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| <b>Planning Committee Report</b> |  |
| <b>Planning Ref:</b>             | DC/2021/2679   |
| <b>Site:</b>                     | Land west of Cromwell Lane   |
| <b>Ward:</b>                     | Westwood   |
| <b>Proposal:</b>                 | Submission of details to discharge conditions 16 (security) & 23 (massing/phasing) imposed on planning permission OUT/2016/1874 granted on 31/01/19 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 |
| <b>Case Officer:</b>             | Liam D'Onofrio   |

## **BACKGROUND**

This application seeks to discharge conditions imposed under Outline Planning Permission OUT/2016/1874, which was granted on 31/01/19 for the erection for up to 240 residential dwellings (Class C3) and associated open space and accesses, with all matters reserved except access.

Objections have been received to the discharge of conditions prior to the final agreement of the Reserved Matters application RMM/2019/3059, which needs to be determined by Planning Committee. Although discharge of condition applications are typically delegated, in this case the application has been brought to Committee to accompany the Reserved Matters application also being considered.

## **KEY FACTS**

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|--|--|
| <b>Reason for report to committee:</b> | More than 5 objections   |
| <b>Submission:</b>                     | To discharge conditions imposed upon the Outline application OUT/2016/1874 |
| <b>Proposed use of site:</b>           | Housing development with up to 240 houses and associated open space.       |

## **RECOMMENDATION**

Planning committee are recommended to grant discharging conditions 16 and 23 imposed under planning permission OUT/2016/1874.

## **REASON FOR DECISION**

- The proposal provides an appropriate design and standard of appearance.
- The proposal will provide suitable security measures and will not adversely impact upon the health and wellbeing of future occupiers.
- The proposal accords with Policies: DE1, H3 and DS3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## **BACKGROUND**

### **APPLICATION PROPOSAL**

This application seeks the approval for the discharge of conditions 16 and 23 imposed under OUT/2016/1874.

Condition 16 reads:

*No development shall take place under any reserved matters consent until a scheme for that reserved matters consent has been submitted to and approved in writing by the local planning authority indicating how and when the 'Secured by Design' standards will be incorporated into the development. The scheme shall be implemented in accordance with the approved details and shall be retained at all times thereafter.*

*To ensure Secured by Design standards are met, in the interests of safety and security and the health and wellbeing of future occupiers of the development in accordance with Policies DS3, H3 and DE1 of the Coventry Local Plan 2016.*

Condition 23 reads:

*Prior to or concurrently with the submission of any reserved matters application(s), a detailed Building Heights Parameters Plan and Phasing Plan shall be submitted to and approved in writing by the local planning authority. The plans shall identify: (i) the maximum building heights within defined areas of the development site, to be expressed in both the number of stories and the total height in metres and (ii) the phasing of development. The reserved matters submission/development shall proceed in accordance with the approved plan.*

*To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policy DE1 of the Coventry Local Plan 2016.*

Supporting information has been submitted in order to discharge each condition.

## **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.

## **PLANNING HISTORY**

| <b>Application Number</b> | <b>Description of Development</b>   | <b>Decision and Date</b> |
|---------------------------|---|--------------------------|
| 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         |
| RMM/2019/3059             | 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. | 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 6<sup>th</sup> December 2017. Relevant policy relating to this application is:

Policy DS3: Sustainable Development Policy

Policy H3: Provision of New Housing

Policy DE1 Ensuring High Quality Design

## **CONSULTATION**

No Objections received from:

- West Midlands Police

There is no statutory requirement to notify neighbours. Discharge of condition applications are shown on the weekly list.

Four letters of objection have been received, raising the following considerations:

- a) The discharge of conditions 16 and 23 is premature and details assume that the current Reserved Matters application is consented. These should not be approved prior to Planning Committee.
- b) There are objections to dwelling heights which are not in line with the outline application.
- c) Rather than the Council having delegated powers we would like local residents to have the opportunity to comment on the conditions.
- d) The applicant clearly states, " it is not proposed the development will be submitted for or marketed under the banner of Secured by Design". This is explicitly contrary to the condition 16.
- e) The massing plan for condition 23 shows all the affordable housing to be in the northern portion of the site and the affordable units should be distributed throughout the whole site as per Council policy.

17 letters of objection have been received providing non-material comments that relate to the principle of the housing development.

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

- a) "Condition 16 is that no development should take place under the reserved matters consent until the developer states how the site will comply with 'Secured by Design'. As there is no reserved matters consent, so this application is premature.

- b) Condition 23 requires massing plans. The plans submitted assume that the current reserved matters application is successful.
- c) I also object because the reserved matters application is so different from the outline that I believe another full application should be made. Reserved matters application regarding the dwelling heights, is not in line with the outline consent and the bunching of the proposed affordable housing is also not in line with the council guidance where they should be distributed throughout the development.”

Any further comments received will be reported within late representations.

## **APPRAISAL**

### **Condition 16**

The applicant confirms that the principles and guidance of Secured by Design Homes 2019 version 2 has been fully explored and incorporated where appropriate. This includes the following provisions;

- Layout is structure in the format of cul-de-sac.
- Home front onto open spaces and footpath links for natural surveillance.
- Footpath links are wide.
- Screen boundaries adjacent to roads are surveilled from adjacent dwellings
- Dual aspect dwellings are used at node points to avoid blank gables.
- Gates to dwelling gardens are to be capable of being locked.
- Screen and boundary enclosures will be minimum 1.8m high.
- Vehicle parking is generally within plot curtilage and clearly visible.
- Street lighting to adoptable standards provided.
- Dwelling doors and windows will be fully compliant with Approved Document Part Q. utilising PAS24:2016 accredited products installed strictly to manufacturers requirements.
- Readily accessible windows are to be lockable.

West Midland’s Police have confirmed that they have no issues regarding the measures identified within the above list, which they consider to be acceptable. Officers are satisfied that the information submitted within the Geoff Perry Associates Limited Technical Note in response to Condition 16 imposed under OUT/2016/1874 is acceptable to discharge the condition.

### **Condition 23**

The supporting plans set out the proposed Building Heights Parameters and Phasing of the development, which reflect the Reserved Matters application.

Although 3 storey dwellinghouses were not identified at Outline stage they were not precluded either and the acceptability of such units are considered through condition 23 and the Reserved Matters submission.

As detailed within the Reserved Matters report (RMM/2019/3059), a diverse approach is encouraged to ensure that there is a variety of character and texture across developments and the proposed development provides a varied mix of house types and designs, which include variation in ridge heights with two-storey dwellings interspersed with several 2.5 storey and 3 storey units at key locations. The building heights are considered acceptable.

The phasing is to be simply split into the north and south development parcels. A separate construction management plan condition will deal with specific details of construction management.

Officers are satisfied that the drawings submitted in response to Condition 23 imposed under OUT/2016/1874 are acceptable to discharge the condition.

### **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 details are considered acceptable to discharge conditions 16 and 23 from the planning decision OUT/2016/1874. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DE1, H3 & DS3 of the Coventry of the Coventry Local Plan 2016, together with the aims of the NPPF.