

Planning Committee Report	
Planning Ref:	FUL/2018/2717
Site:	Land to the side and rear of No.61 Ansty Road
Ward:	Upper Stoke
Proposal:	Residential development for the construction of seven 3-bedroom houses and five 4-bedroom houses, new access road, parking and landscaping and alterations to No.61 Ansty Road
Case Officer:	Liam D’Onofrio

SUMMARY

Planning permission is sought for a residential development of seven 3-bedroom houses and five 4-bedroom houses with associated parking and landscaping. The proposed houses will be accessed from Ansty Road via a new road, which will require alterations to the existing dwellinghouse No.61 Ansty Road to provide sufficient width to the new roadway.

BACKGROUND

Planning Committee originally considered this application on 13th December 2018 and the Committee minutes record that it was: ‘Resolved that the grant of planning permission in respect of Application FUL/2018/2717 be delegated to the Head of Planning and Regulatory Services subject to the conditions listed in the report and the completion of a S106 Agreement to secure the contributions listed within the report’. The previous Committee Report is appended for information.

The legal agreement was never signed due to issues of land ownership, and the decision was therefore never issued. More recently the applicant has been in a position to complete on the legal agreement; however, given the amount of time that has passed Officers have re-consulted relevant consultees to determine whether contribution amounts previously agreed in December 2018 have altered. The contributions listed within the original December 2018 Committee report have increased.

In addition, the applicant has taken the opportunity in the interim to provide additional supporting information to enable pre-commencement conditions to be altered to compliance conditions.

A section of hedgerow has also been removed from the northern boundary and the site plan has been updated to show this boundary to be re-planted with new hedgerow.

As the previous Committee approval for this application was subject to the contributions/conditions listed with the report and these have now been updated the application is before Members again to consider these changes.

KEY FACTS

Reason for report to committee:	To update contribution amount and conditions originally approved by Committee
Current use of site:	Residential garden (belonging to No.61 Ansty Road) and vacant land formerly used for caravan storage/boat club.
Proposed use of site:	Twelve dwelling houses within a cul-de-sac streetscene.

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 provide an acceptable design solution.
- 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: DE1, H3, AC1, EM5, EM6, EM7, GE3 and IM1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

APPLICATION PROPOSAL

Planning permission is sought for the erection of 12 dwelling houses. These will be 2.5 storey with seven 3-bedroom houses and five 4-bedroom houses. All properties will have two parking spaces and a private rear garden of 50sq.m and over.

The scheme remains fundamentally the same as previously accepted at the December 2018 Planning Committee.

SITE DESCRIPTION

The application site relates to a roughly L-shaped plot incorporating the dwellinghouse and gardens of No.61 Ansty Road located on the northern side of the highway and an area of vacant scrub land to the east of No.61's rear garden. This is bound on three sides by a vehicular access to the rear gardens/garages of properties on Ansty Road, Wyken Grange Road and Wyke Road. The application site is within a predominantly residential area and within the built-up area of Coventry.

PLANNING HISTORY

FUL/2018/1478 Erection of 14 No. four bedroomed dwelling houses and associated access and landscaping: Withdrawn 16th August 2018

G/C/26404/B Continued use of land for the parking of not more than ten touring caravans: Granted October 1980

G/C/26404/A Continued use of land for the parking of not more than eight touring caravans: Granted 1976

26404 Use of land for the parking of not more than eight touring caravans: Granted October 1971

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The new NPPF published on 24 July 2018 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 6th December 2017. Relevant policy relating to this application is:

Policy DS3: Sustainable Development Policy

Policy H3: Provision of New Housing

Policy H5: Managing Existing Housing Stock

Policy H9: Residential Density

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

Policy GE4: Tree Protection

Policy DE1 Ensuring High Quality Design

Policy AC1: Accessible Transport Network

Policy AC3: Demand Management

Policy AC4: Cycling and Walking

Policy EM5: SUDs

Policy EM6: Contaminated Land

Policy EM7: Air quality

Policy JE7: Accessibility to Employment Opportunities

Policy IM1: Developer's Contributions

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development

SPD Delivering a More Sustainable City

Appendix 5 Car and Cycle Parking Standards for New Development

CONSULTATION

No Objections received from:

- West Midlands Fire Service
- West Midlands Police
- Urban Design

• No objections subject to conditions/contributions have been received from:

- Highway
- Environmental Protection
- Ecology
- Economic Development
- NHS
- CCG
- Education

Immediate neighbours and local councillors have been notified; a site notice was posted on 10/07/20 and a press notice was displayed in the Coventry Telegraph on 09/07/20.

Four letters of objection have been received following the most recent consultation, raising the following material planning considerations:

- a) Poor access/highway and pedestrian safety.
- b) Loss of trees and hedgerow.
- c) Loss of privacy.

Any further comments received will be reported within late representations.

Immediate neighbours and local councillors were notified with the site and press notices initially posted on 23/10/18 and 25/10/18 respectively. At that time the following responses were received, which were reported at the December 2018 Committee:

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

- a) The design will not suit surrounding properties/development is out of character;
- b) There is overdevelopment of the site;
- c) Highway and pedestrian safety/another access on the already busy Ansty Road;
- d) Insufficient parking provision;
- e) Loss of outlook/privacy;
- f) Affect upon the harmony of the community;
- g) Concern regarding anti-social behaviour from new build estate;
- h) Increase in crime/nuisance within open alleyways/security concerns;
- i) Increased noise and disturbance;
- j) Air Pollution;
- k) Impact upon wildlife/landscaping;
- l) Impact upon medical infrastructure. No provision of additional infrastructure or facilities for the local area.

Within the objections received above the following comments have been received that are not material planning considerations:

- m) Loss of value to property;
- n) Increase in insurance premiums.

Two letters stating no objection have been received, raising the following material planning considerations:

- o) The access road should be as a local residential street meeting the minimum carriageway width and footway on both sides;
- p) The surrounding properties have effective security gates and it is considered that high boundary fencing is required to the new properties to stop undesirables climbing into the adjoining access-ways from the development.

A petition has been received supported by Councillor Caan with 63 signatures objecting to the scheme on the following grounds:

- Adverse effect on amenity of residents due to overlooking, loss of privacy, overshadowing, noise and disturbance;
- Layout and density of building and over-development of site;
- Loss of trees;
- Visual impact of the development;
- The development is out of character with the neighbourhood;
- Highway safety, new access onto busy A4600 Ansty Road.

APPRAISAL

The main issues in determining this application are principle of development, the impact upon the character of the area, the impact upon neighbouring amenity, highway considerations, flood risk, contaminated land, air quality, ecology and contributions.

Principle of development

The principle for development of the site and associated design, neighbouring amenity and highway safety, flood risk, pollution and ecology matters were previously considered. There has been no material change in the design/layout of the scheme or planning policies following Committee's previous decision on 13th December 2018. The main changes to the approved scheme are identified in more detail below:

Updated site plan

The hedgerow to the northern site boundary was largely removed in Spring 2020.

It was noted in the previous 2018 Committee Report that mature trees had been removed and the site cleared prior to the initial planning application being submitted in 2018; however, as the site is not within a conservation area and there are no tree preservation orders on site the removal of landscaping was lawful. This remains the case with the removal of the northern hedgerow.

It is noted that the Arboricultural Impact Assessment graded the existing hedgerow as category C 'low quality and value' and the applicant has advised that as the hedgerow was cut back and cleared, it became evident that it had been overgrown with brambles and ivy and there were large gaps in the hedgerow that would not make it suitable for retention.

Nevertheless, this hedgerow was shown to be retained and reinforced on the site plan approved by Members at the December 2018 Committee. Officers have therefore asked that the site plan be updated to show the northern hedgerow to be replanted.

The applicant has agreed to this and a new landscaping plan has also been submitted that confirms that the hedgerow will be replanted in a native mix of Field Maple, Hazel, Hawthorn, Blackthorn, Wayfaring Tree and Guelder Rose, all planted in double staggered rows. This will be secured by condition.

Conditions

The plan numbers condition 2 has been updated to reflect the changes to the site plan and landscaping plan. The applicant has also provided acceptable large-scale details of brick detailing and chimney pots and this plan number has been added to condition 2.

Acceptable details of elevational and roofing materials have been provided and condition 3 has therefore changed from a pre-commencement condition to a compliance condition.

Condition 8 has also been updated to reflect changes to the landscaping scheme.

Condition 10 has been altered from a pre-commencement to a compliance condition following the submission of a Construction Ecological Management Plan, which has been agreed with the Council's Ecologist.

Developer Contributions

Policy IM1 'Developer Contributions for Infrastructure' states that development will be expected to provide, or contribute towards provision of: a) Measures to directly mitigate its impact and make it acceptable in planning terms; and b) Physical, social and green infrastructure to support the needs associated with the development.

As indicated in the original 13th December 2018 Committee report the development would trigger the need for the following contributions to be secured under a Section 106 Legal Agreement:

- A contribution of £6,145 for acute hospital care, as requested by University Hospital Coventry and Warwickshire.
- In accordance with NPPF Paragraph 64 sites with over 10 units require 10% to be for affordable sale

Further to the previous report the contribution towards secondary education provision has increased from £66,154 to £76,386.

The developer has agreed to the requested contributions, as amended.

Equality implications

The proposal is not considered to raise any equality implications.

Conclusion

The scheme is considered to remain acceptable in principle. The design and layout of the scheme is considered to sit comfortably within its context and will not result in any significant impact upon neighbour amenity, highway safety or ecology/landscaping. Conditions and a legal agreement are proposed to be secured to mitigate the impacts of the development. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies H3, DE1, AC1, EM5, EM6, EM7, GE3 and IM1 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: Drg No. PL001, 002 Rev D, 003, 004, 005, 008 Rev B, C2900-003, ES Landscaping Manmagement Plan June 2020 Ref: 9094L.LMP.003.

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

3. The development hereby permitted shall proceed in full accordance with the elevational and roofing samples hereby approved: Bricks: Wienerberger Tuscan Red Multi and standard dark blue engineering brick up to DPC to match existing dwelling; and Roof tiles: Marley Ashmore in Smooth Grey.

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.*

4. No development (including demolition) shall take place unless and until a construction method statement has been 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: hours of work; the parking of vehicles of site operatives and visitors; 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; 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 in accordance with Policies EM7 and AC1 of the Coventry Local Plan 2016.*

5. The dwellinghouses shall not be occupied unless and until the access from Ansty Road, the turning head, manoeuvring space and all car parking areas indicated on the approved drawings have been provided in strict accordance with those details and thereafter those areas shall be kept available for such use at all times.

Reason: *In the interests of highway and pedestrian safety in accordance with Policies H3, AC1 and AC3 of the Coventry Local Plan 2016 and Appendix 5 - car parking standards.*

6. In the event that contamination or unusual ground conditions are encountered during the development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. All details shall be carried out as approved.

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

7. The development hereby permitted shall proceed only in strict accordance with details contained within a Sustainable Building Statement which shall have been first submitted to and approved in writing by the local planning authority. The statement shall demonstrate how the requirements of Local Plan Policy EM2 (Building Standards) have been met. The development shall not be occupied unless and until all the works within the approved scheme have been completed in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

Reason: *To comply with the provision the National Planning Policy Framework and in accord with Policies EM2, of the Coventry Local Plan 2016, together with the NPPF*

8. Notwithstanding the details already provided the development hereby permitted shall only be undertaken in strict accordance with details of hard landscaping works which have been submitted to and approved in writing by the local planning authority. The details of hard landscaping works to be provided shall be in general accordance with the details indicated within Drg No.PL008 Rev B, but shall include full details of the proposed boundary walls, fences and gates to be erected, accompanied by trellis topping details and specification of the colour of the boundary treatments. All hard landscaping works shall be completed in full accordance with the approved details within one month of the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: *In the interests of visual amenity, safety and security and the health and wellbeing of surrounding occupiers and future occupiers of the development in accordance with Policies DS3, H3 and DE1 of the Coventry Local Plan 2016.*

9. The development hereby permitted (including demolition) shall not commence until further bat survey of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys for Professional Ecologists- Good Practice Guidelines (2016) has been carried out (including a detailed mitigation plan if required) and has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation plan shall thereafter be implemented in full.

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 NPPF.*

10. The development shall only proceed in accordance with the Construction Ecological Management Plan - Middlemarch RT-MME-129734-01 March 2020

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 NPPF.*

11. The development hereby permitted shall not commence until details of general ecological habitat enhancement measures and hedgehog mitigation measures have been submitted to and approved by the Local Planning Authority, including retention and management of boundary vegetation, hedgehog friendly residential boundary fencing and gates and any other features as appropriate.

Reason: *To provide an bio-diversity enhancement and to ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016 and the NPPF.*

12. The development hereby permitted shall not be occupied unless and until external lighting has been provided to the means of access from Ansty Road and throughout the site in accordance with details of external light fittings and external light columns that have been submitted to and approved by the Local Planning Authority, and once provided such external lighting shall not be removed or altered in any way and shall remain available for use at all times.

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

13. No facing and roofing materials shall be used in the alterations and making good of No.61 Ansty Road other than materials similar in appearance to those used in the construction of the exterior of the existing building.

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. The hard surface in relation to the off-street car parking within the curtilage of the approved properties shall made of permeable materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the house and such provision shall be retained thereafter.

Reason: *To ensure that a satisfactory means of drainage is provided such as to minimise flooding which promotes and maintains the good stewardship of the natural and*

built environment in accordance with Policies EM5 of the Coventry Local Plan 2016.

15. Any gas boilers installed within dwellinghouses shall have a dry NO_x emission rate of no more than 40mg/kWh. One electric vehicle recharging point shall be provided for each dwellinghouse prior to its occupation and shall be kept available for such use by residents at all times.

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

16. No development shall take place unless and until a scheme for targeting and utilising local people for construction employment has been submitted to and approved in writing by the local planning authority. Thereafter, the scheme shall be implemented in full accordance with the approved details.

Reason: *In the interests of promoting employment opportunities for local people in accordance with Policy JE7 of the Coventry Local Plan 2016.*

17. The development hereby permitted shall not commence unless and until a drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include:
- (i) A scheme for the provision of surface water drainage, incorporating SuDS attenuation techniques, with the development discharge rate managed to a limiting value of 5.0 l/s offsite;
 - (ii) A detailed strategy for the long-term maintenance of the SuDS and other surface water drainage systems on site;
 - (iii) Provisions for the drainage of the site to ensure there are no temporary increases in flood risk, on or off site, during the construction phase;
 - (iv) Evidence that receiving water bodies or sewers are capable of accepting the attenuated flows and that this will not exacerbate the flood risk on or off site;
 - (v) The development must be considered for the implementation of permeable paving or similar permeable material for the management of total surface water flows, and water filtering;
 - (vi) Evidence to show the management of overland flow routes in the event of exceedance or blockage to the drainage system. Details should include demonstration of how the building will be protected in such an event;
 - (vii) Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway;
 - (viii) Where new or redevelopment site levels result in the severance, diversion or the reception of natural land drainage flow, the developer shall maintain existing flow routes (where there are no flood risk or safety implications) or intercept these flows and discharge these by a method approved by the Local Planning Authority.
- The scheme shall be implemented in full accordance with the approved details before the development is first occupied.

Reason: *To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy EM4 and EM5 of the Coventry Local Plan 2016.*

