

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	FUL/2019/0824
<b>Site:</b>	Avenue Bowls Club, Gaveston Road
<b>Ward:</b>	Coundon
<b>Proposal:</b>	Erection of new indoor bowls facility and maintenance store and reconfiguration of car park
<b>Case Officer:</b>	Nigel Smith

## SUMMARY

It is accepted that there are no suitable sequentially preferable in or edge of centre sites available for the facility. Whilst there would obviously be a quantifiable loss of green space, due to the erection of a building, it is considered that the loss of outdoor sport facility is compensated for by the benefits to sport provision. The impacts upon highway safety, residential amenity and the character of the area would not be significant.

## BACKGROUND

The site is an existing bowls club situated in a backland site behind houses which front Gaveston Road, Hollyfast Road and Prince William Close to the south, east and north respectively, with Kendon Avenue to the west. The proposal is to erect an indoor bowling rink with associated changing rooms and W.C.'s on the site of the all-weather pitch and allotments. The car park would be remodelled to provide 42 spaces, which is increased from 32 spaces.

## KEY FACTS

<b>Reason for report to committee:</b>	5 or more representations contrary to recommendation
<b>Current use of site:</b>	Bowls club
<b>Proposed use of site:</b>	Bowls club
<b>Existing parking spaces:</b>	32
<b>Proposed parking spaces:</b>	42
<b>Increase in floorspace:</b>	1570 sq m

## RECOMMENDATION

Planning committee are recommended to grant planning permission subject to conditions listed within the report.

## REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not significantly adversely impact upon highway safety.
- The proposal will not significantly adversely impact upon the amenity of neighbours.
- The proposal will not significantly adversely impact upon the character of the area.
- The proposal accords with Policies: DS3, GE2, GE3, GE4, DE1, AC2, AC3, AC4, EM2, EM4, EM5, EM7 and CO1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## Update on development proposal between 4<sup>th</sup> July 2019 – 25<sup>th</sup> September 2019

Members will recall that this application was considered at the Planning Committee meeting dated **4<sup>th</sup> July 2019**. It was deferred for the following reasons, listed in the minutes of that meeting:

*Following consideration of the report, the late representation document and matters raised at the meeting, Committee considered that some of the reasons for refusal in 1969 were still of some relevance and had not been adequately overcome. Committee therefore requested that further work be undertaken to respond to the numerous questions raised at the meeting in respect of the suitability of the site, particularly the availability of alternative sites and how these were considered through the sequential test. In addition, Committee requested further clarification regarding the clubs plans for expansion and how this could impact upon residential amenity and parking. RESOLVED that the consideration of Application FUL/2019/0824 be deferred to a future meeting to allow officers to determine the suitability of the site as well as ensuring the sequential test has been met.*

Following the meeting, Officers contacted the applicant and requested the following information:

- An updated Sequential Assessment that provided further review and consideration of any opportunities within other suitable designated centres across the city. For the avoidance of doubt this covered the City Centre and Major District Centres.
- Further explanation of why this site is considered to be the best site for the facility outside of those Centres, notwithstanding the fact that other out of centre sites are not sequentially preferable to the application site, in planning terms.
- Clarification over the clubs future expansion plans
- Opportunities to impose a condition preventing use of the indoor and outdoor bowling rinks at the same time. This would manage / control numbers of cars and people on site at any one time
- Introduction of a condition requiring a traffic management plan which would help control access and egress from the site
- Proposals to introduce a planting scheme or a form of screening along the southern and eastern edges of the site to help screen the building from neighbouring properties

### Sequential assessment

The applicant provided an addendum to the sequential test in response to comments made at Planning Committee in July. This identified and discounted a further 6 sites. Three of these sites were located in the City Centre (the former Co-op building, Corporation Street; the former BHS building; and a site on Bishop Street) however they all had planning permission for redevelopment and were unavailable for an indoor bowls use.

Furthermore, three car parks were identified in and adjacent to defined Centres. One was the car park for Buzz Bingo in Radford. Another was part of Morrison's car Park at Brandon Road and the other was part of car park C at the Ricoh Arena. The assessment

explained that none of the sites were available to purchase, but in any event, the portion of car park at the Ricoh Arena was too narrow to accommodate the proposed building. The other sites were also still required to provide parking for the respective uses.

It was considered that all possible sequentially preferable sites had been considered and discounted and therefore the proposal complied with Policy CO1.

#### Best non-sequentially preferable site

The applicant made available an overview of the site assessment and selection process. This included a report to the Coventry City Council Cabinet on 9<sup>th</sup> January 2018, a report to the Cabinet Member for Public Health and Sport on 17<sup>th</sup> December 2018 as well as an accompanying feasibility report. This stated that the site was selected ahead of a range of other sites on the basis of appropriateness of site; affordability; governance; operational management; and commercial return / sustainability. The 2<sup>nd</sup> of the reports and feasibility report assessed 18 sites suggested by stakeholders including local residents. It is important to stress though that such an assessment is not a material planning consideration, as a sequential assessment (in planning terms) cannot give greater weight to other out of centre opportunities.

#### Future expansion plans

A letter was submitted by the agent, to clarify the reference to future expansion plans, made by the member of the Coventry indoor bowls association, at the July committee meeting. The letter confirmed that this referred to growth in participation in the sport, mainly targeted at specific underrepresented user groups, such as individuals with disabilities. It was stated that growth in the peak periods identified in the Travel Assessment would be impossible, as the proposed facility would have a capacity of 48 people, and no further physical expansion of the club is desired. The growth in participation would be between 10:00 and 16:00 hours Monday-Friday, between May and August, with a maximum estimated total of 100 people per week, which is considered an ambitious target. The letter stated that these figures are already accounted for in the Travel Assessment.

From an assessment of the figures in the Transport Statement, it is evident that an allowance for 10 additional users has been made for each morning and afternoon Monday-Friday in the summer months. Therefore the impact of the proposed 'expansion' has already been taken into account in the figures, and no further allowance is required.

#### Condition preventing simultaneous indoor and outdoor bowls

Due to the plans to use the indoor bowling rinks during daytime in the summer months, it is not possible to impose a condition preventing use of both indoor and outdoor rinks simultaneously. However, a condition preventing use of both rinks simultaneously after 5pm is possible and is considered to be both reasonable and enforceable. This would help to limit the amount of comings and goings and parking pressure in the evenings at the site.

#### Traffic management plan

The applicant agreed to a condition requiring a traffic management plan to help control access and egress to and from the site.

#### Screening

A proposal was submitted to plant ‘trained’ fruit trees adjacent to the proposed building. The trees would be trained so that they would be splayed against the building so would not overhang the shared vehicular access. Furthermore they will offer a softer appearance to the building when viewed from adjacent houses. A condition requiring full details and a management plan for the trees is recommended.

### Summary

It was considered that the additional information provided answers to Members concerns regarding the application of the sequential test and the reasons why the applicant had chosen this site ahead of others.

Furthermore, it was evident that the expansion plans were already taken account of in the previously submitted Transport Statement, therefore there would be no additional impact upon amenity and parking over and above that discussed in the original report.

### Update on development proposal between 26<sup>th</sup> September – 6<sup>th</sup> December 2019

The application was then considered and deferred at the **26<sup>th</sup> September 2019** committee meeting for the following reason:

*RESOLVED that the consideration of Application FUL/2019/0824 be deferred to a future meeting to allow officers to determine if any other sequentially preferable sites are available/suitable and for Highways to reaffirm that the access/parking is acceptable.*

A detailed addendum to the sequential assessment has been submitted, which considers all sites in and within 300m of all Centres in the City. Previously the assessment focussed on the City Centre and Major District Centres, due to the size and catchment of the proposed facility.

From a legal perspective, Paragraph 24 of the National Planning Policy Framework (“NPPF”) states that Local Planning Authorities (LPAs) should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only in out of centre sites if suitable sites are not available elsewhere. The term “suitable” in relation to the sequential test means suitable for the development proposed. The question to be answered through the sequential test therefore is whether the alternative site is suitable for the proposed development and not whether the proposed development could be altered or reduced so that it can be made to fit the alternative site.

Moreover, in terms of availability NPPF paragraph 24 asks whether town centre or edge of centre sites “are available”. That is at the date of the assessment. This was the approach of the SoS in **Rushden Lakes** and accords with the language and context of the sequential test.

There is also the fact that suitability and availability are matters of planning judgement. They are not matters on which the court will substitute its own view for that of the decision-maker. Accordingly, the decision-makers exercise of judgement upon them will not be vulnerable to challenge except on Wednesbury grounds (A reasoning or decision is

Wednesbury unreasonable (or irrational) if it is so unreasonable that no reasonable person acting reasonably could have made it).

In conclusion, where a sequential test has been undertaken which shows that all of the sites assessed have been found to be not suitable, not available, or not viable, the sequential test has been passed.

The assessment, submitted by the applicant, identified 13 sites, which have been looked at in detail. These are:

**Site 1: Land at Wyken Grange Road**

The site is located 200m from Ansty Road local centre. It is a triangular backland site predominantly covered in vegetation with some community buildings in the south eastern corner. It is unavailable as the site is in private ownership and not advertised for sale.

**Site 2: Clay Lane Car Park;**

Within Ball Hill District Centre. Required for car parking and too small to accommodate the use.

**Site 3: Remaining land within Banner brook Local Centre;**

The site is too small to accommodate the use.

**Site 4: Previous school land south of Banner brook Local Centre;**

Not available for development. Privately owned and actively being promoted for commercial / residential development.

**Site 5: Land at Woodlands School;**

Within 300m of Banner Lane local centre. Unavailable as it is considered to be of strategic importance for the City's education strategy, specifically relating to SEN provision.

**Site 6: Existing Bowls Greens at Bell Green Working Men's Club and Rose and Crown Public House;**

Adjacent to Bell Green District Centre but are in active community use and the redevelopment of this site would force the closure of existing facilities.

**Site 7: Coventry and North Warwickshire Sports Club;**

Within 300m of Binley Road Local Centre. The owners have expressed an interest in the facility if funding were made available. However, in order to accommodate the facility, existing provisions would have to be removed eg. the loss of the tennis / netball courts to the east of the site or an unacceptable impact upon the cricket pitch. This may also be unacceptable to Sport England.

**Site 8: Land at Alvis Sports and Social Club;**

Within 300m of Green Lane Local Centre. This site was initially considered through the applicant's feasibility study, which reviewed existing bowls clubs in the City. This concluded that the development at this site would not be viable. The site is large enough to accommodate the use without significantly impinging on existing facilities.

**Site 9: Land at St Finbarrs Sports Ground;**

Within 300m of Holbrook Lane Local Centre. The site is privately owned, in active use and not available.

**Site 10: Land at Algate Close;**

Within 300m of Holbrook Lane Local Centre. The site is not large enough to accommodate the use and is privately owned and unavailable.

**Site 11: Land at Sphinx Sports and Social Club;**

Within 300m of Stoke Aldermoor Local Centre. This site was considered by the applicant's feasibility assessment and considered unviable. There is the potential for significant negative environmental damage if the area of wild grassland and trees to the south west of the site was developed. Development on other parts of the site would impact upon existing sporting provision.

**Site 12: Walsgrave Bowls Club;**

Within 300m of Walsgrave Road Local Centre. The site was considered by the applicant's feasibility study and considered to be unviable. The site is privately owned and in active use and delivery would result in loss of existing facilities including the public house.

**Site 13: Stoke Bowls Club**

Within 300m of Walsgrave Road Local Centre. The site was also considered by the applicant's feasibility study and was ruled out as it would result in the loss of an entire outdoor bowls green.

It is considered that the addendum provides a comprehensive assessment of potential sequentially preferable sites within the City. However, no sequentially preferable sites have been identified.

Aside from the sequential assessment, the addendum also looked at the issue of the impact of the proposal upon the vitality / viability and investment upon existing defined Centres (known as the Impact test). As the only indoor bowls provision is in the City Centre, the only potential impact is upon that centre. However, the existing leisure centre is earmarked for closure and many of its facilities have been re-provided elsewhere (such as The Wave and the 50m pool at Alan Higgs). This application is part of that re-provision and would not provide an additional facility to compete with the City Centre facility.

Turning to Highway issues, the Highway department remain of the opinion that the access arrangements and parking provision are acceptable. Following Members comments at the meeting on 26<sup>th</sup> September, it was considered whether providing access (whether by car or just for pedestrians) from Kendon Close would be preferable, but it was concluded that the impact upon resident's amenity would be too great. This is mainly because users of the club may be tempted to park on Kendon Close to access the club, which would involve parking in front of houses.

However, it is proposed to amend the previously proposed traffic management condition to include reference to junction improvements, which could include waiting restrictions to both sides of, and opposite, the access on Gaveston Road. This would ensure visibility and turning room for drivers when accessing or egressing the site.

## Summary

No sequentially preferable sites have been identified either in or on the edge of any defined Centres in the City. Furthermore, Highways remain of the opinion that the proposal would not prejudice highway safety.

The original committee report, together with information which was contained on the late items sheet for 4<sup>th</sup> July meeting, and additional neighbour comments received, is supplied below.

## **APPLICATION PROPOSAL**

The proposal is to erect an indoor bowling rink with associated changing rooms and W.C.'s on the site of the all-weather pitch and allotments. The indoor rink building would measure 41.5m x 33.8m in floor area with a ridge height of 6.24m and a wall height of 4.75m. This building would be clad with powder coated metal cladding in three colours in three varying widths. There would also be a shallow mono-pitched link building between the indoor rink and existing clubhouse, which would house the ancillary accommodation such as the changing rooms and W.C.'s. This link would be faced in brick and would have a maximum height of 3.8m.

Aside from the building, the car park area would be remodelled and slightly extended to incorporate an existing hedge which separates the car park from outdoor bowling green. The existing car park has space for 32 spaces and the proposed has space for 42, including 2 disabled spaces. A maintenance store is also proposed to the south eastern corner of the car park.

The proposal would re-provide a facility which is currently provided in the Coventry Sports and Leisure Centre in the City Centre. As members will be aware, the leisure centre is earmarked for closure. A supporting statement explains that "The scheme forms part of a wider Sports Strategy Partnership for the city of Coventry, underpinned by a new Indoor Facilities Strategy and Playing Pitch Strategy. A recommendation of the Indoor Facilities Strategy is to work alongside key bowls clubs and the National Governing Body of Indoor Bowls to explore the feasibility of future sustainable provision for indoor bowls in Coventry".

## **SITE DESCRIPTION**

The site is an existing bowls club situated in a backland site behind houses which front Gaveston Road, Hollyfast Road and Prince William Close to the south, east and north respectively, with Kendon Avenue to the west. The site comprises a car park to the west which is accessed via a single width vehicular / pedestrian access between 44 and 46 Gaveston Road. There is a single storey brick faced clubhouse building located to the north of the site with an outdoor bowling rink in the middle. To the western side of the site is an all-weather rink and beyond that is an area of allotments, which are administered by the club.

As well as bowls, other activities such as slimming world and private functions occur at the site. The site is used from 0900-2200 hours although timings vary. Bowls generally takes place between 1400-2200 hours.

## PLANNING HISTORY

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

Application Number	Description of Development	Decision and Date
S/2005/1017	Indoor bowling green and changing accommodation	Refused (1969) as the site was located in an area allocated for residential purposes and the proposed building would be undesirable given its size and sphere of influence. It would also have an unsatisfactory impact upon residential amenity from increased comings and goings; and it would have an unsatisfactory access

## POLICY

### National Policy Guidance

National Planning Policy Framework (NPPF). The new 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 new NPPF increases the focus on achieving high quality design and states that it is "fundamental to what the planning and development process should achieve".

The National Planning Practice Guidance (NPPG) 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 DS3: Sustainable Development Policy

Policy GE2: Green Space

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

Policy GE4: Tree Protection

Policy CO1: New or improved social, community and leisure premises

Policy DE1 Ensuring High Quality Design

Policy AC2: Road Network

Policy AC3: Demand Management

Policy AC4: Walking and Cycling

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):

SPD Delivering a More Sustainable City



SPD Coventry Connected

## **CONSULTATION**

No Objections received from:

- Sport England

No objections subject to conditions have been received from:

- Highways
- Environmental Protection
- Drainage
- West Midlands Fire Service
- Ecology

Immediate neighbours and local councillors have been notified; a site notice was posted on 16<sup>th</sup> April 2019. A press notice was displayed in the Coventry Telegraph on 11<sup>th</sup> April 2019.

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

- a) Increase traffic congestion / highway safety concerns
- b) Increased demand for on street parking on already heavily parked local streets
- c) Increased air pollution
- d) Inadequate access / single width
- e) No fire / emergency access
- f) Unsustainable location as out of City Centre and has city wide catchment / short-sighted as no room for expansion for regional tournaments / more suitable sites available
- g) Loss of allotments (used by non-members of club)
- h) Harm to wildlife (bats / foxes / hedgehogs etc)
- i) Impact on outlook / light to occupiers on Hollyfast and Gaveston Roads
- j) Increased noise / light pollution
- k) Disruption during construction / using Kendon Avenue not feasible
- l) Archaeological investigation required for lost chapel
- m) Impact on health of residents / no health impact assessment
- n) Scale / design of building out of keeping with area
- o) Nothing changed since 1969 refusal
- p) Drainage / flooding implications
- q) Impact upon trees
- r) Transport statement underestimates number of people who will drive to site / doesn't include staff

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

- s) Reduction in house values
- t) The existing club is not well managed
- u) Money better spent on other things

A petition (232 signatures) has been sponsored by Cllr Bailey, objecting to the application due to the use of a landlocked site in close proximity to existing dwellings; creation of highway safety problems; increased traffic and on street parking.

A further petition (118 signatures) encouraging the relocation of the indoor bowls provision to a more suitable City Centre site has been submitted and supported by Cllr Williams.

Cllr Gannon has written in to object to the application for the following reasons:

- A study should be undertaken to find the best site for the facility in Coventry
- The building is not in keeping with the character of the area
- The access is inadequate
- No change since previous refusal
- Public transport connections not good enough to support City wide facility
- Archaeological survey required in order to establish siting of the Chapel of St Chad
- Inappropriate loss of open space
- Impact on health / wellbeing of residents

Following the receipt of amended plans, prior to consideration by Planning Committee on 4<sup>th</sup> July 2019, 10 day re-notification letters were sent to all previously consulted neighbours and any others who commented previously. A further 40 objections were received which are summarised below:

- Not enough toilets provided. This is not a material planning consideration
- The rinks are in the wrong direction. This is not a material planning consideration.
- The reduction in height of the building will not make enough of a difference to outlook, light and wellbeing of residents.
- The proposed design does not improve the appearance of the building. It is still an ugly building which will harm the character of the area.
- The fire access will be used at other times by the club, to the detriment of highway safety and resident's amenity. A proposal to make an entrance to the club off Kendon Avenue was refused in 1962.
- A fire engine will not be able to get down Kendon Avenue due to parked cars and narrow width of the road.
- Where can the fire engine turn at the club or end of the road?
- If approved conditions should be imposed to ensure: gates only open into the bowls club site; the gates remain locked apart from when a 999 call has been made; the lock mechanism is on Kendon Avenue side only with keys held by emergency services and residents but not the bowls club; the disabled spaces on Kendon Avenue will not be removed; the land in front of the gates remained grassed with raised kerb; the gates will be made of hardwood solid construction; no vehicle to leave the car park until the fire is extinguished; double yellow lines painted in front of kerb on Kendon Avenue; signage on gates on Kendon Avenue side; the fire service confirm the building is low fire risk, as opposed to the agent

- The allotments are protected by the 1925 Allotment Act and require Secretary of State approval to dispose of them. Furthermore, paragraph 91 of the NPPF is relevant as it recognises allotments as supporting healthy lifestyles.

One supporting comment has been received making the following points:

- (i) The location outside the City Centre will encourage bowlers who don't feel secure in the City Centre in the evenings
- (ii) The plan is fully accessible for all whilst the current provision is not
- (iii) The proposed facilities are an enhancement on current provision
- (iv) The EIBA (English Indoor Bowls Association) deem the site to be the only realistic option for provision
- (v) It promotes social interaction and enabling healthy lifestyles

Further 10 day re-notification letters were sent out following the receipt of additional / revised information prior to the meeting on 26<sup>th</sup> September. 26 objections were received, which are summarised below:

- (i) Nothing has changed and Members should refuse it as they said it was unacceptable last time.
- (ii) The reasons for refusal in 1969 are still applicable
- (iii) The sequential assessment is a joke. Why haven't the other 18 sites identified by the residents' group been looked at? There has been no serious attempt to find an alternative site.
- (iv) Do Wasps still require the land adjacent to the Ricoh for potential parking?
- (v) How about land at Brade Drive (where a coffee shop was recently refused planning permission) and at Bannerbrook Lane?
- (vi) There are significant highway / pedestrian safety issues with inadequate access and insufficient parking provided
- (vii) The police response has been ignored
- (viii) A club member is still telling residents that work will commence next year. Has the decision already been made?
- (ix) Impact on residents of building itself (loss of light / outlook / noise)
- (x) The planting will not make the appearance of the building acceptable. Who will look after it?
- (xi) Harm to the character of the area
- (xii) Harm to the natural environment
- (xiii) Loss of allotments
- (xiv) Disruption / harm to health via pollution during construction
- (xv) How will the fire service access the site if the gates are locked?
- (xvi) The forecast maximum use of the site may be wrong
- (xvii) The club is not operated in an inclusive manner
- (xviii) A traffic management plan will not work as it will deter people from using the car park as they may be delayed getting back out
- (xix) The proposed condition preventing simultaneous daytime use of the indoor and outdoor rinks would not be strong enough to prevent problems of intensification of use

- (xx) Promoting the sport to people with disabilities will increase the danger on site due to the difficulties of emergency access
- (xxi) It is unfair that residents cannot speak again at committee and that Members who were not at the previous meeting can vote
- (xxii) The Indoor Bowls association could run the operation on any site

One letter of support was received, as the development would encourage people to play sport and socialise.

## **APPRAISAL**

The main issues in determining this application are: principle of development; the impact upon neighbouring amenity; highway considerations; and the impact upon the character of the area.

### **Principle of development**

#### Location of facility

Policy CO1 states that:

1. Proposals for social, community and leisure facilities will be considered through the following sequential approach:
  - a) Designated centres to support the centres hierarchy;
  - b) Where no suitable sites are available in a designated centre, an edge of-centre location;
  - c) Where no edge of centre sites are available, a site adjacent to other associated facilities including existing schools and educational facilities;
  - d) Only where no suitable site can be identified having regard to points 1-3, will stand alone sites be supported, subject to:
    - i. The proposal addressing an unmet need within a local community;
    - ii. There being no significant adverse impact upon the role of a defined Centre; and
    - iii. There being no material impact on neighbouring amenity;
2. Proposals will be considered on the basis of:
  - a) The appropriateness of their proposed location in relation to their scale and intended catchment;
  - b) Compatibility with nearby uses;
  - c) Accessibility by a choice of means of transport; and
  - d) Compatibility with other Plan Policies

As the site would be for a leisure facility which would attract a city wide catchment, the ideal location for it would be in the City Centre or perhaps one of the major district centres. Indeed the current provision is at the Coventry Sports and Leisure Centre in the City Centre. However due to the pending closure of the leisure centre, the service needs to be re-provided elsewhere.

In accordance with Policy CO1, a sequential assessment has been submitted as part of the planning statement, which identified 4 sites available for rent / sale in or on the edge

of the City Centre. Two of these are in multi storey office blocks (Friars House and Eaton House) with individual floorplates of no more than 639 sq m. Another is the upper floor of a building at New Union Street but this only has a floorspace of 770 sq m. Clearly none of these three are suitable for the use. The other is the former DW Sports unit on Hertford Street, but this is within the City Centre south regeneration area and is only available to rent until 2021, therefore this is not suitable either.

With regard to Major District Centres, the only site which appears to be a possibility is the land to the north of the existing units at Arena Park (on the opposite side of the railway from the Ricoh Arena). However, this land is not available as there is an agreement with Wasps regarding potential car parking use.

Therefore it is accepted that there are no suitable sequentially preferable in or edge of centre sites available for the facility. As such the next sequentially preferable sites are adjacent to other associated facilities. Clearly an outdoor bowling club is associated with an indoor bowling club. Therefore the provision of the site at the Avenue bowls complies with the approach contained in Policy CO1.

Many residents have suggested alternative sites are more suitable for the development, such as other bowls clubs, however there is no requirement to assess non-sequentially preferable sites as part of the planning process. Furthermore, Sport England's response to the application explains that the English Indoor Bowls Association (EIBA) reviewed potential sites with the Council and concluded that the proposed site is the only realistic option to ensure that Coventry residents will have access to local indoor bowls facility once the Coventry sports centre is closed.

An application for an indoor bowling green on the site was refused in 1969 as the site was located in an area allocated for residential purposes and the proposed building would be undesirable given its size and sphere of influence. Whilst the terminology has altered over time, the thrust of the reason for refusal is clearly that the use would attract too many people from too wide a catchment to be sited in this location. Whilst policy still encourages such uses to be located in defined Centres, it does allow for their location in out of centre locations if no sequentially preferable sites are available, subject to complying with other Plan policies and them being compatible with nearby uses and being accessible by a choice of means of transport. Impacts on residential amenity and highway related issues shall be explored later in this report.

#### Loss of green space

Policy GE2 states:

1. Development involving the loss of green space that is of value for amenity, recreational, outdoor sports and/or community use will not be permitted unless specifically identified as part of a strategic land use allocation, or it can be demonstrated that:

- a) An assessment showing there is no longer a demand, or prospect of demand, for the recreational use of the site or any other green space use; or
- b) A deficiency would not be created through its loss, measured against the most up-to-date Coventry Green Space standards; or
- c) The loss resulting from any proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location of the city.

Outdoor sports facilities and allotments both qualify as green space and the application proposes to build on an all-weather bowling rink and an area of allotments, albeit the allotments are considered to be ancillary to the bowls club as they are both owned and administered by the club and many of the allotment holders have historically been bowls members, who access the plots via a gate from the bowls side. Furthermore, the disposal of the allotments does not require Secretary of State approval as they are not owned by the local authority.

Whilst there would obviously be a quantifiable loss of green space, due to the erection of a building, it is considered that the loss of outdoor sport facility is compensated for by the benefits to sport provision of the provision of the indoor bowling rink, in accordance with the Council's Indoor Facilities Strategy 2014-2024. It is for this reason that Sport England do not object to the proposal.

### **Impact on residential amenity**

Many objections have been received from residents regarding loss of light and outlook arising from the new building. The building itself was originally designed with a gabled roof rising to 6.24m high at ridge. The roof design has been amended to be hipped on all sides so that neighbours on Gaveston Road and Hollyfast Road would now look out onto a 4.7m high wall at a distance of at least 22m from the end of single storey rear extensions at these properties. Whilst the view from the rear of these properties would undoubtedly change, the outlook would not be so oppressive as to warrant refusal of the application. Whilst it is not a direct comparison, it is useful to note that the SPG for new residential development would allow a row of terraced houses at a distance of 20m to the rear of existing properties. Such a development would have a higher eaves line, steeper roof and higher pitch, and therefore a greater impact upon light levels and outlook than the proposal.

Other potential causes of harm to amenity include increased noise from both within the site and from comings and goings to and from it and light pollution. As bowling is not a noisy activity and there are no plans to have amplified music or speakers in the new building it is not anticipated that the proposal would result in significant noise levels from the site. Conditions are proposed to prevent amplified voice or speech and also to prevent use of the new building for anything other than bowling (ie. no functions). Details of any proposed plant would need to be submitted and approved in writing prior to its installation in the proposed dedicated plant room. A condition can also be imposed to ensure details of any on site lighting be submitted prior to installation.

Noise from additional comings and goings to and from the site are impossible to control. However, it is anticipated that the largest increase in visits compared to existing levels will be in the winter months when residents are less likely to have doors and windows open or enjoying their gardens.

Finally, disruption resulting from construction is time limited by its nature and as such does not justify withholding planning permission.

## **Highway considerations**

Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city.

Policy AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene. Proposals for the provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure. Based on the proposed floor space, the standards would normally require 79 car parking spaces for the proposed extension (1 per 20 sq m).

The existing site has a car park upon which 32 cars can park. The proposal would see this expanded and reorganised so that it could accommodate 42 spaces, including 2 for disabled persons. Cycle parking would also be provided. Access is via a single car width track.

The submitted Transport Statement analyses existing trip generation to the site as well as trips to the existing leisure centre where indoor bowling currently takes place. It finds that the time periods when most people will visit the site are on Wednesday and Thursday mornings (99 and 91 respectively). This coincides with other groups using the site, namely Nostalgics and Slimming World. From an assessment of users travel habits the maximum parking demand on site would be 48 on Thursday mornings with 43 on Wednesday mornings. At other times the demand is expected to be no more than 42. The statement explains that a large number of the Slimming World patrons on Thursday morning are only on site for part of the time and therefore the 48 figure is very much a worst case scenario.

The figures in the Transport Statement have been queried by local residents with evidence submitted of greater levels of on-site parking on certain days compared to that predicted in the Statement. The club explain that the numbers provided in the Transport Statement are averages and that it is impossible to predict the exact number of cars for each day of the year. This will vary week to week. For instance, when a home game is played on a Saturday 48 bowlers may be in attendance and many cars, but if it is an away game then only a few cars may be present. The amount of bowlers, and therefore cars, will also depend on progress in cup competitions and dates of league fixtures. As such, the Transport Statement has sought to consider the most common scenarios and average levels of attendance and can't legislate for the irregular pattern of fixtures. The assumptions and conclusions of the TS is supported by the highways authority.

The statement also explains that HGV construction access would be from Kendon Avenue, as the existing access is not wide enough. Kendon Avenue is a cul-de-sac and gates would be installed at the end with an existing small grassed area covered with

hardstanding whilst HGV's require access. Following construction this would be required as an emergency access as the existing entrance is too narrow to accommodate a fire engine. A high degree of concern has been expressed about this by local residents, with many fearing that the club will use the access whenever they like once it is in place. There is also a desire not to see gates at the end of the cul-de-sac and for the grassed area to remain. However, it is not uncommon for conditions requiring accesses to be used in the event of emergencies only and planning permission cannot be withheld on the assumption that it will be breached. Therefore it is recommended that conditions are imposed restricting the access to Kendon Road to emergency vehicles only following construction as well as details of the gates, road markings, surfacing and signage to be submitted and approved prior to their installation. It is possible for gates to appear as fencing from one side as opposed to being metal gates with visibility from the site into Kendon Avenue.

The highway authority accept the findings of the Transport Statement and raise no objection to the application and increased use of the access, subject to the imposition of conditions requiring the provision of the car and cycle parking, as well as a construction method statement. Therefore it is considered that the proposal complies with the highway policies of the Local Plan and would not result in any significant harm to highway safety.

### **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.

The proposed building has a much larger footprint than the surrounding residential properties. It also has a different aesthetic due to its function. However it would be lower than surrounding residential properties and would not be visible from public vantage points. The elevations have been amended to raise their quality above that of the original design, which resembled an industrial unit. The walls would be clad with powder coated metal cladding of three different widths and colours. On balance it is considered that the proposal would not result in significant harm to the character of the area.

### **Ecology**

Policy GE3 of the Local Plan seeks to preserve protected species and biodiversity. A preliminary ecological appraisal and initial bat survey have been undertaken on the site and it concludes that protected species are unlikely to be affected if appropriate best practice is implemented (a series of suggestions are included such as habitat reduction methods and how to avoid disruption to nesting birds). It also states that the existing building is not suitable for a significant bat roosting site. The ecology consultee concurs with the report and recommends conditions requiring details of any external lighting and also specific method statements to prevent harm to hedgehogs and reptiles.

### **Other issues**

Paragraph 91 of the NPPF encourages planning decisions to include healthy, safe and inclusive places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. It is considered that both allotments and indoor bowling comply with this aim, therefore the proposal is in accordance with this guidance.



Some residents have suggested that an archaeological evaluation is required in order to establish the site of the chapel of St Chad. However, it is outside of the archaeological constraint area, which is situated slightly to the north of the site.

The Lead Local Flood Authority are satisfied that the proposal will not lead to increased flooding subject to the imposition of a condition relating to drainage.

There are 4 TPO trees located to the north of the car park on land outside of the application site. A condition is required in order to ensure that resurfacing works to the car park do not harm the roots of these trees.

It has been suggested that the proposal should be subject to a health impact assessment. However, it is below the threshold for such an assessment, as the area of development does not exceed 1 hectare.

Given the scale of development it is not considered that the development will result in significant harm to air pollution. Environmental Protection recommend conditions requiring control of dust and emissions from construction; 1 electric vehicle charging point and any gas boilers being low NOx, in order to mitigate any impact.

### **Equality implications**

The proposal would see the indoor bowling rink at ground floor level with disabled parking spaces provided. As such the development would be accessible.

### **Conclusion**

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, highway safety, ecology or the character of the area subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DS3, GE2, GE3, GE4, DE1, AC2, AC3, AC4, EM2, EM4, EM5, EM7 and CO1 of the Coventry Local Plan 2016, 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: location plan; 0400 P1; 0401 P1; 0411 P4; 0413 P5; 1100 P5; 1300 P4; 1401 P5; 1414 P4; 1600 P4; 9100 P0; site wide life safety strategy

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

3. Before the existing car park is remodelled / resurfaced the following shall be submitted to and approved in writing by the local planning authority and any approved mitigation or protection measures shall be put into place prior to and remain in place during any construction work:

Tree constraints plan; arboricultural method statement; and a dimensioned tree protection plan (to include protection measures during and after construction and any construction exclusion zones) (in accordance with 5.5/ Table B.1 of British Standard BS5837 : 2012 - Trees in relation to design, demolition and construction - Recommendations) which shall also include any proposal for pruning or other preventative works.

**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. The building / extension hereby approved shall be used for indoor bowls only and for no other purpose, including any other purpose within class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification.

**Reason:** *To ensure that the premises are not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties in accordance with Policy DE1 of the Coventry Local Plan 2016.*

5. There shall be no amplified voice or music within the building / extension hereby approved.

**Reason:** *To ensure that the premises are not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties in accordance with Policy DE1 of the Coventry Local Plan 2016.*

6. No plant shall be installed on site unless details have been submitted to and approved in writing by the local planning authority.

**Reason:** *To ensure that the premises are not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties in accordance with Policy DE1 of the Coventry Local Plan 2016.*

7. The building / extension hereby approved shall not be used until at least 1 electric vehicle charging point has been provided on site.

**Reason:** *To mitigate the impact of the development upon air quality, in accordance with Policy EM7 of the Coventry Local Plan 2016.*

8. Any gas boilers installed on site shall have a dry emission rate of <40mg/kWh

**Reason:** *To mitigate the impact of the development upon air quality, in accordance with Policy EM7 of the Coventry Local Plan 2016.*

9. The building / extension hereby approved shall not be used unless and until the car parking and manoeuvring 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:** *To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies AC1 and AC3 of the Coventry Local Plan 2016.*

10. The building / extension hereby approved shall not be occupied unless and until the approved cycle parking facilities have been provided and made available for use in accordance with the details on the approved drawings 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 HW1 and DS3 & AC1, AC3 of the Coventry Local Plan 2016.*

11. The development (including any works of demolition) 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: 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; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; construction hours; routing of HGV construction vehicles and timings of HGV deliveries; and a scheme for recycling / disposing of waste resulting from demolition and construction works.

**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, EM1 and DE1 of the Coventry Local Plan 2016.*

12. No lighting or illumination of any part of any building or the site shall be installed or operated unless and until details of such measures shall have been submitted to and approved in writing by the local planning authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details.

**Reason:** *To ensure that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties or wildlife in accordance with Policies EM1 and GE3 of the Coventry Local Plan 2016.*

13. The development shall be carried out only in full accordance with details of the external facing and roofing materials which shall be submitted to and approved in writing by the local planning authority

**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.*

14. Prior to use of the building / extension hereby approved, details of the emergency access (including the gate, road markings, surfacing, access when gates are locked

and signage) shall be submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to use of the building / extension and thereafter the gate shall only be used by emergency service vehicles.

**Reason:** *To prevent use of Kendon Avenue as another access to the site in the interests of residential amenity in accordance with guidance contained within the National Planning Policy Framework.*

15. The development hereby permitted shall only be undertaken in strict accordance with drainage details, incorporating a Sustainable Drainage System (SUDS) if possible and responding to the hydrological conditions (soil permeability, watercourses etc) within the application site, including a long term management and maintenance plan, which shall be submitted to and approved in writing by the local planning authority. The drainage design will provide for the following:
- i) Surface water discharge from the site will be limited to no more than 5l/s;
  - ii) No temporary increases in flood risk on our off site during construction;
  - iii) Evidence that receiving water bodies or sewers are capable of accepting the attenuated flows;
  - iv) Evidence that the 1:100 year plus climate change events will be held within the site;
  - v) Evidence to show the management of overland flow routes in the event of exceedance or blockage of the drainage system;
  - vi) Where site levels result in the severance, diversion or reception of natural land drainage flow, the developer shall maintain existing flow routes or intercept those flows and discharge these by a method approved by the local planning authority;
  - vii) final drainage plans
- The approved systems shall thereafter be retained and shall be managed and maintained in strict accordance with the approved details.

**Reason:** *To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies EM4 and HW1 and DS3 of the Coventry Local Plan 2016.*

16. No development shall commence (including preparatory works) until a method statement to protect hedgehogs and reptiles during construction has been submitted and approved in writing by the local planning authority. Thereafter the approved measures shall be implemented in full.

**Reason:** *To safeguard the presence and population of a protected species in line with UK and European Law, The Conservation of Habitats and Species Regulations 2010 and Policy GE3 of the Coventry Local Plan 2016.*

17. Prior to the use of the development hereby permitted, details of soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. All planting shall be carried out in strict accordance with the approved details within the first planting and seeding seasons following the first use of the indoor bowls building. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes; in the opinion of the Local Planning Authority; seriously damaged, defective or diseased shall be

replaced in the next planting season with another of similar size and species. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations.

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

18. Prior to the use of the development hereby permitted, a landscape management plan, including long term management responsibilities and maintenance schedules for the proposed trained fruit trees, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be implemented as soon as the approved landscaping is carried out and shall not be withdrawn or altered in any way.

**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 GE1 and DE1 of the Coventry Local Plan 2016.*

19. Both indoor and outdoor bowling rinks shall not be used simultaneously after 1700 hours on any day.

**Reason:** *To ensure that the premises are not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties in accordance with Policy DE1 of the Coventry Local Plan 2016.*

20. Prior to the building hereby approved being brought into use, a traffic management plan and junction improvement scheme, to control access and egress to and from the site, shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall proceed in accordance with the approved plan.

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