

Planning Committee Report	
Planning Ref:	S73/2021/0776
Site:	Land to the south of Westwood Heath Road
Ward:	Westwood
Proposal:	Variation of condition 2 to allow amendment to highways access arrangements that were imposed on planning permission OUT/2017/3203 for Hybrid application comprising: full details for 129 dwellings, vehicular and pedestrian access via Westwood Heath Road and associated public open space; and outline application with all matters reserved except access (but not including internal circulation) for the remainder of the proposed development comprising: up to 296 additional dwellings (amounting to a total of up to 425 dwellings); a convenience store (Use Class A1) comprising 400 sqm gross; public open space; vehicular and pedestrian access via Westwood Heath Road and agricultural access via Bockendon Lane; internal vehicular and pedestrian routes; and drainage and utilities infrastructure granted on 06/11/2018
Case Officer:	John Shaw

SUMMARY

The proposal is to vary application OUT/2017/3203 which was approved on 06/11/2018 and was a hybrid application for up to 425 dwellings and a retail store on land immediately to the south of Westwood Heath Road. The current application would see a minor amendment to the two highway accesses which were approved as part of the original application and the changes would not be considered to result in severe adverse highway impacts.

BACKGROUND

Only the access to Westwood Heath Road lies within the administrative area of Coventry City Council, the rest of the site, including all the proposed buildings, lies within the administrative area of Warwick District Council. The land is allocated for 425 dwellings with some retail (up to 500 sq m) and possible health and community facilities by Policy DS11 in the Warwick District Local Plan. This is part of an agreement for land in Warwick District Council to be used to help provide space for some of Coventry City Council's housing need. The Warwick District Council application has since been permitted subject to a S106 agreement and conditions.

KEY FACTS

Reason for report to committee:	Over 5 objections against the officer recommendation.
Current use of site:	Agricultural land
Proposed use of site:	Residential (up to 425 dwellings), convenience store and associated open space

RECOMMENDATION

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

REASON FOR DECISION

- The proposal is acceptable in principle.

- The proposal will not significantly adversely impact upon highway safety
- The proposal accords with Policies: DS1, DS2, DS3, EM7, AC1, AC2, AC3, AC4, AC5 and IM1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The original application was a hybrid application for up to 425 dwellings and a convenience store, with full details provided for a 1st phase of 129 dwellings. As part of the development, there would be two new accesses off Westwood Heath Road. The 1st phase of development would be located to the north east of the site where Westwood Heath Road and Bockendon Road meet.

The current proposal would see the accesses approved under OUT/2017/3203 from Westwood Heath Road amended to reflect the outcome of the S278 Agreement discussions between the council's Highways department and the developer. The site layout changes would consist of

- Extended central ghost turning lane to also provide a right hand turn from Westwood Heath Road into Roughknowles Road and associated carriageway widening.
- Pavement on the southern edge of Westwood Heath Road widened and moved to be adjacent to the carriageway instead of separated by a grass verge.
- New bus layby.

SITE DESCRIPTION

The site is irregular in shape and comprises approximately 30 hectares of agricultural land. It lies immediately south of Westwood Heath Road and is bounded by Bockendon Road to the east. The rear gardens of properties in Cromwell Lane define the western edge of the site. The southern edge of the site is defined by Black Waste Wood and is defined by mature hedgerows. There is a change in levels across the site with levels lower to the east. An oil pipeline runs across the north east corner of the site, which requires a 6m easement.

The entire site, apart from the highway verge to the south of Westwood Heath Road, is within the administrative boundary of Warwick District Council.

PLANNING HISTORY

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

Application Number	Description of Development	Decision and Date
DC/2019/2209	Submission of details to discharge condition: 3, Phasing and Construction Plan imposed on planning permission OUT/2017/3203 for Description of Development: Hybrid application comprising: full details for 129 dwellings, vehicular and pedestrian access via Westwood Heath Road and associated public open space; and outline application with all matters reserved except access (but not including internal	Withdrawn on 22/10/2019

	circulation) for the remainder of the proposed development comprising: up to 296 additional dwellings (amounting to a total of up to 425 dwellings); a convenience store (Use Class A1) comprising 400 sqm gross; public open space; vehicular and pedestrian access via Westwood Heath Road and agricultural access via Bockendon Lane; internal vehicular and pedestrian routes; and drainage and utilities infrastructure granted on 6/11/18	
DC/2019/0858	Submission of details to discharge conditions 4 (Construction Method Statement), imposed on planning permission OUT/2017/3203 Hybrid application comprising: full details for 129 dwellings, vehicular and pedestrian access via Westwood Heath Road and associated public open space; and outline application with all matters reserved except access (but not including internal circulation) for the remainder of the proposed development comprising: up to 296 additional dwellings (amounting to a total of up to 425 dwellings); a convenience store (Use Class A1) comprising 400 sqm gross; public open space; vehicular and pedestrian access via Westwood Heath Road and agricultural access via Bockendon Lane; internal vehicular and pedestrian routes; and drainage and utilities infrastructure, granted 6th November 2018	Approved on 06/06/2019
W/17/2357 (Warwick District Council)	Hybrid planning application for the erection of up to 425 dwellings (detailed first phase of 129 dwellings with the remainder of the site being outline including details of access), convenience store of up to 400 sqm gross together with the erection of formal and informal open space including allotments, infrastructure provision and associated work together with means of access onto Westwood Heath Road and agricultural access onto Bockendon Lane.	Approved on 30/10/2018
OUT/2017/3203	Hybrid application comprising: full details for 129 dwellings, vehicular and pedestrian access via Westwood Heath	Approved on 06/11/2018

	Road and associated public open space; and outline application with all matters reserved except access (but not including internal circulation) for the remainder of the proposed development comprising: up to 296 additional dwellings	
OUT/2017/1825	Hybrid application for up to 425 dwellings and convenience store and associated infrastructure	Withdrawn 04/10/2017

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The NPPF increases the focus on achieving high quality design and states that it is "fundamental to what the planning and development process should achieve".

The National Planning Practice Guidance (NPPG) adds further context to the NPPF and it is intended that the two documents are read together.

Local Policy Guidance

The current local policy is provided within the Coventry Local Plan 2016, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application is:

- Policy DS1: Overall Development Needs
- Policy DS2: Duty to Co-operate
- Policy DS3: Sustainable Development Policy
- Policy AC1: Accessible Transport Network
- Policy AC2: Road Network
- Policy AC4: Walking and Cycling
- Policy AC5: Bus and rapid transit
- Policy EM7: Air quality
- Policy IM1: Developer Contributions for Infrastructure

Supplementary Planning Guidance/ Documents (SPG/ SPD):

- SPG Design Guidelines for New Residential Development
- SPD Delivering a More Sustainable City
- SPD Coventry Connected

CONSULTATION

No Objections received from:

- Highways
- Warwickshire County Council
- Lead Local Flood Authority

Immediate neighbours and local councillors have been notified; a site notice was posted on 12/05/2021. A press notice was displayed in the Coventry Telegraph on 15/04/2021.

Eight letters of objection have been received, raising the following material planning

considerations:

- a) Local services such as schools and doctor surgeries will be overloaded
- b) Pedestrian safety concerns
- c) Increased pressure on the local road network
- e) Harm to residential amenity due to increased noise and pollution from increased traffic
- f) Overly dense development

Within these 8 objections, other points of concern were raised, and which are beyond the remit of this S73 application included general concern about design standards and the absence of green spaces in new developments in the city

One letter was received which raised concern about the wider residential development for 425 homes and a shop on the land within the Warwick District Council boundary but confirmation was subsequently provided that the neighbour did not raise an objection to the contents of this S73 application.

One letter was received which expressed no support or objection but questioned the following:

- The need for a new pavement adjacent the highway to the southern side of Westwood Heath Road
- Whether this pavement will be separated from the highway
- The need for controlled pedestrian crossing support as opposed to a central pedestrian refuge.

One letter was received which expressed uncertainty about the nature of the proposal. The Planning Officer has since contacted this neighbour in order to help clarify the content of the application.

Any further comments received will be reported within late representations.

APPRAISAL

As the whole site, apart from part of the highway access from Westwood Heath Road, lies outside of the administrative boundary of Coventry and as the sole purpose of the current application is to amend the access then the relevant issues will be limited to the highway impact upon land within Coventry.

Issues such as whether the principle of housing and a shop are acceptable on the site and assessment of the layout or housing mix have been assessed and approved by Warwick District Council. Similarly, issues such as harm to ecology or archaeology on land outside of our boundary have been assessed by Warwick. Matters relating to air quality and S106 contributions were considered as part of OUT/2017/3203; the current proposal would have no impact on the contents of the agreed S106.

Highway considerations

Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city. c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form. d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

Policy AC2 states that new development proposals which are predicted to have a negative impact on the capacity or safety of the highway network should: mitigate and manage the traffic growth which they are predicted to generate to ensure that they don't cause unacceptable levels of traffic congestion, highway safety problems and poor air quality. Mitigation and management measures should firstly focus on management, including the promotion of sustainable modes of travel, and secondly on the delivery of appropriate highway capacity interventions.

The key layout changes being brought in through the submitted access drawings are:

- Extended central ghost turning lane to also provide a right hand turn from Westwood Heath Road into Roughknowles Road and associated carriageway widening.
- Pavement on the southern edge of Westwood Heath Road widened and moved to be adjacent to the carriageway instead of separated by a grass verge.
- New bus layby.

There are several more minor changes which are shown on the submitted access drawings, reflecting the fact that these are S278 drawings and they include:

- Extra Highway drainage detail, including identification of where existing gully's are to be closed off and new gulleys to be connected to the highway drains.
- Inclusion of a central refuge at the westernmost crossing point.
- More detailed designs for central pedestrian refuge at crossing points (wider and narrower) (2m wide rather than 2.5m wide).
- Renewal of existing 30mph Roundel on carriageway east of Bockendon road.
- Detailed specifications for features, materials and lighting.
- Identification of signage (re)locations.
- Identification of where existing lighting columns are to be repositioned to where they need to be moved.

The two access junctions were assessed for capacity in the submitted Transport Assessment as part of OUT/2017/3203 and it was demonstrated that they would operate within capacity for the future year forecasts, and both would provide a visibility splay of 2.4m x 43m in accordance with the Design Manual for Roads and Bridges for a 30mph road. The changes now proposed would not impact on either the capacity of the access or the visibility that they would provide.

The small changes that have been proposed were considered by the council's highway team who stated the following:

"Condition 2 relates to the approved site access junction onto Westwood Heath Road, where through subsequent S278 discussions following approval in 2018 the access proposals have undertaken slight amendments. Therefore, the applicant wishes to amend the plan references within the condition to those agreed through the S278 process."

"This application has been discussed with the S278 team to ensure the amended plans are correct, and after a review the Highway Authority is comfortable with the amendments and has no objection to the S73 application"

Following on from this response, it is considered that the proposal would aid traffic flow and be fully compliant with Local Plan policies AC1 and AC2.

Conditions

It is necessary to consider whether it is appropriate to re-impose the original conditions attached to the permission. The original consent was subject to 4 conditions. As part of the current application it is considered that of these 4 conditions, all should be re-imposed for clarity except condition 2 which shall be varied as part of this application and condition 4 should be amended to ensure compliance with previously approved details under DC/2019/0858.

Equality Implications

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

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

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

There are no known equality implications arising directly from this development. The proposed works would ensure that suitable footpaths and crossings are provided alongside and within Westwood Heath Road to the benefit of all users.

Conclusion

The proposed development would not result in any significant adverse impact upon highway safety, air quality 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 IM1, DS1, DS2, DS3, EM7, AC1, AC2, AC3, AC4 and AC5 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 06/11/2018.

Reason: *To conform with Sections 73 & 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: Location Plan, P-18-180-401 Rev J General Arrangement Plan (Sheet 1 of 2); and P-18-180-402 Rev H General Arrangement Plan (Sheet 2 of

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

3. Prior to the commencement of development, a phasing and construction plan of the accesses and associated pedestrian crossings on Westwood Heath Road shall be submitted to and approved in writing by the local planning authority. The accesses and crossings shall thereafter be provided in accordance with the approved details.

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

4. The development shall be carried out in full accordance with the details approved under application reference DC/2019/0858 on 6th June 2019.

Reason: *In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies AC1, AC3, EM1 and DE1 of the Coventry Local Plan 2016.*

