

Planning Committee Report	
Planning Ref:	FUL/2020/0617
Site:	The Old Police Station, 519 Tile Hill Lane
Ward:	Westwood
Proposal:	Demolition of existing Police Station and erection of 2no. 3no. storey buildings & 2no detached houses; 1no. building containing 5no. 1no. bedroom flats and 1no. building containing 6no. 2no. bedroomed flats & 2no 2no bedroomed dwellinghouses.
Case Officer:	Emma Spandley.

SUMMARY

The application seeks planning permission for the redevelopment of the existing site, a former Police Station, with the erection of two, three storey buildings & two detached houses; One building containing five, one bedroom flats and one building containing six, two bedroomed flats & two, two bedroomed dwellinghouses.

BACKGROUND

The application site is a former police station, located on the south side of Tile Hill Lane set back beyond public open space to the front; and left-over vacant land from the Hereward College site & an electrical substation to the rear.

To the western side of the site on the opposite of Tremelay Drive, a development of dwellings and 40-unit apartment block.

KEY FACTS

Reason for report to committee:	Over 5 objections against the officer recommendation
Current use of site:	Commercial (Vacant)
Proposed use of site:	Residential

RECOMMENDATION

Planning committee are recommended to delegate the granting of planning permission to the Head of Planning and Regulatory Services, subject to the conditions listed in the report and the completion of the S106 legal agreement to secure the contributions listed within the report.

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: DS3, H3, H5, H9, DE1, AC1, AC2, AC3, GE3, GE4, EM1, EM2 & EM5 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The application seeks planning permission for the redevelopment of the existing site, a former Police Station, with the erection of two, three storey buildings & two detached houses; One building containing five, one bedroom flats and one building containing six, two bedroomed flats & two, two bedroomed dwellinghouses.

Each flat & house will have its own dedicated off-road parking and required amenity space.

SITE DESCRIPTION

The application site is a former police station, located on the south side of Tile Hill Lane set back beyond public open space to the front; and left-over vacant land from the Hereward College site & an electrical substation to the rear.

To the western side of the site on the opposite side of Tremelay Drive, is a development of dwellings and 40-unit apartment block.

Nos.17 – 29 Lomsey Close, to the east, back onto the proposed development, with No.29 also being side on fronting onto Tile Hill Lane.

PLANNING HISTORY

The relevant history relates to the site which surrounds the application site to the south and west, specifically, the permission which relates to the 40no. unit apartment block, which has commenced on site, which is located to the west of the application site.

Reference	Cov Reference	Proposal description	Decision and date
R/2006/0973	53422	Outline application discharging means of access for new residential development and extension to Hereward College	Approved, 2 nd April 2007
R/2009/0001	53422(RM2)	Submission of details of reserved matters under condition No.1 (in part) details of the scale and appearance of buildings, layout and the landscaping of the site and to discharge condition No.4 (in part) - details of earthworks and mounding;	Approved, 20 th April 2009

		<p>condition No.6 (in part) - phasing of development: imposed on planning permission reference 53422 determined on 2nd April 2007 for residential development and extension to Hereward College (outline application - means of access being discharged) - substitution of house types for plots No.66 to No.116 for residential development (Phase 1).</p>	
R/2010/0761		<p>Submission of details of reserved matters under condition No.1 (in part) details of the scale and appearance of apartment block (plots 1-40) imposed on planning permission reference 53422 determined on 2nd April 2007 for residential development and extension to Hereward College (outline application - means of access being discharged).</p>	<p>Approved, 6th August 2010</p>

The relevant planning history for the application site:

Reference	Cov Reference	Proposal description	Decision and date
L/1995/0357	45767/A	Change of use from caretakers house to teaching accommodation	Approved, 16 th June 1995
L/1998/1590	45767/B	Change of use from former caretakers house to police sector station, construction of two storey extension and six parking spaces	Approved, 10 th February 1999
L/1999/0927	45767/C	Change of use from former caretakers house to police sector station; construction of two storey extension and 5 car parking spaces	Approved, 14 th October 1999
R/2004/2360	45767/D	Erection of two portable buildings	Approved, 19 th October 2009

FUL/2018/2914		Demolition of existing Police Station and erection of three 2 bedroomed dwelling houses; two 3 storey buildings, 1 building containing five 1 bedroom flats and 1 building containing six 2 bedroomed flats	Refused 13 th December 2018, Appeal Dismissed 25 th October 2019.
FUL/2019/2910		Demolition of existing Police Station and erection of three 3 storey buildings, 1 building containing five 1 bedroom flats and 1 building containing six 2 bedroomed flats, and the third building containing 5no. 1no. bedroom flats; 1no. building containing 6no. 2no. bedroomed flats & 1no. building containing no 2no bedroomed & 1no 1no bedroomed flat. (Resubmission FUL/2018/2914).	Withdrawn

FUL/2018/2914 was refused on the following grounds: -

1. The proposed development, by virtue of its contrived design to achieve required separation distances between the proposed detached houses and those behind in Lomsey Close, will create a development of poor design which would have a significant adverse impact on the character and appearance of the surrounding area, contrary to Policy DE1 of the Coventry Local Plan 2016, and the overriding design principles of the NPPF.
2. The proposed development, specifically the short garden lengths provided for the detached dwellings and the lack of sufficient off-street car parking for existing residents in an area, will provide a deterioration in the residential environment for existing

occupiers and a poor residential environment for future occupiers, contrary to Policies DE1 and H3 of the Coventry Local Plan 2016.

3. No mechanism has been agreed to mitigate the impact of the proposal upon education facilities or NHS provision within this part of the city, contrary to Policy IM1 of the Coventry Local Plan 2016.

In dismissing the appeal, the Inspector noted that the proposed separation distances between the proposed three houses to the south of the site, could only achieve an 18m window-to-window separation distance, falling short of the 20m requirement. The Inspector also commented on the proposed design solutions put forward by the applicant to enable a reduction in the 20m separation.

One design involved three high level windows each to serve a bedroom, bathroom and landing and whilst the Inspector noted that they would only be visible from the rear of the properties, it would result in a stark and unbalanced elevation design, which indicates a contrived design solution to overcome an unsatisfactory close arrangement of dwellings. The second design solution involved an asymmetric roof design with a longer rear roof slope and significant overhanging, this too was a contrived design solution.

Whilst both designs would have addressed the overlooking and privacy issue, the size, or more importantly, the depth of the proposed gardens would have been uncharacteristically short. The Inspector concluded that the uncharacteristic short plots together with the contrived house designs would result in development out of keeping with the prevailing character of the area. The short gardens would also, have provided inadequate depth resulting in reduced amenity and a poor residential environment and living conditions for future occupiers.

Turning to the Highways issues, The Inspector noted the parking standards the council require would be 24no spaces. The scheme provided only 22no. spaces, a shortfall of two spaces.

The Inspector noted that whilst the Highways Authority had not objected on highway safety grounds, and the parking standards are a maximum, the shortfall of parking would likely result in on-street parking pressures that would be to the detriment of the immediate area and to existing and future residents.

In concluding the appeal, the Inspector dismissed the appeal of the combination of short gardens and insufficient on-site parking would result in an overall poor residential environment that would harm the living conditions of existing and future residents.

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF 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 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) 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:

LOCAL PLAN POLICIES

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan for the area relevant to this application site comprises of the Coventry City Council Local Plan 2016. Relevant policies are outlined below.

- Policy DS1 Overall Development
- Policy DS2 The Duty to Cooperate
- Policy DS3 Sustainable Development
- Policy H1 Housing Land Requirements
- Policy H3 Provision of New Housing
- Policy H4 Securing a Mix of Housing
- Policy H5 Managing Existing Housing Stock
- Policy H6 Affordable Housing
- Policy H9 Residential Density
- Policy CO2 Re-use of or redevelopment of facilities
- Policy GE1 Green Infrastructure
- Policy GE2 Green space
- Policy GE3 Biodiversity, Geological, Landscape and Archaeological Conservation
- Policy GE4 Tree Protection
- Policy DE1 Ensuring High Quality of Design
- Policy AC1 Accessible Transport Network
- Policy AC3 Demand Management
- Policy IM1 Developer Contributions for Infrastructure

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development

SPG 'Extending Your Home'

SPD Delivering a More Sustainable City

SPD Coventry Connected

CONSULTATION

No objections subject to conditions have been received from:

- Drainage

- Ecology
- Education
- Environmental Protection
- NHS – Outstanding.
- Highways
- Housing Policy
- Policy
- Streetscene & Greenspaces
- West Midlands Police

PUBLIC RESPONSES

- Neighbour notification was sent in accordance with the Communications Record.
- A site notice was erected at the site on 28th May 2020 and a press notice was published within the local paper on 26th March 2020.
- 9no objections have been received on: -

Material Planning Consideration

- Overlooking and loss of privacy
- Lack of car parking & resultant road safety issues;
- The new properties will not fit in with the surrounding area;
- Loss of parking area for existing residents;
- Loss of Green Space
- The minimum separation distances have not been met;
- Over development of the site
- Bin storage & vermin
- Lack of ventilation by windows

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are: -

- Principle of development;
 - Loss of Community Facility;
 - Principle of Residential.
- Impact on Visual Amenity;
- Neighbouring amenity;
 - Block of flats fronting Tile Hill Lane;
 - Block of flats in centre of site;
 - Houses to the rear of the site.
- Proposed Residential Amenity;
 - Noise;
 - Contaminated Land.
- Highway considerations;
 - Parking.
- Affordable Housing;
- Greenspace;
- Ecology, biodiversity and trees;
- Drainage;
- S106 Contributions;
- Other issues;
- Equality issues.

Principle of development

Loss of Community Facility

The application involves the demolition of a Police 'Sector' Station. Policy CO2 of the CLP states proposals for the re-use or redevelopment of community premises for a use outside the scope of this policy will not be supported if:

- a) There is an outstanding local need which could reasonably be met at that location;
- b) The site remains viable for existing uses or could be made viable through appropriate diversification of use;
- c) the proposal is not compatible with nearby uses.

The application has been submitted with supporting information.

A review of the Coventry Local Policing unit's estates was undertaken in Autumn 2013. As part of asset rationalisation measures, the Commissioner approved the proposal to dispose of the Tile Hill Police Station as part of the Coventry LPU estate changes. Details of the closure were reported in The Coventry Telegraph on 30th January 2015. The site was marketed for 3 years.

Therefore, it has been sufficiently demonstrated that the loss of the police station is consistent with the agreed strategy for the delivery of policing services in the local community and city area.

The property was then marketed for three years, but with no success, the property was then sold through auction. It has been demonstrated that sufficient marketing of the premises has been undertaken and therefore the loss of the Police Station and therefore a community use is in accordance with Policy CO2. As such, the redevelopment of the site for another use is acceptable in principle subject to compatibility with other plan policies.

In summary, the loss of the community facility is acceptable due to the length of time the site together with the site being located within an existing sustainable location, within a predominately residential neighbourhood which is support by sustainable transport modes, shops, schools, health facilities etc. The principle of the development is in accordance with the aforementioned paragraphs of the NPPF and the policies contained within the Coventry Local Plan 2016 (CLP).

The previous application presented consistent evidence in relation to the loss of community building, which at the time was accepted by the Council. The Inspector dismissing the earlier appeal did not differ from the councils view and the appeal was not dismissed on the loss of a community facility.

Principle of Residential

Policy H3 states that new developments must provide a high-quality residential environment which assists in delivering urban regeneration or creating sustainable communities and which overall enhances the built environment. A suitable residential environment includes safe and appropriate access, adequate amenity space and parking provision and be safe from pollution.

The application site is located within an existing sustainable location, within a predominately residential neighbourhood which is supported by sustainable transport modes, shops, schools, health facilities etc.

In respect of creating a suitable residential environmental, these points are discussed in more detail below.

Therefore, the principle of redeveloping the site for residential is acceptable and in accordance with Policy H3 thus far.

Impact on visual amenity

The National Planning Policy Framework, paragraph 127 states that “Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF further states (at paragraph 130) “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).”

Policy H3 of the CLP states new residential development must provide a high quality residential environment which assists in delivering urban regeneration or contributes to creating sustainable communities and which overall enhances the built environment. A suitable residential environment will include safe and appropriate access, have adequate amenity space and parking provision and be safe from environmental pollutants such as land contamination, excessive noise and air quality issues.

Policy DE1 of the Coventry Local Plan 2016 states all development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

The Design Guide for new Residential Development SPG sets out design standards which new development must adhere to.

The standards are considered to be the minimum that achieve basic levels of design and layout. Proposals which fall below these standards may not obtain planning permission. It is also emphasised that development should not be ‘designed down’ to minimum standards. The SPG is committed to encouraging the achievement of the highest standards of design in all circumstances.

All proposals will be examined taking into account the following criteria:

- The need to maintain at least minimum design standards within the proposed site.
- The need to maintain the amenity of nearby residents.

This is echoed within the 'Extending Your Home' SPG which states development should harmonise and respect the local built form.

The proposal seeks to demolish the former local police station, and erect two separate blocks of three storey flats and three detached dwellings.

On the opposite side of the road, is a site which is currently being built under an extant permission granted on 2nd April 2007 under R/2006/0973, which approved outline permission for the redevelopment of the former college site and the subsequent reserved matters applications, mentioned above, approved the siting of, amongst other items, a 40-unit apartment block. The houses were constructed at the time of the approval, however, the apartment block has only recently begun being constructed.

The 40-unit apartment block is set back from the road, retaining green space to the front area.

Part of the proposed application site falls within the definition of green infrastructure as set out in Policy GE1 of the CLP. The original application showed the siting of the block of flats, adjacent to the pavement on Tile Hill Lane. This resulted in the complete loss of the open green space. As amended the block of flats fronting onto Tile Hill Lane has been set back, retaining a portion of green space, on a similar building line to that of the extant permission across the road.

The apartment block fronting onto Tile Hill Lane has a similar design and style to that of the extant permission across the road, together with the second apartment block towards the middle of the application site.

The design and siting of the first two apartment blocks is considered acceptable as previously amended, the design harmonises with the surrounding existing development and current permissions being built out and therefore will not appear as an incongruous feature within the street scene. The Inspector dismissing the earlier appeal did not differ from the council's view and the appeal was not dismissed on design grounds for the two blocks of flats, to the north and centre of the site.

The main crux of the appeal centred around the erection of three detached houses to the south of the site.

FUL/2019/2910 was withdrawn as the proposal included a third apartment block. Originally, the application proposed three detached houses on this site, however, to achieve the minimum separation distances and window to window distances high level windows were included and / or an overhanging roof, with roof lights to serve the rear rooms. The previous application was refused and dismissed on appeal, due to its contrived design solutions which created a poor residential environment.

The current application has omitted the three detached dwellings and apartment block to the south of the site and replaced them with two detached dwellings. The dwellings have been designed to be in keeping with the surrounding development, each habitable room has an outlook to the side overlooking the garden area. This is now considered to be an acceptable design solution and will not appear as an incongruous feature within the street scene.

The proposals are now considered to achieve a good standard of design. The two houses to the rear will not appear as an incongruous feature within the street scene and their design and orientation have overcome the previous reasons for refusal. The Proposals are in accordance with Policy DE1 of the Coventry local Plan and the aforementioned paragraphs of the NPPF.

Neighbouring amenity

Policy H5 requires new development to be designed and positioned so it does not adversely affect the amenities of the occupiers of neighbouring properties. As mentioned above, the Residential Design Guide SPG together with Extending Your Home – SPG sets out the minimum standards required to achieve in order to maintain sufficient standards of amenity.

Block of flats fronting Tile Hill Lane

This part of the site has removed car parking spaces along the shared boundary with No.29 Lomsey Close and proposes the retention in perpetuity of a 2m high brick wall. It was considered that having car parking spaces immediately adjacent the rear elevation of the adjacent house was unacceptable due to the associated noise and disturbance generated from cars being parked, car doors slamming and engines revving. This item can be controlled by a suitable worded condition. Furthermore, the habitable room windows which were in close proximity to the car parking area associated with the flats have been reoriented. Therefore, there will not be demonstrable harm to the occupiers of No.29 Lomsey Close or the occupiers of the proposed flats through noise and disturbance.

Block of flats in centre of site

The one-bedroom flats proposed towards the centre of the site has a blank gable immediately behind No.23 Lomsey Close, and the required 12m separation distance is met. No windows are proposed within the side gables adjacent to the car park and therefore there will not be demonstrable harm to the occupiers of No.23 Lomsey Close or the occupiers of the proposed flats, from either block through visual intrusion or loss of light.

Houses to the rear of the site

As mentioned above, the minimum window to blank gable separation distance required is 12m. The proposal includes a blank two storey gable of the two houses which backs onto No.17, No.19 & No.21 Lomsey Close. The 12m distance is achieved.

The house is orientated with the garden to the side, this provides the 10m garden depth required between the two proposed houses to maintain the 20m window to window separation distance.

The previous application was refused and dismissed at appeal due to not only the depth of the gardens between properties in Lomsey Close being only 6m deep but also because of the contrived design which was put forward for the proposed houses.

Whilst it is acknowledged that the houses do not have a 'rear' garden, the houses do have a 10m wide garden to the side of the property and do have the required separation distances of 12m between the rear elevation of the houses in Lomsey Close and 20m window to window separation distance between the two proposed houses, these elements, which were refusal reasons both at application stage and at appeal are now consistent with the adopted SPG rather than contrary to the SPG.

Proposed residential amenity

Noise Assessment

A noise assessment will be required for the proposed apartment block nearest Tile Hill Lane (not for the houses) to take account of road traffic noise and shall specify mitigation measures required. This is to ensure that a satisfactory residential environment can be created

for the future residents of the apartment block. This can be controlled by a suitably worded condition. Please refer to Condition No.9.

Contaminated Land

Due to the sites previous use and location of electricity sub-station, fuel tanks and boiler plant with chimney Environmental Protection require an investigation and risk assessment to be submitted prior to commencement of the development to assess the nature and extent of any contamination on site. This is to ensure that a satisfactory residential environment can be created. This can be controlled by a suitably worded condition. Please refer to Condition Nos.10 – 13.

The proposal therefore accords with the adopted SPG and Policy H3 of the Coventry Local Plan 2016.

Policy H3 also requires safe and appropriate access in order to create a suitable residential environment. This is discussed in more detail below.

Highway considerations

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.

Highways Department has raised no objections to the proposal subject to details of the proposed cycle storage, parking spaces are laid and maintained and a Construction Method Statement (CMS) is submitted. These can be controlled via a suitable worded condition.

However, as stated previously, Policy H3 of the Coventry Local Plan also states in order to provide a suitable residential environment adequate parking provision is included.

Parking

The proposal is for 6 x 2 bedroom flats, and as the number of 2no bedroomed flats is less than 10, no visitor spaces are required, therefore 12no spaces are required for the 2 bedroomed flats; 6no. (5 + 1 unallocated visitor space) for the 5no, 1no bedroomed flats and 4no for the 2no, 2no bedroomed detached dwellings (having 2no each), making a total of 22no parking spaces in total.

The originally submitted proposed site plan showed 12no spaces for the 6no, 2no bedroomed flats; 4no for the 5no, 1no bedroomed flats (making a deficit of 2no spaces) and 2no. car parking spaces for each house.

An area of hard standing was shown to the south of the second three storey block in between this block and one of the two storey houses.

Concern was expressed previously about these spaces being used as car parking spaces which are not associated with the houses due to the close proximity of these spaces and the potential impact they can have on the occupants of the house, through increased noise and disturbance.

Highways have raised no objections to the application with regards to highway safety, however, the previous application, FUL/2018/2914, was refused on the basis that the lack of parking would cause parking stress in an area which is already congested.

The Inspector in dismissing the appeal stated: -

“On my visit I observed that the terraces of three storey dwellings opposite and in Blanchfort Close generally had driveway parking for one vehicle with an integral single garage. Some garages had been converted into rooms leaving the property with one space, unless the driveway had also been widened. Vehicles that were parking on the road were half mounted on the pavement suggesting to me the road was not wide enough for cars to park and for traffic to pass easily in both directions. Furthermore, parking on the pavements would impede pedestrians and those with mobility issues including those with pushchairs.

I understand that there is to be further residential development for a 40-unit residential apartment block on the other corner of Tremeley Drive opposite the site, and the Council will be implementing a residents’ parking scheme. This would indicate to me that parking provision in the area is already under pressure without the extant permission and the proposed scheme coming forward. Whilst the Highway Authority has not objected on highway safety grounds and the parking standards are a maximum, the shortfall of parking.”
would likely result in on-street parking pressures that would be to the detriment of the immediate area and to existing and future residents. I acknowledge that the appellant could provide 2 parking spaces directly in front of the block of 6 flats adjacent to the boundary with to 29 Lomsey Close. However, the siting of these spaces close to the rear of the house would cause noise and disturbance and harm their living conditions.

Amended plans have been submitted which now provide the total quantum of parking provided (22no spaces), in locations relating to the building they are designated for.

As the development now provides the full amount of parking required by policies, it is considered that the proposal will not have a detrimental impact on car parking levels causing parking stress in a locality where residents parking schemes are being considered. The previous reason for refusal and dismissal at appeal have been overcome by providing the level of parking required. The proposals now accord with the provisions of Policy H3 and AC3 relating to adequate parking.

Affordable Housing

Policy H6 of the CLP states new residential schemes of 25 dwellings or more, or more than 1ha, will be expected to provide 25% of all dwellings as affordable homes.

The site is less than one hectare and there are fewer than 25 units, so 25% affordable housing is not required in accordance with Policy H6 of the CLP. However, Paragraph 64 of the NPPF requires that 10% of all new homes on sites with over 10 units should be for affordable home ownership. In this case, as more than 10 units are proposed, 10% affordable home ownership will be required – 10% of 13 units is 1.3 units, which will be rounded down to one unit.

In Summary, the proposals do not trigger the requirement for 25% affordable homes as set down within policy H6 of the CLP but will however be required to provide one unit at affordable sale as set down within paragraph 64 of the NPPF. This will be secured under the s106 agreement.

Greenspaces

The proposed development has been considered in the context of the council's new Green Space Strategy (GSS).

When there is a shortfall of green space within the ward, the developer will be obliged to provide appropriate green space within the development and/or to provide funding for improvements to existing green space within the vicinity of the development. The proposed development however is approximately 0.15ha and therefore less than the Minimum Size Threshold with regards to the need for Formal or informal Green Space to be provided on site, over and above landscaping or amenity space shown within the development.

As such, the GSS has identified the need to provide offsite contributions to help contribute towards formal green space within the area (either by way of quantitative or qualitative improvements).

The landscaped area will be secured by condition. In addition, a total of £15,375 is to be provided through the s106 agreement towards offsite provision. This will be supported by a separate payment for maintenance if the land is transferred to the council.

S106 contribution

- a) Formal Green Space requirement in hectares arising from development 0.03 ha
- b) Rate for construction of Informal Green Space (per ha) £584,200
- c) S106 requested as compensation **£15,375.00**

This will be supported by a separate payment for maintenance if the land is transferred to the council.

Ecology, Biodiversity and Trees

Policy GE3 of the Local Plan states that Sites of Special Scientific Interest (SSSIs), Local Nature Reserves (LNRs), Ancient Woodlands, Local Wildlife and Geological Sites will be protected and enhanced.

The site is within 200m of Limbrick Wood (LNR, LWS, Ancient Woodland) and approx. 800m from Tile Hill Wood (SSSI, LWS, LNR, Ancient Woodland), both sites have statutory designations. The site is largely building and hardstanding with amenity grassland and bordered by mature trees

The resubmitted Planning Statement (MPC, November 2019) states that there will be some loss of greenspace but that overall this will be mitigated as a result of site remediation and the conversion of hardstanding areas to soft landscaping and greenspace.

The existing buildings to be demolished do not appear to provide significant opportunity for bats. Whilst the trees on the site may provide opportunities for bats and nesting birds any impact here can be mitigated. In this respect, the Block Plan shows that existing trees on the site will be lost but shows some replanting. The small group of trees on the site provides some connectivity with the woodland sites in the area and other parts of the city, therefore any trees removed should be replaced and any landscaping design using appropriate native species and bird boxes could mitigate any losses on site and lead to an overall biodiversity gain in accordance with Policy GE3. This can be controlled by a suitably worded condition. Please refer to Condition No.18 and 19.

Drainage

The levels shown on the Drainage Strategy drawing suggest that there is no fall away from the buildings line, such that the adjacent areas are flat.

The FFL must be a minimum of 150mm above ground level and attention should be given to the requirements of the Building Regulations., The City Council's drainage team raise no objections subject to a condition requiring details for the provision of surface water drainage. This is in line with the comments received from Severn Trent, who also raise no objections subject to details of the disposal of surface water and foul sewage. This can be controlled by a suitable worded condition. Please refer to Condition No.24.

S106 Contributions

Affordable Housing – 1no. units at affordable sale

Education - As the site is for less than 10no, two-bedroom dwellings, it is unlikely to generate enough pupils to request an education contribution. If the development were to change and include homes for family occupation, then education would request a contribution.

Greenspaces - £15,375.00 (supported by a separate payment for maintenance if the land is transferred to the council).

NHS – Please note there has been a delay in confirming the final s106 request from the NHS due to the relevant supporting officers having been furloughed. This matter is in the process of being finalised and will be confirmed through late representations.

Equality Implications

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development.

Conclusion

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, highway safety or ecology subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DS3, H3, H5, H9, DE1, AC1, AC2, AC3, GE3, GE4, EM1, EM2 & EM5 of the Coventry Local Plan 2016, together with the aims of the NPPF.

CONDITIONS:/REASON

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.

Reason: *To conform 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 plans:
Block Plan - Drawing No.0039-06 Rev H;
Scheme Drawing 6 flats, plans and elevations - Drawing No.02 Rev E;
Scheme Drawing 5 flats, plans and elevations - Drawing No.0039-03 Rev C;
Two bed dwelling plans and elevations - Drawing No.0039-04 Rev J;
Planning Policy Statement - November 2019.

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

3. Prior to their incorporation into the development hereby permitted, sample details of all facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. These details shall be installed only in full accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.

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

4. Prior to occupation of the dwelling units hereby permitted, details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided in full accordance with the approved details prior to first occupation of the building and thereafter those facilities shall remain available for use at all times and shall not be removed or altered in any way.

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 DS3, AC3 and AC4 of the Coventry Local Plan 2016.*

5. None of the dwelling units hereby permitted shall be occupied unless and until the car parking provision for that dwelling unit has been constructed or laid out, and made available for use by the occupants and / or visitors to the dwellings and thereafter those spaces shall be retained for parking purposes at all time and shall not be removed or altered in any way.

Reason: *To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the Council's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies AC1, AC2 and AC3 of the Coventry Local Plan 2016.*

6. The development hereby permitted shall not be occupied unless and until the access to the site, manoeuvring spaces and car parking areas indicated on the approved drawings have been provided in full accordance with those details and thereafter those areas shall be kept marked out and available for such use at all times.

Reason: *In the interests of highway safety in accordance with the aims and objectives of Policies AC1, AC2 and AC3 of the Coventry Local Plan 2016.*

7. None of the dwellings hereby permitted shall be occupied unless and until the communal car parking spaces to be provided have been completed and marked out in full accordance with the approved drawings and made available for use by the occupants and / or visitors to the dwellings and thereafter those spaces shall be retained for parking purposes at all times and shall not be removed or altered in any way.

Reason: *To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the Council's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies AC1, AC2 and AC3 of the Coventry Local Plan 2016.*

8. No development (including any demolition) shall take place unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of:
 - hours of work;
 - hours of deliveries to the site;
 - the parking of vehicles of site operatives and visitors during the demolition/construction phase;
 - the delivery access point;
 - the loading and unloading of plant and materials;
 - anticipated size and frequency of vehicles moving to/from the site;
 - the storage of plant and materials used in constructing the development;
 - the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate;
 - wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway;
 - measures to control the emission of dust and dirt during demolition and construction;
 - measures to control the presence of asbestos;
 - measures to minimise noise disturbance to neighbouring properties during demolition and construction;
 - details of any piling together with details of how any associated vibration will be monitored and controlled; and
 - a scheme for recycling / disposing of waste resulting from demolition and construction works.

Thereafter, the approved details within the CMP shall be strictly adhered to throughout the construction period and shall not be amended in any way.

Reason: *The agreement of a Construction Management Plan prior to the commencement of development is fundamental to ensure a satisfactory level of environmental protection; to minimise disturbance to local residents and in the interests of highway safety during the construction process in accordance with Policies EM7, AC1 and AC2 of the Coventry Local Plan 2016.*

9. No development shall commence unless and until a noise assessment has been submitted to and approved in writing by the Local Planning Authority in relation to the block of flats fronting onto Tile Hill Lane. The noise assessment shall include results for LAeq, LA10, and LA90 noise descriptors, together with a calculated arithmetical average for the LAeq. The assessment will demonstrate by calculation that internal noise levels for the proposed residential property meet the 'Good' criteria set out in British Standard 8233 'Sound Insulation and Noise Reduction for Buildings' together with any mitigation measures that are required to achieve this. The report shall also demonstrate that outdoor garden and leisure areas associated with this development meet the 55dB limit as required by the World Health Organisation (WHO). Prior to the first occupation of the buildings any necessary mitigation measures shall have been implemented in full accordance with the recommendations of the noise assessment and thereafter shall not be removed or altered in any way.

Reason: *To protect the amenities of future occupiers from road traffic noise and general disturbance in accordance with Policy H3 of the Coventry Local Plan 2016.*

10. An investigation and risk assessment (in addition to any assessment provided with the planning application), must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site; whether or not it originates on the site; and any report of the findings must be submitted to and approved in writing by the local planning authority prior to the commencement of development (including any demolition). The report of the findings, to be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', must include; (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risk to; human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monument; (iii) an appraisal of remedial options, and proposal of the preferred option(s).

Reason: *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

11. The development shall only be undertaken in accordance with a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, which shall be submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

12. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out the remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Reason: *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

13. In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition no.10, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition no.11 which shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition no.12.

Reason: *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

14. Prior to the commencement of development, a method statement detailing the control of emissions into the air during the demolition/construction phase should be submitted to and approved in writing by the Local Planning Authority. The method statement should accord with the Best Practice Guidance - 'The control of dust and emissions from construction and demolition' and include:-
- a) proposed hours of work;
 - b) map with nearest receptors and distances for dust and noise;
 - c) noise impact on nearest neighbours and control measures as required;
 - d) monitoring methods and measurement locations for dust and noise recording details;
 - e) dust mitigation measures;
 - f) contact details for responsible persons and site personnel training; and
 - g) information provision and liaison with local residents. The development shall only proceed in full accordance with the approved details.

Reason: *To protect the amenity of the occupiers of the residential accommodation hereby approved in accordance with Policies DS3 [and EM7] of the Coventry Local Plan 2016.*

15. Prior to their incorporation into the development hereby permitted, a package of measures to minimise the impact of the development upon local air quality shall be submitted to and in writing by the Local Planning Authority. These measures shall have consideration of the following: -
- (i) Provision for one electric recharging point per dwelling, and
 - (ii) Use of low NOx boilers (to have a maximum dry NOx emissions rate of 40mg/kWh).
- The measures shall be installed in full accordance with the approved details prior to first occupation of the development and thereafter shall be retained and shall

not be removed or altered in any way.

Reason: *To mitigate the impacts of development on air quality during and post construction in accordance with Policies DS3 & EM7 of the Coventry Local Plan 2016.*

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

Reason: *To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GE1 and DE1 of the Coventry Local Plan 2016.*

17. Notwithstanding the plans hereby permitted, prior to the construction of a boundary wall, fence or gate, details of the position, appearance and materials of such boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be completed in full accordance with the approved details before the respective dwelling units to which they serve are first occupied and thereafter shall be retained and shall not be removed or altered in any way.

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

18. No removal of trees or demolition of buildings/structures shall take place between 1st March and 31st August (inclusive) unless a survey to assess the nesting bird activity on the site during this period has been undertaken by a qualified surveyor, and a scheme to protect any nesting birds identified on the site has first been submitted to and approved in writing by the Local Planning Authority. No trees shall be removed or buildings / structures shall be demolished between 1st March and 31st August (inclusive) other than in strict accordance with the approved bird nesting protection scheme.

Reason: *To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016 and the advice contained within the NPPF 2018.*

19. Prior to the first occupation of the development hereby permitted details of bird boxes, shall be submitted to and approved in writing by the Local Planning Authority. The bird boxes shall be fully installed in strict accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.

Reason: *To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016 and the advice contained within the NPPF 2018.*

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any statutory instrument amending, revoking and/or replacing that Order, no first floor windows or openings (apart from any shown on the approved plans) shall be formed in the east (rear) facing elevation of the dwellinghouses hereby permitted, without the prior grant of planning permission by the Local Planning Authority.

Reason: *In the interests of the amenities of the occupiers of nearby properties in accordance with Policy DE1 of the Coventry Local Plan 2016.*

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any statutory instrument amending, revoking and/or replacing that Order, no gate, fence, wall or other means of enclosure shall be erected, constructed or improved or altered such as to place the structure in front of the forwardmost part of any dwellinghouses fronting a highway or footpath without the prior grant of planning permission by the Local Planning Authority.

Reason: *Having regard to the open plan layout and general nature of the proposed development it is important to ensure that no development is carried out except with the permission of the Local Planning Authority, which would detract from the appearance of the area and affect the amenities of adjacent properties in accordance with Policies H3 and DE1 of the Coventry Local Plan 2016.*

22. Before any development commences on site (including any demolition, site clearance or other preparatory works) the following shall be submitted to and approved in writing by the Local Planning Authority: a) a detailed scaled plan (to a scale and level of accuracy appropriate to the proposal) showing the location and species of all trees within the site and every tree on land adjacent to the site (including street trees) that is likely to have an effect upon or be affected by the proposal (e.g. by shade, crown overhang from the boundary, intrusion of the Root Protection Area etc), their trunk diameter at chest height, their root protection areas, crown spread to North, East, South and West aspects and measurement from trunk centres to tree protection fence; b) details of the temporary fence (eg Heras fencing and method to be anchored into the ground)

to be superimposed upon the proposed layout plan; c) a statement to confirm that the approved tree protection measures will be erected to the Root Protection Area will be erected prior to the commencement of development and to remain in place to the end of the build phase.

The approved mitigation and / or protection measures shall be put into place prior to the commencement of any works and shall remain in place during all construction work.

Reason: *To protect those trees which are of significant amenity value to the Area and which would provide an enhanced standard of appearance to the development in accordance with Policy GE3, GE4 and DE1 of the Coventry Local Plan 2016.*

23. Prior to the first occupation of the development hereby permitted, a landscape management plan, including long term design objectives, long term management responsibilities and maintenance schedules for all landscape areas (other than domestic gardens within the curtilage of a single dwellinghouse), 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 over the lifetime of the development in the interests of the visual amenities of the area in accordance with Policy GE1 and DE1 of the Coventry Local Plan 2016.*

24. Prior to the occupation of the development hereby permitted the following drainage details shall be submitted to and approved in writing by the Local Planning Authority:

- a scheme for the provision of surface water drainage incorporating infiltration suds or attenuation techniques. there must also be consideration of features such as green roof technology for the management of surface water peak and total flows, biodiversity and water filtering.
- an intrusive ground investigation report to establish the depth and type of strata, including percolation results in accordance with bre 365 and the presence and risk associated with migrant contaminants and provide evidence of existing groundwater levels and seasonal variation; evidence that receiving water bodies or sewers are capable of accepting attenuated flows and that this will not exacerbate floor risk on or off site;
- a detailed strategy for the long-term maintenance of the suds and other surface water drainage systems on site.

The drainage details shall be installed in full accordance with the approved documentation prior to occupation of the development and thereafter shall be maintained and shall not be removed or altered in any way.

Reason: *To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with policies EM1, EM4 and EM5 of the*

Coventry Local Plan 2016 and Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'

25. Prior to the first occupation of the development hereby permitted, details of bin storage areas shall be submitted to and approved in writing by the Local Planning Authority. The bin storage areas shall be provided in full accordance with the approved details prior to first occupation of the development and thereafter they shall remain available for use at all times and shall not be removed or altered in any way.

Reason: *In the interests of the amenities of future occupants of the residential accommodation and neighbouring occupiers in accordance with Policy DE1 of the Coventry Local Plan 2016.*

26. 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 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 safeguard the amenities of the adjoining occupiers of the development in accordance with Policy DE1 of the Coventry Local Plan 2016.*