

COMMITTEE REPORT

Planning Committee Report	
Planning Ref:	FUL/2022/3133
Site:	Codys Court, Silverdale Close, CV2
Ward:	Longford
Proposal:	Construction of three dwellinghouses with associated landscaping and parking
Case Officer:	Daniel Taylor

SUMMARY

The application proposes a pair of semi-detached houses and one detached house (three houses in total) on a vacant back-land site adjacent to five recently constructed houses approved in 2017. The three proposed houses would be two-storeys with pitched roofs and would include private rear gardens and front parking and would be access from the existing access off Silverdale Close

BACKGROUND

The proposed development area is part of a wider site that received planning permission in January 2017 (ref. 2016/2487, and to be referred to as the 2017 permission in the rest of this report) for a terrace of five houses in the east of the site and a bungalow in the west of the site. The five houses were constructed, and are now occupied, however, the bungalow was never constructed. The application site is larger than the 2017 permission as it now includes the rear gardens of nos. 120 and 122 Jackers Road.

KEY FACTS

Reason for report to committee:	More than 5 objections have been received
Current use of site:	Vacant scrubland
Proposed use of site:	3 new houses

RECOMMENDATION

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

REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal accords with Policies: H3, H9, DE1, DS3, EM4, EM5, EM7, GE3, GE4, AC2, and AC3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

SITE DESCRIPTION

The application site is rectangular in shape and comprises the 2017 permission site area and an area that was formerly part of the rear gardens of nos. 120-122 Jackers Road. The 2017 permission site area comprises a two-storey red brick-built terrace of five houses known as 1-5 Codys Court, with rear gardens and a hardstanding car parking area to the front. The site is at the head of the cul-de-sac of Silverdale Close where the vehicle access for 1-5 Codys Court is located. Rear gardens back onto the site with the rear gardens of the properties on Silverdale Close backing onto the site to the South and the rear gardens of properties on Jackers Road backing onto the site to the North and West.

The area of the site proposed for the development of the three houses is roughly square in shape, occupying the west side of the site and is currently vacant, overgrown land. Most of the trees and vegetation around the edge of the site have been removed along with a copper beach tree in the centre of the site that had a TPO on it. The Council's arboriculturist is aware of this and has investigated and requires an equivalent replacement, on or close to the location of the removed tree. The site is mainly flat, although houses on Jackers Road are set around 1m below site level. The surrounding character of the area is residential made up of two storey terrace and semi-detached houses.

APPLICATION PROPOSAL

The application seeks permission to erect two semi-detached houses and one detached house, all with rear gardens and two front car parking spaces. The houses would face east to west and be at right angles to the adjacent terrace of five houses at 1-5 Codys Court approved under the 2017 permission that face north to south. The proposed houses would be traditional two-storey houses with pitched roofs, constructed of brick with brick window sill detailing and front porch roof overhang detailing to match the appearance of the adjacent 1-5 Codys Court. The proposed houses would measure 5m high up to eaves level and 7.5m up to the top of the pitched roof (the same as 1-5 Codys Court), and each would be 10m deep and 6.3m wide.

The ground floor of the proposed houses would be laid out with a lounge to the front, combined kitchen dining area to the rear and a downstairs toilet. The first floor would be laid out with three bedrooms, one being an en-suite, and a bathroom. The rear gardens of all four houses would measure 10m deep and be between 7m and 10m wide. The gardens would include sheds for secure cycle parking and areas for bin storage. A communal bin storage area would also be provided along the southern boundary of the site adjacent to the vehicle access at Silverdale Close for residents to put their bins out on collection day.

Seven car parking spaces would be provided to the front of the house, with one space located to the north and one space located to the south of the three houses and the remaining five spaces provided in a row, opposite and facing the houses. Access would be via the existing access into Codys Court at the head of the cul-de-sac of Silverdale Close opposite 1-5 Codys Court.

The materials would be facing Lagan brick Rosewood 65mm for the walls, grey Edgemere Interlocking slates for the roof, White uPVC for the windows and timber painted and cream uPVC for the doors.

A replacement tree for the removed TPO tree will be provided in a similar position on site adjacent to the parking area and opposite the proposed houses within a small area of soft landscaping.

There would be no changes to 1-5 Codys Court in terms of their amenity, access or parking arrangement as part of this proposal.

AMENDMENTS TO THE PROPOSAL

During the assessment of the application the number of dwellings was reduced from four to three houses as officers considered a development of four houses was an overdevelopment of the site. The proposal was changed from two pairs of semi-detached houses to one pair of semi-detached houses and a detached house. The reduction of one house allowed the proposed houses to be brought further away from the boundary with neighbouring properties, allowed more soft landscaping to the front as a result of the removal of two car parking spaces and ensured all the houses would have adequate side/front gates to access their rear gardens.

The height and footprint of the proposed houses were also reduced to ensure they better reflected the scale and character of the adjacent five houses on the site and properties on surrounding streets. The eaves height of the proposed houses was reduced from 6.5m to 5m and the pitched roof level was reduced from 4m to 2.5m. This results in the overall height of the proposed houses being 7.5m (down from 10.5m).

PLANNING HISTORY

There are a number of older planning applications for the development of the site; however the following are the most recent/relevant:

FUL/2016/2487 - Demolition of existing dwelling and outbuilding and erection of five houses and one bungalow with associated parking and landscaping. Approved 06/01/2017

FUL/2012/1815 - Proposed demolition of existing dwelling and outbuildings and erection of 5 houses and one bungalow and associated parking and landscaping. Approved 14/11/2012

REN/2012/0784 – Renewal of planning permission reference number R/2009/0283 granted 24th April 2009 for demolition of existing bungalow and outbuilding and erection of four houses. Approved 18/05/2012.

FUL/2011/2026 – Demolition of existing dwelling and outbuildings and erection of six houses and one bungalow and associated parking and landscaping. Refused 28/02/2012 on the following grounds:

- i. the cramped form of development dominated by hard landscaping;
- ii. impact upon highway safety due to excessive width of access into site; and
- iii. lack of a bat survey

R/2009/0283 – Demolition of existing bungalow and outbuildings and erection of four houses. Approved 14/04/2009

R/2008/1956 – Demolition of existing bungalow and outbuildings and erection of 5 houses with associated parking and landscaping (Historic Reference: 19079/D). Refused 14/01/2009

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. The latest framework came into effect on 20th July 2021. The NPPF 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 policies relating to this application are:

- Policy DS1: Overall Development Needs
- Policy DS3: Sustainable Development Policy
- Policy DE1 Ensuring High Quality Design
- Policy H1: Housing Land Requirements
- Policy H3: Provision of New Housing
- Policy H5: Existing Housing Stock
- Policy H9: Residential Density
- Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
- Policy GE4: Tree Protection
- 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 EM4 Flood Risk Management
- Policy EM5 Sustainable Drainage Systems (SuDS)
- Policy EM7 Air Quality

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development

SPD Delivering a More Sustainable City

SPD Coventry Connected

STAUTORY AND NON-STATUTORY CONSULTATION RESPONSES

Ecology – The proposal would likely result in the loss of the ruderal habitats, lawn, and mature shrubs/hedgerows meaning an overall loss in biodiversity. A landscaping and planting plan has been submitted to show how any biodiversity loss will be mitigated for on site, which is supported, however, given the site is currently vacant the proposal would be unable to provide the necessary biodiversity net gain on site and therefore an offsite contribution would be required. To mitigate for the remaining 0.15 units previously stated, opportunities for offsite mitigation have been identified in the area according to local ecological strategies. A contribution amount of £4,952 towards tree planting in local parks is estimated to generate approximately 0.69 biodiversity units, which would appropriately compensate for the biodiversity loss on site.

Environmental Protection – No objection subject to conditions requiring the submission of a CMP, contaminated land investigations and air quality mitigation measures.

Highways – No objections following mitigation measure being proposed to alleviate initial access and intensification concerns, which comprised revisions to the parking layout and the inclusion of signage and a lower boundary treatment around the site access.

Lead Local Flood Authority (LLFA) – No objection or further conditions required following the submission of new proposed drainage drawing ref: 23-030-001-A, and the supporting foul and surface water calculations supplied by the applicant's drainage engineer.

Trees – No objection subject to conditions requiring a Landscaping Management Plan and full tree planting details for the replacement TPO tree, to include details of: Nursey Stock Specification; Planting pit details; details for water maintenance visits and duration; photographic evidence that the planting pit and general surrounding area of approx. 2m radius has been thoroughly forked over to a minimum depth of 600mm with x10 50L bags of well-rotted farm manure incorporated, in order to improve the current compacted, fire-damaged soil structure.

Urban Design – No objection subject to a condition on the material specification and following revisions to the scheme which reduced the scale of the houses so they provided an appreciable level of subservience to the existing dwellings which enclose the site and the inclusion of a porch feature to each of the dwellings to reflect the appearance of 1 to 6 Cody Court and to better tie the proposal in with the existing development on the site. The material approach, brick detailing and fenestration approach would all be acceptable.

Cadent Gas Ltd – No objections subject to an informative setting out the legal requirement to protect the gas infrastructure on site.

PUBLIC CONSULTATION RESPONSES

Notification letters were sent to adjoining neighbouring properties on 25th November 2022 and site notices were put up outside the site and along Jackers Road on 30th November 2022. Following amendments made to the proposal that reduced the number of dwellings to three, a further round of consultation was undertaken with notification letters sent out on 30th June 2023. Nine public representations were received objecting on the following grounds:

- Disruptive and noise disturbance and air pollution during construction
- Overlooking and loss of privacy

- Loss of light
- Parking pressure already high in the area and there is congestion every morning
- Local schools and doctors are oversubscribed
- Sewage and drainage problems in the area already
- Lots of trees and hedges removed and burnt down changing the view from our houses and causing awful smells and loss of natural habitat
- TPO Copper Beach Tree removed and should be reinstated
- Appearance to the rear of our houses will completely change
- Houses don't fit in with the appearance of the area and 3 storeys is not in keeping
- Plot not big enough for four houses
- Buildings are large and too close to the boundary with neighbouring properties
- Terrible building practices during the building of the other 6 houses
- Affect the value of my property
- Easement or access agreement should be in place with the existing Codys Court properties
- Concern over wear and tear and damage to the existing accessway during construction and who will pay for it.

APPRAISAL

The main issues in determining this application are principle of development, design and character of the area, impact upon neighbouring amenity, highway considerations, air quality, drainage and ecology, biodiversity and trees.

Principle of development

Policy H3 of the Coventry Local Plan (CLP) deals with the provision of new housing. It states that new housing must provide a high-quality residential environment which assists in delivering urban regeneration or contributes to creating sustainable communities and which overall enhances the built environment. The policy goes on to say that a suitable residential environment will include safe and appropriate access, have adequate amenity space and parking provision and be safe from environmental pollutants such as land contamination, excessive noise and air quality issues.

Policy H9 of the CLP seeks the appropriate density for residential developments and suggests that proposals must make the most effective and efficient use of land whilst ensuring compatibility with the quality, character and amenity of the surrounding area.

The surrounding character of the area is residential and the principle of residential development on part of the application site has been established through the 2017 permission, which approved the terrace of five houses that have been constructed known as 1-5 Codys Court and the bungalow that was approved on part of the site where the three houses are proposed but which has not been constructed.

This application also includes land that formerly comprised part of the rear gardens of nos. 120-122 Jackers Road. The NPPF states that residential rear gardens are not classified as previously developed land and that inappropriate development of residential gardens, for example, where development would cause harm to the local area, should be resisted.

The proposal for three houses that includes building on the rear gardens of nos. 120-122 Jackers Road would in principle be an appropriate form of development by virtue of it being part of a wider comprehensive development (the 2017 permission). The existing vehicle and pedestrian access into the site from Silverdale Close, which is an adopted road, has already been approved to be used by six houses as part of the 2017 permission and is still considered acceptable as part of this expanded residential development that would increase the number of dwellings on site by two compared to the 2017 permission taking the total number of houses on the site to eight. The additional houses would contribute to a cohesive street development with the five houses already on the site, with the whole development reflecting the character and appearance of the area.

In addition, a sufficient rear garden depth (in excess of 10m) would be retained for nos. 120-122 Jackers Road. Nos. 120-122 and the other houses along Jackers Road to the west of the site benefit from long rear gardens, measuring circa 40m long. As a result of the development the rear gardens of nos. 120-122 would be reduced to between 12m-15m long, which would be acceptable as it would comply with the Council's residential design guide and would ensure the proposed development would maintain satisfactory separation distances from these neighbouring dwellings. This reduced garden depth means nos. 120-122 would reflect the rear garden depths of the existing adjoining properties to the east along Jackers Road (nos. 124-154), thereby still reflecting the make-up of the area. As a result, the proposed development is not considered to cause harm to the character of the local area and the site is considered appropriate for additional residential development above that already approved.

The proposal will result in a net gain of two dwellings, compared to the 2017 permission with the Coventry Local Plan 2016 expecting windfall sites to help meet the housing need within the plan period. The houses can comfortably be accommodated on the site with all having the required rear garden depths and areas; car and cycle parking spaces; and distances from existing surrounding properties, which are in line with the Council's guidance.

The application site is located within a sustainable location, being a 7-minute walk to shops and local conveniences on Cheadle Close and Grange Road and on Jackers Road and Alderman's Green Road; a 4 and 10 minute walk to primary schools on Alderman's Green Road and Jacker's Road; and a 2 and 7 minute walk to the public open spaces of Longford Park and Wyken Slough and Pool. Alderman's Green Road and Jackers Road are both served by bus routes (the 6, 6A and 20C) that serve the City Centre and the north-east of the city and Bedworth.

By virtue of the above, the proposed residential development is considered acceptable in principle and the site is considered appropriate for additional residential development above that already approved. The proposal would provide an attractive residential environment for future occupiers in accordance with Policies H3 and H9 of the CLP.

Design and Character of the area

The NPPF and Policy DE1 of the CLP 2016 both encourage high quality urban design. The NPPF states that good design is a key aspect of sustainable development, is indivisible

from good planning, and should contribute positively to making places better for people. Policy DE1 states that all development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

Furthermore, Policy H9 of CLP 2016 states that the density of development should represent the most effective and efficient use of land whilst ensuring compatibility with the quality, character and amenity of the surrounding area. The design element would be considered in terms of the enhancement of the character and quality of the local environment; the relationship between buildings and spaces; and building details such as proportion, massing and materials.

The locality is made up of a variety of architectural styles from a variety of time periods that include Victorian semi-detached houses, pre and post-World War II housing and modern developments. The design approach is supported as being coherent and in keeping with the appearance of the existing properties on Codys Court and would be supported by Policy DE1. The use of Lagan Brick Rosewood 65mm and Edgemere interlocking grey slate tiles would match that of nos. 1-5 Codys Court and the surrounding context and the elevational detailing would enhance the built form and provide a positive appearance. This detailing includes traditional window designs with brick sill detailing and an ordered fenestration rhythm; detailing to the eaves line and banding between the ground and first floors; and a porch roof overhang above the front doors to provide a sense of continuity with 1-5 Codys Court.

During the application process, the height and footprint of the proposed houses were reduced to ensure they better reflected the scale and character of the adjacent five houses on the site and properties on surrounding streets. The eaves height of the proposed houses was reduced from 6.5m to 5m and the pitched roof level was reduced from 4m to 2.5m. This results in the overall height of the proposed houses being 7.5m (down from 10.5m). Consequently, the floor level proportions, which include a shallower pitched roof, would be in keeping with the surrounding context and be appropriate for a back land site development. The reduction in the number of dwellings allows for a less intensive development on the site with the semi-detached and detached housing type being in keeping with the mix of house types and sizes found in the area. Both the house type and massing would be supported by Policy DE1.

When considering the layout there has been positive consideration given to hard and soft landscaping, with planting, hedging and the laying of lawned areas, both in the rear garden and incorporated around the parking area to the front. The east to west orientation of the proposed houses would be acceptable as being at right angles to 1-5 Codys Court allows a clear view of them from the entrance to the site, which improves legibility though the site for visitors and residents. The houses would also appropriately terminate the end of the private drive while at the same time creating an active street scene around the site as the front of the houses would face onto the private drive and have a direct relationship with it. The design and layout of the scheme will create an attractive and acceptable street frontage and residential environment for future occupiers and will enable the development to create its own sense of place, which would be supported by Policy DE1.

Policy H3 requires, amongst other things, appropriate levels of amenity space for the occupiers of the proposed houses. The Design Guidance for new residential development sets out the criteria that all new homes are required to meet. It states a 3+ bedroom house requires 50sqm of useable, private amenity space and that a 10m depth should be achieved. All the properties have a rear garden that meet the 10m depth and all are more than 50sqm, at circa 70sqm or 100+sqm.

The proposal is therefore considered to provide an appropriate layout and design that will enhance the character of the area and will provide a good standard of residential accommodation that would make efficient and effective use of a predominately vacant and neglected piece of land, in accordance with Local Plan Policies DE1 and H3.

Impact on existing residential amenity

The concerns raised by local residents in respect to the impact on existing houses that surround the site are carefully noted above.

Paragraph 130 of the NPPF seeks to protect the amenities of all existing and future occupants of land and buildings. Policy H5 requires new development to be designed and positioned so it does not adversely affect the amenities of the occupiers of neighbouring properties. In order to protect the amenity of existing residents, the Residential Design Guide SPG recommends that a minimum distance separation of 20m be maintained between principal windows to the front/rear of properties. The SPG states a minimum rear garden depth of 10 metres should be provided to ensure that a) adequate amenity space is provided for the dwellings, and b) the minimum 20m window to window separation distances are achieved. As mentioned above, all the plots are in excess of the guidelines for garden depth and overall square metres of useable, private amenity space.

Since the first round of neighbour comments were received the scale of the proposal has been reduced by removing one dwelling and by reducing the height and footprint of all of the proposed houses. This means the proposal better reflects the scale of the surrounding properties and ensures the proposal is not a dominating presence both in terms of the character of the area and in views from neighbouring properties.

The rear gardens of existing neighbouring properties back onto the application site on all sides. To the north and west these properties are nos. 118-140 Jackers Road (even), with 118-130 backing onto the development area where the three houses are proposed. To the south these are nos. 38-46 Silverdale Close (even). To the east it is the rear gardens and garages of the maisonette properties on Kanzan Road (nos. 1-11 odd). However, the Kanzan Road properties are not considered to be particularly impacted by the proposal as they face onto the already built terrace block of 1-5 Codys Court and would be circa 60m from the area of the site to be developed for the three houses. While nos. 1-5 Codys Court are within the red line boundary of the application site, the impact on their amenity would be assessed in the same way as those properties outside the red line boundary by virtue of them being existing residents located adjacent to the proposed development.

The east-west orientation of the proposal means there would be no directly facing windows with neighbouring properties as the side gable end elevations of the proposal would face

towards the rear elevations of the existing properties on Jackers Road and Silverdale Close. The rear gardens of the properties on Jackers Road are circa 12m long to the boundary with the application site and the rear gardens of the properties on Silverdale Close plus the rear vehicle access road behind that provides access to the Silverdale Close property's garages are circa 20m to the boundary with the application site. In addition to this, the massing of the proposed houses would be 4.5m off the site's northern and southern boundaries. These distances would have an acceptable impact on the amenity of neighbouring properties in terms of outlook and light levels and they would comply with the Council's Residential Design Guide SPG, which states a minimum of 12m is required between the rear elevation of one property and the side, blank elevation of another property. The side windows would serve bathrooms and would be conditioned to be obscure glazed. There would therefore be no loss of privacy to neighbouring properties.

The rear elevation of the proposed houses would face towards the rear half of the circa 40 long rear gardens of properties on Jackers Road. This combined with the proposed houses' 10m rear garden depth would mean that the proposal would not impact on the amenity of the neighbours to the rear.

The front elevation of the proposed houses would face the side gable end and side boundaries of the rear gardens of 1-5 Codys Court to the east and would be 17m from them across the private drive and communal car parking area. As a result, the proposal would not impact on the amenity of these neighbours. Potential impacts in regard to traffic and parking, flooding and environmental quality are covered later on in this report.

It is considered reasonable to remove the Permitted Development Rights for Class A extensions to all three proposed properties and to remove the Permitted Development Rights for front boundary treatments to any of the plots in order to retain the openness and character of the site. This will be secured by condition.

As a result of the above, the proposal will not have an adverse impact on the amenity levels of the existing adjacent properties through increased visual intrusion, overlooking, loss of light or loss of privacy. It is considered that the proposal will create a suitable and satisfactory residential environment and is in accordance with Policy H3 of the Coventry Local Plan, the paragraphs contained within the NPPF and the aforementioned SPG's and SPDS.

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.

Policy H3 also requires safe and appropriate access to create a suitable residential environment.

The parking and access arrangement for the existing five house on the site at 1-5 Codys Court would not be affected or altered and therefore only the access and parking arrangements for the proposed three houses is considered here.

The proposal is for an additional two houses over and above the 2017 permission and the Local Highway Authority (LHA) have concluded that this modest density increase means the associated trips with the houses will have a negligible impact.

The proposal would utilise the approved access of the 2017 permission, which allows two cars to pass. The LHA raised no objection to it's the use, subject to a condition requiring the site's front boundary fence either side of the entrance to be lowered to no more than 600mm to aid visibility. The LHA also requires signage to be installed either side of the entrance telling cars exiting the site to give way to cars entering so there is no queuing on Silverdale Close. These will be secured via conditions. Silverdale Close is an existing adopted highway and therefore is maintained at public expense.

The proposed layout and width of the private drive would be to the satisfaction of the LHA with clear visibility for cars travelling in both directions within the site and the waiting areas would be sufficient should cars meet travelling in opposite directions along the short 3m wide pinch point. The LHA was therefore satisfied that the proposal would not have any demonstrable impact on the free flow of traffic or endanger highway safety.

The proposed houses would have two car parking spaces and a visitor space would be provided. This would comply with policy AC3 and Appendix 5 of the Local Plan and Coventry Connected SPD, which for 3 or more-bedroom houses requires 2 spaces per dwelling + 1 unallocated space per 5 dwellings for visitors. As a result, the proposed parking spaces for the new development would be sufficient and would not have a significant impact on existing parking provision above that which already exists.

The site is well connected and within a highly sustainable location. Alderman's Green Road and Jackers Road are both served by bus routes (the 6, 6A and 20C) that serve the City Centre and the north-east of the city and Bedworth. Local amenities are within a short walking distance including the shops and local conveniences on Cheadle Close and Grange Road and on Jackers Road and Alderman's Green Road, which are a 7-minute walk away from the site; the primary schools on Alderman's Green Road and Jacker's Road, which are a 4 and 10 minute walk away; and the public open spaces of Longford Park and Wyken Slough and Pool, which are a 2 and 7 minute walk away.

Dedicated space would be provided in the rear gardens of each property for the storage of Coventry City Council issued wheelie bins. The guidance on refuse collection is provided in Waste Storage Technical Advice Note and Manual for Streets, which advises that “waste collection vehicles should be able to get to within 25m of the waste storage point”. A communal bin storage area along the southern boundary of the site adjacent to the vehicle access off Silverdale Close for residents to place their wheelie bins within on collection day would be provided. It would be sufficiently within the Council’s 25m bin drag distance and would not prohibit vehicle movement or parking in the site. As a result, the design for refuse and recycling collection is appropriate.

The provision of dedicated and secure cycle parking in the rear garden of each property is supported. This would assist in meeting the aims of Policies DS3 and AC4 which promote sustainability and encourage provision of cycling and walking as alternative modes of travel and would be in line with Appendix 5 of the Local plan and the Residential Design Guide.

The proposal therefore accords with Policy AC2 and AC3 of CLP 2016 and Policy H3 in providing a sustainable community and high-quality residential environment.

The NPPF provides a presumption in favour of sustainable development, with paragraph 111 stating that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.” The 2017 permission approved six dwellings on the site. Additional land allows the project to be expanded to provide eight dwellings using a private roadway. There are no material changes to the previously approved access and design and accordingly the proposal has not been found to have a severe impact on the function and safety of the local road network.

Ecology and Trees

Policy GE3 establishes that developments should provide a net gain and where this is not possible provide some form of off-setting. Policy GE4 states that trees make a valuable contribution to the city’s green landscape. New developments should seek to retain existing trees and other landscape features, incorporating them into a high-quality design and landscape proposals where possible. Should loss be unavoidable, compensatory provision of new trees should be proposed as part of a well-designed landscape scheme.

The site was previously occupied by a timber dwelling and a variety of outbuildings on a site which was mostly covered with overgrown vegetation. Following the implementation of the 2017 permission the area proposed for the building of the three houses has been left vacant consisting of a mixture of ruderal habitats, existing garden lawn, and mature shrubs / hedgerows. With the expansion of the application site into the rear gardens of nos. 120-122 Jackers Road, the mature shrubs / hedgerows and boundary trees were removed along with a TPO Beech tree that was in the centre of the site.

The site lies between Longford Park and Wyken Slough, an important nature area consisting of a non-statutory local wildlife site (150m from the site), and the statutory local nature reserve (300m from the site), home to important local amphibians including great

crested newts. The nearest great crested newt records are approximately 345m away, but are old records, and given there is around 100m of developed land between the development site and Wyken Slough, the Council's Ecologists do not expect great crested newts to be impacted by this development.

The proposal would likely result in the loss of the ruderal habitats, lawn, and mature shrubs/hedgerows meaning an overall loss in biodiversity. A landscaping and planting plan has been submitted to show how any biodiversity loss will be mitigated for on site, which is supported. Most of the planting is more focused on native species of biodiversity value. Overall, whilst the site makes good use of the remaining green space in terms of biodiversity enhancing planting, there remains an overall loss due to loss of garden habitat and ruderal edges/hedges which provide important habitat connectivity. This loss is currently estimated at approximately 0.15 units. To mitigate for the remaining 0.15 units previously stated, opportunities for offsite mitigation have been identified in the area according to local ecological strategies. A contribution amount of £4,952 towards tree planting in local parks is estimated to generate approximately 0.69 biodiversity units, which would appropriately compensate for the biodiversity loss on site. This biodiversity net gain contribution will be secured via a legal agreement Unilateral Undertaking.

Following the clearing of the site, the development would not harm any existing notable trees, however, the Council's Arboriculturist will require a Landscaping Management Plan and full tree planting details for the replacement TPO tree, to include details of: Nursey Stock Specification; Planting pit details; details for water maintenance visits and duration; photographic evidence that the planting pit and general surrounding area of approx. 2m radius has been thoroughly forked over to a minimum depth of 600mm with x10 50L bags of well-rotted farm manure incorporated, in order to improve the current compacted, fire-damaged soil structure.

The other trees removed from around the edge of the site did not have Tree Preservation Order (TPO) on them and the site is not located within a Conservation Area, therefore the removal of the existing trees whilst regrettable, are not something that can be controlled by Planning Legislation.

The application proposes additional onsite planting and the formation of a new landscaping that provides a key opportunity to enhance the biodiversity and setting of the site.

Air Quality and Environmental Protection

The application site is located within an Air Quality Management Area (AQA) declared for NOx. In line with the NPPF paragraph 186, the Air Quality SPD and with Chapter 11 (on air quality) as well as policies H3, DS3 and EM2 of the Coventry Local Plan the air quality impact of the development needs to be mitigated.

The Council's Environmental Protection Officers are satisfied with the proposal but recommend conditions for a construction management plan and for investigations to establish any contamination of the site. They also suggested conditions to provide mitigation measures to offset the environmental impact of the development on air quality by requiring a

minimum of 1 x electric vehicle charging point per dwelling and requiring gas boilers to have ultra-low NOx emissions with a maximum dry NOx emissions rate of 40mg/kWh.

Drainage

The application is located within Flood Zone 1 and therefore is at the lowest risk of flooring. The Lead Local Flood Authority (LLFA) was satisfied with the information contained within the submitted drainage calculations and drawings and raises no objections subject to the development to be carried out in accordance with the submitted information. This will be secured through a 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;
 - a) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - b) 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 proposal is considered to provide an acceptable form of development and will not result in any significant harm upon neighbour amenity, highway safety, ecology or infrastructure, subject to relevant conditions. It is therefore considered that the proposed development accords with development policies DE1, DS3, H3, H9, AC2, AC3, EM4, EM5, GE3 and GE4 of the Coventry Local Plan 2016, together with the aims of the NPPF. Subsequently the application is recommended for approval, subject to conditions and a Legal Agreement Unilateral Undertaking to secure the Biodiversity Net Gain contribution.

CONDITIONS / REASON FOR REFUSAL

1.	The development hereby permitted shall begin not later than 3 years from the date of this decision.
Reason	<i>To conform with Section 91 of the Town and Country Planning Act 1990 (as amended)</i>

2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>7239_12 Rev. B – Location and Block Plan</p> <p>7239_11 Rev. C – Proposed plans and elevations</p> <p>7239_10 Rev. C – Proposed site plan</p> <p>L239-2.3-2000 Rev. P1 – Landscaping Masterplan</p> <p>L239-2.3-2001 Rev. P1 – Planting Plan</p> <p>23-030 Rev. A – Proposed Surface and Foul Water Drainage Layout</p> <p>Foul Water Calculations Rev. B, dated 30.01.2023 Michael Evans and Associates Ltd, Causeway Software Solutions Limited</p> <p>Surface Water Calculations Rev. D, dated 26.01.2023 Michael Evans and Associates Ltd, Causeway Software Solutions Limited</p>
Reason	<i>For the avoidance of doubt and in the interests of proper planning</i>
3.	Other than where specified on the approved plans, no facing and roofing materials shall be used other than materials similar in appearance to those used predominantly in the construction of the exterior of nos. 1-5 Codys Court.
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.	The development hereby permitted shall only be undertaken in strict accordance with Proposed Surface and Foul Water Drainage Layout drawing ref. 23-030 Rev. A and the foul and surface water calculations listed in condition 2. The works shall be completed prior to occupation of the dwellinghouses hereby approved and shall be retained, managed and maintained for the lifetime of the development.
Reason	<i>To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy EM5 of the Coventry Local Plan 2016.</i>
5.	An investigation and risk assessment (in addition to any assessment provided with the planning application), must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site; whether or not it originates on the site; and any report of the findings must be submitted to and approved in writing by the local planning authority prior to the commencement of development (including any demolition). The report of the findings, to be conducted in accordance with Environment Agency Guidance Land Contamination: Risk Management (2021) and must include (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risk to; human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options and proposal of the preferred option(s)

Reason	<i>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</i>
6.	The development shall only be undertaken in accordance with a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, which shall be submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
Reason	<i>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</i>
7.	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 the remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.
Reason	<i>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</i>
8.	Prior to occupation of the development hereby permitted and following completion of the measures identified within the remediation scheme approved under condition No. 7, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to the Local Planning Authority for approval in writing
Reason	<i>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</i>
9.	In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 6, which shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 8.
Reason	<i>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</i>
10.	Any gas boilers installed on site shall have a dry NOx emission rate of no more than 40mg/kWh. One electric vehicle recharging point per dwelling shall be provided prior to occupation and shall not be removed or altered in any way and shall be kept available for such use by residents at all times.
Reason	<i>To mitigate the impacts of development on air quality in accordance with Policy DS3 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.</i>
11.	No development (including any demolition) shall take place unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning

	<p>Authority. The CMP shall include details of: - hours of work; - hours of deliveries to the site; - the parking of vehicles of site operatives and visitors during the demolition/construction phase; - the delivery access point; - the loading and unloading of plant and materials; - anticipated size and frequency of vehicles moving to/from the site; - the storage of plant and materials used in constructing the development; - the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; - 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; - measures to control the emission of dust and dirt during demolition and construction; - measures to control the presence of asbestos; - measures to minimise noise disturbance to neighbouring properties during demolition and construction; - details of any piling together with details of how any associated vibration will be monitored and controlled; and - a scheme for recycling / disposing of waste resulting from demolition and construction works. Thereafter, the approved details within the CMP shall be strictly adhered to throughout the construction period and shall not be amended in any way.</p>
Reason	<p><i>The agreement of a Construction 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.</i></p>
12.	<p>None of the dwellings hereby permitted shall be occupied unless and until the front boundary treatment with Silverdale Close either side of the vehicle access into the site has been reduced in height to no more than 600mm; the two give way signs facing into the site on either side of the vehicle access into the site; the visitor car parking provision; and the dedicated car parking provision for each dwelling, as indicated on approved proposed site plan drawing ref. 7239_10 Rev. C listed in condition 2, have been constructed, installed or laid out in full accordance with those details, and made available for use by the occupants and / or visitors to the dwellings and thereafter those areas shall be kept marked out, retained and available for such use at all times and shall not be removed or altered in any way unless otherwise agreed in writing by the Local Planning Authority.</p>
Reason	<p><i>To ensure the satisfactory provision of off-street vehicle parking facilities and access arrangements 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></p>
13.	<p>The dwellings hereby permitted shall not be occupied unless and until cycle parking facilities have been provided in full accordance with the approved details as shown on the proposed site plan, ref. 7239_10 Rev. C. Thereafter those facilities shall remain available for use at all times and shall not be removed or altered in any way.</p>
Reason	<p><i>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.</i></p>
14.	<p>The residential accommodation hereby permitted shall not be occupied unless and until the rear garden bin storage areas for each dwelling and the communal collection day bin storage area sited adjacent to the vehicle entrance to the site as indicated on approved proposed site plan drawing ref. 7239_10 Rev. C listed in condition 2, have been provided in full accordance with the details shown on the approved plans and thereafter they shall remain available for use at all times and shall not be removed or altered in any way. All bins which serve the development within the red line site area must be stored within the proposed houses rear garden bin storage areas and not positioned on the designated communal collection day bin storage area or in the open, unless on bin collection days.</p>

Reason	<i>In the interests of the amenities of the future occupants of the residential accommodation in accordance with Policy DE1 of the Coventry Local Plan 2016.</i>
15.	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 extension, enlargement or addition shall be erected or constructed to any of the dwellinghouses hereby permitted without the prior grant of planning permission by the Local Planning Authority.
Reason	<i>Due to the restricted nature of the application site and its relationship with adjoining properties it is considered important to ensure that no additional development is carried out without the permission of the Local Planning Authority in accordance with Policies H3 and DE1 of the Coventry Local Plan 2016.</i>
16.	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 gate, fence, wall or other means of enclosure shall be erected, constructed or improved or altered such as to place the structure in front of the forwardmost part of any dwellinghouses fronting a highway or footpath without the prior grant of planning permission by the Local Planning Authority.
Reason	<i>Having regard to the open plan layout and general nature of the proposed development it is important to ensure that no development is carried out except with the permission of the Local Planning Authority, which would detract from the appearance of the area and affect the amenities of adjacent properties in accordance with Policies H3 and DE1 of the Coventry Local Plan 2016.</i>
17.	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, the first floor windows to be formed in the side (north and south) facing elevations of the dwellinghouses hereby permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window will be at least 1.7m above the floor of any room in which the window is installed
Reason	<i>In the interests of the amenities of the occupiers of nearby properties in accordance with Policy DE1 of the Coventry Local Plan 2016.</i>
18.	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 first-floor windows or openings (apart from any shown on the approved plans) shall be formed in the side (north and south) facing elevation of the dwellinghouses hereby permitted, without the prior grant of planning permission by the Local Planning Authority.
Reason	<i>In the interests of the amenities of the occupiers of nearby properties in accordance with Policy DE1 of the Coventry Local Plan 2016.</i>
19.	The landscaping (other than the planting of trees and shrubs) hereby approved including 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 and the tree(s) and shrub(s) shall be planted within the first planting season of 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	<i>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.</i>
20.	<p>Within three months of the implementation of the works hereby permitted a replacement planting scheme for the T1 Purple Beech TPO tree, formerly located on the site to the west of the properties and car parking area of 1-5 Codys Court, shall be submitted to and approved in writing by the Local Planning Authority and shall include:</p> <p>a) a planting plan, confirming the location of the replacement tree as shown on the approved drawings listed in condition 2 and which also includes details of: Nursey Stock Specification; Planting pit details; details for water maintenance visits and duration; photographic evidence that the planting pit and general surrounding area of approx. 2m radius has been thoroughly forked over to a minimum depth of 600mm with x10 50L bags of well-rotted farm manure incorporated, in order to improve the current compacted, fire-damaged soil structure;</p> <p>b) details of the size and species of the tree to be planted;</p> <p>c) approximate date(s) of planting; and</p> <p>d) a schedule of maintenance for the tree.</p> <p>The replacement planting shall be undertaken in accordance with the approved details within nine months of the implementation of the works hereby permitted. All trees 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 (excluding hard surfaces). Selection should be prioritised from local provenance and in compliance with current biosecurity guidelines. The trees shall be maintained in strict accordance with the approved schedule of maintenance. If within a period of five years from the date of planting the tree(s) (or any other tree(s) planted in replacement for it) is removed, uprooted, destroyed or dies or becomes; in the opinion of the Local Planning Authority; seriously damaged or defective, another tree(s) of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree(s).</p>
Reason	<i>In the interests of the visual amenities and natural environment of the area in accordance with Policies GE3, GE4, EM1 and DS3 of the Coventry Local Plan 2016.</i>
21.	<p>Prior to the first occupation of the development hereby permitted, a landscape management plan, including long term design objectives, long term management responsibilities and maintenance schedules for all landscape areas (other than domestic gardens within the curtilage of a single dwellinghouse), shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be implemented as soon as the approved landscaping is carried out and shall not be withdrawn or altered in any way.</p>
Reason	<i>To ensure a satisfactory standard of appearance over the lifetime of the development in the interests of the visual amenities of the area in accordance with Policy GE1 and DE1 of the Coventry Local Plan 2016.</i>
22.	<p>Notwithstanding the plans hereby permitted, prior to occupation of the dwellinghouses hereby approved, details of the position, appearance and materials of the boundary treatment to all sides of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the finish treatment to the 600mm boundary either side of the vehicle access into the site. The boundary treatments shall be completed in full accordance with the approved details prior to the occupation of the dwellinghouses and thereafter shall be retained and shall not be removed or altered in any way.</p>

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>
23.	No lighting or illumination of any part of any building or the site shall be installed or operated unless and until details of such measures have been submitted to and approved in writing by the Local Planning Authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details.
Reason	<i>To safeguard the amenities of the adjoining occupiers of the development in accordance with Policy DE1 of the Coventry Local Plan 2016.</i>