the design. The houses would be finished with a mix of materials including red brick and rendered fenestration under tiled roofs. The houses will have their principal elevations fronting the highway/shared surface. Parking spaces are either located to the front or side of the plots. The houses on plot 4-12 will have their principal elevations facing Scots Lane. The houses on Plot 1-3 have been designed to continue the form of the existing dwellings (116-122, (evens) Scots Lane.) with the side elevation of the house on Plot 3 facing onto Scots Lane. A landscaping buffer is proposed fronting Scots Lane which incorporates the retention of the (T2) existing Oak tree. This arrangement would provide an attractive frontage to Scots Lane and enhance the street scene and contribute positively towards overall quality and character of the area. The houses within the site have been designed to achieve an attractive environment for future occupiers with open plan landscaped areas together with private and public spaces. It is considered that the design and layout of the scheme will enable the creation of a sense of place.

To retain satisfactory amenity areas for the proposed dwellings as well as to ensure visual amenity of the area it is considered that a condition removing permitted development rights for hardstanding, fencing and any means of enclosure within the development would be reasonable.

The density of the development is 31 dwellings per hectare. It is acknowledged that this is slightly lower than that suggested (minimum 35 dwellings/hectare) in policy H9. However, a large portion of the site would be used to provide green infrastructure and a public open space therefore the proposed density is acceptable in this location and reflects the character and density of the locality.

The proposal is therefore considered to provide an appropriate layout and design that will enhance the character of the area in accordance with Local Plan Policies DE1 and H4.

### **Landscaping, public open space and ecology**

A public open space and an ecology zone would be created on the northern part of the site where there is an existing pond. An Oak tree (T2), along Scots Lane to the north of the site would be retained in addition to one (Whitebeam, T1) to the southern edge of the site. A number of trees would be retained within the proposed open space area and also, additional trees will be planted. A detailed landscaping proposal has been submitted as part of this application. The landscape plan includes a detailed planting schedule and an appropriate condition would be imposed to ensure a landscape scheme is implemented and maintained properly. Within the proposed public open space the existing pond would be balanced. The new planting and enhanced pond within this area is designed to create habitat for wildlife and protected species, like badgers, bats, breeding birds, hedgehogs and common toad, smooth newts and invertebrates. The landscape plan and tree report confirms that appropriate tree protection measures would be in place to protect the retained tree on site, in particular the Oak and Whitebeam tree. The landscape plan shows the retention of the hedgerow between the open space and village green and additional planting is to be incorporated to provide a landscaped buffer. A pedestrian link would be provided through the public open space connecting the development from the north-eastern end to Scots Lane. It is considered that the proposed development has included provision of satisfactory green infrastructure which integrates into the landscape and contributes to improvements in connectivity and public access, biodiversity, landscape conservation, design, and recreation and therefore conforms to the Policies GE1, GE2, GE3 and GE4 of the Coventry Local Plan 2016.

### **Impact on residential amenity**

None of residents raised concerns in terms of affecting their private amenities by loss of light, outlook, overlooking and associated loss of privacy. Due to the siting, layout and separation distances adjacent properties on Holloway Field and Poole Road would not be affected in terms of loss of light, outlook and overlooking. The block of three terraced houses on Plot 1-3 to the northwest corner of the site would be in line with front elevation of the existing houses (no. 116 -122 Scots Lane) and have very minimal projection at the rear beyond the those houses. They do not infringe 45-degree sightline in relation to any rear facing habitable windows.

In order to protect the amenity of future residents of the proposed development, the SPG recommends that a minimum distance separation of 20m be maintained between principal windows to the front/rear of properties. Furthermore, Paragraph 17 of the NPPF seeks to protect the amenities of all existing and future occupants of land and buildings. All of the houses have reasonably deep rear gardens and they vary from 8m to 12m and therefore the distance between the rear elevations (back to back houses) is around 20m. The distance between side and rear/front of houses also meets 12 m separation gap as



suggested in the SPG to minimise visual intrusion. The siting and layout of the houses provides a satisfactory separation gap between the houses within the development and therefore amenities of the future residents would be protected. The scheme is therefore in accordance with Policy H3 and DE1 of the Coventry Local Plan 2016.

### **Highway considerations**

A new vehicular access off Scots Lane would serve the development. In addition, the existing access with the road to the north would also be used to provide access to the houses on Plot 1-3. A footpath link would connect from the north access point through the open space to the shared surface located between plots 32 and 33. The layout and width of roads within the development would satisfy the criteria of a shared surface and is to the satisfaction of Highways Officers.

Policy AC2 of CLP 2016 recognises that the provision of car parking for a new development can influence the traffic generation congestion. It goes on to state that the occurrences of inappropriate on-street parking can block access route for emergency, refuse and delivery vehicles, block footways preventing pedestrians' access, affect the street scene and could reduce visibility for motorists and pedestrians causing safety issues. The new development will therefore be expected to provide appropriate levels of car parking in order to address the above issues. Policy AC3 of the CLP 2016 states that 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.

Each house would have at least 2 parking spaces and some of the houses would have garages in addition to their parking spaces. At least 13 parking spaces for visitors would be provided by way of informal on street parking within the development. It is considered that the proposed parking spaces for the new development would be sufficient and would not have any additional impact on existing parking provision in the area or free flow of traffic. In addition, the road layout plan (General Arrangement) and vehicle tracking plan demonstrate that the refuse vehicle can manoeuvre within the development without affecting visibility splays and parking spaces. The visibility splays around the shared surface road encroach side/front garden of houses on plot 60, 65, 56 and 66. As recommended by the Highways Officer a condition is proposed to keep the visibility splay area free from any obstruction. Amended plans to reflect the changes in layout plans in relation to visibility splay has been requested. Highways Officers are satisfied with the proposed road layout and parking provision and raise no concerns subject to appropriate condition. Each house would have the provision of electric vehicle re-charging points.

The site is well connected and within a highly sustainable location. There are bus stops on Holloway Field adjacent to the site. In addition, Barkers Butts Lane and Radford Road are around 15-20 minutes' walk where there are local centres and bus routes into the City Centre and surrounding area. Given the density of the development, road layout and parking provision within the residential development, it is considered that the proposal would not have any demonstrable impact on the free flow of traffic and endanger highway safety. The proposal therefore accords with Policy AC2 and AC3 of the CLP 2016 for new developments.

### **Other considerations**

Drainage issues would remain unresolved following withdrawal of the drainage plan from this reserved matters application. The proposal included installation of drainage and sewer pipe under the adjacent village green to connect with existing sewer and drainage pipe on Holloway Field. However, this work would damage the village green which is protected by law and residents have raised their concerns and opposition to any work which could damage the village green and associated hedgerow along the boundary. In this situation, the officers have sought alternative options from the developer to resolve the drainage issues. The developer has decided that they would submit a separate application to seek discharging the drainage condition to resolve this matter.

Generally, discharge of condition applications do not involve public consultation. However, in this instance, given the public interest in the implementation of the drainage work and the residents' concerns, it would be reasonable to suggest that the discharge of drainage condition application should be sent to public consultation when it is received by the authority.

### **Conclusion**

The proposal is considered an appropriate development and efficient land use for housing development in delivering much needed houses in the city. The proposed development will not result in any significant impact upon neighbour amenity, highway safety or infrastructure. The reason for Coventry City Council granting planning permission is because the development is in accordance with Policies DE1, DS3, H3, H4, H6, H9, AC2, AC3, AC4, EM1, EM2, EM7, GE1, GE3, GE4 of the Coventry Local Plan 2016, SPG, together with the aims of the NPPF.

### **CONDITIONS/REASON**

1. The development hereby permitted shall be carried out in accordance with the following approved documents: Schedule of Accommodation; Electric Charging Points DWG: P006; Streetscenes DWG: P104; Material Distribution Plan DWG: P002; Site Location Plan DWG:P010; Planning Statement (amended); Noise Assessment Final Issue V2; Detailed Landscape Proposals DWG:005 B; House Type Pack; Highway Construction Details dwg No. 301; Highway Construction Details dwg No. 300; Highway Construction Details Dwg No. 302 A; General Arrangement DWG:100 C; Tree Quality report.

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

2. The development hereby permitted shall be carried out only in strict accordance with the facing and roofing material details provided in the Material Distribution Plan DWG: P002.

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

3. No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless the tree protection measures for those trees which are identified to be retained are in place in accordance with details which

shall be submitted to and approved in writing by the local planning authority. The tree protection measures shall remain in place during any such construction work. In addition no excavations, site works, 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 of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); 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).

**Reason:** *In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy GE3 of the Coventry Local Plan 2016.*

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

**Reason:** *That due to the restricted nature of the application site and its relationship with adjoining properties it is considered important to ensure that no additional development is carried out without the permission of the local planning authority in accordance with Policies H9 and DE1 of the Coventry Local Plan 2016.*

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development to form hard surfaces between the front/side elevation of dwellinghouses and an adjacent highway hereby permitted shall be carried out without the prior written approval of the local planning authority.

**Reason:** *That having regard to the design, layout and general nature of the proposed development it is important to ensure that no further development is carried out which would detract from the appearance of the area and affect the amenity of adjacent properties. Therefore, no additional development is to be carried out without the permission of the local planning authority in accordance with Policies H3 & DE1 of the Coventry Local Plan 2016.*

6. Notwithstanding the submitted information 2.4m X 40m visibility splays shall be provided in the locations shown on drawing 100 Rev C (general arrangement) and shall be kept free of obstructions and laid out and surfaced in accordance with details which shall be submitted to approved in writing by the local planning authority.

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

[Site Location Plan](#)  
[Layout Plan](#)  
[Streetscenes](#)