

Planning Committee Report	
Planning Ref:	RMM/2022/2337
Site:	Bruker Bio Spin Ltd, Banner Lane
Ward:	Westwood
Proposal:	Submission of reserved matters under Condition 1 details of appearance, landscaping, and layout for 120 dwellings and demolition of existing Bruker UK HQ facility pursuant to planning permission OUT/2020/2438 granted on 17th July 2022.
Case Officer:	Jo Orton

SUMMARY

This application seeks planning permission for reserved matters relating to Outline Planning Permission granted on 19th July 2022. Matters for consideration under this application include:

- Appearance.
- Landscaping; and
- Layout.

BACKGROUND

This application is being reported to Planning Committee in accordance with the Scheme of Delegation as the application has received more than five letters of objection. The purpose of this report is to consider the above application. Following consideration by the planning committee, outline permission was granted for redevelopment of the site for housing. This application puts forward the details of reserved matters for the layout, appearance and landscaping of the site.

KEY FACTS

Reason for report to committee:	More than 5 representations have been received
Current use of site:	Vacant Office Accommodation
Proposed use of site:	Residential Development
Proposed no of units	119
Parking provision	252 Parking Spaces.

RECOMMENDATION

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

SITE DESCRIPTION

The application site is approximately 3 and a half hectares in size located 5km to the west of Coventry City Centre and is located between two other sites currently owned by Bruker UK Limited. The site currently houses existing commercial premises with a driveway leading from the access on Banner Lane towards car parks located to the front, side, and rear of the premises. The remainder of the site is landscaped mainly as grass with varying levels and an embankment on the western edge of the site which screens the premises from the existing housing along the boundary.

To the north of the application site there is an existing woodland/scrub area which was granted planning permission on 25th March 2021 for the erection of a replacement HQ facility including offices, demonstration laboratories, workshop, and stores. To the south of the application site is the land and grounds of Conway Farm with residential dwellings being sited to the east and west of the application site.

APPLICATION PROPOSAL

This application seeks planning permission for the reserved matters relating to appearance, landscaping and layout for the development approved under OUT/2022/2438 granted on 19th July 2022. The outline permission was granted for the erection of 120 residential dwellings with detailed matters relating to access and scale allowed under the consent.

During the course of the application a series of amended plans have been submitted and re-consulted on, which attempt to address both officer and consultee objections to the scheme. This application will therefore be considered using the revised plans which were received by the Local Planning Authority dated 10th March 2023.

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
FM/2013/0089	Single storey and two storey extension to the existing building, provision of additional car parking, associated landscaping, replacement lighting columns and change of use of existing ménage to facilitate the additional car parking.	Approved 22 nd April 2013
OUT/2020/2438	Outline application for 120 new residential dwellings and demolition of existing Bruker UK HQ facility with details of means of access and scale to be discharged and details of appearance, landscaping and layout to be reserved.	Approved 19 th July 2022.

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 DS3: Sustainable Development Policy
Policy H3: Provision of New Housing
Policy H4: Securing a Mix of Housing
Policy H6: Affordable Housing
Policy H9: Residential Density
Policy GE1 Green Infrastructure
Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
Policy GE4: Tree Protection
Policy JE3: Non-Employment Uses on Employment Lane
Policy JE4: Location of Office Development
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 EM1: Planning for Climate Change Adaptation
Policy EM2: Building Standards
Policy EM3 Renewable Energy Generations
Policy EM4 Flood Risk Management
Policy EM5 Sustainable Drainage Systems (SUDS)
Policy EM6 Redevelopment of Previously Developed Land
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
SPD Air Quality

CONSULTATION RESPONSES

Statutory Consultation Responses

- Natural England – No objection.
- Highways Development Management – No objection subject to conditions.
- Local Lead Flood Authority – No objection subject to conditions.

Non-Statutory Consultation Responses

- Conservation – No objection.
- Planning Policy – No objection.
- Urban Design and Landscape – No objection.
- West Midlands Fire Service – No objection.
- Housing and Policy Services – No objection.
- Economic Development Service – No objection subject to conditions.
- Education – No objection.
- Coventry Ecology – Further Information Requested
- Environmental Protection – Further Information Requested
- Clinical Commissioning Group (Health) – No comments.
- Clinical Commissioning Group (Hospital) – No comments.
- Archaeology – No objection.
- West Midlands Police – No objection.
- Trees – No objection subject to condition.
- Streetscene and Greenspaces – No objection subject to conditions.
- National Grid – No comments.
- Sustainability (Energy) – No comments.
- Waste Management – No comments.
- Severn Trent Water – No comments.

Neighbour Consultation

Immediate neighbours and local councillors have been notified; a site notice was posted on 13th September 2022. A press notice was displayed in the Coventry Telegraph on 8th September 2022.

Initial Consultation

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

1. The new dwellings will have an adverse impact on Banner Lane and existing properties opposite the application site.
2. The access to the dwellings should be further up Banner Lane via the existing road.
3. The area is already overdeveloped.
4. Significant changes to the site plans when compared to the outline planning application.
5. Reduction in occupancy in the three main apartment blocks has resulted in an increase in curtain development on the western boundary with blocks of terraced properties.

6. Visual effect of largely unbroken line of buildings which are counter to the style and visual appearance of neighbouring properties.
7. Plots 114 – 98 create a blanket of property along the boundary.
8. Plot 116 and 115 have been proposed too close to protected trees with no details of root protection areas.
9. Outline application was approved on the basis that properties adjacent to the western boundary would have 14 metre rear gardens. This is reduced to 10-12 metres bringing properties too close to existing properties.
10. What is the plan for the unadopted roads how will they be maintained and what is the budget.
11. Rear alleyways have been introduced to the rear of terraces on the western boundary raising concerns of antisocial behaviour and maintenance issues.
12. Previously approved 2 storey properties have been increased to 2.5 storey properties.
13. Close-boarded fencing surrounding the site is impermeable to mammals.
14. The wildlife corridor between Conway Farm and the amenity space has been significantly reduced from outline stage.
15. Concerns over the anti-social behaviour, noise and littering during the week and weekends in open space outside of neighbouring properties.
16. Longevity of the build is a concern due to the potential impacts caused and noise disturbance during the working day.
17. The proposal puts people's property and security at risk due to location of open space and people being able to achieve access to properties.
18. The plans will ruin the outlook and heritage of the listed barn in particular Plot 120.
19. Plot 120 will increase drainage issues at neighbouring property and result in overlooking affecting existing occupants' privacy.
20. No trees or hedges are proposed along Plots 116, 127 and 120 impacting on privacy.
21. The same is said for the northern boundary and the Brukers site along with interlinking corridors.
22. The perimeter close-boarded fencing differs from the plot dividers with poor longevity in addition is the chain-link fencing with overtop barbed wire being retained which has been omitted.
23. There has been a further increase in the loss of biodiversity from -0.22 units to -0.32 there is also a reduction in green screening on the boundary.
24. The location of single access point and the increase in traffic from 120 dwellings will exacerbate existing problems.
25. Details should be submitted for traffic management and pedestrian crossings.
26. Mitigation must be applied on-site and not through a financial contribution as swathes of farmland, hedges and woods to major housing developments and HS2.
27. This is not a retention of key landscape features the cut and fill largely flattens the site through construction convenience.
28. Too many materials are listed as TBC and should be specified.
29. There is no provision for communal heating technology which is unacceptable given the current climate change challenges.
30. The flood route in the southwestern corner is in an inappropriate location as the land already suffers from waterlogging from Conway Farm this needs to be reconsidered.

31. The trees bordering the development no longer correspond with the assessment submitted as part of the outline application with differences in corresponding numbers and downgrading of categories which needs to be addressed.

Second Consultation

Further to the submission of amended plans a re-consultation was carried out with neighbours and one letter of support has been received raising the following.

1. It is great to see brownfield land being used instead of more Green Belt land.

In addition to the above neighbours notified have also raised the following objections with six letters being received.

1. There is a large development already within the vicinity with additional developments planned on Pickford Green increasing demand on traffic, doctors and schools.
2. Banner Lane is already busy and as a result could result in people using Tilehurst Drive and Ashfield Avenue as a cut through once construction starts.
3. Impact on local wildlife has not been properly considered neither has the traffic on Banner Lane, Broad Lane and Tile Hill Lane at Peak times.
4. How will hospitals in Coventry be able to cope with the additional development.
5. Affordable Housing just means more flats which the area already has enough affordable housing and too many flats.
6. The BIA calculation being worse is a major cause for objection and a contribution should not be considered adequate to cover the loss of biodiversity through development.
7. The new plans see the addition of properties where there were no previously resulting in overlooking.
8. There have been no notable changes to the plans on the western boundary to those which were previously submitted.
9. Properties 20 and 9 are still located too closely to the Listed Building at Conway Farm with limited security along the border of the property.
10. With the lack of privacy and security the development could attract anti-social behaviour within the open spaces.
11. There has been considerable amendments to the south west boundary however a double garage is now against the boundary to 8 Heronbank with the remaining being having hedging and lawn planting.
12. Landscaping outside of any dwellings should have a management plan for the landscaping to ensure that they are well maintained.
13. The flood plan falls to the back, south west corner of the development, which already suffers from extreme flooding in general rainfall with gardens already flooding and becoming boggy.
14. Cut and fill with the gradient of the new development will worsen this even further and therefore should be reconsidered.
15. The change in layout has pushed the housing to an existing TPO, with the tree almost touching the dwelling, with minimum root protection area.
16. The housing along the west perimeter does not fit with the existing dwellings which are mainly 4–5-bedroom detached dwellings.

17. As the front has lost dwelling it has reduced the height, with these dwellings been located to the rear of the development, replacing detached and semi-detached housing with rows of terracing, not in-keeping with the adjacent environment.
18. The entry to the rear of the properties is cause for concern due to the safety implications for neighbouring properties which should be removed.
19. The cut and fill plan is still preliminary and impinges the Root Protection Area of Tree T42 Mature Oak.
20. The cut and fill plan exacerbates the Flood Plan which directs flood run off into gardens of Heronbank.
21. The Heronbank cul-de-sac is already high risk of flooding by the EA so it entirely unreasonable to direct flood run off from the other direction also.
22. The Outline Plan showed 12 detached houses along the western boundary, with the new plan showing 18 terraced houses, these are out of character with the adjacent houses with rear gardens reducing from 14 metres as promised to 10 metres being too close.
23. The hardstanding access to the rear of the terraced houses appears to cut across the Root Protection Area of T42.

Third/Final Consultation

A final round of re-consultations was carried out with neighbours following changes made to the planning layout by the application and two letters of support has been received raising the following.

1. It is great to see brownfield land being used instead of more Green Belt land.
2. Significant work has been done to improve the application plans and represent local residents comments. The latest amendments are an improvement to the rear aspect of the Western Boundary (Heron Bank and Pheasant Oak). There are no further objections to the housing type and layout.

In addition to the above neighbours notified have also raised the following objections with three letters being received.

1. Plots 106 and 107 are still identified as being 2.5 storey and should be amended with immediate effect to 2 storey properties as per the outline application.
2. The Biodiversity Plan still shows a net reduction and provides no meaningful adjustment to the critical nature corridor provision the application should be off setting the loss of 8.65 units which is now higher.
3. The BIA misclassifies established hedgerows and fails to consider the contribution as a nature corridor with a bisecting path through the middle with little cover or screening.
4. Contributions for biodiversity should not be made as acceptable mitigation off site.
5. There is no regard for the Wildlife and Countryside Act 1981 with regards to nesting birds season.
6. The boundary treatment proposed is inadequate and should consist of concrete posting and gravel boards for stability, security and sustainability making them more repairable in the future.
7. There appears to be encroachment into the existing neighbouring properties ownership which should this happen will result in a legal action being taken.

8. The drainage plan borders on dangerous in its recklessness with the flood route being directed straight at the land of No. 8 Heronbank. The proposals are unreasonable and make matters worse this has not been addressed appropriately from outline stage.
9. T42 and the tree within No. 8 Heronbank significantly overhangs the common boundary, along with the root protection area. There is no detail as to how these will be protected when the site levelling cut is made and no plan to accommodate the canopy overhang without destroying the tree.
10. Plots 119 and 120 both overlook the neighbouring property affecting existing levels of privacy these should be changed back to bungalows and moved away from the borderline.
11. A hedgerow and tress need to be planted along the entire border on Conway Farm and insurances given that the drainage system will not be blocked up.
12. What fencing will be erected to ensure residents safety and assurances light pollution will not impact properties.
13. Have the heritage team been consulted to ensure no impact on the Listed Building.
14. Due to working from home building methods need to be addressed to ensure minimal noise and impact on the working day.

Any further comments received will be reported within late representations.

APPRAISAL

The main considerations in respect of this application are as follows:

- 1. Principle of Development**
- 2. Design and Visual Issues**
- 3. Impact on Conservation and Heritage Assets**
- 4. Impact on Neighbouring Amenity**
- 5. Highway Safety**
- 6. Flood Risk Management**
- 7. Ecology**
- 8. Equality Implications**
- 9. Conclusion**

1 Principle of Development

- 1.1 The principle of development has already been established through the granting of planning permission OUT/2022/2428 therefore the main consideration in regards of this application are those matters which were subject to the reserved matters application and the impact they will have on the character and appearance of the surrounding area and residential amenity.

2 Impact on Visual Amenity

- 2.1 Policy DE1 of the Local Plan states that development should respect the local character and street scene of the area and seeks a high-quality urban design and encourages guidance in the form of SPG.
- 2.2 The National Planning Policy Framework (NPPF) published in 2021 encourages securing high-quality design and a good standard of amenity for all existing and

future occupants of land and buildings; It suggests that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 2.3 The massing of the development ranges between one and three storey properties, with two storey properties being the predominant house type with a range of house types. The taller massing of the properties is read in response to Banner Road which also acts as a barrier within the development from noise pollution from the road itself. To assist with breaking up the massing and to allow the development to work with the levels on site, a request was made for the properties to be built utilising the ground levels which again adds relief with continuous roof lines and also adds interest to the street scene.
- 2.4 The layout of the proposal has been designed to ensure that active frontages are incorporated and that dual frontage designs are incorporated into corner plots. Primary frontages have also been delivered onto the open space provision providing nature surveillance in more vulnerable areas. The southern parcel of open space has additional benefits in that this frames the Listed Farmhouse and provides this important building as a focal point. The pedestrian route which connects both the northern and southern open spaces is a welcomed addition and provides welcomes relief between the built form within the centre of the site.
- 2.5 The overall design of the dwellings is welcomed with a number of elevational details including, cil and lintel designs, feature panelling, use of secondary palettes, with dominant character traits such as porch designs, varied ridge lines as well as a variety in both door design and palette which result in a positive impact on the character of the area. Chimneys have been added as in order to provide additional design features and a break with the roofline. Additional design features and fenestration has also been requested on key properties which provide dual frontage within the street scene creating active frontages.
- 2.6 Furthermore, in terms of the materials proposed within the development the use of the Wienerburger Sunset Red Multi is considered to be complimentary and reflected within the surrounding area. The use of Buff Brick has been removed and replaced with the Ibstock Balmoral brick which complements the use of the Sunset Red Multi within the proposal and responds well to the character and appearance of the surrounding area (Condition 2 and 3)
- 2.7 The information requested from colleagues within Urban Design and Officers has been received and addresses the concerns raised from a design and visual amenity perspective. To ensure that the amendments to the levels are made, a condition has been included which ensures that levels details, will be submitted and approved in writing by the Local Authority (Condition 4).
- 2.8 This application is therefore considered to be in accordance with Policy DE1 of the Local Plan and Section 12 of the NPPF.

3 Impact on Conservation and Heritage Assets

- 3.1 Policy HE2 of the Local Plan states that in order to sustain the historic character, sense of place, environmental quality and local distinctiveness of Coventry, development proposals will be supported where they conserve and, where appropriate, enhance those aspects of the historic environment. Furthermore, it is stated that proposals likely to affect the significance of a heritage asset or its setting should demonstrate an understanding of such significance through the use of evidence.
- 3.2 This is supported by the NPPF which states within Paragraph 195 that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal. This includes development affecting the setting of a heritage asset, taking account of the available evidence and relevant expertise.
- 3.3 Conway Farm and Barn located along Banner Lane are registered as Grade II Listed Buildings. The barn at Conway Farm is circa C16 or C17 timber framed with red brick nogging, and an asbestos tiled roof. Conway Farmhouse is also Grade II Listed circa C16 and C17 constructed with sandstone base to timber frame and red brick walls with an old, tiled roof. The property is two storeys in height with three flush casement windows with glazing bars under cambered relieving arches. This property is one of four early surviving farmhouses within the City boundaries and as such forms an important grouping whose assets needs to be protected.
- 3.4 The Conservation Officer initially objected to the proposals on the grounds that alterations to the indicative layout from Outline approval resulted in an adverse impact on the heritage of the Listed Buildings at Conway Farm. It was however considered that the design of the dwellings is high quality with good architectural detail proposed which is welcomed within the development.
- 3.5 Following this objection, the proposal has been through a number of revisions, which has resulted in the plans being amended to provide a greater set back from the boundary between the Grade II Listed Banner Barn and the proposed Plots No. 116 – 120 along with the removal of the garage from the boundary of Plot 120. These amendments have resulted in the provision of increased open space to the west of Banner Barn within the development site. There has also been an increase in planting, which now wraps around the fence line of the grounds of the Listed Building creating separation between the two sites and provides essential screening between the Listed Building and the application site. It has therefore been confirmed, as a result of these amendments, that the Conservation Officer has no objection to the proposal.
- 3.8 This application is therefore considered to be in accordance with Policy HE2 of the Local Plan and Section 16 of the NPPF.

4 Impact on Residential Amenity

- 4.1 Policy DE1 of the Local Plan states that the impact and function of the development should be considered not just for the short term, but also for the lime time of the development.
- 4.2 In addition, Paragraph 130 (f) of the NPPF states that proposals should maintain a high standard of amenity for existing and future users.

Proposed Residential Amenity

- 4.3 Policy DS3 of the Coventry Local Plan is concerned with creating sustainable development, sustainable development is meeting the needs of the present without compromising the ability of future generations to meet their own needs. Furthermore, Policy H3 of the Coventry Local Plan states that new development must provide a high-quality residential environment.
- 4.4 The SPG on New Residential Development states that a minimum of 20 metres window to window separation distances rising to 23 metres from an elevated position between habitable rooms. Along with a minimum of 12 metres being required between the rear of one property and the side, or blank gable of another property.
- 4.5 The proposed layout has been well designed to ensure that the development will not result in any adverse impact in terms of an overbearing nature, loss of light and lack of privacy for the occupiers of the new development. Room layouts have been designed to ensure adequate levels of natural light are provided within habitable rooms with a sufficient level of outdoor private amenity space being provided.
- 4.6 It is therefore considered that the proposed development will not have any materially adverse impacts on the future occupiers of the development.

Existing Residential Amenity

- 4.7 Neighbours on the western boundary, located to the east of the development, consisting of properties along Pheasant Oak and Heronbank, will be the most impacted by the proposed development. These properties are set off the common boundary by between 9 – 16 metres and separated from the application site by close boarded fence approximately 2 metres in height, along with mature trees and vegetation, the only exception to this is a plot which has concrete posts and open wire fencing.
- 4.8 A significant number of concerns were raised by local residents in relation to the original proposal not being in accordance with Parameters Plan (2-100, March 2021), which made reference to proposed residential amenity space, along the western boundary of the application site benefiting from 15 metre gardens. Officers requested amended plans to ensure that the 15 metres gardens were incorporated along with the retention of the hedgerow along the western boundary. These

amendments have been received and have resulted in an enhanced outlook for existing residents in accordance with the parameters plan.

- 4.9 The proposed residential dwellings all benefit from gardens of between 9 – 12 metres off the common boundary, or 15 metres garden length in the case of Plots 99 – 114 for future residents of the application site, ensuring that the development is in compliance with the SPD on New Residential Development which states that to protect the amenity of existing residents a maximum of 20 metres is required between new and existing windows.
- 4.10 Conway Farm is located to the south of the application site and is a Grade II Listed Building and is separated from the application site by a 2-metre-high boundary fence and established, mature hedgerow. Due to the orientation of the proposed dwellings and the location of Conway Farm, it is not considered that there will be any materially adverse impacts in terms of loss of light, overbearing impact or loss privacy on the occupiers of Conway Farm. The consideration of the impact on the Grade II Listed Building has been carried out in Section 2 of the Committee Report.
- 4.11 Furthermore, concerns raised in relation to the location of the accesses to the properties along the common boundary for Plots 97 – 98 and Plots 100 - 104. To assist with creating a safe environment entrance gates have been proposed to ensure these are private spaces for the future occupiers of the dwellings. In addition to this Paragraph 92 of the National Planning Policy Framework states that planning policies and decisions should aim to achieve places which promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Fear of crime is therefore a material consideration in planning decisions, although the weight that can be given to it is often limited unless there is significant evidence to show that the increased fear of crime would occur.
- 4.12 It is appreciated that residents have genuine concerns about the potential for an increase in crime, vandalism, and anti-social behaviour with the existence of these entrances. However, there is no firm evidence that such occurrences, which are ultimately a matter for the relevant authorities in specific instances, would be attributed to these types of developments. Crime and disorder do not seem to be an inevitable consequence of layouts such as this. In this case crime and disorder is rather a question of individual behaviour, as opposed to the layout of the development.

Noise, Land Contamination, and Air Quality

- 4.13 Policy H3 of the Local Plan states that a suitable residential environment will be safe from environmental pollutants such as land contamination, excessive noise and air quality issues.
- 4.14 Colleagues within Environmental Protection were consulted on the application and confirmed that as part of the design and sound insulation measures, the applicant needed to clarify that living rooms and bedrooms are located on rear facades away from the road traffic noise. Information was submitted which confirmed compliance and that suitable internal acoustic conditions can be met,

in accordance with Building Regulations. It is therefore considered that any potential impacts can be addressed through the inclusion of appropriate conditions seeking relevant mitigation measures (Condition 7 of Reserved Matters and 14 of OUT/2020/2438).

- 4.15 It was also noted that a noise condition was in place for the proposed commercial facility located to the north of the site, which was required in order to control noise to a suitable level and require plant noise assessments, relevant to the reserved matters application. Whilst this information has not been forthcoming, this is due to the fact that a letter of comfort has been submitted with the application, which confirms that it is the intention of the business owners to relocate to the Westwood Business Park, it is therefore considered that this is not an issue pertinent to this application.
- 4.16 This application is therefore considered to be in accordance with Policy DE1, DS1 and H3 of the Local Plan, SPG on New Residential Development and Section 8 and 12 of the NPPF.

5 Highway Safety

- 5.1 Policy AC1 of the Local Plan 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.*
- 5.2 Policy AC2 of the Local Plan states that new developments which are predicated to have a negative impact on the capacity and/or safety of the highway network should mitigate and manage the traffic growth which they are predicted to generate to ensure that they do not cause unacceptable levels of traffic congestion, highway safety problems and poor air quality. Highway mitigation and management measures should focus firstly on demand management measures, contained within Policy AC3, including the promotion of sustainable modes of travel, and secondly on the delivery of appropriate highway capacity interventions. Highway capacity interventions should be appropriate to the scale of development and expected impact and will be determined through the associated Transport Assessment.
- 5.3 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 the parking standards contained within Appendix 5 of the Local Plan. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

- 5.4 Policy AC4 of the Local Plan states that development proposals should incorporate appropriate safe and convenient access to walking and cycling routes. Where these links do not exist, new and upgraded routes will be required and these must appropriately link into established networks to ensure that routes are continuous.

Access

- 5.5 All technical matters relating to the access to the application site off Banner Lane were addressed in detail under the original Outline Planning Permission. Notwithstanding this the Highways Authority were consulted on the application to ensure that the detail submitted, for the internal layout, under Reserved Matters are acceptable. The Highways Authority initially objected to the proposal due to insufficient information available in order to fully assess the application. Following this objection, the proposal has been through a number of revisions, which has resulted in some minor amendments being made in order to make the application acceptable from a highway safety perspective, these amendments have been made with confirmation being received that the objection to the development has been removed. The Highways Authority therefore have no objection to the proposal subject to conditions (Conditions 9 – 11 and Condition 22 of OUT/2020/2438).

Parking

- 5.6 The table provides a breakdown of the total requirements for parking provision for dwellings proposed within this application. For clarity 1-bedroom properties should provide 1 space per dwelling, 2-bedroom properties seek provision of 2 spaces per dwelling and 3 or more-bedroom properties seeks the provision of 2 parking spaces per dwelling. In addition to this for 1 and 2-bedroom properties 1 unallocated space for visitors is required per 10 dwellings with this increasing to 1 unallocated visitor space per 5 dwellings for 3 or more bedroomed properties.

Dwelling Bed Numbers	Number of Dwellings	Maximum Spaces Per Dwelling	Spaces Required for Residents	Spaces Required for Visitors	Total Number of Spaces Required	Total Number of Spaces Achieved
1	6	1	1	1 per 10 Dwellings	7	7
2	38	2	2	1 per 10 Dwellings	80	80
3+	75	2	2	1 per 5 Dwellings	165	165
	Total 119					Total 252

- 5.8 In relation to the visitor spaces to be provided within the development a total of 20 spaces would be needed throughout the proposal in order to comply with Appendix

5 of the Local Plan. Following amendments made to the plans a total of 20 visitor parking spaces has been provided throughout the development as identified on the approved plans. This application is therefore considered to be in full compliance with Appendix 5 of the Local Plan by providing full levels of both resident and visitor parking provision.

- 5.9 Subject to the appropriate revisions being made this application is therefore considered to be in accordance with Policy AC1, AC2, AC3 and AC4 of the Local Plan.

6 Drainage and Flooding

- 6.1 Policy EM4 for the Local Plan states that all major developments must be assess in respect of the level of flood risk from all sources and that all opportunities to reduce flood risk in the surrounding area must be taken, including creating additional flood storage. Furthermore, Policy EM5 states that all development must apply SuDS and should ensure that surface water runoff is managed as close to its source as possible.

- 6.2 When determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- Within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- Development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

- 6.3 The Lead Flood Authority have been consulted on the application and have confirmed that the sustainable drainage incorporated with attenuation pond is acceptable and they have no objection to the proposal subject to the inclusion of appropriate conditions (Condition 11 of OUT/2020/2438).

- 6.4 This application is therefore considered to be in accordance with Policies EM4 and EM5 of the Local Plan.

7 Ecology, Biodiversity and Trees

- 7.1 Policy GE3 of the Local Plan states proposals for development will be permitted provided that they protect, enhance and/or restore habitat biodiversity. Development proposals will be expected to ensure that they:

- Lead to a net gain of biodiversity, where appropriate, by means of an approved ecological assessment of existing site features and development impacts.

- Protect or enhance biodiversity assets and secure their long-term management and maintenance.
 - Avoid negative impacts on existing biodiversity; and
 - Preserve species which are legally protected, in decline, are rare within Coventry or which are covered by national, regional or local Biodiversity Action Plans.
- 7.2 Within the original outline application colleagues within Ecology stated that they would not object to any application which provided full mitigation against the loss of biodiversity and retained the connectivity to Tile Hill Wood with indicative plans showing that this could be achieved.
- 7.3 Colleagues within Ecology initially objected to the application on the grounds that the proposal does not provide connectivity for Tile Hill Wood SSSI and can be considered to have a direct negative impact on this significant ancient woodland which would be contrary to the Local Plan Policy GE3 and the NPPF. The BIA submitted within the application shows that the development will leave to be a small overall in Biodiversity of -0.32 units, furthermore the Site Layout Plan has been assessed against the GIS and it appears that the areas used to estimate the BIA are incorrect, with the urban development being larger and the wildlife friendly habitats are unable to be provided.
- 7.4 In addition to this the proposed planting scheme includes a number of native species, however the planting is largely non-native species and cultivars which is inappropriate and likely to have an adverse impact on the Woodland SSSI. The overall layout does not provide sufficient opportunities for the protected species present on the northern border. There is very limiting foraging opportunities and opportunities to access other areas of the site.
- 7.5 This information was requested and received from the agents, these amendments saw the increase in BIA from -0.32 units to -0.14 units which is a betterment on outline planning permission which resulted in a minor net gain of 0.22 units, including an increased habitat corridor from a width of 4.17 metres, to between 5.81 metres and 8.55 metres, allowing for stronger linkages to be provided throughout the development. In addition to the changes made planting schedule has seen amendments which incorporate a significant increase in trees, wildflower planting, native marginal woodland and the introduction of native woodland planting. In addition, a condition is also proposed which requires the submission of a further BIA Calculation once final landscaping plans have been confirmed with an aim to secure an overall net gain in biodiversity (Condition 7 and 8 of OUT/2020/2438 and Condition 8 of Reserved Matters).
- 7.6 Natural England have confirmed that they have no objections to the proposals.
- 7.7 In addition, the Local Authority's Tree Officer has provided comments on the application and confirmed that following the submission of the outline application, there are some outstanding arboriculture requirements which need to be resolved. These areas to be resolved include the submission of a phased Tree Protection Plan in-line with the sites build phases, a detailed Arboriculture Method Statement along with new boundary hedgerows of native species to be included on landscape

plans. It has been confirmed that this information can be submitted as part of a discharge of conditions and will be included within any recommendation for approval (Condition 6 of OUT/2020/2438).

7.8 This application is therefore considered to be in accordance with Policy GE3 of the Local Plan and Section 15 of the NPPF.

8 Equality Implications

8.1 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.

8.2 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.

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

9 Conclusion

9.1 The proposal would respect the scale and character of the surrounding area, would not adversely affect the amenities of the occupiers of neighbouring properties, and would not impact upon highway safety.

9.2 On balance, it is concluded that the proposal constitutes sustainable development. It complies with the Development Plan and there are no material considerations which indicate that the proposal should be refused. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that planning permission should be approved.

CONDITIONS / REASON FOR REFUSAL

1.	The development hereby permitted shall be carried out in accordance with the following approved plans: <u>Architects Pack</u>
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- SS01 REV D
- SS02 REV E
- SS03 REV C
- AFFORDABLE HOMES PLAN REV F
- BOUNDARY TREATMENT PLAN REV F
- EV CHARGE PLAN REV F
- MATERIALS PLAN REV F
- PARAMETERS OVERLAY 09.02.23
- PLANNING LAYOUT COLOUR REV J
- PLANNING LAYOUT MONO REV J
- REFUSE STRATEGY REV F
- STOREY HEIGHTS REV F
- HOUSE TYPE PACK REV A 06.12.22

Ecology

- 1115 UPDATE BIA TECHNICAL NOTE 09.02.23

Landscaping

- COV2207 PP01.00 P11 PLANTING SCHEDULE AND SPECIFICATION
- COV2207 PP01.01 P11 PLANTING PLAN SHEET 1
- COV2207 PP01.02 P11 PLANTING PLAN SHEET 2
- COV2207 PP01.03 P11 PLANTING PLAN SHEET 3
- COV2207 PP01.04 P11 PLANTING PLAN SHEET 4

Engineering

- 22103-PL-1D - General Arrangement
- 22103-PL-2D - Drainage Strategy
- 22103-PL-3D - Vehicle Tracking – Fire
- 22103-PL-4D - Vehicle Tracking - Refuse
- 22103-PL-5D - Vehicle Tracking - MPV
- 22103-PL-6E - Flood Route Plan
- 22103-PL-7D - FFL's and Retaining Features

Acoustics

- 27500-ENV-0401-B-acoustics and overheating assessment

Previously Submitted Documents

- 27500-ENV-0402---thermal analysis report
- 23-506 Coventry_BannerLane_WSI_Revised_15-08-2022

Reason

For the avoidance of doubt and in the interests of proper planning

2.	The facing materials to be used on the external walls and roof shall be as specified on the Materials Plan (2258WHB/MT01, 13th February 2023). 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	<i>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.</i>
3.	Prior to their incorporation into the development hereby permitted, sample details of all block provisions to be used in the surfacing of the estate roads ,private drives, individual access drives, turning and manoeuvring areas 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	<i>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.</i>
4.	Notwithstanding the details shown on the approved plans. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed in accordance with the approved levels.
Reason	<i>In the interest of proper planning and having particular regard to the potential impact of the development in accordance with Policy DS3 of the Coventry Local Plan 2016.</i>
5.	Notwithstanding the plans hereby permitted, prior to the construction of any boundary wall, fence or gate details of the position, appearance and materials of such boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be completed in full accordance with the approved details before the respective dwellings to which they serve are first occupied and thereafter shall be retained and shall not be removed or altered in any way.
Reason	<i>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.</i>
6.	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any

	statutory instrument amending, revoking and/or replacing that Order, no further development shall take place within the curtilage of any dwellinghouse hereby permitted without the prior grant of planning permission by the Local Planning Authority.
Reason	<i>Having regard to the design, layout and general nature of the proposed development it is important to ensure that no further development is carried out which would detract from the appearance of the area and affect the amenity of adjacent properties. Therefore, no additional development is to be carried out without the permission of the Local Planning Authority in accordance with Policies H3 and DE1 of the Coventry Local Plan 2016</i>
7.	No occupation of the units fronting Banner Lane shall take place until, a scheme detailing arrangements to protect residents of the development from excessive noise and vibration entering habitable rooms, and the provision of quiet garden areas shielded from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full accordance with the approved details prior to first occupation and shall be retained thereafter.
Reason	<i>To ensure that future occupiers do not experience any unacceptable disturbance from noise and vibration in accordance with Policies H3 of the Coventry Local Plan 2016.</i>
8.	With the exception of demolition or preparatory works no development shall commence unless and until a scheme ('the offsetting scheme') for the offsetting of biodiversity impacts at the site has been submitted to and approved in writing by the Local Planning Authority. The offsetting scheme shall include: a) a methodology for the identification of receptor site(s); b) the identification of receptor site(s); c) details of the offset requirements of the development (in accordance with the recognised offsetting metrics standard outlines in the Defra Metrics Guidance dated March 2012, or any document that may update or supersede that guidance). d) the provision of arrangements to secure the delivery of the offsetting measures (including a timetable for their delivery); and e) a management and monitoring plan (to include for the provision and maintenance of the offsetting measures in perpetuity). The offsetting scheme shall be implemented in strict accordance with the approved details within three months of the first occupation of the development hereby permitted and thereafter shall not be withdrawn or amended in any way.
Reason	<i>In order to safeguard and enhance habitat and secure an overall biodiversity gain in accordance with Policy GE3 of the Coventry Local Plan 2016.</i>
9.	None of the dwellings hereby permitted shall be occupied unless and until the car parking provision and garage (where applicable) for that dwelling has been constructed or laid out and made available for use by the occupants and / or visitors to the dwellings and thereafter those spaces shall be retained

	for parking purposes at all time and shall not be removed or altered in any way.
Reason	<i>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.</i>
10.	None of the dwellings hereby permitted shall be occupied unless and until a phasing plan detailing the provision of communal car parking spaces across the site has been submitted to and approved in writing by the Local Planning Authority. The communal parking spaces shall be provided in full accordance with the approved phasing plan and thereafter those spaces shall be retained for parking purposes at all times and shall not be removed or altered in any way.
Reason	<i>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.</i>
11.	Prior to occupation of any of the dwellings hereby permitted, full details of the maintenance and management responsibilities for visitor parking shall be submitted to and approved in writing by the Local Planning Authority and the approved arrangements shall be implemented prior to occupation and remain in perpetuity.
Reason	<i>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.</i>