

Planning Committee Report	
Planning Ref:	FUL/2019/3081
Site:	Land Adjacent to 49 and 51 Corporation Street
Ward:	St Michaels
Proposal:	Change of use from a public house to mixed use workshop, performance and conference space (sui generis) and renovation of existing apartment at rear creating 2 apartments. The erection of five storey mixed use extension to include one restaurant/public house unit (sui generis) at ground floor level and 14 apartments above. Development of the remaining open space, improving the setting of the church opposite and the new active elevation created.
Case Officer:	Liam D'Onofrio

SUMMARY

The scheme involves the erection of a five-storey building within part of the existing pocket park with a mixed-use development to include one commercial restaurant/public house at ground floor level (sui generis) and 14 apartments above. The remainder of the pocket park will be landscaped and enhanced.

The scheme also includes the change of use of the former Jaguar Public House to provide a flexible workshop / performance and conference space for The Belgrade Theatre (sui generis). The existing apartment to the rear of the Jaguar PH will be altered to create two apartments.

KEY FACTS

Reason for report to committee:	Five objections received
Current use of site:	Public open space/vacant public house with flat
Proposed use of site:	Restaurant/apartments; performance and conference space; and enhancement of public open space.

RECOMMENDATION

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

REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon heritage assets.
- 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, HE2, H3, H5, R6, CO1, CO2, GE2, GE3, IM1 & AC1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

Planning permission is sought for the erection of a five-storey building within part of the existing pocket park to continue the column / bay / colonnade arrangement of the existing neighbouring terrace of buildings and create an active frontage (southwest elevation)

overlooking the remaining area of the pocket park, which will be landscaped to enhance its setting. The scheme will provide a mixed-use development to include one commercial restaurant/public house at ground floor level (sui generis) and 14 apartments above.

The former Jaguar Public House (A4/sui generis) adjacent to the new build site also forms part of the application. The vacant derelict rooms will be refitted to provide a flexible workshop / performance and conference space for The Belgrade Theatre (sui generis). The ground floor with access from Corporation Street will be used for public access to the lower level with a new lift. The studio will provide a very different but complimentary performance space where it is intended to offer an 'as found' interior with exposed concrete and brick. The ground floor is also accessible from the rear service yard approach will be used for meetings and storage. The existing apartment to the rear of the Jaguar will be altered to create two apartments.

SITE DESCRIPTION

The application site is formed by two distinct elements, a pocket park on the northwest side of Corporation Street and northeast of Hill Street and the former Jaguar public house No.51 Corporation Street.

The pocket park is within Spon Street Conservation Area and surrounding by listed buildings, including St John the Baptist Church and Bablake School (both Grade I listed). The former Jaguar PH is separated from the pocket park by No.49 but wraps around the rear of No.49 with a three-storey building fronting a service road to the rear of the site linking back to the pocket park. The site is within the Leisure and Entertainment area of the City Centre.

PLANNING HISTORY

There are no recent or relevant historic planning applications relating to this site.

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 DS4: (Part A) – General Masterplan Principles

Policy H3: Provision of New Housing

Policy H5: Managing Existing Housing Stock

Policy H6: Affordable Housing

Policy H9: Residential Density

Policy GE2 Green Space

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
Policy GE4: Tree Protection
Policy R6: Restaurants, bars and Hot Food Takeaways
Policy JE7: Accessibility to Employment Opportunities
Policy DE1 Ensuring High Quality Design
Policy HE2: Conservation and Heritage Assets
Policy CO1: New or improved social community and leisure premises
Policy CO2: Re-Use of or Redevelopment of Facilities
Policy AC1: Accessible Transport Network
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
Policy IM1: Developer Contributions for Infrastructure

City Centre Area Action Plan (CCAAP): Policies CC1, CC2, CC3, CC5, CC7, CC10, CC17

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development
SPD Delivering a More Sustainable City
Appendix 5 - Car park and Cycle Parking standards

CONSULTATION

No Objections received from:

- Urban Design (CCC): No objection – following design amendments.
- Education (CCC): No objection.
- West Midland's Police: Note.
- West Midland's Fire Service: Note.

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

- Environmental Protection: No objections, subject to conditions.
- Highways: No objections, subject to conditions.
- Conservation: No objection, subject to conditions.
- Ecology: No objection, subject to conditions.
- Drainage: No objection, subject to conditions.
- NHS: Contribution requested.
- Economic Development: No objection, subject to conditions.

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

- NHS (regarding clarification on requested contribution total).

Immediate neighbours and local councillors have been notified; a site notice was posted on 19/06/20. A press notice was displayed in the Coventry Telegraph on 04/06/20.

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

- a) No more high-rise apartments/objection to any type of accommodation as it will affect businesses and hotels.

- b) Loss of light/outlook.
- c) The church opposite is a heritage site.
- d) Loss of open space/greenery.

Two neutral letters (not objecting) have been received, raising the following material planning considerations:

- e) Surprise that yet another structure taking up light and open space.

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

- f) One comment regarding the possible installation of a memorial in the pocket park.
- g) Several objections directly refer to student accommodation.

The Coventry Society have written in support for the scheme, stating that they welcome the design and retention of park of the pocket park to protect views of St Johns, noting that the existing site has had temporary buildings on it since the war and only relatively recently has been landscaped and is underused and the focus of anti-social behaviour.

Any further comments received will be reported within late representations.

APPRAISAL

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

Principle of development

Loss of urban green space

The scheme will encroach upon an area of existing green space to the southwest of the existing building. Policy GE2 'Green Space' states that 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.

Policy CC8 'Green and Blue Infrastructure' states that new development will be expected to maintain the quantity, quality and functionality of existing green and blue infrastructure. Any development which is likely to adversely affect the integrity of a blue or green corridor will be required to be robustly justified and where appropriate, mitigation measures put in place.

The existing pocket park was always intended to be built upon; however, this was never realised, and the space has become established as a small urban green space. The space has recreational and amenity value; however, the area is reported as having experienced anti-social behaviour. Although the space will be reduced by approximately one third the new building will form an active frontage onto the remaining space to provide natural surveillance and the applicant has provided a high-quality landscaping scheme. The

Ecologist is content that this landscaping scheme provides a bio-diversity gain and overall, the remaining space becomes a higher quality and more usable public space.

Residential

Policy H3 'Provision of New Housing' states that 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 a sustainable location, 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.

In this case the site is within the city centre within a highly sustainable location. The scheme will provide a high-quality residential environment that delivers urban regeneration and the residential use would be provide a safe and appropriate access. The city centre location does not require off-street car parking or private outside amenity space. The amenities of future occupiers from environmental pollutants can be adequately controlled through condition.

Commercial

Policy R6 'Restaurants, Bars and Hot Food Takeaways' states that outlets should be located within defined Centres and will normally be discouraged outside those locations. The site is within a defined Centre and complies with this element of the policy. In addition Policy R6 states that proposals within defined Centres will be permitted provided they: a) would not result in significant harm to the amenity of nearby residents or highway safety; b) would not result in harmful cumulative impacts due to the existence of any existing or consented proposed outlet; c) are in accordance with the emerging Hot Food Takeaway Supplementary Planning Document (in particular, proposals for A5 uses); and d) are compatible with other Plan Policies. No issues are raised that cannot be adequately controlled by condition.

Loss of Jaguar public house/ proposed re-use

Policy CO2 seeks to ensure that there is not an outstanding local need for the community/social facility. In order to demonstrate that there is no further need or demand for a building to support social, community or leisure use, applicants should undertake the following measures as a minimum:

- (i) Where appropriate, seek confirmation in writing from the relevant agency that the proposed loss of premises is consistent with the agreed strategy for delivery of that service in the local community and city as a whole;
- (ii) In accordance with Appendix 2 of the Coventry Local Plan 2016, market the land or premises for D1 or D2 use continuously for a period of at least three months; and
- (iii) Close to the beginning of the marketing period, notify the Council of the proposed vacancy, so that community organisations, arts, sports and cultural groups seeking premises can be made aware of it.

The Jaguar Public House has been closed for a number of years and there is evidence that it has been advertised with a leisure property specialist. The applicant advises that the venue is not viable as a public house due to the nature of the property and the changes in the requirements of the public for food and beverage establishments. The premises has no frontage and no natural light, with most of the floorspace at basement level. There are no external areas for drinking, dining or smoking. It is also much smaller than would be required for a viable food and beverage venue. Whilst the premises are unsuitable for a modern bar, they are to remain within a community use and will be adapted as a venue for the Belgrade Theatre.

The applicant notes that the city centre has a wide-ranging offer of other food and beverage venues offer and the wider scheme includes a replacement food and beverage unit in the new build section fronting the pocket park.

The new use for the former Jaguar PH is linked to the nearby Belgrade Theatre as a complementary use and will be located within a sustainable, sequentially preferable site and is compatible with surrounding uses in accordance with Policy CO1.

The elements of the scheme are therefore considered to be acceptable in principle.

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 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 proposal within the pocket park is considered to provide a well-proportioned scheme in terms of width and height and an appropriate design solution that will create an active frontage and improve natural surveillance to a currently blank southwest elevation. The proposal is located to the end of a horizontally proportioned terrace and the design has correctly recognised this by delivering a continuation to the rhythm and eaves line into the new building, sympathetically forming a continuation of the terrace and responding to the horizontal principles. A recessed top floor is then proposed above, although breaking with the consistency of massing seen in these terraces, the top floor is delivered in an appropriately subservient manner to the main façade, providing a 'lighter element'. Amended plans have changed this top floor from brick to a lighter grey material. A condition is suggested to agree final elevational materials.

In terms of siting Policy CC17 is relevant to the Leisure and Entertainment Area of the city centre, to which the site is located. Figure 16 within the CCAAP identifies a 'view or vista' across part of the application site, which should be maintained. The building does not conflict

with this view. The proposed building does not sit within any protected spire view cones (Policy CC7) and its height is considered to be commensurate with surrounding buildings.

The conversion of the Jaguar PH and alterations to the rear flat will not result in any significant impact upon the visual amenity of the streetscene.

The scheme is therefore considered to provide a high-quality design solution that will respect and enhance its surroundings and positively contribute towards the character of an area in accordance with Local Plan Policy DE1.

Heritage character of the area and Heritage Assets

Section 72 of the Planning (Listed Buildings and Conservation Areas) 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area. Section 66 of the same Act imposes a duty to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

NPPF Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. NPPF Paragraph 196 indicates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, as in this case, this harm should be weighed against the public benefits of the proposal.

Local Plan Policy HE2 reflects NPPF policy and states that development proposals involving heritage assets in general and listed buildings in particular, should acknowledge the significance of the existing building and the area by means of their siting, massing, form, scale, materials and detail.

The CCAAP Policy CC2 'Enhancement of Heritage Assets' states, amongst other things, that all development relating to heritage assets shall be undertaken sympathetically and seek to preserve or enhance their setting.

The Conservation Officer notes that three heritage assets have been identified as having sufficient potential to be impacted upon by the proposal to warrant weighting within the planning balance. These are:

- Spon Street Conservation Area
- Church of St John the Baptist, Corporation Street (Grade I Listed Building)
- Bablake School, Hill Street (Grade I Listed Building)

In terms of the re-development and partial loss of the amenity space the Conservation Officer notes that the character and appearance of the Spon Street Conservation Area is drawn from an exceptional collection of traditional buildings, including: many vernacular structures dating to the 14th through 16th centuries; the early 16th century Bond's Hospital and the 14th century Bablake School; rare surviving examples of industrial-era workshops; and the Church of St. John the Baptist. The street pattern is also a relic of the old town, a rare characteristic in a city centre where much of the historic layout was swept away by extensive post-war reorganisation.

Whilst many of these features are original, a considerable number were brought to the area during a townscape-conservation scheme of the mid-to-late 20th century. Spon Street's significance is therefore not only drawn from its status as a focal point for pre-20th century

buildings, but also from its historic interest as a curated townscape and 'living museum' of the centre's architectural history. As per the applicant's heritage statement the pocket park site is a legacy of the city centre's post-war redevelopment. The plot was cleared for the development of Corporation Street (1929 and 1931), during the initial (pre-war) phases of regeneration. Following the war, the plot was identified for development as a cinema complex, but the scheme was never instigated, leading to its eventual landscaping as a local amenity space. As such, the site is not considered to contribute to the core elements of heritage significance of the conservation area, as has been outlined above. Further, whilst there is amenity value, the site's existing layout and landscaping make only a modest contribution to the elements of character and appearance for which the conservation area was originally designated.

The Conservation Officer's main considerations for the development of the site are, therefore, potential impacts upon the ability to appreciate the significance of designated heritage assets from within the amenity space. Specifically: the Grade I listed Baptist Church, a landmark of the area which occupies a dominant position opposite the site; the Grade I listed Bablake School, viewed obliquely from within the site, along Hill Street; and the positive contributions made by these same assets to the overall character and appearance of the Spon Street Conservation Area. It is not considered that the reduction in the extent of the amenity space will be automatically harmful, should the proposal sustain and/or enhance the existing experiences of these heritage assets from within it. Qualifying impact (positive or negative) must therefore be considered both in terms of the number of individuals able to use the space, but also the quality of that experience (as derived from its design). The proposed reduction in the amenity space is substantive, and this could be considered harmful for the reasons of reduced capacity alone. However, it is recognised that the area's current form may be contributing to high degrees of antisocial behaviour. This is, at present, largely negating any of the heritage benefits, and there is potential to alleviate such issues through an improved design, albeit of a smaller scale.

Officers consider that the proposed pocket park will sustain/enhance levels of public use of the site, and in turn, the degrees to which one may both appreciate the heritage significance of the two Grade I listed buildings, and the character and appearance of the conservation area. The Conservation Officer therefore advises that the proposed development should be considered to have a neutral impact on designated heritage assets. As such, no weighting for or against the proposal should be allocated to decision making in regard to heritage, although any identified 'enhancement' of the space can be treated favourably (given a positive weight) on heritage grounds as per paragraph 200 of the NPPF.

In terms of the design of the new building, the Conservation Officer considers that the 20th century architecture does not contribute markedly to the special interest of the Spon Street Conservation Area, or the character and appearance for which it was designated. As such, the proposed building's design inspiration, drawn from the neighbouring mid-20th century architecture of Corporation Street, is not considered to instigate paragraph 200 of the NPPF, which encourages favourable treatment of new development within conservations areas which "enhance or better reveal their significance".

The proposed design is not, however, considered to be in any way harmful to the conservation area's character and appearance. The composition is well considered, with the architects' engagement with Coventry's distinctive post-war architecture welcomed given the site's proximity to a number of key assets of that period (e.g. the locally listed Co-Operative Building and the Grade II listed Belgrade Theatre). The replacement of the existing blank elevation fronting Hill Street with a more active frontage may also result in a

greater overall townscape quality within and immediately adjacent to the conservation area. As such, whilst no weighting for or against the proposal should be allocated on heritage grounds in regard to the building's design, a degree of positive weight may be granted under paragraph 131 of the NPPF.

The site is within an archaeological area of constraint that covers most of the City Centre and a condition is therefore suggested to secure a written scheme of archaeological investigation, which shall include a detailed programme of archaeological works.

The scheme is therefore considered to accord with Local Plan Policy HE2 and CCAAP Policy CC2 and the aims and objectives of the NPPF.

Impact on residential amenity

The scheme will provide adequate separation (a minimum of 11m) between built form and acceptable window-to-window separation with oblique views to surrounding residential properties, the closest being Bonds Alms House to the northwest.

There is extant permission to convert the neighbouring building No.49 into student accommodation. The existing rear projecting stairwell on the neighbouring building will largely screen the proposed development from its windows in the rear elevation, except for proposed Flat 04 at first floor, which projects beyond this stairwell line. The main window serving Flat 04 is set some 3m off the boundary with the application site and given this is a high density, City Centre location the light and outlook to the future occupiers of this room in the neighbouring property is considered to be acceptable.

The scheme is considered to provide a high-quality residential environment for future occupiers of the proposed development. Environmental pollutants, such as noise and air quality are considered in greater detail below.

Environmental Protection

In terms of noise Environmental Protection have no objection, subject to the development proceeding in accordance with the recommendations in the submitted noise report by Idibri Ltd and conditions to agree details of glazing and ventilation units, proposed plant, including any odour extraction system and details of the noise insulation properties of the separating floor/walls between commercial and residential uses.

Historical Mapping shows the presence of numerous buildings on the site, the use of which are not known. As such, EP recommend that standard pre-commencement land contamination conditions are imposed.

While there is no evidence that the site itself was bombed, the surrounding area suffered extensive bomb damage during the War. Therefore, as a precaution, EP recommend that the applicant undertakes an unexploded ordnance (UXO) risk assessment prior to any intrusive works on site.

For air quality a construction management plan is requested to control dust/noise during construction and a condition requiring only low NOx boilers to be installed.

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. The car parking standards set out in Appendix 5 to the Local Plan indicate that the provision of private car parking will not generally be promoted within the City Centre as it is highly accessible by a range of transport modes and there is already an adequate supply of publicly available car parking.

The Highway Authority initially objected to the scheme as a proposed garage accessed off the service road would have introduced significant pedestrian safety issues due to the lack of visibility of and for emerging vehicles from this garage. The cycle parking area was also unusable due to its narrow form.

The site is within the city centre, where there is no requirement to provide any car parking within the site. The applicant has agreed to remove the garage and in turn the space freed up from the removal of the car parking has allowed a more generous cycle store, addressing the initial Highway objection. Further amendments have been made to ensure that doors open inwards and not out over the highway.

The Highway Authority have asked for a condition to secure cycle parking prior to occupation and also a construction management plan. A request for a contribution towards the Coundon Cycleway has also been requested; however, this is considered to be unreasonable, due to the relatively small scale of development proposed.

Bin storage will be provided for both residential and commercial elements with bin collections accessed directly off the service road.

Flood Risk

Policy EM4 states that all major developments must be assessed in respect of the level of flood risk from all sources. If development in areas at risk of flooding is the only option following the application of the sequential test, it will only be permitted where the criteria set out in Policy EM4 are met.

The new build (existing pocket park) section of the site falls outside flood zone 2, The Drainage Team have raised no objection subject to the imposition of a drainage condition.

Ecology/landscaping

The Ecologist advises that although there are no statutory or non-statutory wildlife sites affected by the development and there are no records for any protected species or significant species within the vicinity the site, the existing green space is important within the city centre. It is also connected to nearby informal greenspace, forming a wider network which provides one of the few opportunities for wildlife within the urban centre.

Following negotiation, a revised landscaping scheme has been submitted, which features substantially increased soft landscaping and a number of habitat features and structural complexity that should help promote biodiversity. The Ecologist has confirmed that as it is likely that the loss of habitat would be offset entirely by the landscaping scheme no financial contribution would be required. A 'Landscape and Ecological Management Plan' condition has been suggested to secure the level of enhancement to accord with Local Plan Policy GE2 and GE3.

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;
 - a) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - b) 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.

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.

Education has not requested a contribution, as the scheme relates to one-bedroomed units. The scheme does not trigger the need for affordable housing as it falls below the 25 units set out in Local Plan Policy H6.

The scheme triggers the need for an NHS contribution for acute care. The requested amount is £22,691.00; however, this amount is for 16 units and the scheme proposes 15 new units, as there is an existing flat to the rear of the former Jaguar PH. The developer has agreed to the requested contributions but has asked for the NHS to clarify the amount requested.

The recommendation seeks Planning Committee's approval to delegate the granting of planning permission to the Head of Planning Services, subject to the conditions listed in the report and the completion of a S106 legal agreement, which is subject to the NHS's clarification on their contribution total.

Conclusion

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon heritage assets, neighbour amenity, highway safety, ecology or infrastructure, subject to relevant conditions and contributions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DE1, HE2, H3, H5, GE2, GE3, R6, CO1, CO2, AC1 & IM1 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: Drg No. 2345-0001 P2, 2345-1-1000 P2, 2345-1-1010 P2, 2345-2-1100 P2, 2239 -1-1200 P5, 2239-1-1201 P3, 2345-1-1100 P5, 2345-1-1101 P2, 2345-1-1102 P2, 007-C5-001-WIP, Noiseair Air Quality Assessment dated 20/11/19 Ref:P4018-R1-V2, IDIBRI Ltd Noise Assessment.

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

3. Prior to the first occupation of the development hereby permitted a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:
 - a) Description and evaluation of features to be managed;
 - b) Ecological trends and constraints on site that might influence management;
 - c) Aims and objectives of management, including mitigation and enhancement for species identified on site;
 - d) Appropriate management option for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period);
 - g) Details of the body or organisation responsible for implementation of the plan, along with funding mechanism(s) for that body or organisation;
 - h) Ongoing monitoring and remedial measures, including where monitoring shows that conservation aims and objectives of the LEMP are not being met.The LEMP plan shall be implemented in strict accordance with the approved details within three months of the first occupation of the development and thereafter shall not be withdrawn or amended in any way.

Reason: *In order to safeguard and enhance habitat on or adjacent to the site in order to secure an overall biodiversity gain in accordance with Policies GE2 & GE3 of the Coventry Local Plan 2016*

4. No removal of any existing trees, hedges or shrubs not identified for retention 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, hedging or shrubs shall be removed 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.*

5. Prior to the installation of any street lighting or any external lighting to be fixed to any building(s), an external lighting strategy (including a plan) shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate that lighting shall be kept to a minimum at night in order to minimise impact on emerging and foraging bats, and to restrict light spillage onto foraging corridors. The lighting shall be installed in full accordance with the approved strategy and all lighting thereafter shall be subsequently maintained in strict accordance with the approved details.

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.*

6. 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.*

7. Prior to their incorporation into the development, details of:
 - window/ door frame colour and materials;
 - glazing details;
 - brick and mortar details;
 - cladding details including colour/finish and profile, fixing systems and joint details;
 - details of any rainwater goods;
 - details of any vents/grilles;
 - details of roof top safety rail systems; and
 - details of any plant enclosure or similar structuresshall 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.*

8. No development approved by this permission shall be occupied until the following information has been submitted to and approved in writing by the Local Planning Authority:
 - I. All 'within building plot' drainage must be considered for the incorporation of water re-use systems such as grey water harvesting, and consideration must also be given to features such as green roof technology to manage down both peak and total rainfall runoff discharging to sewer systems, watercourses and groundwater.
 - II. Evidence to show the management of overland flow routes in the event of exceedance or blockage of the drainage system. Details should include demonstration of how the building will be protected in such an event.
 - III. Consideration should be given to the use of flood resilience design and construction measures as outlined in the document 'Improving the flood performance of new buildings - Flood Resilient Construction 2007'.
 - IV. Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway.
 - V. The development must be considered for the implementation of permeable paving or similar permeable material for the partial reduction of flow and the improvement of water quality in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.

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 the Water Framework Directive and Policies EM4 and EM5 of the Coventry Local Plan 2016 and the Supplementary Planning Document 'Delivering a More Sustainable City'.*

9. The residential accommodation and commercial uses hereby permitted shall not be occupied unless and until the bin storage areas have been provided in full accordance with the details shown on the approved plans 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 the future occupants of the residential accommodation in accordance with Policy DE1 of the Coventry Local Plan 2016.*

10. 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.*

11. The development hereby permitted shall not be occupied unless and until cycle parking facilities have been provided in full accordance with the approved details. 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 2016.*

12. The development hereby permitted shall only proceed in strict accordance with a scheme for targeting and utilising local people for construction and employment, which shall be submitted to an approved in writing by the Local Planning Authority.

Reason: *To secure local employment in accordance with the City Council jobs strategy and Policy JE7 of the Coventry Local Plan 2016.*

13. No development (including any demolition or preparatory works) shall take place unless and until a written scheme of archaeological investigation, which shall include a detailed programme of archaeological works, has been submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in full accordance with these approved details

Reason: *The submission of these details prior to the commencement of development is fundamental to mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for this and future generations in accordance with Policy HE2 of the Coventry Local Plan 2016.*

14. Any gas boilers installed on site shall have a dry NOx emission rate of no more than 40mg/kWh.

Reason: *To mitigate the impacts of development on air quality in accordance with Policy DS3 of the Coventry Local Plan 2016 and the aims and the objectives of the NPPF.*

15. The development hereby permitted shall not commence unless and until a Desk Study for Potential Unexploded Ordnance Contamination and a risk mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in strict accordance with the approved details.

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.*

16. The development shall proceed in accordance with the recommendations in the noise report by IDIBRI Ltd Noise Assessment. Notwithstanding details within this approved report the following additional information shall be submitted to and approved in writing by the Local Planning Authority prior to their incorporation into the development:

- (i) Full details of the glazing and ventilation units;
- (ii) Full details any proposed plant, including any odour extraction system; and
- (iii) Details of the noise insulation properties of the separating floor /walls between the commercial and residential.

All details shall be carried out as approved.

Reason: *To safeguard health, safety and amenity of future and surrounding occupiers in accordance with Policies H3, H5 and DS3 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

17. 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. 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.*

18. 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.*

19. 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.*

20. Prior to occupation of the development hereby permitted and following completion of the measures identified within the remediation scheme approved under condition No.18, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to the Local Planning Authority for approval in writing.

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.*

21. 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.17, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition No.18, 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.19.

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.*

