

<b>Planning Ref:</b>	FUL/2020/1334
<b>Site:</b>	Garages, Overdale Road, Coventry, CV5 8AL
<b>Ward:</b>	Whoberley
<b>Proposed Number of Units:</b>	Two
<b>Proposed Number of Affordable Housing Units:</b>	Two – Development by Citizen Housing (Social Housing Provider)
<b>Proposal:</b>	Demolition of existing garages and development of 2 x 2-bed bungalows
<b>Case Officer:</b>	Fiona Runacre

## **SUMMARY**

The site comprises 7 garages and 13 parking spaces, located in a predominantly residential area. Access is afforded from Overdale Road. A pair of semi-detached bungalows with associated parking for the dwellings and landscaping is proposed, following demolition of the existing garages.

## **KEY FACTS**

<b>Reason for report to committee:</b>	More than 5 representations objecting to the application
<b>Current use of site:</b>	Garages and parking
<b>Proposed use of site:</b>	Residential properties with associated parking

## **RECOMMENDATION**

Planning committee are recommended to grant planning permission subject to conditions.

## **REASON FOR DECISION**

- The proposal is acceptable in principle and will deliver additional affordable housing stock.
- There is capacity within the area to absorb the displaced parking.
- 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, DE1, H3 and AC1, AC2, AC3 and AC4 the Coventry Local Plan 2016, together with the aims of the NPPF to deliver housing in a sustainable location, make use of previously developed land and secure high-quality design.

## **BACKGROUND**

### **APPLICATION PROPOSAL**

It is proposed to erect one pair of semi-detached bungalows on the site, following demolition of the existing garages. The dwellings would be set back within the site, having a frontage building line to match that of the adjacent property no. 52 Overdale Road, which is a two-storey dwelling. Four parking spaces would be provided fronting the bungalows; one for each property plus two visitor spaces.

The dwellings to be provided on the site will assist in meeting the current shortfall of social housing units within the City. The redevelopment of the site is part of Citizens'

Housing review and redevelopment of underused parcels of land, such as garage courts, to deliver needed affordable housing.

## **SITE DESCRIPTION**

Currently the site provides 7 garages and 13 car parking spaces, primarily for residents, although there is no physical restriction on access to the parking spaces. The application site is adjoined by residential properties to the north, south and west of the application site. The property immediately to the east is No. 294 Greendale Road, which is a single storey flat roofed dwelling. To the south are two storey properties. Those properties immediately to the north are single storey flat roofed dwellings and their rear gardens back onto the footpath adjacent to the application site, (Nos. 56-60 Overdale Road). The footpath adjoining the northern boundary of the site provides pedestrian access from Overdale Road to Greendale Road, onto which No.s 294-302 Greendale Road front.

The existing 7 garages appear to be in good condition, 4 of which are in use, as is the car parking area with 13 spaces.

The site is level, adjacent to rising ground to the south, with properties to the north being sited at a lower level due to the local topography. There is a change in levels from the north to south boundary of c. 1.8 m.

## **PLANNING HISTORY**

There have been a number of planning applications on this site as detailed below:

<b>Reference</b>	<b>Proposal description</b>	<b>Decision and date</b>
FUL/2020/0013	Demolition of existing garages and development of x2 4-bed houses	REFUSED 23/03/2020
DEM/2020/0125	Application for Prior Notification of proposed demolition of garages	Details required
R/2009/0599	Erection of a detached bungalow	REFUSED 2/07/2009
R/2008/1568	Erection of two semi-detached houses	REFUSED 15/10/2008
S/1966/1485	Retention and continued use of lock up garage	APPROVED 15/07/1966
S/1960/0892	Erection of lock up garage	APPROVED 30/09/1960

The previous application FUL/2020/0013 was refused on the grounds that:

1. The proposed development would be contrary to Policy DE1 and H3 of the Coventry Local Plan 2016 and the objectives of the National Planning Policy Framework 2019 by reason of:

i) its siting, design and materials would disrupt the rhythm of development and be out of keeping with the established street scene and contrary to the grain of development in the area to the detriment of the visual amenities and general character of the locality.

ii) the siting, design and massing in close proximity to neighbouring residential properties which would result in increased overlooking, unacceptable visual

intrusion and an overbearing impact on the living conditions of occupiers of No's. 294 Glendale Road and No's 58 and 60 Overdale Road;

2. Insufficient information has been submitted to demonstrate that the loss of garages and parking spaces will not result in the intensification of demand for on street parking in the locality in the absence of on-site parking provision. It is considered the proposal would result in an increase of demand for on-street parking in the locality, which would be to the detriment of highway safety, the free flow of traffic and to the amenities of the occupiers of adjacent dwellings. The proposal is contrary to Policies AC2 and AC3 of the Coventry Local Plan 2016, in particular 'the Car and Cycle Parking for New Development (Appendix 5)' and the aims and objectives of the NPPF 2019.

Prior to that both applications in 2008 and 2009 were refused on the grounds of the loss of well used parking in an area that was considered at that time to have a shortfall in available on street parking. Application R/2008/1568 was also refused on grounds that the siting, design and massing of the two storey dwellings in relation to Nos 294 Glendale Road and No.s 58 and 60 Overdale Road would result in increased overlooking, unacceptable visual intrusion and an overbearing impact on living conditions.

## **POLICY**

### **National Policy Guidance**

The National Planning Policy Framework (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, and identifies that the purpose of planning is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives: economic, social and environmental objective which are interdependent and need to be pursued in mutually supportive ways. Of specific relevance to key issues is Part 2: Achieving Sustainable Development; Part 11: Making Efficient Use of Land; and Part 12: Achieving Well Designed Places.

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 6<sup>th</sup> December 2017. Relevant policy relating to this application is:

Policy DE1: Ensuring High Quality of Design  
Policy EM2: Building Standards  
Policy EM6: Redevelopment of previously developed land  
Policy AC1: Accessible Transport Network  
Policy AC2: Road Network  
Policy AC3: Demand Management  
Policy AC4: Walking and Cycling  
Policy DS1: Overall Development Needs  
Policy DS3: Sustainable development  
Policy H3: Provision of New Housing

Policy H4: Securing a Mix of Housing  
Policy H9: Residential Density  
Policy GE4: Tree Protection  
Policy EM1: Planning for Climate Change Adaptation  
Policy EM2: Building Standards  
Policy EM5: Sustainable Drainage Systems (SuDS)  
Policy EM6: Redevelopment of Previously Developed Land  
Policy EM7: Air Quality

### **Supplementary Planning Guidance/ Documents (SPG/ SPD):**

SPG Design Guidance for New Residential Development  
SPD Delivering a More Sustainable City  
SPD Coventry Connected –  
- Appendix 5-car park and cycle parking standards  
SPD Air Quality 2019  
SPD Trees and Developer Guidance October 2020  
SPG Design Guidance for Extending Your Home

### **CONSULTATION**

No objections subject to conditions have been received from:

- Highways - (07/04/2021)
- Environmental Protection - (30/11/2020)
- Ecology - (11/12/2020)

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

- Waste Services.

Immediate neighbours and local councillors have been notified; a site notice was posted on 02/12/2020. Further to an amended Parking Survey, further notification was carried out on 05/03/2021. Additional comments received on the amended parking survey have been included in the summary below.

15 letters of objection have been received, several which included photographs of parking in the area, raising the following material planning considerations:

- a) Loss of off-street parking, loading and unloading that the site provides to residents who don't have off-street parking, visitors and the nearby Whoberley Hall school, and emergency and care workers
- b) Increase in distance for residents (majority of whom are older and/or have mobility issues) to their homes from alternative on street parking
- c) The times of the original parking survey does not reflect the actual situation
- d) The timing of the updated parking survey during lockdown
- e) Increased capacity for road traffic accidents
- f) Loss of storage space
- g) Increase in on street parking and 'pavement parking'
- h) Pitched roofs in an area where bungalows have flat roofs would be unsympathetic
- i) Loss of daylight and sunlight, and overshadowing to adjacent gardens and properties
- j) Loss of privacy and outlook

- k) Overbearing development
- l) Overdevelopment 'cramming'
- m) Disruption and impact on health from noise, vibration and dust during construction
- n) Concerns about the number of applications that have been submitted to date on this site despite being refused have been raised.

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

- o) impact on property values
- p) and access and maintenance of adjacent property 294.

Any further comments received will be reported within late representations.

Cllr Bally Singh objects as follows: The pitched roof of the proposed bungalows will be detrimental to the open views of neighbours, and the loss of parking / garage / access space for residents impacted. I would welcome designs that encouraged a sustainable flat roof if this application is approved, and conditions that existing parking and access is not hindered.

### **APPRAISAL**

The main issues in determining this application are:

- The principle of development
- Loss of parking
- Highways and access considerations
- Design and visual considerations
- Residential amenity
- Ecology and biodiversity
- Air quality and ground conditions

### **Principle of development**

When considering the suitability of a site for housing development that is not already allocated, Policy H3 of the Local Plan must be considered to ensure it is situated within a sustainable location and will ensure the creation of an appropriate and acceptable residential environment. Directly relevant to the principle of the development is Policy H3 (4) which requires development to be in a sustainable location, wherever possible within:

- a) within 2km radius of local medical services;
- b) within 1.5km of a designated centre within the city hierarchy (policy R3);
- c) within 1km radius of a primary school;
- d) within 1km of indoor and outdoor sports facilities; and
- e) within 400m of a bus stop
- f) within 400m of publicly accessible green space

The location is sustainable being accessible to all the above having access to services and facilities, within c. 300 m of Winsford Avenue Local Centre, and the medical centre on Whitaker Road being within c. 400m of the site. Bus services operate along Lyndale Road within 400 m to the south of the site. The location satisfies policy H3(4) of the Local Plan.

Paragraph 68 of the NPPF supports small sized sites for residential development, recognising the contribution that suitable windfall sites can make to the housing requirement within existing settlements.

Paragraph 118 (c) of the NPPF requires that substantial weight is given to the value of using suitable brownfield sites within settlements for homes and other identified needs, and part (d) promotes and supports the development of under-utilised land and buildings.

The principle of the residential development of this brownfield site to deliver additional housing provision is therefore supported in accordance with Policy H3, subject to the proposal satisfying the other relevant parts of policy H3, specifically part 1 – high quality design and part 3 – providing a suitable residential environment. These relate to matters of detail and are discussed under the relevant headings below. Part 5 also requires proposals to conform with all other relevant plan policies. This is discussed further in the relevant sections below.

### **Loss of Parking**

Delivering a suitable residential environment includes ensuring safe and appropriate access as set out in Policy H3 (part 3) of the Local Plan. The loss of parking is a key part of the assessment of this application as there would be a direct loss of parking provision as a result of the proposal, and displaced parking can give rise to issues relating to both residential amenity and highway safety if there is no capacity within the area to absorb the displacements.

Representations received, including photographs, indicate that there are existing parking problems in Overdale Road at present, particularly worse during school drop off and pick up times, where cars are parked partly on the pavement, and that the site is relied on by residents and others. During officer visits to the site, 5 cars (29/4/2021 at 11.30am) and 7 cars (2/12/2020 at 2.30pm) were parked in the spaces.

It is noted that the previous application FUL/2020/0013 was refused on the grounds that insufficient evidence had been submitted to demonstrate that the loss of garages and parking spaces will not result in the intensification of demand for on street parking in the locality in the absence of on-site parking provision. The garage analysis and parking review that was submitted as part of that application did not include the parking provision on the additional hardstanding area within the site (13 spaces), and only included the garages. This application has included an assessment of the garages and parking on the site, within the Highways Statement, which includes a parking survey.

In their initial comments on the application (dated 8/12/2020) an objection was received from the Highways Authority, in which they commented that *“as part of the application the applicant has failed to provide evidence demonstrating that the development is not contrary to the Local Plan policy and should accord with Car and Cycle Parking Standards within Appendix 5 Coventry Local Plan 2016”*.

Further to discussion with the applicant’s agent, it became evident that since the previous refusal and the submission of this application, that the parking beat guidance had been updated, hence the original survey did not meet the most up to date guidance. An amended Highways Statement with parking beat survey was received on 1/3/2021.

The single beat parking survey was undertaken on 10<sup>th</sup> February 2021 between 00:30 and 05:30 on all streets within 200m of the proposed development in accordance with Coventry City Council’s Parking Beat Survey Standards for Residential Developments. Whilst parking surveys would not ordinarily be completed during

school holidays or in the weeks immediately either side of those dates, the applicant's agent confirmed with the Highways Authority that the parking survey could be carried out at this time due to the lockdown situation which was preventing holidays etc.

Notwithstanding that the size of the garages (internal dimensions on average 4.8 m x 2.35 m) is below that recommended in the Coventry Connected SPD of 3 m x 6 m internally, 3 of the 4 let garages have been included in the parking beat survey (1 of the 4 let garages is let to a person living c. 3km from the site), hence it was not included. The updated Highways Statement states that the results show that the spare capacity on the roads within 200m of the site would allow 159 cars to park on-street, and that Overdale Road itself had spare capacity for 51 - 53 cars.

The survey concludes that *"only 3 garages and 13 parking bays, so a total of 16 parking spaces are likely to be displaced locally as part of the proposals and will be fully accommodated by spare capacity on Overdale Road."* It continues that *"it also demonstrates that there is further capacity on Overdale Road (or other streets within 200m from the site), to comfortably accommodate parking associated with the 4 garages that are either already out of use and or currently rented to someone outside of the local area, or to allow for modest peaks and troughs in parking demand that may be reasonably expected."*

It is not disputed that the parking provision on the site is well used at times, as evidenced by third party representations and site visits by your officer. However, sufficient evidence has been submitted in the Highways Statement to demonstrate that there is sufficient space within Overdale Road and the wider area surveyed to absorb displaced parking, from the 13 car parking spaces and the 4 let garages. Whilst a level of inconvenience may arise for residents who utilise the car parking spaces, as a result of having to park further from their home, no significant harm would arise from the loss of the spaces that would result in detriment to highway safety and the residential amenity of local residents such that reason for refusal No. 2 on the previous application has been addressed. Additionally, enough parking allocation has been provided for the proposed dwellings to ensure that no displacement is experienced as a result of the proposal.

The proposal would therefore accord with Policies DE1 and HE3 of the Coventry Local Plan 2016 and the aims and objectives of the National Planning Policy Framework in respect of safe and appropriate access due to the capacity of nearby roads to absorb any displaced parking.

### **Highways and access**

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 are assessed on the basis of parking standards set out in Coventry Connected SPD. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

The proposal would provide for 4 car parking spaces to serve the two dwellings. The existing access would remain to serve the two dwellings. This would accord with the SPD parking requirements. Pedestrian visibility splays of 2 m x 2 m can be provided and are shown on the proposed site plan to both sides of the access. These areas should be maintained free of any obstructions above a height of 600mm and can be conditioned.

Further to the receipt of the updated Highways Statement, including parking survey and site plan showing the required pedestrian visibility splays, the Highways Authority raise no objection to the proposal subject to conditions requiring a Construction Method Statement, laying out of the access, turning and parking areas as shown on the site plan and the provision and retention of unobstructed visibility splays. Additionally, provision should be made for cycle storage for each dwelling which can be conditioned.

The proposal would accord with Policies AC1, AC2, AC3, AC4, DE1 and H3 of the Coventry Local Plan 2016, Coventry Connected SPD, and the aims and objectives of the National Planning Policy Framework such that the access, layout and parking provision would not be detrimental to highway safety and sufficient onsite vehicle and cycle parking can be provided.

### **Design and Visual considerations**

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, having regard to scale, layout, density, mass, design, materials and architectural features. Policy H3 (part 1) of the Local Plan requires 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.

Paragraph 124 of the NPPF identifies that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Notwithstanding the description of the garages in the Planning Statement, they appear to be in good condition, although having no architectural or historical merit. Their demolition would not result in the loss of a high-quality structure or heritage asset.

Concerns have been raised that the proposal would result in over-development of the site. The density proposed equates to 40 dwellings per hectare (dph) which would accord with Policy H9 of the Local Plan that identifies that densities of a minimum 35 dwellings per hectare (dph) should be provided on previously developed land, and is such that it would be appropriate in the context of the established pattern of development in the vicinity of the site.

The previous application was refused on the grounds of the siting, design and materials disrupting the rhythm of development and being out of keeping with the established street scene. The proposal has been amended to provide bungalows. These would better reflect the pattern of development to the north and east of the site, where there are flat roofed bungalows. To the south of the site are two storey pitched roof dwellings. The pitched roof bungalows proposed would complement the pattern of development and be an appropriate transition between the existing flat roof bungalows and two storey pitched roof dwellings, as shown on the proposed street scene.

This site is a candidate for modular construction as one of the number of sites where this build approach is being taken by Citizen on a number of former garage sites. The materials palette has been amended to better reflect that of the surrounding properties with brick slips and concrete roof tiles. Details of the texture and colour finish of these are matters that can be conditioned.

Planting is proposed around the frontage parking. The existing wall set back from Overdale Road is to be removed which would allow for proposed planting to integrate

with the existing. A 1.8 m high brick boundary wall would enclose the side of plot 1 to the adjacent footpath.

The development siting, design and scale would respond to its surroundings and the external finish, landscaping and boundary materials can be secured by condition, such that the proposal would accord with the principles of good design in policies DE1, H3 and H9 of the Local Plan, SPG Design Guidance for New Residential Development and part 12 of the NPPF and National Design Guide.

### **Residential amenity**

Adequate amenity space is required in Policy H3 of the Local Plan and the design Guidance for new residential development identifies space requirements for dwellings. Both dwellings would have in excess of the minimum 30 sq m of rear external amenity space, which would be suitably enclosed to provide privacy and would not be overlooked.

Turning attention to the amenity of neighbouring residents, the previous application was refused on the grounds that the siting, design and massing in close proximity to neighbouring residential properties would result in increased overlooking, unacceptable visual intrusion and an overbearing impact on the living conditions of occupiers of No's. 294 Glendale Road and No's 58 and 60 Overdale Road.

The neighbouring property to the east, the flank elevation of No. 294 Greendale is on the eastern boundary of the site. The previous concern with regard to the 12 m distance from the proposed dwelling to the side of 294 Greendale has been addressed as there would be no potential for overlooking of the garden of no. 294 from the proposed bungalows or an overbearing form of development due to their single storey nature. Permitted development rights could also be removed to prevent future additions at roof level that may give rise to a loss of privacy.

The Design Guidance for new residential development SPG identifies that a minimum of 10 m will normally be required in the interests of achieving acceptable standards of daylight, to minimise overshadowing and maintain privacy. The proposal would achieve c.8.2 m garden depth to the flank elevation of No. 294. Deviation from the 10 m depth in this case is considered acceptable here as the bungalows would not present any privacy issues or other amenity issues in relation to No. 294.

Particular care should be taken with a proposal that would obstruct the southerly aspects of an adjoining property or where the application sites ground level is higher than adjoining properties. Both apply in this case and have been carefully considered, particularly as there is a change in the levels (c. 1.8 m) adjacent to the site, from north to south.

Neighbouring properties to the north Nos. 56, 58 and 60 Overdale Road are bungalows. Previous concerns related to the massing/height of the proposed dwellings and level changes, such that the proposed dwellings would have a detrimental impact upon the amenity of these occupants regarding visual intrusion and overbearing impact. The houses previously refused had a height to eaves of 5.02 m and a ridge height of 9.02 m. The proposed dwellings have an eaves height of 2.56 m and a ridge height of 5.93m. The dwellings are located on the same alignment as previously submitted, that is north/south with the side elevation and gable end facing the rear of no. 58 Overdale Road at a distance of 14 m.

The adjacent properties being to the south of the site will experience some increased overshadowing compared to that currently experienced from the adjacent garages and tree. However, due to the north/south orientation of the bungalows, compared with the

elongated east /west orientation of the garages, any overshadowing experienced is not considered harmful such that it would significantly reduce light to the rear of the adjacent properties, through excessive overshadowing.

There are no openings to habitable rooms proposed to the side elevation, and with the intervening boundary treatments, and the single storey nature of the proposed development there would be no loss of amenity through overlooking or an overbearing sense of enclosure.

The residential use is compatible with surrounding residential uses and the scheme is not considered to create any significant impact upon the amenities of the occupiers of surrounding properties in terms of outlook, light or privacy.

Third parties have raised concerns regarding these matters, but the development of the site to provide bungalows would not give rise to a significant loss of residential amenity for the reasons above.

Whilst there would be some disruption to residential amenity during construction this is to be expected during the construction phase and would be temporary in nature. A construction management plan is required by condition which will allow the Local Planning Authority to consider matters relating hours of work, measures to control the emission of dust and dirt during demolition and construction, measures to minimise noise disturbance to neighbouring properties during demolition and construction and measures to control the presence of any asbestos. These controls are considered necessary in the interests of residential amenity.

The existing parking pressures and the level of use of the site for parking raised by third parties is noted. As detailed in the loss of parking section above, it has been demonstrated that the loss of parking provision on the site can be absorbed in the surrounding area, such that there would be no adverse impact on the living conditions of adjacent and nearby residents, through noise and disturbance associated with vehicle movements and displacement of existing parking.

The proposal has satisfactorily addressed the previous reason for refusal in respect of residential amenity and would therefore accord with policies DE1 and H3 of the Local Plan 2016, and paragraph 127(f) of the NPPF.

### **Ecology and biodiversity**

The proposal would not have any impact on any statutory or non-statutory wildlife sites. There are no records of any notable wildlife from the site, there are nearby records of hedgehogs and bats will be present. The existing site consists of garages and hardstanding with limited biodiversity value. The likelihood of bat roosts within the garages is very low. The creation of gardens to replace the existing hardstanding will provide a small biodiversity gain.

The application includes a Tree Survey (CGO Ecology, June 2020) which states that there are no trees within the application footprint. T2 adjacent to the north western corner of the site is prominent in the street scene and its retention is important to the visual amenity of the public realm.

An informative in respect of protected species has been recommended by the Council's Ecologist. A condition to require a Tree Protection Plan and Arboricultural Method Statement as recommended in the Tree Survey report can be imposed. The proposal would therefore accord with policies GE3 and GE4 of the Local Plan, and the Trees and Developer Guidance SPD.

## **Air Quality and Ground conditions**

### *Air Quality*

With the city being declared an Air Quality Management Area since 2009 for nitrogen dioxide, primarily as a result of traffic related emissions, and the more recent Ministerial Direction that requires the city council to implement a package of measures to reduce nitrogen dioxide emissions to legal levels within the 'shortest possible time', Policy AC1 of the Local Plan and Coventry Connected SPD requires the infrastructure for electric vehicles to be installed through planning condition; in this case one space per dwelling. The policies reflect paragraph 181 of the NPPF.

This can be secured through a condition requiring electric vehicle charging points to be provided, such that the proposal would accord with Policies AC1 and EM7 of the Local Plan, Coventry Connected SPD, Air Quality SPD and the objectives of the NPPF.

### *Ground Conditions*

Policy EM6 seeks to ensure that redevelopment of previously developed land does not have a negative impact on water quality, either directly through pollution of surface or ground water or indirectly through the treatment of wastewater by whatever means. Environmental Protection raise no objection subject to conditions in relation to a contaminated land (watching brief) and details of any imported soils, including chemical sampling demonstrating their suitability for use.

## **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.

## **Conclusion**

The proposed development is acceptable in principle. The loss of parking would not result in the unacceptable displacement of parking, and there would be no significant harmful impacts on residential amenity, highway safety, ecology and biodiversity for the reasons set out above. The reason for this recommendation for approval subject to the conditions set out below, is that the proposal is in accordance with Policies DS3, DE1, H3, H9, GE3, GE4, AC1, AC2, AC3, AC4, EM6 and EM7 of the Coventry Local Plan 2016, adopted supplementary planning documents and guidance, together with the aims of the NPPF.

## **CONDITIONS:\REASONS**

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 and documents: 100-407AR/001 Rev G Site Layout; 100-407AR/002C Site Location; 100-407AR/003 Rev E Boundary Treatment; 100-407AR/007 - Type B- 2B3P; 100-407AR/008A Street Scene; 25080\_06\_170\_218 Topographical Survey; 25080\_06\_200\_218 Underground detection survey; Existing site layout 1:500; Planning Statement 100-407 Rev C dated June 2020; Highway Statement reference CGSW407-BSP-ZZ-XX-RP-D-0001-P03 dated 26 February 2021; Tree Survey, Arboricultural Impact Assessment and Tree Constraints Plan version 2 dated 12 June 2020; Phase II Geo-Environmental Investigation report ref 25080-GI-23-01 dated December 2019 and Ownership certificate A Justification Statement.

**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 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 treatments, 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 any of the dwellings 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.*

5. 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.*

6. 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 buildings or enclosures shall be provided within the curtilage of, and no extensions, enlargements or additions erected or constructed, or windows or other form of opening be provided in the rear roof slopes to the dwelling houses hereby permitted, without the prior grant of planning permission by the Local Planning Authority.

**Reason:** *Having regard to the layout and general nature of the proposed development and its relationship with adjoining properties it is important to ensure that no development is carried out 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.*

7. 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, other than shown on the approved plans, shall be erected, constructed or improved or altered such as to place the structure in front of the forwardmost part of any dwelling houses 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.*

8. No development or other operations (including any demolition, site clearance or other preparatory works) shall commence unless and until the tree protection measures identified in the approved application Arboricultural Impact Assessment and Tree Constraints Plan version 2 dated 12 June 2020 have been put into place in strict accordance with the approved details and thereafter they shall remain in place during all construction work. These measures shall be detailed in a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) in accordance with the recommendations in the approved documentation and submitted to and approved in writing by the Local Planning Authority. In addition no excavations, site works, stock piling, trenches or channels shall be cut or pipes or services laid, (other than works necessary to facilitate the construction of the dwellings and landscaping of the site), and no

fires shall be lit within 10 metres of the nearest point of the canopy or root protection area of any protected tree(s); no equipment, machinery or structure shall be located within this zone; no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s).

**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 and GE4 of the Coventry Local Plan 2016.*

9. Prior to the first use of the access in connection with the dwellings hereby permitted, the 2 metre by 2 metre visibility splays as shown on the approved plans shall be provided and thereafter retained free from obstruction at all times above a height of 600mm.

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

10. Prior to occupation of any of the dwellings hereby permitted, details of cycle parking provision to provide at least 1 cycle parking space per dwelling, shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shall be provided in full accordance with the approved details prior to first occupation of the dwellings 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 2016.*

11. The development hereby permitted shall not be occupied unless and until the access to the site, turning areas and car parking areas shown on the approved plan have been laid out and properly consolidated, delineated, surfaced, drained, free of loose stone and otherwise constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These areas shall thereafter be retained and kept available for those uses at all times.

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

12. 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.*

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, and where remediation is necessary a remediation scheme must be prepared 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.

**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 first occupation of any of the dwellings hereby permitted, details of any imported soils, including chemical sampling demonstrating their suitability for use shall be submitted to and approved in writing by the Local Planning Authority.

**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.*

15. Any gas boilers installed on site shall have a dry NO<sub>x</sub> emission rate of no more than 40mg/kWh. One electric vehicle recharging point per dwelling shall be provided prior to occupation in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and which shall include the siting and design of the recharging points. Recharging points shall be installed in accordance with the approved details and shall not be removed or altered in any way 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 DS3 of the Coventry Local Plan 2016 and the aims and the objectives of the NPPF.*

16. The dwellings hereby permitted shall not be occupied unless and until provision has been made for the siting of bins within the side/rear gardens as shown on the approved plans. All bins must be stored within the rear/side gardens and not positioned on the public highway or in the open, unless on bin collection days.

**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.*