

Planning Committee Report	
Planning Ref:	FUL/2019/1269
Site:	Scots Lane
Ward:	Bablake
Proposal:	Erection of four dwellings together with associated parking and landscaping
Case Officer:	Shamim Chowdhury

SUMMARY

This application seeks permission for the erection of 4 dwelling houses comprising of 2 detached and 2 semi-detached houses together with car parking and landscaping. The proposed 4 houses are in addition to 69 houses which are currently under construction following planning approval of outline and reserved matters applications OUT/2016/2918 and RMM/2018/0316 respectively as well as a variation of condition application S73/2018/0812. The application site is vacant land to the east of No. 116 Scots Lane and forms part of the original development site under OUT/2016/2918. A new access road would be created from the approved estate road via an extension towards the north. The approved pedestrian access would be modified with a new pedestrian access through the middle of the landscaped public open space as well as the existing pedestrian access serving the existing semi-detached houses remaining accessible. The proposed 4 houses next to the existing 2 pairs of semi-detached houses (No. 116 – 122 Scots Lane) would be seen as a continuation of the original development. The design, scale and mass of these houses would be similar to the houses which were approved under the reserved matter application. The proposed 4 houses together with 2 pairs of existing semis and 69 houses approved under the reserved matters application would make the total number of houses on the whole site 77. This would result in a density of around 34 dwelling units per hectare. The siting of the proposed 4 houses would be on the land which was part of the soft landscaped area and public open space of the original development. As a result, a part of the proposed landscaping and the public open space of the original development would be lost. However, the public open space which would be lost for the proposed 4 houses is a relatively small area of land compared to the remaining public open space and landscaped area. Despite the proposed addition of 4 houses, the site would continue to have adequate and satisfactory levels of landscaped public open space. Nevertheless, the 4 proposed houses would sit well between the existing 2 pairs of semis (on Scots Lane) and the proposed houses from the previous development, which are under construction, would be seen as a continuation of the existing development on the site. The section106 agreement which was completed and agreed under the outline application was based on 70 dwelling houses. The reserved matters application was approved for total 69 houses without varying the section 106 for relevant contributions. However, the proposed additional 4 houses would require additional contribution towards the NHS and the enhancement of the local green space within the area. The developer has agreed to vary the deeds of the current s106 agreement to reflect the appropriate contributions. The proposal is considered to accord with the Coventry Local Plan 2016 and is therefore recommended for approval.

BACKGROUND

The application site forms part of the wider development site where the Planning Committee granted an outline planning permission for up to 70 houses in May 2017. A subsequent reserved matters application was reviewed by the Planning Committee for

69 houses and granted permission in June 2018. A section 73 application has also been granted by the Planning Committee in June 2018 to exclude the proposed pedestrian/cycle link over the adjacent Village Green on Holloway Field. The drainage condition (No. 15) which was imposed on the outline permission (OUT/2016/2918) and Section 73 application (S73/2018/0812) was also determined by the Planning Committee and subsequently discharged. The current proposal although a separate application, is a continuation of the original residential development.

KEY FACTS

Reason for report to committee:	Objections have been received from more than 5 properties.
Current use of site:	Under construction for residential development.
Proposed use of site:	Residential dwelling houses.

RECOMMENDATION

Planning committee are recommended to grant planning permission subject to conditions and completion of the deed of variation to include additional s106 contributions towards the green space and the NHS. Failure to complete the deed of variation by 5th September 2019 may result in the application being refused.

REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal accords with Policies: H3, H9, DE1, DS3, EM4, EM5, GE2, GE3, IM1, AC2, and AC3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The application seeks permission for the erection of 4 dwelling houses comprising of 2 detached and 2 semi-detached houses together with car parking and landscaping. An approved estate road would be extended to provide vehicular access to the proposed houses. The proposal also includes re-siting of the approved pedestrian access from Scots Lane. The detached houses would be 4 bedroomed (for 7 persons') and the semi-detached houses are 3 bedroomed (for 5 persons'). Each detached house would have an integral garage and two parking spaces on the driveway. The semi-detached houses would have a single storey garage building along the side and one parking space on the drive. The original landscaped public open space would remain fairly unaltered apart from the loss of the area where the 4 houses would sit. Additional soft landscaped features would be incorporated within the rest of the public open space.

SITE DESCRIPTION

The application site forms part of the former Coundon Reservoir site which was decommissioned and cleared in 2011 and has re-naturalised over time. The site forms part of the Scots Lane development where planning permission has been granted to build 69 houses. The site is vacant land, located to the east of No. 116 Scots Lane. The site fronts the proposed landscaped public open space (to be implemented) beyond which are the Radford Road allotments to the east and the back gardens of houses on Holloway Field to the north. The registered Village Green on Holloway Field is located to the northeast beyond the extensive landscaped area. The general character of the area is predominantly residential with no specific designation or interest such as a conservation area or Local Wildlife site.

PLANNING HISTORY

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

Application Number	Description of Development	Decision and Date
OUT/2016/2918	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 11/05/2017
RMM/2018/0316	Reserved matters application for the erection of 69 houses, landscaping, associated public open space and car parking served by new access onto Scots Lane (serving plots 4-69) and upgrade/improvements to existing access (serving plots 1-3). Submission of details pursuant to outline planning permission OUT/2016/2918	Approved 14/06/2018
S73/2018/0812	Removal / Variation of condition No. 6 (in part, 6(i) only) to exclude	Approved 14/06/2018

	pedestrians/cycle link between the northern part of the site and the bus stop on Holloway Field: imposed upon 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'.	
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	Approved 24/05/2018

	open space and car parking granted on 11/05/2017.	
DC/2019/0218	Submission of details to discharge condition 19: Local Skills and Employment Action Plan and condition 20: Variable Message Warning Sign 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 19/03/2019
DC/2019/3424	Submission of details to discharge condition 15 (Flood Risk Assessment and Drainage Details) imposed on planning permission 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 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 14/06/2018.	Approved 09/05/2019

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The revised NPPF published in February 2019 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 6th December 2017. Relevant policy relating to this application is:

Policy DS3: Sustainable Development Policy

Policy H3: Provision of New Housing

Policy H9: Residential Density
Policy GE2: Green Space
Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
Policy DE1: Ensuring High Quality Design
Policy AC2: Road Network
Policy AC3: Demand Management
Policy EM4: Flood Risk Management
Policy EM5: Sustainable Drainage Systems (SuDS)
Policy IM1: Developer Contributions for Infrastructure

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPD Delivering a More Sustainable City
SPD Coventry Connected

CONSULTATION

No Objections received from:

- Drainage; Ecology

No objections subject to conditions have been received from:

- Highways, Environmental Protection

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

- Severn Trent Water; Parks and Greenspace

Immediate neighbours and local councillors have been notified; three site notices were posted on 20 June 2019.

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

- a) Loss of part of the proposed public open space
- b) Addition of four houses would make the already overcrowded site more crowded
- c) Building on the proposed green space would affect the quality of the environment of the future residents of the estate
- d) Would create pressure on drainage system
- e) The development is out of scale
- f) The construction work will cause more noise and disruption to local residents.
- g) Bablake Ward already falls short of public open space (set out in the Council's adopted green space standards). This proposal development would create a higher density of housing with less available green space.
- h) Granting of planning permission for these extra 4 houses conflicts with the original approval.
- i) The proposal is contrary to Green Space Policy (GE2)

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

- j) This application is a cynical attempt to bypass the previous approval process
- k) If the developer's thought there was capacity for these 4 houses, they would have been included in the original planning application.

- l) The proposal seems a subversion of good and open planning processes.

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 outline permission. In addition, the site investigation and risk assessment, noise pollution and air quality issues have already been resolved through conditions which were imposed in the outline application. Planning obligations related to the original development within the whole site were resolved through developer's contributions for education, biodiversity, greenspace, healthcare and delivery of affordable housing through s106 agreement. Despite the application being submitted as a standalone application, the site is part of a wider development site and the application has been considered in association with the original outline application and reserved matters application.

The current application does not offer any affordable housing. However, in the original scheme under the outline application (for 70 dwellings), the developer agreed to provide a total of 18 affordable houses (which was more than 25% of total 69 houses approved in the reserved matters application) and therefore the additional 4 houses would not be expected to provide any additional affordable house. In the reserved matters application, the design and layout of the site has also been resolved.

The design of the proposed houses would remain similar to the design of the houses which were already approved under the reserved matter application. Therefore, in determining this application the main issues are the density of the development due to the addition of the 4 houses, impact on the proposed landscaping scheme in particular in association with the proposed open public space as well as highway considerations.

In addition, due to the loss of part of the proposed green space/public open space within the development site, the developer has agreed to an additional contribution towards the enhancement of the existing green space within the area.

The developer would also contribute proportionately towards the NHS contribution due to the increase of the total number of houses from 70 to 73. In this regard the relevant deeds of the section106 agreement would be varied to obtain the appropriate contribution.

Density of the development

Policy H9 of the Coventry Local Plan provides clear guidance on the density of the residential development. The NPPF also encourages the identification of locally set density requirements that reflect local circumstances. The Coventry Local Plan recognises that in order to promote sustainable urban regeneration, new residential developments must promote the most efficient and effective use of land.

Policy H9 suggests that when considering density, it is important to ensure the residential development is considered alongside other essential onsite provisions such as appropriate levels of amenity space, landscaping and any appropriate onsite infrastructure. As such, the Council's policy is set in the context of net densities that seek to maintain:

- at least 20% of gross site area to remain undeveloped on sites in excess of 2ha; and
 - at least 15% of gross site area to remain undeveloped on sites below 2ha;
- Nevertheless, the Policy H9 suggests a minimum of 35 dwellings per hectare (net) should be provided on Previously Developed Land outside the Ring Road.

The gross site area (including the land with existing 4 houses) of the whole development is around 2.3 hectares (23400m²). Therefore, a total of 77 dwelling units (including the 4 existing properties) would result in a density of around 34 units per hectare. It is acknowledged that this is slightly lower than that suggested (minimum 35 dwellings/hectare) in the above policy. However, the rest of the site would be used to provide green infrastructure and a public open space therefore the proposed density is acceptable in this location which reflects the character and density of the locality.

In terms of providing a satisfactory provision of amenity space and landscaping, the proposed development including the additional 4 dwellings (which are the subject of this application) would retain around 16% of the land for the purpose of public open space and landscaping. This provision to retain at least 20% land undeveloped falls short by 4%, however considering the site is just above 2 hectares and also the density of the houses less than 35 units per hectare. The development is considered well balanced and the density is considered reasonable. The proposed development would appear effective and efficient use of the land without compromising the quality, character and amenity of the surrounding area.

Impact on the landscaping

In the reserved matters application for the development of 69 houses, around 5300m² area of land towards the northern part of the site was designed for the landscaped public open space. The proposed 4 houses and associated access road would reduce this area to around 3800m². This would result in loss of around 1500m² landscaped area, i.e. loss of around 28% of the originally allocated landscaped area. The main part of the site was the former Coundon Reservoir which was decommissioned and cleared in 2011. Over the time the site has re-naturalised and turned into a greenfield site before being acquired by the developers of the residential development. The site also comprised of a pond, an orchard and allotment plots on the eastern part. The proposed development site adjoins a registered village green to the northeast. The site was not designated for specific development in the last development plan (Coventry Development Plan 2001) nor in the current Local Plan (Coventry Local Plan 2016). Despite the application site being open and vacant (comprising ruderal growth) prior to the current development scheme, the site was not considered useable public open space or recreational ground. Despite the provision of these 4 extra houses reducing part of the original proposed public open space, the new development will still provide around 3800m² green space that will be landscaped and useable for the benefit of the local community. The existing trees (within the orchard in front of the existing semi-detached properties) and hedgerow along the northern boundary and hedgerow and Oak tree along the boundary with the village green would be retained and protected during the construction work. In the outline planning permission, the developer agreed to contribute for the enhancement of green space within 2.5km radius of the development site in addition to the proposed landscaped public open space as part of the residential development. Due to the loss of the part of the proposed public open space within the development site, the developer agreed to the additional contribution towards the enhancement of the existing green space within the

area. Therefore, it is considered that the impact of the 4 additional houses on the previously approved landscaped scheme and public open space would be acceptable. The remaining landscaped public open space would still appear satisfactory and would benefit the local residents by providing opportunity to access a quality green space.

Highways

The houses would be accessed by way of an altered arrangement to the turning head north of plots 32 and 33. The turning head would be of an adequate size to accommodate a refuse vehicle. Parking provision is in accordance with Local Plan standards and comprises an Integral garage and two driveway spaces for the detached houses and an attached garage and one driveway space for the pair of semis. The layout and width of the road within the development would satisfy the criteria of a shared surface and is to the satisfaction of Highways Officers. Subject to adequate parking provisions which have been shown on the proposed plans, the highways authority has no objection.

Other consideration

Environmental Protection are satisfied with the proposal and do not have concerns over land contamination as it has already been addressed in the outline application. However, they suggested mitigation measures to offset the environmental impact of the development including air quality. The Environmental Protection Officer recommends a condition in order to minimise the impact of the development on local air quality by requiring any new gas boilers to meet a dry NOx emission rate of 40mg/kWh and one electric vehicle re-charging point per dwelling. In addition, it is considered that a construction environmental management plan (CEMP) will be required prior to any site clearance/construction activity commences detailing hours of operation during construction, and how dust emissions will be controlled and monitored to prevent any adverse impact upon neighbours.

Some residents raised concerns that the additional 4 houses could create pressure on drainage systems which have recently been approved by the Planning Committee under the discharge of drainage condition application. The drainage engineers have confirmed that the revised hydraulic calculations which have been submitted with this application demonstrate that there is sufficient capacity in the existing pond. Also, the floor levels are elevated well above the top water level of the system. Therefore, the drainage engineers are satisfied with the proposal and raise no concerns. As the wider strategy is unchanged, the drainage team does not consider any condition is required in this case.

The council's ecologist considers that the additional 4 houses will not significantly increase the biodiversity impact as part of the wider site allocation under OUT/2016/2918 for which there is a S106 agreement to cover this loss. The ecologist considers that subject to the initial scheme of OUT/2016/2918, comes prior to the commencement of this scheme or at least the S106 is triggered prior to this scheme comes forward then they will be confident that a Biodiversity Net Gain can be achieved to satisfy relevant policies. It is worth noting that the first payment for offsetting biodiversity loss has already been made as per the original S106 agreement.

With regards developer contributions to infrastructure, the Section106 agreement which was completed and agreed under the outline application was based on 70 dwelling houses. The reserved matters application was approved for total 69 houses without varying section106 for relevant contributions. However, in this instance, given the

developers' additional contribution towards the green space and the NHS, it is necessary to vary the deeds of section 106 agreement to include necessary relevant contributions to enable the development. Parks and Green Spaces and the NHS have indicated final additional figures will be confirmed through late representations.

Conclusion

The proposal is considered an appropriate development and efficient use of land for housing development and will help deliver much needed houses in the city. The proposed development will not result in any significant impact upon the proposed landscaped area and public open space, highway safety or infrastructure subject to additional contributions and relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with Policies IM1, DE1, DS3, H3, H9, AC2, AC3, GE2, GE3 of the Coventry Local Plan 2016, SPD, 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 (as amended).*

2. The development hereby permitted shall be carried out in accordance with the following approved documents: WYG Scots Lane Planning Statement four house scheme; Drainage Design Report; Replan Private Drainage; Replan External Works; Dwg:CB_02_CU-4B-2S-CB-E-Cutler-CB-Elevations; Dwg:CB_01_CU-4B-2S-P1-Cutler-CB-Plans; Dwg:LA3658 002-Plots 70-73 Detailed Landscape Proposals; Dwg:LA3658 001-Plots 70-73 Landscape Strategy; Dwg:117D Sections Through Pond and Ditch Course; Dwg:116 Overland Flood Routing; Dwg:114F Works to Existing Ditch Course; Dwg:10212_AMS.001 Rev A - Arboricultural Method Statement; Dwg:101O Drainage Layout; Location plan; MASTER 4 extra units - P1001 - Rev C; The Tanner - all elevations and floor plans.

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

3. The development shall proceed only in strict accordance with a construction method statement which shall be 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: measures to control the emission of noise, dust and dirt during construction; and details of construction hours.

Reason: *In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies AC1, AC3 and DE1 of the Coventry Local Plan 2016.*

4. Prior to occupation of the proposed dwellings hereby approved the car parking areas shall be provided in accordance with details submitted to and approved in

writing by the Local Planning Authority and the car parking areas shall not thereafter be used for any other purpose than the parking of vehicles

Reason: *To ensure that adequate manoeuvring and parking space is available to serve the development in the interests of traffic safety in accordance with Policies AC1 and AC3 of the Coventry Local Plan 2016.*

5. Any gas boilers or Combined Heat and Power systems serving the development must have a maximum dry NOx emissions rate of 40mg/kWh and a minimum of one electric vehicle recharging point per property shall be provided within the development hereby permitted and shall be retained thereafter.

Reason: *To promote use of low carbon, renewable and energy efficient technologies, to adapt to the impact of climate change and to reduce the impact of the development on air quality in accordance with Policy DS3 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

6. 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.*

7. 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.*

8. 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 development on the houses on plot 72 and plot 73 shall be carried out which comes within Classes A, B or E of Part 1 of Schedule 2 of this Order, without the prior permission of the Local Planning Authority.

Reason: *That due to the restricted nature of the plots (No. 72 and No. 73) of the dwellinghouses and their relationship with each other, 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 H3, H9 and DE1 of the Coventry Local Plan 2016.*