

Planning Committee Report	
Planning Ref:	RMM/2019/3059
Site:	Land west of Cromwell Lane
Ward:	Westwood
Proposal:	Reserved Matters for the approval of access, appearance, landscaping, layout and scale of a residential development of 240 dwellings including affordable housing and open space granted under Outline application OUT/2016/1874.
Case Officer:	Liam D'Onofrio

BACKGROUND

The application site was confirmed as a housing allocation in the Inspector's Report on the Examination of the Coventry Local Plan 2011 – 2031, which was issued in October 2017 and the Local Plan was subsequently adopted in December 2017. The site is identified within Local Plan Policy H2:8.

Outline planning permission was granted under application OUT/2016/1874 on 31/01/19 for up to 240 dwellinghouse, delivered as a mix of house types and tenures, including 25% affordable housing and associated open space.

The current scheme considers those matters reserved at outline stage.

KEY FACTS

Reason for report to committee:	More than 5 objections
Current use of site:	Farmland - arable fields and grassland with associated field boundaries.
Proposed use of site:	Housing development with up to 240 houses 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 provides an appropriate design and layout solution.
- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal makes provision for necessary developer contributions.
- The proposal accords with Policies: DE1, HE2, H2, H3, H4, H6, H9, AC1, AC2, AC3, AC4 & DS3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

This application seeks the approval of reserved matters relating to appearance, landscaping, layout and scale, following the outline permission for the construction of up to 240 dwellinghouses granted under outline planning application OUT/2016/1874. The site accesses from Cromwell Lane were approved under this permission.

The reserved matters scheme comprises 240 units in total. The northern parcel will have 182 units, comprising of 12 one-bedroom units, 50 two-bedroom units, 54 three-bedroom units, 58 four-bedroom units and 8 five-bedroom units.

The southern parcel will have 58 dwellinghouses, comprising of 20 three-bedroom units and 38 four-bedroom units.

The scheme includes details on building design and massing, layout and associated accesses, drainage and landscaping.

SITE DESCRIPTION

The application site relates to farmland, previously within the Green Belt and allocated for housing following the adoption of the 2017 Local Plan. The land sits behind a semi-sporadic run of residential development on the western side of Cromwell Lane. This run of development includes two Grade II Listed Buildings.

The northern part of the site adjoins the railway and a contemporary housing development (Penruddock Drive/Bourchier Close). The western site boundaries adjoin open farmland and a public footpath (W170) runs alongside the southern edge of the site. These are located within the Green Belt and also within Solihull Metropolitan Borough Council's administrative area and a small part of Warwick District's administrative area.

Westwood Farm, a Grade II Listed farmhouse with ancillary buildings is located within, but does not form part of, the application site.

PLANNING HISTORY

Application Number	Description of Development	Decision and Date
OUT/2016/1874	Outline application for the erection of up to 240 residential dwellings (class C3) and associated open space and accesses, with all matters reserved except access	Granted 31/01/19
DC/2021/2679	Submission of details to discharge conditions 16 (secured by design) & 23 (massing/phasing) imposed on planning permission OUT/2016/1874 for Outline application for the erection for up to 240 residential dwellings (Class C3) and associated open space and accesses, with all matters reserved except access 31.1.2019	Concurrent application

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 DS3: Sustainable Development Policy
- Policy DS4: (Part A) – General Masterplan Principles
- Policy H1: Housing Land Requirements
- Policy H2: Housing Allocations
- Policy H3: Provision of New Housing
- Policy H4: Securing a Mix of Housing
- Policy H6: Affordable Housing
- Policy H9: Residential Density
- Policy GB1: Green Belt and Local Green Space
- Policy GE1 Green Infrastructure
- Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
- Policy GE4: Tree Protection
- Policy JE7: Accessibility to Employment Opportunities
- Policy DE1 Ensuring High Quality Design
- Policy HE2: Conservation and Heritage Assets
- Policy AC1: Accessible Transport Network
- Policy AC2: Road Network
- Policy AC3: Demand Management
- Policy AC4: Walking and Cycling
- Policy AC5: Bus and Rapid Transit
- Policy EM1: Planning for Climate Change Adaptation
- Policy EM2: Building Standards
- Policy EM3 Renewable Energy Generation
- Policy EM4 Flood Risk Management
- Policy EM5 Sustainable Drainage Systems (SuDS)
- Policy EM7 Air Quality
- Policy IM1: Developer Contributions for Infrastructure

Supplementary Planning Guidance/ Documents (SPG/ SPD):

- SPG Design Guidelines for New Residential Development
- SPD Coventry Urban Extension Design Guide - August 2019
- SPD Delivering a More Sustainable City
- SPD Coventry Connected

CONSULTATION

No Objections received from:

- Conservation
- Urban Design
- Archaeology
- Economic Development.

No objections subject to conditions have been received from:

- Highways
- Environmental Protection

- Ecology
- Network Rail
- Tree Officer
- West Midland's Fire Service
- Drainage
- Streetscene.

Immediate neighbours and local councillors have been notified; a site notice was posted on 03/01/20, 09/09/20, 25/09/20, 12/03/21 and 07/10/21. A press notice was displayed in the Coventry Telegraph on 09/01/21, 17/09/21, 11/03/21 and 14/10/21.

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

- a) The current layout lacks suitable access/egress to the estate.
- b) Impact upon landscape and wildlife.
- c) Flooding concerns / Penruddock Drive is a low point with greatly increased flood risk.
- d) Noise from Nailcote Hall/impact upon Nailcote Hall as a business.
- e) Air quality impact.
- f) Affordable housing is within a higher density part of the site/ unfairly distributed.
- g) Suggestion to develop land in front of farmhouse to reduce density overall.
- h) A playground for children should be provided.
- i) Loss of privacy.
- j) Loss of sunlight.
- k) Increased noise and disturbance.
- l) Threat from anti-social behaviour/criminal damage.
- m) Insufficient boundary planting between site and property on Cromwell Lane.
- n) Impact upon setting of listed buildings.
- o) Impact upon archaeology.
- p) Insufficient boundary fences between new and existing properties.
- q) Concerns around use of emergency access (via Alan Higgs Way) over Network Rail's land without Network Rail's agreement.
- r) Suggested layout changes/dwellings generic design criticised.
- s) Massing / there should be no three-storey development, which is out of character.
- t) Insufficient woodland planting, as required by Policy H2:8.
- u) Potential conflict between emergency vehicles and users of open space.
- v) The emergency access width does not comply with fire service requirements.

41 letters of objection have been received raising non-material planning considerations, that cannot be given due consideration in the planning process, as they relate to the principle of the development and matters already considered at outline stage:

- a) Loss of Green Belt.
- b) Existing traffic congestion/increased traffic/accident concerns.
- c) Need for development.
- d) Question on population growth figures/housing demand/ONS figures.
- e) Insufficient infrastructure, such as Doctors and schools.
- f) The train station car park is overloaded.
- g) There are too many developments in the area already.
- h) The A46 link road is not yet agreed.

5 letters not objecting have been received, raising the following comments:

- a) Questions on boundary treatments/request for tree removal.

- b) Comments made on parking and suggestion that improvements to Cromwell Lane should be part of the development.
- c) Questions on visitor parking and pedestrian access to Alan Higgs Way.
- d) Question whether houses be solar/environmentally friendly.
- e) Question on timescale for scheme to be concluded.

5 letters of objection and 1 supporting letter have been received making no comments.

Councillor Lapsa has objected to the scheme on the following grounds:

- Road infrastructure is already creaking at the seams. Adding another 240 houses would cause major problems.
- At the Inspector's meetings using Coventry's own Traffic figures it was shown that the Traffic Capacity of Cromwell Lane and particularly the Junctions with Westwood Heath Road, Charter Avenue and Duggins lane were "in the red".
- All Junctions including Westwood Heath Road, Charter Avenue and Torrington Avenue are inadequate to cope with the existing traffic at peak periods.
- The speed of traffic on Cromwell Lane would also cause problems trying to access and enter the site. Major road and junction improvements need to be implemented before any development.
- The design does not conform to what was proposed.
- The affordable housing has been bunched in one spot.
- The access junctions to Cromwell lane will cause problems and junction improvements in the immediate area should be in place before work starts due to heavy construction vehicles and access problems.

Westwood Heath Residents Association have objected on traffic and air quality and questioning population figures.

Burton Green and University of Warwick Parish Council have objected to the development asking for a decision to be deferred in light of serious concerns about the reliability of Coventry's population projections and that the scheme will adversely impact on highway safety.

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are principle of development, policy aspects, the impact upon visual amenity and heritage assets, the impact upon neighbouring amenity, highway considerations, flood risk, ecology and landscaping and sustainability/air quality.

Principle of development

The principle for the development of up to 240 dwellinghouses was established following the grant of outline planning application OUT/2016/1874 at Planning Committee on 15th February 2018, subject to conditions and the completion of a S106 legal agreement to secure necessary contributions. The decision was issued on the 31st January 2019 following completion of the S106 legal agreement.

Although the site was identified as a housing allocation within the 2017 Local Plan, the Outline application dealt with matters associated with the principle for the development, including loss of farmland, affordable housing, traffic, the impact upon local services and infrastructure and also agreed the site's two vehicular access points off Cromwell Lane.

Matters of principle for the scheme are not therefore able to be considered further within this Reserved Matters application.

Policy aspects

Housing Mix

Policy H4: Securing a Mix of Housing states that the Council will require proposals for residential development to include a mix of market housing which contributes towards a balance of house types and sizes across the city in accordance with the latest Strategic Housing Market Assessment (SHMA).

Approximately 70% of properties within Coventry are in Council Tax Bands A and B, indicating smaller properties at the lower end of the market (compared to 56% in the West Midlands and 44% for England). There is an identified shortage of larger family homes.

The SHMA 2015 Housing Mix seek the following mix for market housing:

1 bed	2 bed	3 bed	4 bed
5-10%	25-30%	40-45%	20-25%

The proposed scheme provides the following market housing mix:

1 bed	2 bed	3 bed	4 bed	5 bed
0	30	51	91	8
0%	17%	28%	51%	4%

Justification for the departure from the SHMA has been requested. A supporting Analysis of Housing Mix has been provided that identifies that the statistics for the wider Coventry area distort the true picture for the area of the application site, which has a higher proportion of flats/maisonettes when compared with wider Coventry.

The supporting document indicates that within a 1-mile radius from the application site, which include areas of Tile Hill and Westwood Heath, are high density developments comprising of apartments/maisonette accommodation. Similarly, Penruddock Drive, adjacent to the north eastern site boundary has high-density 3 to 4 storey apartments.

The Valuation Office Agency identifies a 32% provision of apartments/maisonettes within a 1 mile radius if the site, which the applicant considers to be high compared to the City wide average of 20% and while there is local demand from occupiers for one bedroom units, a further significant delivery would risk an oversupply in the local housing market (although twelve 1-bedroom affordable units are provided on site).

The scheme also provides a lower proportion of 2 and 3 bedroom dwellings and a higher proportion of 4-bedroom dwellings. The applicant notes that 4 and 5 bedroom dwellings in the Coventry housing stock are at present slightly below that of the wider search areas and whilst the latest SHMA recommends between 20-25% of 4+ bedrooms, there is evidence to suggest that this is not sufficient to support the current demand. Overall, the scheme presents a mix that meets the requirements of the market by providing a suitable provision of 3, 4 and 5 bedroom dwellings, which are the dwelling types most in demand.

Policy H4 of the Coventry Local Plan does allow the consideration of an alternative mix where it may not be appropriate to provide the full range of housing types in accordance

with the latest Strategic Housing Market Assessment. The applicant has therefore submitted a comprehensive report supported by empirical evidence. Overall, the scheme presents a mix that meets the requirements of the market by providing a suitable provision of 3, 4 and 5 bedroom dwellings, which are the dwelling types most in demand.

Given the supporting information the proposed mix of house types are considered to be acceptable in this location.

Affordable Housing

The affordable housing comprises 25% of the total and is split into 30 units for rented and 30 units for shared ownership, as agreed by the Housing Strategy Team and secured via the S106 legal agreement at Outline stage.

Although confined to the northern parcel the affordable housing is well spread out and is therefore considered to be acceptable. Officers recognise that a certain amount of clustering of affordable housing is considered necessary and can make it easier for Housing Associations to manage the units. Furthermore, Housing Associations generally wish to avoid mixed tenures in apartment buildings, terraced blocks and also parking courts, as the relationship for maintenance can otherwise become blurred. The Housing Officer suggests groups of 10 units per tenure as a minimum.

In terms of the affordable housing mix the SHMA seek to provide the following:

1 Bed	2 Bed	3 Bed	4 Bed
20-25%	30-35%	25-30%	15-20%

The scheme provides the following:

1 Bed	2 Bed	3 Bed	4 Bed
12 units	20 units	22 units	6 units
20%	33%	37%	10%

The scheme provides a higher proportion of 3-bedroom units and a lower proportion of 4-bedroom units; however, the shortfall is minor, and it is considered that the overall provision of affordable housing is acceptable.

Residential Density

Policy H9: Residential Density, states that developments on Greenfield sites should achieve a minimum of 30 dwellings per hectare to make the most effective and efficient use of land whilst ensuring compatibility with the quality, character and amenity of the surrounding area.

The scheme provides 36 dwellings per hectare on the northern parcel and 28 dwellings per hectare on the southern parcel, a slightly lower density due to the detached nature of units. The applicant advises that the mass of development blocks logically ‘thins-out’ towards the southern end of the development, which is defined as a semi-rural character.

The scheme overall provides an acceptable 34 dwellings per hectare across the development site and is considered to be in accordance with Policy H9.

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 130 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.

In terms of layout the scheme provides an acceptable solution with an arrangement of cul-de-sac streets. The scheme sets an appropriate hierarchy of streets ranging from the main internal road flanked by footpaths to narrower shared space lanes. The site's open space is located to the western edge adjoining the Green Belt and provides space around the Grade II listed Westwood Farm and associated building group, which sit at the heart of the development and separate the north and south development parcels. Development within the southern parcel has been positioned to allow views from Cromwell Lane, through new landscaping and into the countryside beyond.

In terms of house design a diverse approach is encouraged to ensure that there is a variety of character and texture across developments as opposed to a homogeneous swathe of development. The proposed development provides a varied mix of house types and designs, which include hip roof and gable end properties with and without forward projecting gables. The different footprints provide a slight variation in ridge heights in two storey properties. The whole of the southern parcel will be two-storey and the majority of the northern parcel will be two-storey interspersed with several 2.5 storey and 3 storey units at key locations.

The proposed 3-storey apartment buildings are all located to the northernmost part of the site, where there are also existing apartment buildings located adjacent to the railway line and south of Alan Higgs Way. The proposed apartment buildings are set further back from the railway line and are within a generally more spacious setting.

Chimneys provide an important architectural design feature and also add to the roofscape of the development. Although now largely a redundant feature the addition of chimneys has been agreed on key corners and vistas throughout the site. Properties located on corner plots also have a dual frontage design solution.

A range of other architectural detailing is also provided, including bay windows, brick plinth, corbelling and cambered arches/solider course detailing, different projecting porch designs and a mix of integral and detached garages, the latter of which have either gable end or hip roof designs. The houses are proposed in either brick, render or a mixture of the two.

The apartment buildings will have an appropriate hip roof design, which reduces the overall bulk and mass of these larger buildings. The elevations are brick, broken up with some rendered bay projections.

A materials plan has been provided; however, it is suggested that a condition is imposed to agree elevational and roofing sample materials to ensure a high-quality solution that will assimilate appropriately into the locality.

Overall, the scheme achieves a high-quality housing development with a mix of dwelling types that assists in providing a more organic character that has evolved over time, avoiding the strong rhythms of development typically found within interwar housing. The development respects its edge of countryside location and provides a meaningful landscaping buffer to Westwood Farmhouse and the adjoining Green Belt.

The scheme is considered to accord to Local Plan Policy H2:8, H3 and DE1 and the aims and objectives of the NPPF.

Heritage Assets

Section 66 of the Planning (Listed Buildings and Conservation Areas) 1990 imposes a duty when exercising planning functions 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.

Local Plan Policy HE2 states that development proposals will be supported where they conserve and, where appropriate, enhance Listed Buildings.

Policy H2:8 identifies essential Site-Specific Requirements for the housing allocation, which include the requirement to: Retain and enhance the setting of Westwood Farm and other listed buildings within and adjacent to the site.

The Conservation Officer has raised no objection to the scheme in terms of impact upon the character or setting of the listed buildings adjacent to the site. These relate to:

- The Grade II Listed Westwood Farm, a three-storey Georgian building with associated listed outbuildings, which separates the north and south development parcels of the application site.
- The Grade II Listed 142 Cromwell Lane, which is a one and a half storey timber framed and thatched cottage, that sits behind No.140 and 148 Cromwell Lane and adjoins the eastern boundary of the southern development parcel.
- The Grade II Listed Cromwell Cottage, a timber framed building with brick and stone walls.

The Conservation Officer has raised no objections to the layout of the scheme in terms of impact upon the setting of these listed buildings. Landscaping has been amended to the northern side of the driveway to Westwood Farm to remove the formal planting and replace it with a more wooded/natural planting to match the southern side of the driveway, which the Conservation Officer considers to provide a better contextual relationship to the farmhouse.

The area behind No.142 Cromwell Lane has been left as open space fronted by houses to provide natural surveillance but set at 90-degrees, so they do not overlook the listed building. The Conservation Officer notes that the Silver Birch to be planted on this open space will provide further enhancement.

Cromwell Cottage has a rear garden boundary that adjoins the top corner of an open field; however, in terms of its existing context the property is bounded by residential gardens and there are existing houses on Bourchier Close that sit directly behind Cromwell Cottage to the west. The proposed houses have been pushed south and residential gardens are located behind Cromwell Cottage to provide appropriate space between built form. The Conservation Officer notes that residential gardens can also be filled with domestic paraphernalia and rear gardens have been shortened so that a secure landscaping area outside of domestic curtilages can be retained to the area immediately behind Cromwell Cottage.

The Conservation Officer therefore raises no objections in terms of impact upon the setting of listed buildings and the development is in accordance with Policies DE1 and HE2.

Archaeology

The applicant has submitted the results of a programme of archaeological trenching for the site. The archaeological trenching has indicated that there is little potential for significant archaeological remains within the site and therefore there is no requirement for any further phases of archaeological investigation. Consequently, Archaeology has no objection to the application and has requested no further conditions.

Impact on residential amenity

In accordance with the SPG a minimum separation distance between habitable windows and adjacent built form of 12 metres is required to ensure a good quality of outlook and light can be provided.

Furthermore, in order to protect the amenity and privacy of existing and future occupiers a minimum window-to-window separation distance of 20m is required. These separation distances may be reduced if: the angle between windows is less than a right angle; there is a permanent and substantial barrier preventing indivisibility; or the relevant windows in the new development are not to habitable rooms, are obscure glazed or otherwise designed to limit outward views.

In this case separation distances between built form and window-to-window separation distances are met between existing and proposed dwellings and the scheme is not therefore considered to create any significant impact upon the outlook, light, privacy or amenity of existing residents.

In terms of separation between new houses within the development site the necessary separation between dwellings is met other than a few instances, for example the separation between Plot 80 and 81 and the flank wall of Plot 78 is 10.9m, the separation between Plot 47 and the flank wall of Plot 55 is 11.3m and the separation between Plot 130 and the flank wall of Plot 142 is 11.4m Where these minor shortfalls do occur the orientation of the plot means that there will be no significant loss of sunlight and the houses generally benefit from an open aspect to the frontage.

The window-to-window separation between properties are met. Where there are shortfalls of the 20m this is between the ‘public’ frontages of properties within the narrower lanes of the hierarchy of roads in the development site. This separation generally reflects the closer relationships between the frontages of dwellings within these more intimate shared-space lanes, as identified within the Coventry Urban Extensions Design Guide.

In terms of private garden sizes, the SPG suggests sizes of 30sq.m and 50sq.m for 1-2 bedoomed properties and 3 + bedoomed properties respectively. All properties provide adequate garden sizes. Gardens are bound by 1.8m high timber fences and where adjacent to the highway a more robust 1.8m high brick wall is provided. The wider site benefits from public open space that links the two development parcels.

Overall, the scheme provides a high-quality residential environment with appropriate separation distances and amenity space. The scheme will provide acceptable outlook, light and amenity to future occupiers of the development.

StreetScene have requested a Neighbourhood Equipped Area for Play (NEAP) within the proposed play area identified on plan. A NEAP should be equipped for both older children, ages 8-14 years and slightly younger children. The NEAP should accommodate 9 differing types of play equipment providing challenges and enjoyment appropriate to the age group in addition to seating for accompanying adults. These details will be secured by condition.

The scheme is considered to accord to Local Plan Policy H3, H5 and DS3.

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 AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene. Proposals for the provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

The two new vehicular access points located on the western side of Cromwell Lane were previously approved under the Outline application OUT/2016/1874. Highways have no objection to the proposed internal layout of the scheme. Tracking drawings have been requested by Highways to demonstrate that the internal layout of roads can accommodate a City Council refuse lorry (and also a Fire Engine) and Highways are satisfied that the scheme is acceptable.

All one-bedroom properties will have one off-street parking space and all 2+ bedroom properties will have two off-street parking spaces, with many properties also having an additional garage space. There is dedicated communal bin and cycle storage areas for the

apartment buildings. The scheme also provides 20 dedicated visitor parking spaces, with further opportunity for parking within the highway, subject to Highways agreement.

Given the proximity to the railway station it is likely that the Local Highway Authority will also seek to restrict on street parking at certain times of the day to ensure that the new estate cannot be used for indiscriminate parking by railway commuters. This would be secured through separate legislation.

Conditions are proposed to require all car parking and the apartment's cycle parking and bin storage to be provided prior to first occupation. A construction management plan condition was imposed at Outline stage under OUT/2016/1874 (No.10).

Emergency access

The Highway Authority will typically seek a secondary emergency only access for development parcels in excess of 150 units. The northern parcel with 182 units therefore requires an emergency access to be provided. At Outline stage this was to be located via Alan Higgs Way to the north of the site; however, the route is required to pass over land owned by Network Rail before exiting onto public highway.

Network Rail (NR) have raised no objection to the scheme but note that the applicant will be accessing the site via the roadway on Network Rail's property (serving the station) via the emergency access roadway, which requires their agreement. NR request that the applicant ensures inclusion of appropriate mitigation measures to be put in place to prevent parking on the emergency access roadway.

It is understood that the applicant and Network Rail have not yet agreed an access solution across NR land. Although this is a private matter to resolve between landowners given the uncertainty around the access rights Officers have sought to provide an alternative solution by linking the two development parcels with a 3.7m wide pathway. This will be a footpath/cycleway under normal use, which can accommodate a fire engine/emergency vehicle should the need arise. The emergency access will have lockable bollards at either end to stop general vehicular use. Highways and the Fire Service have no objection to the proposed solution.

The case officer has written directly to NR to advise that an alternative emergency access has now been provided within the site and in terms of imposing parking restrictions Alan Higgs Way is not public highway and it would therefore be unreasonable to seek to impose such a condition at reserved matters stage.

The scheme is considered to accord to Local Plan Policies AC1, AC2 and AC3.

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.

Drainage note that there are existing flooding situations on the fields of the application site. The first being a natural overland flow towards lower ground where Bourchier Close and Penruddock Drive lie. The second is from surface water flow generated by extreme weather on the existing highway drainage of Charter Avenue, which also naturally drains towards

existing properties on Cromwell Lane and onto the fields behind, again eventually flowing towards lower ground behind Bourchier Close and Penruddock Drive.

The Drainage Engineer notes that these are existing surface water flows on the undeveloped land. A robust drainage scheme for the development has been agreed with the Drainage Engineer.

The Drainage Engineer considers that the proposed drainage scheme will benefit the area. Water flowing from higher up in the catchment to the south will be intercepted and slowed so that it reaches the bottom of the site in smaller quantities when there is capacity to take it. When critical weather occurs on the development itself, drainage and highway levels will guide excess surface water flows away from vulnerable areas towards an attenuation area specifically designed to take them and will flow onwards at a controlled rate which is designed to be less than that currently flowing off the fields. This will reduce the likelihood of flooding within the site, immediately downstream of the site (i.e. Bourchier Close) and further downstream (i.e. Duggins Lane).

Residents have raised concern that drainage development is on garden land; however, all of the proposed works will lie within the application site and no works will be carried out on third party land.

A condition is suggested to secure final drainage design detailing.

Ecology and landscaping

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

Policy H2:8 identifies essential Site-Specific Requirements for the allocation, which include: Creation of woodland area to the western boundary of the site to reflect Ancient Arden landscape characteristics and ensure defensible boundary to the wider Green Belt. Inclusion of appropriate screening to existing residential areas.

As already noted there have been some adjustments to the landscaping scheme requested by the Conservation Officer to replace the area of formal planting on the access driveway to Westwood Farm with more wooded/natural planting. The Tree Officer has also requested more tree planting to the western boundary.

The Ecologist supports the above requests and has no objection to the landscaping scheme. The Outline consent OUT/2016/1874 imposed pre-commencement conditions relating to Landscape and Ecological Management Plan and a Construction and Environmental Management Plan, details of which have been submitted as part of the reserved matters application and confirmed acceptable by the Ecologist. Conditions are suggested to ensure that the development proceeds in accordance with these agreed documents.

In terms of tree protection, the Tree Officer has commented that the submitted scheme includes a well-presented and comprehensive tree survey that clearly identifies the site's quality trees for retention, and also hedgerows to serve as landscape features and wildlife corridors. The Tree Officer raises no objection, subject to a condition to secure the identified tree protection and also to provide further details to identify the boundary treatments for Plot 69 which is shown within the root protection area of Veteran Oak Tree (T14) and Plots 126 and 127, which are within the root protection area of a mature tree (T12).

The scheme is considered to accord to Local Plan Policies H2:8, GE3 and GE4.

Sustainability/Air quality

The Outline consent OUT/2016/1874 imposed a pre-commencement condition (No.20) that requires a scheme to show how: a) at least 10% of the predicted energy requirement of the development will be produced from renewable energy resources, and/or; b) a scheme showing how at least 10% of the energy demand of the development and its CO² emissions would be reduced through the initial construction methods and materials.

An Energy Report has been submitted to show how the proposed development will make use of an energy efficient building fabric and efficient heating systems, to achieve a 10% reduction in energy demand in accordance with Development Plan Policy EM2.

The Outline permission also imposed pre-commencement condition 11 to secure a package of measures to minimise the impact of the development upon local air quality. These will typically include electric vehicle (EV) charging and low emission gas boilers.

An appropriate air quality report has been produced that specifies low emission boilers and electric vehicle (EV) recharging points for each dwelling.

Conditions are suggested to ensure that both reports are fully complied with.

Other matters

A small area of land within Solihull Metropolitan Borough Council's (SMBC) administrative area was included on the western edge of the site at Outline stage. This area did not form part of the original CCC housing allocation and remains Green Belt. In any case the land also falls outside of the Council's jurisdiction.

The red edge site plan has been corrected accordingly and SMBC have been informed. It has been agreed that the land in question will remain undeveloped farmland.

Equality Implications

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

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

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

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

Conclusion

The proposed layout and design of the development is considered to be acceptable and will not result in any significant impact upon heritage assets, neighbour amenity, highway safety or ecology, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DE1, HE2, H2, H3, H4, H6, H9, AC1, AC2, AC3, AC4 & DS3 of the Coventry of the Coventry Local Plan 2016, together with the aims of the NPPF.

CONDITIONS:/REASON

1. The development hereby permitted shall be carried out in accordance with the following approved plans: TBC

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

2. 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.*

3. The development shall proceed in full accordance with the approved FPCR Construction and Environmental Management Plan dated September 2021 and the FPCR Landscape and Ecological Management Plan dated September 2021, as required by condition 6 and 7 respectively of the outline planning permission OUT/2016/1874. The approved scheme shall be fully implemented in strict accordance with the approved details prior to the first occupation of the development (or within the first planting season) 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 and to secure net bio-diversity gain in accordance with Policy GE3 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

4. The development shall proceed in full accordance with the approved phasing plan Drg No.076, as required by condition 9 of the outline planning permission OUT/2016/1874. The highway access from Cromwell Lane serving each phase shall be completed prior to first occupation of any dwellinghouse.

Reason: *In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway in accordance with Policy AC1 of the Coventry Local Plan 2016.*

5. The development shall proceed in full accordance with the approved Stantec Air Quality Technical Note dated April 2021, as required by condition 11 of the outline planning permission OUT/2016/1874. The specified low emission gas boilers (where used) and electric vehicle (EV) recharging points (one per dwelling) shall be provided prior to first occupation. EV recharging points 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 EM7 of the Coventry Local Plan 2016.*

6. The development shall proceed in accordance with the approved Stantec Condition 19 Discharge Report [Noise and Vibration] dated January 2021, as required by condition 19 of the outline planning permission OUT/2016/1874. Notwithstanding the approved details the following additional information shall be submitted to and approved in writing by the Local Planning Authority:

- (i) Confirmation that new dwellings will not be subject to vibration from the railway once ground conditions and foundation types are confirmed (as recommended in the above Santec report);
- (ii) Details of noise mitigation to private gardens to those properties closest to the railway line; and
- (iii) Details of high-specification acoustic glazing and ventilation (with ventilation sufficient such that windows do not need to be opened for that purpose) to the elevations of properties closest to the railway line.

All details shall be carried out as approved prior to first occupation and mitigation measures shall remain in place thereafter.

Reason: *To ensure that future occupiers do not experience any unacceptable disturbance from noise and vibration in accordance with Policies H3 and DS3 of the Coventry Local Plan 2016.*

7. The development shall proceed in full accordance with the approved FOCUS Energy Statement dated January 2021, as required by condition 20 of the outline planning permission OUT/2016/1874. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

Reason: *To comply with Policies EM1, EM2, EM3 and EM7 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

8. The dwelling hereby permitted shall not be occupied unless and until the car parking provision for that dwelling has been constructed and / or laid out, and made available for use by the occupants and / or visitors to the dwelling and thereafter those spaces shall be retained for parking purposes at all times and shall not be removed or altered in any way.

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

9. The apartment buildings hereby permitted shall not be occupied unless and until the cycle parking and bin storage 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.

10. Any landscaping (other than the planting of trees and shrubs) including the erection of boundary treatment, and the installation of paving and footpaths shown on the approved plans shall be completed in all respects within three months of the first occupation of the dwellinghouses relative to each phase of development and the tree(s) and shrub(s) shall be planted within the first planting season following that first use. Any tree(s) or shrub(s) removed, dying, or becoming; in the opinion of the Local Planning Authority; seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of similar size and species to those originally required to be planted. 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.*

11. The development shall proceed in full accordance with the tree/hedgerow protection measures set out within the approved Drg No.ST14348-017-P and FPCR Arboricultural Method Statement dated February 2021. Notwithstanding the approved details the following additional information shall be submitted to and approved in writing by the Local Planning Authority:
 - (i) A scaled plan to identify the boundary treatments of Plot 69 which is shown within root protection area of tree T14; and
 - (ii) A scaled plan to identify the boundary treatments for Plots 126 and 127 within the root protection area tree T12.All details shall be carried out as approved and the tree/hedgerow protection measures shall be put into place prior to the commencement of any works and shall remain in place during all construction work.

Reason: *To protect trees and other features on site during construction in accordance with Policy GE4 of the Coventry Local Plan 2016.*

12. The development shall proceed in full accordance with the BWB Surface Water Parameter Plan Summary Note Ref: ECL-BWB-ZZ-XX-RP-YE-0002_FRSN-P02 dated September 2021 and associated recommendations. Notwithstanding the approved details the following additional information for full scheme design details shall be submitted to and approved in writing by the Local Planning Authority:
 - (i) Details of the filter drain to properties on Cromwell Lane;
 - (ii) Details of the re-worked ditch to Bourchier Close and the re-established connection to existing drainage;
 - (iii) Level information of properties and external areas throughout the site;
 - (iv) Plans and sections of all ponds, swales and drainage forming SuDS attenuation features;
 - (v) Plans and sections through flow control chambers showing bypass arrangements for critical flow events;
 - (vi) General adopted and private drainage layouts;
 - (vii) Full scheme calculations;
 - (viii) Mapped exceedance routes for overland flows; and

(ix) General drainage construction details.

The development shall not be first occupied until all the works within the approved scheme have been fully completed and thereafter the works shall be retained thereafter.

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'.*

13. Prior to the first occupation of the development hereby permitted details of a Neighbourhood Equipped Area for Play (NEAP) within the 'play area' identified on approved plans shall be submitted to and approved in writing by the Local Planning Authority. The details should provide a minimum of nine differing types of play equipment providing challenges and enjoyment appropriate to the age group in addition to seating for accompanying adults. All details shall be carried out as approved prior to first occupation.

Reason: *In the interests of achieving sustainable development in accordance with Policy DS3 of the Coventry Local Plan 2016.*

