

Late Representations

Planning Committee 13 January 2022

Item No. 6	<p>Application No. - OMES/2021/2268</p> <p>Description of Development - Outline planning application with all matters reserved apart from access (which is submitted in detail) for the development of a battery manufacturing facility with ancillary battery recycling capability including landscaping, car parking, access and associated works. The application is accompanied by an Environmental Statement. The proposed development may not accord with the provisions of the Development Plan in force in the area in which the land to which the application relates is situated. (Departure Application) This is a cross-boundary planning application, meaning that the site is also located within Warwick District and therefore an identical planning application has been made to Warwick District Council</p> <p>Site Address - Coventry Airport Rowley Road</p> <p>Consultation</p> <p>Consultation response from Warwick District Council was received as follows:</p> <p>“Warwick District Council’s response to OMES/2021/2268 in its capacity as the Local Planning Authority is one of no objection. Warwick District Council has made a full assessment of the outline application, submitted to both this Authority (W/21/1370) and to Coventry City Council, and considers the application to be acceptable, subject to conditions and planning obligations to be captured within a S106 agreement.</p> <p>Full details of the case officer assessment and recommendation to Planning Committee can be found here, along with the required conditions and planning obligations: Planning Committee meeting 11/01/2022</p> <p>W/21/1370 is due to be presented to Planning Committee on 11th January 2022.</p> <p>Warwick District Council does not have any requests for conditions to be attached to OMES/2021/2268.”</p> <p>Additional letters of objection were received from:</p> <ol style="list-style-type: none">1. The Coventry Airport Tenants and Users Association (CATUA) referencing the national Government policies on general aviation and airfields, Civil Aviation Authority, historic significance of Coventry Airport, Green Belt issues, impact of industrial development around Baginton and Bubbenhall villages, questioning the justification for the urgency of the facility and jobs proposed, review of officers recommendations, reference to objections from the All Parliamentary Group on General Aviation, Baginton and Bubbenhall Parish Council’s and the Countryside charity CPRE Warwickshire and the general main objections received to date.
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2. Sky Harbour UK Limited concerned with the process taken by the applicant and the Council and how the application appears to have been pre-determined,

Appraisal

Following confirmation from the Council's Highways Department that they support the applicant's traffic data, which feeds into the air quality and noise assessments, the Council's Environmental Protection officer confirmed that the submitted air quality and noise reports establish the principle and are sufficient at this stage for assessing an industrial building, and that the further details requested through conditions will be required and submitted when the end user and their particular manufacturing processes/plant requirements, and thus emissions, are known.

Amended S106 Obligations

Changes only to Traffic Management and Off-Site Highway Mitigation as follows:

Planning obligation	Head of Terms
Traffic Management and Off-Site Highway Mitigation	<p>Financial contribution towards active travel measures (in lieu of highways measures) for London Road and Willenhall areas, of up to £1,300,000 (CCC).</p> <p>A traffic monitoring scheme to be agreed to define actual impacts and potential mitigation strategy in South West Coventry and North Kenilworth of £1,517,000 (CCC/WCC)</p>

Amended Conditions

There have been some changes to the wording of the following conditions, mainly to ensure that they relate to each phase of the development as this will be a phased development.

1. Details of the Appearance, Landscaping, Layout and Scale (hereinafter called "the reserved matters") within any phase of the development shall be submitted to and approved by the local planning authority in writing before any development within that phase is commenced and thereafter the development shall be carried out in full accordance with those reserved matters as approved.

Reason: To comply with Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015.

4. Prior to the commencement of any development, a site wide Phasing Programme shall be submitted to and approved in writing by the Local Planning Authority, which shall:
 - a) Indicate the sequence in which the whole of the development is intended to be carried out. The Phasing Programme shall provide details

of the precise location and extent of individual development phases, reference to the type (including details of highways, infrastructure and structural landscaping) and extent of any development in each phase, a description and the intended timing of the commencement and completion of each phase; and

- b) Specify the scope and timing of each of the following components of the development: -
- i. Major internal infrastructure including internal roads, pedestrian and cycle crossings, footpaths, cycleways, services, street lighting, Sustainable Urban Drainage Systems (SUDS) and the delivery of any open space, which shall include any temporary access arrangements for vehicles and pedestrians, and temporary drainage works;
 - ii. Confirmation of the scope and timescale for the implementation of offsite highway infrastructure including highway improvements and where required the undertaking of Road Safety Audits, the progressing of Traffic Regulation Orders and other consultation processes;
 - iii. The delivery of public transport services and accompanying infrastructure within the site and external to the development;
 - iv. The submission of a timescale and mechanism for the stopping up, diversion and reclassification of Public Rights of Way affected by the development, as necessary in agreement with the highway authority.

The provision of all agreed elements in the Phasing Programme shall be carried out in accordance with the approved Phasing Programme and the time triggers specified in it, or such other amended phasing provisions which shall first have been submitted to and approved by the Local Planning Authority.

Reason: To ensure that in the event of the development being carried out on a phased basis, satisfactory access and interim environmental treatment is provided to address the impact, in the interests of public safety and visual amenity in accordance Policies DE1, EM6 and AC2 of the Coventry Local Plan 2016.

5. The reserved matters to be submitted in accordance with Condition 1 shall include details of all earthworks, mounding and proposed site levels and the relationship with adjacent land and buildings and such details shall accord with the Parameters Plan forming part of the approved application documentation (ref. 1618701_111008 Rev. P6).

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.

7. In accordance with the agreed Phasing Programme, no development within any phase shall take place, including any works of demolition unless and until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP should accord with the Best Practice Guidance "The Control of Dust and Emissions from Construction and Demolition" and shall include details of:

- i. hours of work;
- ii. hours of deliveries to the site;
- iii. the parking of vehicles of site operatives and visitors during the demolition and construction phase;
- iv. the delivery access point;
- v. the loading and unloading of plant and materials;
- vi. anticipated size and frequency of vehicles moving to/from the site;
- vii. the storage of plant and materials used in constructing the development;
- viii. the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate;
- ix. 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;
- x. measures to control the emission of dust and dirt during demolition and construction;
- xi. measures to control the presence of asbestos;
- xii. measures to minimise noise disturbance to neighbouring properties during demolition and construction;
- xiii. details of any piling together with details of how any associated vibration will be monitored and controlled; and
- xiv. a scheme for recycling / disposing of waste resulting from demolition and construction works.
- xv. Contact details for responsible persons and site personnel training;
- xvi. information provision and liaison with local residents; and
- xvii. Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the public highway and no temporary increases in flood risk, on or off site, during the construction phase, particularly with respect to the planned demolition/construction works and the deposition of silts and cementitious materials.

Thereafter, the development shall be carried out in strict accordance with the approved details.

Reason: The agreement of a Construction and Environmental 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.

8. In accordance with the agreed Phasing Programme, no development within any phase shall take place, including any works of demolition unless and until a construction noise impact assessment for that phase has been submitted confirming construction methods/vehicle movements to the methodology contained in BS5228.

Reason: To ensure a satisfactory level of environmental protection and to minimise disturbance to local residents during the construction process in accordance with Policies EM7, AC1 and AC2 of the Coventry Local Plan 2016.

9. No development within any phase shall commence unless and until a noise assessment for that phase in accordance with BS4142 'Method for Rating and Assessing Industrial and Commercial Sound' has been submitted to and approved in writing by the Local Planning Authority. The report shall be undertaken by a competent person and evidence of their qualifications shall be included (a list of acoustic consultants can be obtained from the Institute of Acoustics - www.ioa.org.uk). The assessment shall include all activities, building services, plant and machinery and background levels shall be measured over two separate 24-hour periods to be agreed with the Local Planning Authority prior to monitoring being undertaken. The report shall provide a scheme of noise mitigation measures, as necessary, detailing works required to safeguard the amenity of residents in the adjacent residential properties. A map of monitoring points should be included together with full justification as to why these locations were selected. Calibration certificates for equipment used in the noise assessment must be submitted in the report. Thereafter the approved details shall be carried out strictly in accordance with all the recommendations contained within the approved noise report prior to first occupation of the phase of development and mitigation measures shall be maintained in accordance with the approved details thereafter and shall not be removed or altered in any way.

Reason: To safeguard the amenities of the adjoining occupiers of the development in accordance with Policy DE1 of the Coventry Local Plan 2016.

10. No phase of the development hereby permitted shall commence unless and until an air quality assessment with updated manufacturing / heating emissions once known from point source, or updated / any significant change to traffic data, for that phase has been submitted to and approved in writing by the Local Planning Authority. The air quality assessment may be performed using a suitable dispersion model as specified in LAQM.TG(16) due to the complexity and size of the development and shall demonstrate:
- a) that the modelled NO₂ data has been validated and corrected against monitoring data from at least 3 months (preferably 6 months) diffusion tube monitoring performed in accordance with LAQM.TG(16);
 - b) that concentrations of NO₂ and PM-10 at the building façade have been ascertained;
 - c) that a sensitivity test has been undertaken to establish the discrepancy between future-year concentrations, with the previously expected emission reduction and without (as NO₂ concentrations have not been decreasing year-on-year as previously predicted). Background values and emission factors used in the test should use the most up to date emissions factor toolkit and background levels available from Defra (as these are worst case);
 - d) that the meteorological data used is from Church Lawford or Coleshill weather stations and the year used is within the last five years (with the date stated);
 - e) the source of the traffic data used;

- f) what methods of mitigation will be provided, should the assessment show that concentrations of NO₂ and/or PM₁₀ at the facades of the residential buildings exceed the air quality standards;
- g) how consideration has been given to the impact of demolition and construction works;
- h) what measures will be taken to reduce the air quality impacts from demolition and construction.
- i) The inclusion of any point source emissions for example from flues/vents serving combustion processes or extraction from manufacturing.

The mitigation measures set out within the approved air quality assessment shall be carried out in full prior to first occupation of the phase of development and these measures shall be maintained in accordance with the approved details thereafter and shall not be removed or altered in any way.

Reason: To protect the amenity of the occupiers of neighbouring residential occupiers in accordance with Policy EM7 of the Coventry Local Plan 2016.

13. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development (other than that required to carry out remediation), or in accordance with any agreed timetable approved by condition 12, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and 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.

16. Any potential odour processes within any phase shall be identified and an odour assessment (including external ducting flues) shall be submitted to and approved in writing by the Local Planning Authority. Any mitigation required / equipment shall be fully installed in their entirety in full accordance with the approved details and inspected by the Local Authority before the use hereby permitted commences within the relevant phase. Any external ducting shall be colour coated in full accordance with the approved details within one month of its installation. The equipment shall thereafter be permanently maintained in full accordance with the manufacturer's instructions and be operated at all times when cooking is carried out.

Reason: To safeguard the amenities of the adjoining occupiers of the development in accordance with Policy DE1 of the Coventry Local Plan 2016.

17. Prior to the first occupation of any phase of development hereby permitted a Landscape and Ecological Management Plan (LEMP) for that

phase shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- a. Description and evaluation of features to be managed;
- b. Ecological trends and constraints on site that might influence management;
- c. Aims and objectives of management, including mitigation and enhancement for species identified on site;
- d. Appropriate management option for achieving aims and objectives;
- e. Prescriptions for management actions;
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period);
- g. Details of the body or organisation responsible for implementation of the plan, along with funding mechanism(s) for that body or organisation;
- h. Ongoing monitoring and remedial measures, including where monitoring shows that conservation aims and objectives of the LEMP are not being met.

The LEMP plan shall be implemented in strict accordance with the approved details within three months of the first occupation of the development or in accordance with such alternative details which shall first have been submitted to and approved in writing by the Local Planning Authority, and thereafter shall not be withdrawn or amended in any way.

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

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

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

20. Prior to commencement of any phase of the development hereby approved, drainage details shall be submitted to and approved in writing by the local planning authority for that phase and shall include the provision of a Sustainable urban Drainage System (SuDS) in accordance with the latest available design guidance. The submission shall include all relevant details and calculations to enable a full evaluation to be undertaken, and shall include the following where appropriate: -
 - i. Open Air storage or attenuation in the form of a wet pond, dry basin, swale or other similar surface feature, aimed at managing water quantity and quality and introducing biodiversity at the ground surface;
 - ii. Water quality control medium(s) such as permeable paving, filter drains, rain gardens, ponds or swales aimed at improving the quality of water passing through the system either above or below ground;

- iii. The use of water harvesting and grey water reuse at individual plot level within the development. This consideration should include both the deployment of water butts, and dedicated tank-based storage where appropriate and any reasons for NOT using should be clearly stated;
- iv. The deployment of green roof technology on suitable roof structures within the development;
- v. A detailed strategy for the long-term maintenance of the SuDs and other surface water drainage systems on site.
- vi. Discharge rates to be managed to Qbar greenfield rates or 5 l/s, whichever is greater. The discharge rates for brownfield sites shall be considered as greenfield in accordance with the CCC SFRA
- vii. Details to demonstrate that there will be no temporary increases in flood risk, on or off site, during the construction phase, or discharge of surface water to the Public Highway from the completed development.
- viii. Evidence to show the management of overland flow routes in the event of exceedance or blockage of the drainage system and how the building would be protected in such an event.
- ix. Foul drainage plans.
The development shall be carried out in full accordance with the approved details

Reason: To provide a satisfactory drainage scheme and to reduce the risk of flooding in line with the Water Framework Directive and in accordance with policies EM1, EM4 and EM5 of the Coventry Local Plan 2016 and the principles of the NPPF.

21. Prior to commencement of any phase of the development hereby permitted the following details shall first be submitted to and approved in writing by the local planning authority and the development carried out in full accordance with those details prior to occupation of the development:

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- i) Full engineering and constructional details of the cycle track on the northern side of Rowley Road between the Tollbar End roundabout and "Access 1" as shown on drawing 05232-J-0100-P3
- ii) Full engineering and constructional details of "Access 1" including the cyclist and pedestrian crossings on Rowley Road as shown on drawing 05232-J-0100-P3
- iii) Full engineering and constructional details of the cycle track on the southern side of Rowley Road between the Tollbar End roundabout and "Access 2" as shown on drawing 05232-J-0100-P3

Reason: In the interests of highway safety and the free flow of traffic on the adjacent highway network in accordance with policies AC2 and AC3 of the Coventry Local Plan, 2016

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

1618701_111008 Rev. P6 – Parameter Plan

1618701_L002 Rev P10 – Site Location Plan

05232-J-0200 Rev. P2 – Preliminary Access Proposals

	<p style="text-align: center;">Environmental Statement Volume 1 and 2</p> <p>Reason: <i>For the avoidance of doubt and in the interests of proper planning</i></p>
<p>Item No. 7</p>	<p>Application No. - OUT/2020/2075</p> <p>Description of Development - Outline application with all matters reserved except access and landscaping for commercial development and extension of Rockwell Sheets Sales Ltd</p> <p>Site Address - Land north of Rockwell House Birmingham Road</p> <p>Appraisal: The following are provided by way of further clarification to the officer's report.</p> <p><u>Trees:</u> This application sets out the removal a large Group of TPO trees (G1 x85 Hybrid Black Poplar) including other trees which form towards 'City of Coventry (Birmingham Road No.7) Tree Preservation Order 1991'.</p> <p>The Agent has confirmed that the proposed planting scheme shows a total of 397 new trees of light standard size and above. This includes a total of 85 trees to the southern western and northern (central site area).</p> <p>The Tree Officer has no objections in principle for the replacements of the Hybrid Black Poplars located within G1, which are now establishing towards over-maturity and structural failure. They initially required that the indicative illustrative landscape plan identified the quantity of replacement trees, and also show a denser band of native planting to the North West boundary and retention of those trees within TPO Groups 2 (5 trees), G3 (4 trees) and G4 (6 trees) where possible.</p> <p><i>The agent amended the landscape plan to address the above. For clarification only TPO group G1 (85 hybrid black poplar) is to be removed and TPO groups 2, 3 and 4 will remain. The Tree officer has no objections to the proposals.</i></p> <p><u>Viability:</u> On the original plans The Ecology officer had requested a financial contribution of £200,000, which was considered the maximum likely outcome, assuming limited offset on-site. <i>This contribution is no longer required with the revised scheme as biodiversity net gain can be achieved on site.</i></p> <p>Appraisal one is not viable commercially, appraisal two is marginally viable with the original appraisal showing 2.4% profit on gross development value. The market benchmark would consider this very low and not viable in many cases for the risk employed. <i>However, these reports relate to the original scheme which proposed a greater floor space. Furthermore, the addendum report for the</i></p>

revised scheme paints a worse picture and would show lower profit on Gross development value.

There is scope for debating individual items included in the second appraisal, however, no amendments will likely improve upon the initial gross profit margin. The initial gross profit margin is not likely to be accurate considering the additional costs given in the addendum report and will be weaker, even if individual inputs such as rent are debated and adapted. Officers in our property department have accepted the viability.

This does not change the position in terms of demonstrating Very Special Circumstances.