

<b>-Planning Committee Report</b>	
<b>Planning Ref:</b>	PL/2023/0001155/OUTM
<b>Site:</b>	Hall Hill Cottage, Fivefield Road, Coventry, CV7 8JF
<b>Ward:</b>	Bablake.
<b>Proposal:</b>	Outline planning permission with all matters reserved save for access, for the demolition of existing dwelling and associated agricultural units, and the erection of up to 40 residential dwellings (Use Class C3), with parking and associated works.
<b>Case Officer:</b>	Emma Spandley

## **SUMMARY**

The application relates to a parcel of land that is contained within the housing allocation H2:1, called Keresley SUE. The allocation is for a minimum of 3,100 dwellings.

The entire allocation requires: -

- Retail space within local centres (policy R1).
- Distributor link road connecting Long Lane and Winding House Lane to be fully operational prior to the full completion of the SUE.
- Surrounding junction improvements as appropriate and identified through a robust TA.
- Provision of 1 x 2FE primary school and contributions towards a 8FE secondary school.
- Retention of medieval fishponds, ancient woodlands, important (ancient) hedgerows.
- Creation of publicly accessible green corridor along the Hall Brook and enhanced connectivity between the ancient woodlands.
- Protection of Jubilee Woodland.
- Inclusion of appropriate screening to existing residential areas.

The application has been submitted in outline, with all matters reserved except access. Therefore, the application concentrates on the principal of development, the quantum of development and the proposed access to the site.

## **BACKGROUND**

The site was previously designated Green Belt land; however, it was removed from the Green Belt following independent examination by an Inspector at Local Plan Examination in Public and allocated for housing as a Sustainable Urban Extension (SUE). The specific housing requirements are allocated under H2:1.

## **KEY FACTS**

<b>Reason for report to committee:</b>	Over five objections against Officer recommendation
<b>Current use of site:</b>	Residential and Equestrian
<b>Proposed use of site:</b>	Residential

## **RECOMMENDATION**

Planning committee are recommended to grant planning permission, subject to the conditions listed in the report and the completion of the S106 legal agreement to secure the contributions listed within the report; and

Delegate authority to the Strategic Lead Planning (following consultation with the Chair of Planning Committee) to agree any amendments to these conditions and any S106 triggers/contributions set out within the report, which are considered necessary.

## **REASON FOR DECISION**

- The proposal is consistent with an allocation in an up-to-date development plan and is acceptable in principle.
- The proposal will not adversely impact upon highway safety, air quality, drainage/flooding, ancient woodland or ecology.
- The proposal makes provision for necessary developer contributions taking into consideration the viability situation presented.
- The proposal accords with Policies DS1, DS3, DS4, H1, H2, H3, H4: H6, H9, GE1, GE3, GE4, DE1, HE2, JE7, HW1, AC1, AC2, AC3, AC4, AC5, EM1, EM2, EM3, EM4, EM5, EM6, EM7 and IM1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## **APPLICATION PROPOSAL**

The application has been submitted in outline form which requires only the principal of development, together with the number of dwellings proposed and the access to the site to be assessed.

The application seeks permission for: -

*'Demolition of existing dwelling and associated agricultural units, and the erection of up to 40 residential dwellings (Use Class C3), with parking and associated works.*

The following plans were submitted with the application which sought to set the parameters for the proposed development.

- DRAWING - Location Plan - Drawing No.PL001
- DRAWING - Site Layout - Drawing No.PL002 Rev F
- DRAWING - Parameters Plan - Drawing No.PL005 Rev C
- DRAWING - Illustrative Drainage Strategy - Drawing No.HLEF84243 Rev B
- DRAWING - Refuse Tracking Site Access - Drawing No.AAC5671-RPS-xx-xx-DR-C-114-01 S4 P01
- DRAWING - Topographic Survey - Drawing No.P3210
- DRAWING - Soft Landscaping Strategy (Sheet 1 of 3) - Drawing No.JSL4594\_RPS-XX-EX-DR-L-9001 P07
- DRAWING - Soft Landscaping Strategy (Sheet 2 of 3) - Drawing No.JSL4594\_RPS-XX-EX-DR-L-9002 P07
- DRAWING - Soft Landscaping Strategy (Sheet 3 of 3) - Drawing No.JSL4594\_RPS-XX-EX-DR-L-9004 P03

However, following assessment of the plans these were amended; the amended plans are therefore: -

- AMENDED DRAWING - Parameters Plan - Drawing No.PL005
- AMENDED DRAWING - Site Layout - Drawing No.PL002
- AMENDED DRAWING - Proposed Site Access Off Tamworth Road Visibility and Stopping Sight Distances - Drawing No.AAC5671-RPS-xx-xx-DR-C-603 S4 P02
- AMENDED DRAWING - Proposed Site Access Off Tamworth Road Longitudinal Section of Road 1 - Drawing No.AAC5671-RPS-xx-xx-DR-C-602 S4 P02
- AMENDED DRAWING - Proposed Site Access Off Tamworth Road General Arrangement - Drawing No.AAC5671-RPS-xx-xx-DR-C-601 S4 P03
- AMENDED DRAWING - Proposed Site Access Off Tamworth Road Location Plan - Drawing No.AAC5671-RPS-xx-xx-DR-C-600 S4 P03
- AMENDED DRAWING - Refuse Tracking Site Access - Drawing No.AAC5671-RPS-xx-xx-DR-C-114-01 S4 P02

These amended plans will form the basis of future reserved matters applications.

### **SITE DESCRIPTION**

The site covers an area of approximately 1.45ha and is irregularly shaped.

It is bounded by Fivefield Road to the south and Tamworth Road to the west. To the north is further agricultural grassland which separates the site from the Horse and Jockey public house and forms the administrative boundary between North Warwickshire Borough Council (NWBC) and Coventry City Council (CCC).

To the northeast of the site is Hall Yard Wood, which is an ancient woodland and local wildlife site. The site is separated from the ancient woodland to the northeast by a number of existing buildings and structures not within the applicants ownership.

The application site forms a parcel of land allocated within the Keresley Sustainable Urban Extension (SUE).

### **PLANNING HISTORY**

The following table sets out the most relevant Planning History related to the red line site.

<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
R/2004/0651 – (Cov Ref: 29616/E)	Removal of stable block, addition of new stables and refurbishment of existing stables and storage buildings.	Approved 10/12/2004

The following is a table setting out the applications that relate to the entire SUE.

Application Number	Description of Development	Decision and Date
<u>Taylor Wimpey</u>		
OUT/2014/2282	Outline application for the erection of up to 800 dwellings, with associated Local Centre comprising Convenience Store (Class A1) Retail/Commercial Units (Class A1, A2, A3, A5 and/or D1); a Primary School; Public Open Space (including equipped play area); allotments; nature conservation area; and landscaping; with all matters reserved except for means of vehicular access to the site from Tamworth Road and Bennetts Road South.	Approved 12/02/2018
RMM/2019/1030	Submission of reserved matters (layout, internal access arrangements, scale, appearance and landscape details) for Phase 1 comprising of 322 dwellings and details of green infrastructure strategy for all phases (excluding third party land) and a temporary construction access pursuant to OUT/2014/2282 for up to 800 dwellings, local centre, primary school, public open space (all matters reserved except vehicular access from Tamworth Road and Bennetts Road South). The outline application was an EIA application and an Environmental Statement was submitted with it.	Approved 20/11/2019
S73/2020/0285	Variation of condition 8 (to allow one retail unit within the local centre to have floorspace up to 500 sq m) imposed upon outline permission OUT/2014/2282 for the erection of up to 800 dwellings, with associated Local Centre comprising Convenience Store (Class A1) Retail/Commercial Units (Class A1, A2, A3, A5 and/or D1); a Primary School; Public Open Space (including equipped play area); allotments; nature conservation area; and landscaping; The outline application was accompanied by an Environmental Statement	Approved 22/04/2020

RM/2020/2399	Submission of reserved matters (layout, internal access arrangements, scale, appearance and landscaping) for Phases 2A and 2B comprising 394 dwellings, pursuant to outline permission OUT/2014/2282. The outline application was accompanied by an Environmental Statement.	Approved 29/11/2021
RMM/2021/2514	Submission of reserved Matters in accordance with condition 1 for layout, internal access arrangements, scale, appearance and landscape details for local centre, comprising of 1,505sqm across seven units pursuant to planning permission S73/2020/0285 granted on 22nd April 2020 for Variation of condition 8 (to allow one retail unit within the local centre to have floorspace up to 500 sq m) imposed upon outline permission OUT/2014/2282 for the erection of up to 800 dwellings, with associated Local Centre comprising Convenience Store (Class A1) Retail/Commercial Units (Class A1, A2, A3, A5 and/or D1); a Primary School; Public Open Space (including equipped play area); allotments; nature conservation area; and landscaping; The outline application was accompanied by an Environmental Statement.	Approved 26/10/2023
S73M/2021/2515	Variation of condition No. 56 (Hours of Delivery) and removal of condition No. 31 (Requirement for Green Roofs) imposed on planning permission S73/2020/0285 -Variation of condition 8 (to allow one retail unit within the local centre to have floorspace up to 500 sq m) imposed upon outline permission OUT/2014/2282 for the erection of up to 800 dwellings, with associated Local Centre comprising Convenience Store (Class A1) Retail/Commercial Units (Class A1, A2, A3, A5 and/or D1); a Primary School; Public Open Space (including equipped play area); allotments; nature conservation area; and landscaping; The outline application was accompanied by an	Approved 24/10/2023

	Environmental Statement, granted on 22nd April 2020	
<u>Bellway</u>		
OUT/2019/0022	Outline application for the demolition of all existing buildings and the erection of up to 550 dwellings and creation of associated vehicular accesses to Tamworth Road and Fivefield Road, pedestrian/cycle and emergency accesses, diversion of public rights of way, highway improvements to Fivefield Road, parking, landscaping, drainage features, open space and associated infrastructure, with all matters to be reserved except access points into the site (in part).	Approved 07/02/2022
RMM/2022/0633	Submission of Reserved Matters for 236 dwellings off Fivefield Road, for all matters outstanding pursuant to permission OUT/2019/0022 granted on 07/02/2022 for the demolition of all existing buildings and the erection of up to 550 dwellings, and creation of associated vehicular accesses to Tamworth Road and Fivefield Road, pedestrian/cycle and emergency accesses, highway improvements to Fivefield Road, parking, landscaping, drainage features, open space and associated infrastructure, with all matters to be reserved except access points into the site	Approved 11/03/2024
RMM/2022/0636	Submission of Reserved Matters for 76 dwellings off Keresley Link Road, for all matters outstanding pursuant to permission OUT/2019/0022 granted on 7th February 2022 for the demolition of all existing buildings and the erection of up to 550 dwellings, and creation of associated vehicular accesses to Tamworth Road and Fivefield Road, pedestrian/cycle and emergency accesses, highway improvements to Fivefield Road, parking, landscaping, drainage features, open space and associated infrastructure, with all matters to be reserved except access points into the site.	Approved 27/10/2023

RMM/2022/0678	Submission of Reserved Matters for 205 dwellings off Tamworth Road, for all matters outstanding pursuant to permission OUT/2019/0022 granted on 7th February 2022 for the demolition of all existing buildings and the erection of up to 550 dwellings, and creation of associated vehicular accesses to Tamworth Road and Fivefield Road, pedestrian/cycle and emergency accesses, highway improvements to Fivefield Road, parking, landscaping, drainage features, open space and associated infrastructure, with all matters to be reserved except access points into the site	Pending
RMM/2022/0679	Submission of Reserved Matters for 18 dwellings off Tamworth Road, for all matters outstanding pursuant to permission OUT/2019/0022 granted on 7th February 2022 for the demolition of all existing buildings and the erection of up to 550 dwellings, and creation of associated vehicular accesses to Tamworth Road and Fivefield Road, pedestrian/cycle and emergency accesses, highway improvements to Fivefield Road, parking, landscaping, drainage features, open space and associated infrastructure, with all matters to be reserved except access points into the site	Pending
RMM/2022/0680	Submission of Reserved Matters for the Ancient Woodland Buffer off Tamworth Road, for all matters outstanding pursuant to permission OUT/2019/0022 granted on 7th February 2022 for the demolition of all existing buildings and the erection of up to 550 dwellings, and creation of associated vehicular accesses to Tamworth Road and Fivefield Road, pedestrian/cycle and emergency accesses, highway improvements to Fivefield Road, parking, landscaping, drainage features, open space and associated infrastructure, with all matters to be reserved except access points into the site.	Approved 03/08/2023

<u>Thompsons Farm</u>		
OUT/2019/0484	Outline permission for the erection of up to 500 residential dwellings with all matters reserved with the exception of access and comprising of: The demolition of Thompsons Cottage and associated buildings; Provision of green infrastructure including strategic open space, sustainable urban drainage, green networks, play space and associated structural and general landscaping; A vehicular access point and emergency access point onto Bennetts Road North; Network of pedestrian and cycle routes; and All associated infrastructure and enabling works	Approved 05/07/2022
FUL/2022/1981	Installation and formation of highway and drainage infrastructure works pursuant to OUT/2019/0484 granted on 05/07/2022 for erection of up to 500 residential dwellings with all matters reserved with the exception of access and comprising of: The demolition of Thompsons Cottage and associated buildings; Provision of green infrastructure including strategic open space, sustainable urban drainage, green networks, play space and associated structural and general landscaping; A vehicular access point and emergency access point onto Bennetts Road North; Network of pedestrian and cycle routes; and All associated infrastructure and enabling works.	Approved 06/10/2023
RMM/2022/1982	Submission of reserved matters (appearance, landscaping, layout and scale) for the erection of 329no. dwellings and associated infrastructure pursuant to planning permission OUT/2019/0484 granted on 05/07/2022 for erection of up to 500 residential dwellings with all matters reserved with the exception of access and comprising of: The demolition of Thompsons Cottage and associated buildings; Provision of green infrastructure	Approved 20/12/2023



	including strategic open space, sustainable urban drainage, green networks, play space and associated structural and general landscaping; A vehicular access point and emergency access point onto Bennetts Road North; Network of pedestrian and cycle routes; and All associated infrastructure and enabling works.	
RMM/2022/2615	Submission of Reserved Matters (appearance, landscaping, layout and scale) for the erection of 171no. dwellings and associated infrastructure pursuant to planning permission OUT/2019/0484 granted on 05/07/2022 for erection of up to 500 residential dwellings with all matters reserved with the exception of access and comprising of: The demolition of Thompsons Cottage and associated buildings; Provision of green infrastructure including strategic open space, sustainable urban drainage, green networks, play space and associated structural and general landscaping; A vehicular access point and emergency access point onto Bennetts Road North; Network of pedestrian and cycle routes; and All associated infrastructure and enabling works.	Approved 21/12/2023
<u>Rookery Farm</u>		
OUT/2019/2277	Proposed residential development (up to 40 dwellings) with associated landscaping/open space, drainage and highway infrastructure (outline application - all matters reserved except access into the site)	Approved 06/03/2020
RMM/2021/0314	Submission of reserved matters under condition 1 for details of appearance, landscaping, layout and scale for 40 dwellings together with associated landscaping/open space, drainage and highway infrastructure and temporary construction access from land to the north west pursuant to planning permission OUT/2019/2277 granted on 6th March 2020 for outline permission with access.	Approved 13/07/2021

<u>Colliery Club</u>		
FUL/2020/2615	Demolition of existing structures to facilitate residential development with associated access, parking, landscaping and drainage.	Approved 25/03/2021
<u>David Wilson / Barratts Homes</u>		
FUL/2020/0748	Erection of 388no. dwellings (C3), public open space, landscaping, drainage attenuation areas, access from Bennetts Road and Penny Park Lane, access roads, land safeguarded for a new Link Road, and other associated works. This application is accompanied by an Environmental Statement.	Planning Committee resolved to approve on 02/11/2023
<u>Manor Farm Cottages</u>		
FUL/2021/3173	Erection of two new dwellings with upgraded access and parking (Use Class C3)	Approved 02/02/2022
FUL/2022/3213	Erection of One new dwellings with upgraded access and parking (Use Class C3)	Approved 05/01/2021
<u>Richborough / Queen College Oxford (QCO)</u>		
OUT/2022/0712	Outline application for the demolition of all existing buildings (save for Poddy Cottage) and the erection of up to 290 dwellings and creation of associated vehicular accesses to Bennetts Road and Fivefield Road, pedestrian/cycle accesses, diversion of public rights of way, highway improvements, parking, landscaping, drainage features, open space, and associated infrastructure, with all matters to be reserved except vehicular access points into the site	Approved 23/06/2023
PL/2023/0001888/RESM	Submission of Reserved Matters for 290no. dwellings for all matters outstanding pursuant to permission OUT/2022/0712 for the demolition of all existing buildings (save for Poddy Cottage) and the erection of up to 290 dwellings and creation of associated vehicular accesses to Bennetts Road and Fivefield Road, pedestrian/cycle	Planning Committee resolved to approve on 29/02/2024

	accesses, diversion of public rights of way, highway improvements, parking, landscaping, drainage features, open space, and associated infrastructure including substation	
OUT/2022/0713	Outline application for the demolition of all existing buildings (save for Manor Farm Cottage) and the erection of up to 260 dwellings and creation of associated vehicular accesses to Bennetts Road, pedestrian/cycle accesses, highway improvements, parking, landscaping, drainage features, open space, and associated infrastructure, with all matters to be reserved except new vehicular access points into the site from Bennetts Road.	Approved 02/06/2023
PL/2024/00000246/RESM	Submission of reserved matters for 260no dwellings for all matters outstanding pursuant to planning permission OUT/2022/0713 granted on 25/03/2022 for 'Outline application for the demolition of all existing buildings (save for Manor Farm Cottage) and the erection of up to 260 dwellings and creation of associated vehicular accesses to Bennetts Road, pedestrian/cycle accesses, highway improvements, parking, landscaping, drainage features, open space, and associated infrastructure, with all matters to be reserved except new vehicular access points into the site from Bennetts Road.	Pending

## **POLICY**

### **National Policy Guidance**

National Planning Policy Framework (NPPF), updated July 2021. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The NPPF increases the focus on achieving high quality design and states that it is "fundamental to what the planning and development process should achieve".

The National Planning Practice Guidance (NPPG) adds further context to the NPPF and it is intended that the two documents are read together.

## **Local Policy Guidance**

The current local policy is provided within the Coventry Local Plan 2016, which was adopted by Coventry City Council on 6<sup>th</sup> December 2017. Relevant policy relating to this application is:

- Policy DS1: Overall Development Needs
- Policy DS3: Sustainable Development Policy
- Policy DS4: (Part A) – General Masterplan Principles
- Policy DS4: (Part C) – Keresley SUE Specific Masterplan Principles
- Policy H1: Housing Land Requirements
- Policy H2: Housing Allocations
- Policy H3: Provision of New Housing
- Policy H4: Securing a Mix of Housing
- Policy H6: Affordable Housing
- Policy H9: Residential Density
- Policy GB1: Green Belt and Local Green Space
- Policy GE1: Green Infrastructure
- Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
- Policy GE4: Tree Protection
- Policy JE7: Accessibility to Employment Opportunities
- Policy DE1: Ensuring High Quality Design
- Policy HE2: Conservation and Heritage Assets
- Policy AC1: Accessible Transport Network
- Policy AC2: Road Network
- Policy AC3: Demand Management
- Policy AC4: Walking and Cycling
- Policy 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
- Policy IM1: Developer Contributions for Infrastructure

## **Supplementary Planning Guidance/ Documents (SPG/ SPD):**

- SPD Sustainable Urban Extension
- SPD Design Guidance for New Residential Development
- SPD Householder Design Guide
- SPD Energy
- SPD Coventry Connected
- SPD Trees and Development
- SPD Air Quality
- SPD Affordable Housing

The Green Space Strategy 2019 – 2024

## **CONSULTATION**

No Objections received from:

- Archaeology
- Conservation
- Natural England
- Severn Trent

No objections subject to conditions/contributions have been received from:

- Education
- Ecology
- Economic Development
- Environmental Protection
- Housing Policy
- ICB
- Local Highway Authority (LHA)
- Local Lead Flood Authority (LLFA)
- Green Space
- Sport England
- Sport – Internal
- Urban Design
- West Midlands Fire Service (WMFS)
- West Midlands Police (WMP)

Objections from:

- Keresley Parish Council (KPC)
  - Increase in traffic
  - Lack of bus service
  - No direct access for walkers or cyclists
- North Warwickshire Borough Council (NWBC)
  - Principle of development
  - No bus services and therefore unsustainable.
  - Supports Warwickshire County Council's objection.
- Warwickshire County Council (WCC)
  - In correct visibility splays shown It has not been shown that safe and suitable access can be achieved

Immediate neighbours and local councillors were originally notified on 15<sup>th</sup> June 2023; a site notice was posted, and a press notice was published in the Coventry Telegraph on 22<sup>nd</sup> June 2023.

26no. letters of objection were received, raising the following material planning considerations:

- Principle of development
- Need for development
- Impact on traffic
- No bus service

- Impact on infrastructure
- Impact on woodland
- Impact on ancient hedgerows
- Impact on Ecology

## **APPRAISAL**

### **POLICY BACKGROUND**

The National Planning Policy Framework, paragraph 11, states that “Plans and decisions should apply a presumption in favour of sustainable development. For Decision Making, this means: -

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.” Footnote 8 to paragraph 11 confirms that this includes situations where the local authority cannot demonstrate a five-year supply of deliverable housing sites.

The Coventry Local Plan was formally adopted on 6th December 2017. Since it was adopted, the Government introduced the Standard Method, a standardised way of calculating minimum housing need. As the Local Plan is now more than five years old the Standard Method is now the determining factor when considering local housing need. When using the Standard Method, the Council is not able to demonstrate a five-year housing land supply. As such, the tilted balance is engaged and therefore planning permission should be granted, unless “*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits*” when assessed against the policies of the NPPF taken as a whole.

### **PRINCIPLE OF DEVELOPMENT**

Policy H1 of the Coventry Local Plan states future housing will be designed to create new and stable communities.

Policies H2 of the Coventry Local Plan Housing Allocations, table 4.2 Site Allocations for Housing of the Coventry Local Plan sets out the sites which are allocated for housing development. The site is an allocated housing site under Policy H2:6 of the Coventry Local Plan 2017.

The housing numbers contained with the allocation are considered to be indicative. It is noted that the column within Policy H2 of the Coventry Local Plan states ‘total’ for the number of dwelling(s) proposed. In this specific instance, the “total” column is the volume of dwellings on each site that the Strategic Housing Land Availability Assessment (SHLAA) process has attributed to each allocation, some of which are made up of several

parcels of land and/or future application areas. There is no inference, either implicit or explicit, in either the Plan or the SHLAA, that “total” should be read as “maximum”. However, the preceding Coventry Local Plan policy, Policy H1 Housing Land Requirements and the introduction to the Coventry Local Plan and the housing chapter, it is clear that the housing need for the city is substantial, far in excess of what can be provided for within the city boundary, and that we are meeting a minimum volume of dwellings through the allocation process, as per the table in Policy H2 of the Coventry Local Plan. It is therefore a reasonable interpretation that the total column in the allocation table in Policy H2 of the Coventry Local Plan to be an indicative requirement.

Policy DS4 (Part A) – General Masterplan principles states where the site is identified as an allocation within the Local Plan it should plan positively to meet in full the requirements identified within the relevant policies associated with the allocation. Where the proposal represents a phase or phases of a wider scheme however, the quantum of development should reflect the relative size and characteristics of the phase, including its position within the wider site.

Policy DS4 (Part C) - In addition to the general principles outlined in Policy DS4 (Part A) of the Coventry Local Plan, the development proposals which relate to this area should also have regard to the relevant requirements which include the incorporation of the recommendations of the Council’s SUE Design Guidance SPD. Identify clear access points to the site and make appropriate provisions for new transport infrastructure and highway improvements to support the comprehensive delivery of the site. This should include: a) The provision of a new Link Road in accordance with Policy H2. The Link Road should be operational to traffic prior to the full completion of all development components within the SUE; b) The delivery of the Link Road should not be to the detriment of ProLogis Park; and c) The management of the existing highway junctions at Bennetts Road, Tamworth Road, Fivefield Road, Sandpits Lane, Thompsons Lane, Long Lane and Watery Lane to ensure they continue to operate in a safe and appropriate way.

This is an allocated housing site in the Coventry Local Plan 2017 and the principle of residential development is acceptable.

#### Principle of Residential

Policies H2 of the Coventry Local Plan *Housing Allocations*, table 4.2 *Site Allocations for Housing* of the Coventry Local Plan, sets out the sites which are allocated for housing development.

The application site is part of housing allocation Policy H2:1 *Keresley* SUE. Policy H2:1 sets out the allocation requirements. The entire allocation requires: -

- Retail space within local centres (policy R1).
- Distributor link road connecting Long Lane and Winding House Lane to be fully operational prior to the full completion of the SUE.
- Surrounding junction improvements as appropriate and identified through a robust TA.
- Provision of 1 x 2FE primary school and contributions towards a 8FE secondary school.

- Retention of medieval fishponds, ancient woodlands, important (ancient) hedgerows.
- Creation of publicly accessible green corridor along the Hall Brook and enhanced connectivity between the ancient woodlands.
- Protection of Jubilee Wood
- Inclusion of appropriate screening to existing residential areas.

Policy DS4 (Part A) – General Masterplan principles states where the site is identified as an allocation within the Local Plan it should plan positively to meet in full the requirements identified within the relevant policies associated with the allocation. Where the proposal represents a phase or phases of a wider scheme however, the quantum of development should reflect the relative size and characteristics of the phase, including its position within the wider site.

Where possible, all proposals should be planned in a comprehensive and integrated manner reflecting partnership working with relevant stakeholders. Where proposals represent a phase of a larger development the Masterplan should have full regard to any adjoining land parcels and development proposals to ensure it delivers appropriate parts of the strategic or site-wide infrastructure and other relevant features. This should support the wider delivery of the comprehensive scheme.

Policy DS4 (Part C) - *Keresley SUE Specific Masterplan Principles*, states in addition to the general principles outlined in Policy DS4 (Part A), development proposals which relate to the Keresley SUE area should also have regard to the relevant requirements below:

- i) Incorporate the recommendations of the Council's SUE Design Guidance SPD;
- ii) Ensure that the planned Local Centres are located at separate ends (north and south) in accordance with Policy R1;
- iii) Ensure the new defensible boundaries to the Green Belt are clearly supported on the western side of the site to Tamworth Road and to the north around Thompsons Lane;
- iv) Establish a comprehensive green and blue infrastructure corridor focused around the Ancient Woodlands, Hounds Hill and the Hall Brook. This corridor should run north-south between the Burrow Hill Fort to the north and the Jubilee Woodland to the south east; and
- v) Identify clear access points to the site and make appropriate provisions for new transport infrastructure and highway improvements to support the comprehensive delivery of the site. This should include:
  - a) The provision of a new Link Road in accordance with Policy H2. The Link Road should be operational to traffic prior to the full completion of all development components within the SUE;
  - b) The delivery of the Link Road should not be to the detriment of ProLogis Park; and
  - c) The management of the existing highway junctions at Bennetts Road, Tamworth Road, Fivefield Road, Sandpits Lane, Thompsons Lane, Long Lane and Watery Lane to ensure they continue to operate in a safe and appropriate way.



### Retail Space

The local centre already benefits from a detailed consent and will be provided adjacent to Bennetts Road as part of the land currently being developed by Taylor Wimpey.

### Distributor link road and Junction Improvements

The Distributor Link Road called the Keresley Link Road (KLR) is located through the Taylor Wimpey Site from Tamworth Road, eastwards, over the Hall Brook, through the Bellway site, then the Vistry Group site before it meets Bennetts Road.

The KLR will not have an impact on this site.

### Primary School

The new primary school is located elsewhere within the SUE within the Taylor Wimpey site and was approved under OUT/2014/2282 and subsequent S73 application S73/2020/0285. This will be located adjacent to Bennetts Road.

In conclusion, the principle of development is considered to be acceptable.

## **DENSITY**

Policy H9 of the Coventry Local Plan is concerned with housing density in order to promote sustainable urban regeneration. The assessment of recent developments has shown that the density and mix of residential development largely reflects local density patterns, and this should continue. In order to support urban regeneration and high-quality design, development must ensure that land is used as intensively as possible whilst remaining compatible with the quality, character and amenity of the surrounding area.

Therefore, outside of the Ring Road (The A4053) a minimum of 30 dwellings per hectare (net) should be provided on Greenfield sites.

When considering density, it is also important to ensure it is considered alongside other essential onsite provisions such as appropriate levels of amenity space, landscaping and any appropriate onsite infrastructure.

As such, the Council's policy is set in the context of net densities that seek to maintain:

- at least 20% of gross site area to remain undeveloped on sites in excess of 2ha, and
- at least 15% of gross site area to remain undeveloped on sites below 2ha.

The application is in outline form with only access being discharged.

The site area is approximately 1.45ha which will require 15% to remain undeveloped landscaped areas, managed by a company, this amounts to at least 0.22ha.

The amount of landscaped areas required will be controlled by a suitably worded condition.

The application is in accordance with Policy H9.

However, alongside this requirement is the allocation requirement of the retention of medieval fishponds, ancient woodlands, important (ancient) hedgerows.

These areas are discussed in more detail below.

## **OPEN SPACE AND PARKS**

### **Open Space – Development Provision**

Policy GE1 of the Coventry Local Plan states new development proposals should make provision for green infrastructure to ensure that such development is integrated into the landscape and contributes to improvements in connectivity and public access, biodiversity, landscape conservation, design, archaeology and recreation.

The application submission proposes a maximum of 40no. units.

Having calculated the number of people generated by development, the minimum requirement for each form of open space is to be calculated using the information contained within the Open Space SPD.

The site will contribute £47,109.89 towards play equipment to be installed at Coundon Park which is the nearest Neighbourhood Equipped Area of Play (NEAP) and is required to provide at least 0.2ha of informal open space on the site.

The monies towards the NEAP at Coundon Park will be secured via S106 agreement.

The quantum of informal open space on site will be secured via a suitably worded condition which will require the outstanding reserved matters to come forward in accordance with it.

## **ARCHAEOLOGY**

The application site is located within an area of historically predominantly rural character. The site itself is a mixture of pasture, covering much of the site, and a small amount of built development. The dwelling appears on the same or similar footprint dating back to the 1843 Enclosure Map, suggesting some elements of historic significance may have survived.

Hall Yard Wood is an Archaeological Constraint Area and mentioned in the 1410-11 St Marys Cartulary.

The application was supported by the following reports:

- REPORT - Statement of Significance, dated 20th April 2023 - Report Ref:P19-2127
- REPORT - Heritage Desk-Based Assessment, dated 27th October 2022 - Report Ref:P19-2127
- REPORT - Archaeological Evaluation, dated 10th April 2023 - Report Ref:MK0874\_1.

The applicants' archaeological consultants have undertaken a series of investigations, comprising a desk-based assessment, geophysical survey and programme of trial trenching to evaluate the area of proposed development.

These investigations have concluded that the redevelopment of the site will not have any archaeological impact.

Consequently, officers are satisfied that the development can proceed without any further archaeological intervention.

### **HOUSING MIX**

Policy H4 of the Coventry Local Plan requires proposals for residential development to include a mix of market housing which contributes towards a balance of house types and sizes across the city as set out within the 'Coventry & Warwickshire Housing & Economic Development Needs Assessment (HEDNA), dated November 2022.

The HEDNA suggests a mix of market housing as the following:

1 bedroom	2 bedroom	3 bedroom	4+ bedroom
10%	40%	40%	10%

Whilst the site is in outline form it is for a maximum of 40no dwellings.

The requirement would be four, one-bedroomed and four, four-bedroomed dwellings and 16no dwellings for two and three bedroomed dwellings.

A condition will require full details of the housing mix to be provided at reserved matters stage, taking account of the requirements of the latest housing need evidence.

### **AFFORDABLE HOUSING**

The development at 40no. units is above the threshold of 25no units as set out within Policy H6 of the Coventry Local Plan. Therefore, 25% affordable housing would be required. This amounts to a gross figure of 10no dwellings.

This has been agreed and will be secured via the S106 agreement.

### **SPORTING PROVISION**

The proposal contains no indoor sporting provision nor any formal playing pitches.

#### **Indoor Sporting Provision and Artificial Grass Pitch (AGP)'s**

The population of the proposed development is estimated to be 96no based on an average household occupancy rate of 2.4. This additional population will generate additional demand for sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating or exacerbating deficiencies in facility provision.

The City Council has adopted Sport England Sports Facilities Calculator (SFC) which seeks to ensure that the development meets any new community sports facility needs

arising as a result of the development.

The Sport England's Sports Facilities Calculator (SFC) indicates that a population of 96 in this local authority area will generate a demand for:

- Pools: 1.05 sqm of pool space costing £20,595
- Playing Pitches: 0.07 pitches costing £6,670
- Artificial Grass Pitches: 0.00 pitches costing £3,695 for 3G.
- Ancillary facilities, £18,132.00
- £30,720 towards maintenance

A total of £79,812.00 is being secured via S106 agreement.

### **HIGHWAYS IMPACTS**

Policy AC1 'Accessible Transport Network' of the Coventry 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.

Policy AC2 of the Coventry Local Plan states new development proposals which are predicted 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 (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.

There have been a number of objections to not only to the application but on how the entire SUE has been modelled and whether the modelling is correct, robust etc.

The Coventry Area Strategic Model (CASM) is a tool that has been developed to produce traffic figures and distribution for strategic development in Coventry. The Coventry Area Strategic Model CASM is run and maintained by WSP under contract to Coventry City Council, who are commissioned by developers to run the model for proposed sites.

The Coventry Area Strategic Model (CASM) is the base model, used for all applications, has been validated to WebTAG standards. It accurately represents what was being seen on the ground in 2019. Due to Covid restrictions and the

ongoing effect this had on travel patterns the City Council has Local Highway Authority (LHA) are currently unable to update the model, the Department for Transport (DfT) advises Local Authorities that they should be able to update their models in early 2023.

The validated base Coventry Area Strategic Model (CASM) was used to produce a forecast model to the year 2026. The forecast includes all committed development, in and around the model area, and a growth in background traffic, using industry standard software called TEMPro.

TEMPro is a software package that uses National Traffic Forecasts and amends them with National Trip End Model forecasts, local data, to predict traffic figures for committed and expected developments. In the West Midlands Local Plans are in most cases mature and are delivering development as expected. As such TEMPro growth factors are considered robust in this area.

A number of sites are of particular concern to the objectors, namely, Birmingham Airport, HS2 hub and the Amazon warehouse.

These three sites are dealt with differently within the Coventry Area Strategic Model (CASM) for the following reasons:

- The HS2 Hub is not planned to come onto the highway network until 2029 at the earliest and therefore is not included within the 2026 Coventry Area Strategic Model (CASM).
- The Amazon warehouse is planned to come onto the highway network by 2026 and is therefore included within the 2026 Coventry Area Strategic Model (CASM).
- Birmingham Airport is planned to come onto the highway network by 2026 and is therefore included, with its expected growth to 2026, within the 2026 Coventry Area Strategic Model (CASM).

Notwithstanding the above, all the applications relating to the SUE allocation have also been modelled using TEMPro to create a 2031 model. These figures include all the sites mentioned above and reflect the respective traffic movements both within and to and from the model for that time.

While developing the mitigation strategy for the current allocations within the Coventry Local Plan, the City Council undertook an exercise called the Coventry North Project. This created a 2041 Coventry Area Strategic Model CASM model which included Birmingham Airport and HS2 Hub at full capacity; all the allocations within the Coventry Local Plan, including the Amazon Warehouse together with growth factors to consider potential development beyond the Local Plan.

This project demonstrated that the Keresley Link Road (KLR) is the best solution for development traffic expected in this area.

Therefore, to recap, all planned development not only within our administration boundary and beyond has been modelled correctly and robustly.

The application has been supported by a Transport Assessment, REPORT - Transport Statement, dated 1st November 2022 - Report Ref:933-TS - Rev 6, which assesses the impact of the development on the local highway network using the Coventry Area Strategic Model (CASM) mentioned above.

### **VEHICLE ACCESS TO THE SITE**

On submission, it was apparent from the transport statement that vehicle speeds along Tamworth Road have not been measured by the applicant. From sat nav data available to Warwickshire County Council (the neighbouring highway authority) it has been shown that vehicles travel up to 74mph on the northbound approach and up to 62mph in the southbound direction on this section of Tamworth Road.

The comments of Warwickshire Country Council and North Warwickshire Council are noted however, Coventry City Council (CCC) has installed Average Speed Enforcement cameras along Tamworth Road with a speed limit of 40mph and as the access is entirely within Coventry City Council's (CCC) administrative area and thus falls to Coventry City Council's (CCC) as Local Highway Authority (LHA) to determine whether the proposed site access is acceptable.

The application has been supported by the following drawings which demonstrate that a Fire Tender and Refuse Vehicle can enter and exit the site safely.

- AMENDED DRAWING - Proposed Site Access Off Tamworth Road Visibility and Stopping Sight Distances - Drawing No.AAC5671-RPS-xx-xx-DR-C-603 S4 P02
- AMENDED DRAWING - Proposed Site Access Off Tamworth Road Longitudinal Section of Road 1 - Drawing No.AAC5671-RPS-xx-xx-DR-C-602 S4 P02
- AMENDED DRAWING - Proposed Site Access Off Tamworth Road General Arrangement - Drawing No.AAC5671-RPS-xx-xx-DR-C-601 S4 P03
- AMENDED DRAWING - Proposed Site Access Off Tamworth Road Location Plan - Drawing No.AAC5671-RPS-xx-xx-DR-C-600 S4 P03
- DRAWING - Refuse Tracking Site Access - Drawing No.AAC5671-RPS-xx-xx-DR-C-114-01 S4 P01
- AMENDED DRAWING - Refuse Tracking Site Access - Drawing No.AAC5671-RPS-xx-xx-DR-C-114-01 S4 P02

A road safety Audit (RSA) has been submitted, REPORT - Stage 1 Road Safety Audit, dated 19th April 2023 - Report Ref:SA 4061 Revision and REPORT - S278 RSA1 Report Revision, dated 4th May 2023 -Report Ref:SA4061 Rev 1.

Taking all of the above into account the Local Highway Authority (LHA) raises no objection to the principle of development and the access to the site.

## **SUSTAINABLE TRANSPORT**

### **Bus Service**

The acceptability of the development depended on several aspects related to sustainable transport. One of these is the provision of high-quality bus infrastructure.

The development is subject to financial contributions which are discussed below. However, the site is paying towards an extension to the new Tamworth Road bus service and provision of Demand Responsive Transport (DRT).

### **Cycle Infrastructure**

The development is subject to financial contributions which are discussed below. However, the site is contributing to the city wide super cycle highways and is providing a West Midlands Cycle Hire docking station on site.

Taking all of the above into account the Local Highway Authority (LHA) raises no objection to the principle of development and the access to the site.

## **STREET TYPOLOGIES**

Through the application site it is anticipated that the main road into the site will start off by being an "Internal" road, before reducing down to a 'Lane' typology in accordance with the Urban Extension Design Guide SPD (UEDG).

The whole concept of the Lanes typologies relies on a more organic appearance with street furniture, variable widths and a change to the building line made to accentuate speed control and a more attractive Streetscene. The geometry should definitely be tightened up to promote speed control, alongside in-carriageway traffic calming by way of narrowing's, tree planting and SuDS build-outs should all be features to incorporate.

The application is in outline form with only access being discharged, therefore the outstanding matters relating to the appearance and scale of the houses, the layout of the site and the landscaping will require a separate application.

The elements that the site must provide will be controlled by a suitable worded condition.

## **ECOLOGY, BIODIVERSITY AND TREES**

### **Ecology and Biodiversity**

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

Policy GE3 establishes that developments should provide a net gain and where this is not possible provide some form of offsetting. would be increased when the recommended biodiversity enhancements are included.

The site is located immediately east of existing green belt, within 15 m of Hall Yard Wood (local wildlife site, ancient woodland), and within 500m of further local wildlife

sites (Bunsons Wood, Pikehorne wood).

There are no notable wildlife records on the site itself. There are records of six different bat species in the area. Great crested newts have been recorded in a pond less than 50m west of the west side of the site, across the Tamworth Road. Further great crested newt records exist to the south, approximately 500m away.

The site occupies a highly strategic area for woodland connectivity, as it divides Hall Yard wood from woodland to the south and west, connecting through to Pikehorne wood. There is also quite close connectivity to Lord's wood through this site. Any development on this site should therefore seek to prioritise the reconnection of these woodland habitats.

The current application includes an ecological impact assessment (non EIA) that includes a bat survey, great crested newt survey and badger survey.

A preliminary roost assessment and emergence survey was carried out for the existing buildings on the site, and a large number of roosts were identified on the main residential building. A maternity roost for common pipistrelles (max count of 89 bats), a hibernation roost for soprano pipistrelle, and an additional eight-day roosts. The potential for building demolition to have a negative impact on local bat populations is therefore large. The ecological assessment states that a new roost will be created in one of the new houses. Natural England will control the licencing of this element, however, the requirement for bat mitigation will be controlled by a suitable worded condition with which the outstanding reserved matters relating to the appearance and scale of the houses, the layout of the site and the landscaping will have to come forward in accordance with.

Great crested newt surveying (habitat suitability assessment, population sampling, eDNA sampling) found three ponds with high suitability for great crested newts supporting a population in the area, including a large pond immediately north of the site, to the south west corner of Hall Yard Wood. This pond is less than 10m from the site, so the potential for great crested newts to be using the site is high, particularly in hedgerows and shrub areas around the site boundary.

Overall, the environmental impact assessment identified potential negative impacts on bats, great crested newts, badgers, other terrestrial wild mammals (e.g. hedgehog, brown hare) and nesting birds.

The biodiversity Impact Assessment (BIA) states that biodiversity net gain will be achieved via woodland creation to the field to the north of the development site, which falls outside of the Coventry boundary.

This is accepted and will be secured via S106 agreement.

### Trees

Policy GE4 of the Coventry Local Plan 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.

To the northeast of the site is Hall Yard Wood, an Ancient Woodland and a Local Wildlife Site (LWS). The site is separated from Hall Yard Wood by the adjacent plot. At the narrowest point there is a 14m separation distance increasing to 45m as you traverse south westwards towards Fivefield Road.

The site is bounded on all sides by mature hedging and tree planting, save for two existing access points, one access point via Fivefield Road and the second is a field access boundary between the northern part of the site and the field beyond.

It must also be noted, that the boundary of the City runs along the northern boundary with the site, therefore the field to the north which has an access from the site is not within the City's Administration boundary.

### Ancient Woodland

Ancient woodland takes hundreds of years to establish and is defined as an irreplaceable habitat. It is a valuable natural asset important for:

- wildlife (which include rare and threatened species);
- soils;
- carbon capture and storage;
- contributing to the seed bank and genetic diversity;
- recreation, health and wellbeing;
- cultural, historical and landscape value.

It's any area that's been wooded continuously since at least 1600 AD. It includes:

- ancient semi-natural woodland mainly made up of trees and shrubs native to the site, usually arising from natural regeneration
- plantations on ancient woodland sites - replanted with conifer or broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi

When making planning decisions, you should consider:

- conserving and enhancing biodiversity.
- avoiding and reducing the level of impact of the proposed development on ancient woodland and ancient and veteran trees.

The NPPF paragraph 180 (c) states: -

*'Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are exceptional reasons and a suitable compensation strategy exists.'*

Ancient woodland, ancient trees and veteran trees are irreplaceable. Therefore, you should not consider proposed compensation measures as part of your assessment of the merits of the development proposal.

### Mitigation measures

Mitigation measures will depend on the type of development. They could include: -

- putting up screening barriers to protect ancient woodland or ancient and veteran trees from dust and pollution
- measures to reduce noise or light
- designing open space to protect ancient or veteran trees
- rerouting footpaths and managing vegetation to deflect trampling pressure away from sensitive locations
- creating buffer zones.

### Use of buffer zones

Buffer zones can protect ancient woodland and individual ancient and veteran trees and provide valuable habitat for woodland wildlife, such as feeding bats and birds. The size and type of buffer zone should vary depending on the:

- scale and type of development and its effect on ancient woodland, ancient and veteran trees
- character of the surrounding area

For example, larger buffer zones are more likely to be needed if the surrounding area is:

- less densely wooded
- close to residential areas
- steeply sloped.

### Buffer zone recommendations

The NPPG states for ancient woodlands, that they should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage (known as the root protection area). Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic.

For ancient or veteran trees (including those on the woodland boundary), the buffer zone should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5 metres from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. This will create a minimum root protection area.

Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone.

Where possible, a buffer zone should:

- contribute to wider ecological networks
- be part of the green infrastructure of the area

A buffer zone should consist of semi-natural habitats such as:

- woodland
- a mix of scrub, grassland, heathland and wetland.

The Trees & Development Guidelines for Coventry (T&D) SPD states: '*The National Practice Guidance issued by the Forestry Commission and Natural England 'Ancient*

*woodland and veteran trees: protecting them from development' currently recommends that they require a Root Protection Area (RPA) buffer radius equivalent to x15 times their trunk diameter rather than the x12 trunk diameter given by BS 5837:2012, or 5m from the edge of its canopy, whichever is the greater.'*

At paragraph 2.40 of the 'The Trees & Development Guidelines for Coventry' (T&D) SPD states: *'It is the Council's view that there is no 'one size fits all' approach to buffer design, or in respect of Ancient Semi-natural Woodland, Ancient Trees & Veteran Trees which is backed up by recent research<sup>13</sup>. Each proposal should be designed to fulfil the sensitivity of species and woodland specific requirements of its location and the type of scale of development proposed plus type and scale of likely direct and indirect damage. Nevertheless, the minimum buffer of an Ancient Woodland should be the minimum recommended buffer to the PPG at the time. As a precautionary principle, the Council will apply this most recent (national) minimum buffer as the starting point for assessing and maintaining buffer zones in relation to development proposals.'*

Many objections have been raised which state a 50m buffer should be included as advised by the Woodlands Trust. However, this has been rejected as an amendment to the Environment Bill 2021. The Environment Bill 2021, as of 9<sup>th</sup> November 2021, is a law that sets parameters as to how the environment should be protected and it did not increase the ancient woodland buffer requirement from 15m to 50m.

Consistent with the other parcels of land and subsequent applications a 20m sterile buffer zone with a further 10m buffer zone to any structures, is required. The 20m – 30m will allow for roads and footpaths.

This will be controlled by a suitable worded condition and S106 agreement.

#### Loss of Trees / Hedges

The application has been supported by an Arboricultural Impact Assessment and a Tree Condition Survey, dated October 2021 - Report Ref:1022-10040 Rev 1.

The baseline report identified a total of 28no. individual trees, 17no Category C and 11no Category B; 10no hedges, five Category C and three Category B; eight groups of trees, all Category C and one Ancient Woodland (Hall Yard Wood).

Of these trees, the following will be removed: -

T23 – Sycamore - category B.

H2 – mixed hedge - category C, and

H7 – mixed hedge - category C.

The retention of all existing boundary hedgerows is of high importance, therefore, all retained hedgerows are required to be in public management, therefore, they cannot be in the houses garden, they are required to have the houses fronting onto the hedgerows.

This will be controlled by a suitably worded condition.

## **DRAINAGE**

Policy EM4 of the Coventry Local Plan states all major development must be assessed in respect of the level of floor risk from all sources.

Policy EM5 of the Coventry Local Plan states all development must apply SuDS and should ensure that surface water runoff is managed as close to its source as possible.

Shared surface access areas should make use of permeable paving. Private drives should not fall towards the adopted highway and should be provided with adequate drainage provision to onsite that property flooding is avoided. Property levels should not be below the level of the highway and should be clearly protected from flooding under exceedance conditions.

Where cellular attenuation is proposed, it should be provided in locations, as close as possible to the point of generation and the method of filling/draining should be in accordance with figs 21.6/21.7 of the SuDS manual.

Where projected exceedance flows are shown to lie within developed areas these should be actively intercepted or directed around residential development.

The SuDs is required to be designed to look natural with permanently / seasonally wet areas in the base (not necessarily covering the entire base) and should include suitable aquatic planting.

The sides of the ponds should have a variable side slope enabling access (ideally between 1:3 – 1:5 or better).

Ponds should be integrated into the open space in which they are located with paths around them and suitable seating provision for the purposes of leisure and maintenance as appropriate.

The Local Lead Flood Authority (LLFA) raises not objections to the proposal subject to a condition requiring full details of the SUDs to be submitted with the reserved matters application.

## **IMPACT ON VISUAL AMENITY**

Policy DE1 of the Coventry Local Plan seeks to ensure high quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

The National Planning Policy Framework, paragraph 130 states that “Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF further states (at paragraph 134) “Permission should be refused for development of that is not well designed that fails to reflect local design policies and government guidance on design. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design; and/or
- b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

LPA should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).” (Paragraph 135no.).

The application is in outline form with all matters reserved except access.

The matters of layout, scale, appearance and landscaping are reserved matters and therefore these details will be submitted at a later date and therefore do not form part of the assessment of this current application.

## **AIR QUALITY**

Policy H1 of the Coventry Local Plan states future housing will be designed to create new and stable communities.

Policy H3 of the Coventry Local Plan states that new development must provide a high-quality residential environment which assists in delivering urban regeneration or creating sustainable communities and which overall enhances the built environment. A suitable residential environment includes safe and appropriate access, adequate amenity space and parking provision and be safe from pollution.

Policy EM7 of the Coventry Local Plan states major development proposals will require the submission of an air quality assessment, as they may lead to a significant deterioration in local air quality resulting in unacceptable effects on human health, local amenity or the natural environment.

The Air Quality SPD simplifies the consideration of air quality impacts associated with development schemes and focus on incorporation of mitigation at the design stage,

countering the cumulative impacts of aggregated developments, providing clarity to developers and defining 'sustainability' in air quality terms.

The Site is located within the Coventry citywide Air Quality Management Area which was designated for the potential exceedance of the annual mean nitrogen dioxide (NO<sub>2</sub>) air quality objective.

An Air Quality Assessment has been submitted with the application REPORT - Air Quality Assessment, dated 25th April 2023 - Report Ref:AQA-22498-22-371 Rev A.

In agreement with the full assessment the development will be expected to provide:

- A minimum of 1 x electric vehicle charging point shall be provided per dwelling prior to occupation and be maintained and available for use at all times thereafter (this is now a Building Regulation requirement)
- Gas boilers shall be ultra-low NO<sub>x</sub> emissions with a maximum dry NO<sub>x</sub> emissions rate of 40mg/kWh

This will be controlled by a suitably worded condition.

## **NOISE**

Policy H1 of the Coventry Local Plan states future housing will be designed to create new and stable communities.

Policy H3 of the Coventry Local Plan states that new development must provide a high-quality residential environment which assists in delivering urban regeneration or creating sustainable communities and which overall enhances the built environment. A suitable residential environment includes safe and appropriate access, adequate amenity space and parking provision and be safe from pollution.

The submitted Noise Assessment, Baseline Noise Assessment, dated 7th October 2022 - Report Ref: Fivefield Road, Keresley -1013390-AM-20220929-Baseline noise assessment-Rev 1 recommends that all gardens whose boundaries lie adjacent to Tamworth Road and Fivefield Road are required to have a 1.8m high fence installed. This would mean the majority of roadside frontage would be taken up with solid fencing.

As referred to under the tree section above. All the existing boundary trees and hedging is required to be retained, within public ownership, i.e. no back gardens backing onto it, with houses facing onto it.

The AMENDED DRAWING - Parameters Plan - Drawing No.PL005 shows edge roads with houses fronting and therefore facing the hedgerows.

## **CONTAMINATED LAND**

Policy EM6 of the Coventry Local Plan seeks to ensure that redevelopment of previously developed land does not have a negative impact on water quality, either directly through pollution of surface or ground water or indirectly through the treatment of wastewater by whatever means.

The application was supported by

- REPORT - Ground Investigation, dated March 2021 - Report Ref:1911J-02
- REPORT - Desk Study & Preliminary Risk Assessment, dated November 2020 - Report Ref:1911J-01
- REPORT - Ground Investigation - Gas Addendum, dated 8th February 2021 - Report Ref:1911J-03-LRO01.

Environmental Protection are content with the recommendations for gas protection measures in-line with Characteristic Situation 2 in the ground investigation report.

The report recommends further investigative works to determine the extent of contamination, therefore this element can be controlled by a suitably worded condition.

### **INFRASTRUCTURE REQUIREMENTS**

All the comments and objections submitted which raise concerns regarding the impact on services such as schools and doctors, the highways network, drainage and flooding and other infrastructure pressures are noted and can be answered as follows: -

Paragraph 55 of the NPPF states local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

This includes setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, and green and blue infrastructure).

Where planning conditions are considered the acceptable way to mitigate against any harm that may arise, they have been noted under the relevant sections, with the specific condition given.

However, there are other areas which cannot be mitigated against solely by the imposition of conditions. These are discussed in more detail below.

### **Developer Contributions**

Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as s106 agreements, are a mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site specific mitigation of the impact of development.

The legal tests for when you can use a s106 agreement are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 as amended.

The tests are:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and related in scale and kind to the development.

As well as the legal tests, the policy tests are contained in the National Planning Policy Framework (NPPF):

**Paragraph 55.** Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

**Paragraph 56.** Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

**Paragraph 57.** Planning obligations must only be sought where they meet all of the tests mentioned above.

Policy IM1 'Developer Contributions for Infrastructure' of the Coventry Local Plan states that development will be expected to provide or contribute towards provision of: a) Measures to directly mitigate its impact and make it acceptable in planning terms; and b) Physical, social and green infrastructure to support the needs associated with the development.

## **VIABILITY**

The Government's guidance on planning obligations states the following on viability assessments:

*"Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and the total cumulative cost of all relevant policies will not undermine deliverability of the plan."*

What this means in practice is that site-specific viability assessments and reporting can help to demonstrate a more accurate financial view of a project. By accounting for everything from build costs, infrastructure costs, and use values, to property marketing and sales, viability reporting can show how requested contributions and housing types impact on the ability of the project to move forward.

Viability assessments are used by developers to help demonstrate to the LPA that an existing affordable housing obligation is economically unviable.

The viability appraisal has been reviewed, scrutinised, and assessed by independent consultants instructed by the Council to get a second opinion on whether the appraisal was correct.

In summary, the scheme proposals are for 40no new build dwellings, constructed following the demolition of the existing cottage and associated outbuildings. The Applicant (Seven Homes) has assessed the proposals on three bases, as follows:



- 1) FVA of the scheme based on 25% (Policy Compliant) affordable housing and Policy Compliant Section 106 contributions (£1,531,349.70).
- 2) FVA of the scheme based on nil affordable housing and Policy Compliant Section 106 contributions (£1,531,349.70).
- 3) FVA of the scheme based on 25% (Policy Compliant) affordable housing and a reduced level of Section 106 contributions (i.e., £400,000).

The Applicant, based on the appraisal scenarios tested above, has proposed to deliver the scheme proposals on one of two bases (depending on CCC's preference) after finding that the scheme is unable to deliver both Policy Compliant (25%) affordable housing and the requested Section 106 contributions identified by CCC (in the order of £1,531,349.00), as follows:

- 1) To deliver 25% (Policy Compliant) affordable housing with a reduced level of Section 106 contributions of £400,000: or
- 2) To deliver nil affordable housing on site but provide the full Section 106 contributions in the order of £1,531,349.00, as requested by CCC.

CCC, viability consultants disagreed with the Benchmark Land Value (BLV) and the Abnormal costs and therefore the applicant's assertion that the site could only supply 25% policy complaint affordable housing and £400,000 towards S106 contributions.

After extensive negotiations, the applicant has increased the monies available for the S106 contributions from £400,000 to £793,142.35 with the full policy compliant 25% affordable housing. This is considered to be the maximum reasonable level of contributions which the site can support.

The following is what has been agreed to be provided by the S106.

#### AFFORDABLE HOUSING

The development at 40no. units is above the threshold of 25 units in policy H6 of the Coventry Local Plan. Therefore, 25% affordable housing would be required.

This will be secured by the signing of a S106 agreement.

#### ICB (Doctors)

The NHS Coventry and Warwickshire ICB estimates that the proposed development of up to 40no dwellings will generate 96no residents using the ratio of 2.4 residents per dwelling.

The entire Keresley SUE will deliver approximately 3,100no dwellings, generating an estimated population of approximately 7,440 people.

A review of the primary care and local health estate within a 3km radius of the Keresley SUE indicates there is potential for improvement works to be undertaken on existing current healthcare estate.

Therefore, in order to support the additional growth anticipated from the proposed housing development, a financial contribution of £32,435.00 is required.

This will be secured via S106.

### EDUCATION

Early Years	£51,049.00
Secondary	£218,642.00
Post-16	£56,847.00
<b>Total</b>	<b>£326,538.00</b>

### HIGHWAYS

<b>Contribution</b>	<b>Amount</b>
Cycle Superhighway: Long Lane to Holyhead Road Cycleway via Coundon Wedge Drive.	£ 40,533.10
Cycle Superhighway: Site to city centre cycleway via Radford Road.	£ 77,825.36
Travel Plan Monitoring	£ 6,800.00
5 Years of Mobility Credits inc Car Club.	£ 51,362.30
Frequency Increase for Bennetts Road Bus Service (16).	£ 82,327.00
DRT (Demand Responsive Transport).	£ 48,399.70
<b>Total</b>	<b>£307,247.46</b>

### PARKS

£47,109.89 is required to go towards the cost of providing a MUGA or Skate Park at Coundon Park which is the nearest council owned site to these developments

In summary, the following will be secured via S106 agreement.

- Affordable housing – 10no. units.
- Biodiversity offsetting
- ICB – £32,435.00
- Education - £326,538.00
- Highways - £307,247.46
- Parks - £47,109.89
- Sport - £79,812.00

A grand total of **£793,142.35**.

The items which are not being provided for are as follows:

### EDUCATION

- Primary - £289,280

### HIGHWAYS

- West Midlands Cycle Hire docking station on Tamworth Road - £ 53,955.00 – To be provided on site.
- Keresley Link Road - £309,215.46
- Travel Plan co-ordinator - £2,700.60
- Residential Travel Plans - £15,537.50
- Traffic Surveys for Progress towards Modal Shift Targets - £22,349.80
- Household Surveys - £1,260.00
- Traffic Monitoring Cameras at non-signalised junctions - £8,475.00

### SPORT

- Halls: 0.01 courts costing £19,824 – to go towards a northwest leisure facility to meet the demand created by new housing growth in this area of the city – £19,824.00.

As the site is for a maximum of 40 dwellings, it may come forward for fewer than that number. If that is the case then it may be appropriate to review the viability at that stage. A mechanism will be inserted into the agreement to allow that review to happen.

### EQUALITY IMPLICATIONS

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

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

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

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

## **CONCLUSION**

The Council cannot demonstrate a 5-year housing land supply, therefore the tilted balance is engaged, and permission must be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The application site is located within the Keresley Sustainable Urban Extension (SUE), an allocated housing site within the Coventry Local Plan, specifically H2:1.

The application seeks outline permission, the principle of development, with only the access being approved.

The principle of development is therefore accepted.

The entire SUE has been robustly modelling with regards to traffic impacts together with the proposed accesses. Highways England, Coventry City Council (CCC) Highways as Local Highway Authority (LHA) raise no objections to the proposals subject to conditions and monies towards sustainable transport initiatives.

The principle of an access from Tamworth Road in the location as shown on drawing AMENDED DRAWING - Proposed Site Access Off Tamworth Road General Arrangement - Drawing No.AAC5671-RPS-xx-xx-DR-C-601 S4 P03 is acceptable.

The way in which national and local policy is written it allows justification, via viability appraisals, to be given as to why the full suite of S106 monetary contributions can't be provided and for that to be taken into consideration. As explained there has been strong scrutiny of the appraisal.

It has been proven by justifications given via the appraisal that have been fairly assessed that the site cannot provide the full quantum of S106 contributions and fully policy compliant affordable housing without further reducing the profit margin of the scheme below a normal target developer return and therefore would render the site unviable.

Significant weight should be given to these findings when forming the overall balanced judgement.

The obvious benefits of the scheme are in bringing forward much needed housing on an allocated housing site, when Council cannot demonstrate a 5-year housing land supply as required by national policy. Allied to that, the proposal would deliver a policy-complaint level of affordable housing in the area.

Economic benefits would arise during the construction phase and in association with the occupation of the dwellings. The proposal would also include biodiversity gains.

All this would take place on a site identified as accessible and sustainable (with identified sustainable travel measures), with an increasingly residential character to its context, due to the wider housing allocation surrounding, limited landscape effects and no other constraints on its delivery.

Set against those benefits, there are adverse impacts, in the form of non-policy complaint S106 contributions, however, officers are satisfied that the S106 contributions sought are acceptable and will suitably mitigate the scheme without putting too much pressure on any statutory services.

Taking all of the above together, it is considered that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of doing so when assessed against the policies in the NPPF taken as whole. As a result, the proposal benefits from the presumption in favour of sustainable development and planning permission is recommended to be granted.

#### CONDITIONS / REASON FOR REFUSAL

1.	Approval of the details of the appearance, layout, scale, access in relation to the means of access within the site to the buildings and landscaping (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced and the development shall be carried out in full accordance with those reserved matters as approved
<b>Reason</b>	<i>To conform with Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015</i>
2.	Application for approval of the reserved matters listed at condition 1 shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
<b>Reason</b>	<i>To conform with Section 92 of the Town and Country Planning Act 1990 (as amended)</i>
3.	The development hereby permitted shall begin within 3 years of the date of this permission or within 2 years of the final approval of the reserved matters, whichever is the later.
<b>Reason</b>	<i>To conform with Section 92 of the Town and Country Planning Act 1990 (as amended)</i>
4.	<p>The reserved matters shall have full regard to the Sustainable Urban Extension Design Guidance SPD and include the following specific requirements:</p> <ul style="list-style-type: none"> <li>• Provision of at least 0.2ha of publicly accessible informal open space as defined by the Open Space SPD.</li> <li>• Provision for a cycle hire docking station including hard-standing, power supply and docking station.</li> <li>• Provision of communal EV charging points</li> </ul>

	<ul style="list-style-type: none"> <li>• Provision of car club parking and information boards/displays</li> </ul>
<b>Reason</b>	<i>In the interests of visual amenity and highway safety in accordance with Policies AC1, AC2 and DE1 of the Coventry Local Plan 2016.</i>
<b>5.</b>	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <ul style="list-style-type: none"> <li>• DRAWING - Location Plan - Drawing No.PL001</li> <li>• AMENDED DRAWING - Proposed Site Access Off Tamworth Road General Arrangement - Drawing No.AAC5671-RPS-xx-xx-DR-C-601 S4 P03</li> <li>• AMENDED DRAWING - Parameters Plan - Drawing No.PL005.</li> </ul>
<b>Reason</b>	<i>For the avoidance of doubt and in the interests of proper planning.</i>
<b>6.</b>	<p>The submission of reserved matters applications relating to any residential phase of development pursuant to this outline permission shall include a schedule of the mix of dwellings proposed demonstrating how the proposed mix relates to the overall mix of dwellings within the wider site approved under the outline permission. The mix shall take full account the latest evidence of housing needs (whether contained in a housing needs assessment or otherwise) and local market demand.</p>
<b>Reason</b>	<i>To ensure the provision of an appropriate mix of housing on the site, in accordance with Policy H4 of the Coventry Local Plan 2016.</i>
<b>7.</b>	<p>The following shall be submitted to the Local Planning Authority together with reserved matters applications:</p> <p>A noise assessment which includes results for LAeq, LA10, and LA90 noise descriptors, together with a calculated arithmetical average for the LAeq. The assessment will demonstrate by calculation that internal noise levels for the proposed residential property meet the 'Good' criteria set out in British Standard 8233 'Sound Insulation and Noise Reduction for Buildings' together with any mitigation measures that are required to achieve this. The report shall also demonstrate that outdoor garden and leisure areas associated with this development meet the 55dB limit as required by the World Health Organisation (WHO).</p>
<b>Reason</b>	<i>To protect the amenities of future occupiers from road traffic noise and general disturbance in accordance with Policy H3 of the Coventry Local Plan 2016.</i>

<p>8.</p>	<p>The following shall be submitted to the Local Planning Authority together with reserved matters applications:</p> <ol style="list-style-type: none"> <li>1. Tree Survey - a detailed scaled plan (to a scale and level of accuracy appropriate to the proposal) showing the position of every tree on the site, and every tree on land adjacent to the site (including street trees) that is likely to have an effect upon or be affected by the proposal (e.g. by shade, crown overhang from the boundary, intrusion of the Root Protection Area etc) with a stem diameter over the bark measured at 1.5 metres above ground level of at least 75 millimetres;</li> <li>2. a schedule of the trees surveyed as specified in chapter 4.1-4.5 of BS 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations;</li> <li>3. Tree Constraints Plan (5.1-5.3);</li> <li>4. Arboricultural Impact Assessment (5.4) to assess the direct and indirect implications of trees upon the proposal and visa-versa, including locations for under-ground/ over-ground services, level changes within RPA's etc.;</li> <li>5. Arboricultural Method Statement (6.1); and</li> <li>6. Dimensioned Tree Protection Plan (to include protection measures during and after construction and any construction exclusion zones) (in accordance with 5.5/ Table B.1), site monitoring (6.3) of British Standard BS5837:2012 - Trees in relation to design demolition and construction - Recommendations, which shall also include any proposal for pruning or other preventative works.</li> </ol> <p>The approved mitigation and / or protection measures shall be put into place prior to the commencement of any works and shall remain in place during all construction work.</p>
<p><b>Reason</b></p>	<p><i>To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy GE3 and GE4 of the Coventry Local Plan 2016.</i></p>
<p>9.</p>	<p>The existing tree(s) and hedge(s) indicated on the approved plan AMENDED DRAWING - Parameters Plan - Drawing No.PL005 to be retained shall not be cut down, grubbed out or otherwise removed or topped or lopped so that the height of the hedge(s) falls below 2m at any point. Any tree(s) and/or hedge(s) removed without consent or dying, or being severely damaged or diseased or becomes; in the opinion of the Local Planning Authority; seriously damaged or defective, shall be replaced within the next planting season with hedging, tree(s) and/or shrub(s) of such size and species details of which must be submitted to and approved by the Local Planning Authority.</p>

	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 (excluding hard surfaces).
<b>Reason</b>	<i>To protect those landscape features which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policies GE3, GE4 and HE2 of the Coventry Local Plan 2016.</i>
<b>10.</b>	<p>The following shall be submitted to the Local Planning Authority together with reserved matters applications:</p> <p>Details of, on-plot hard and soft landscaping works which shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the type of bricks and colour of the railings and gates; footpaths; and hard surfacing (which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area). The hard landscaping works shall be completed in strict accordance with the approved details within three months of the first occupation of the dwellinghouse it serves hereby permitted; and all planting shall be carried out in accordance with the approved details within the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes; in the opinion of the Local Planning Authority; seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species. 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.</p>
<b>Reason</b>	<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>
<b>11.</b>	<p>The following shall be submitted to the Local Planning Authority together with reserved matters applications:</p> <p>Details of, off plot hard and soft landscaping works which shall include any means of enclosure, including full details of the proposed estate walls, railings and gates to be erected, specifying the type of bricks and colour of the railings and gates; footpaths; and hard surfacing (which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area). The hard landscaping works shall be completed in strict accordance with the approved details by 75% occupation of the of the dwellinghouses granted reserved matters consent; and all planting shall be carried out in accordance with the approved details</p>



	<p>within the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes; in the opinion of the Local Planning Authority; seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species. 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.</p>
<b>Reason</b>	<p><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></p>
<b>12.</b>	<p>Notwithstanding any approved details, no development or construction of the proposed vehicular access with Tamworth shall commence unless and until full engineering and constructional details of the proposed vehicular access via Tamworth as shown on AMENDED DRAWING - Proposed Site Access Off Tamworth Road General Arrangement - Drawing No.AAC5671-RPS-xx-xx-DR-C-601 S4 P03, have been submitted to and approved in writing by the local planning authority and no part of the development shall be occupied or otherwise brought into use until the approved works have been completed to the written satisfaction of the local planning authority and opened to traffic. The approved works shall be retained thereafter and shall not be removed or altered in any way.</p>
<b>Reason</b>	<p><i>In the interests of highway safety in accordance with Policies AC1 and AC2 of the Coventry Local Plan 2016.</i></p>
<b>13.</b>	<p>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)</p>
<b>Reason</b>	<p><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></p>

<b>Reason</b>	<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>
<b>14.</b>	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.
<b>Reason</b>	<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>
<b>15.</b>	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.
<b>Reason</b>	<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>
<b>16.</b>	Prior to occupation of the development hereby permitted and following completion of the measures identified within the remediation scheme approved under condition No.14 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
<b>Reason</b>	<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>
<b>17.</b>	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 No.13 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition No.14 and No.15, 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 No.16.
<b>Reason</b>	<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>
<b>Reason</b>	<i>To protect the amenity of the occupiers of neighbouring residential occupiers in accordance with Policy EM7 of the Coventry Local Plan 2016.</i>
<b>18.</b>	Any gas boilers installed on site shall have a dry NOx emission rate of no more than 40mg/kWh.
<b>Reason</b>	<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>
<b>19.</b>	Prior to the first occupation of the development hereby permitted details of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall be fully installed in strict 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.
<b>Reason</b>	<i>To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016 and the advice contained within the NPPF.</i>
<b>20.</b>	No development (including any demolition or preparatory works) shall commence unless and until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following: (a) a risk assessment of potentially damaging construction activities;(b) identification of biodiversity protection zones (e.g. buffers to trees and hedges or to protected wildlife habitat); (c) practical measures (both physical measures and sensitive working practices, such as protective fencing, exclusion barriers and warning signs) to avoid or reduce impacts during construction (particularly in relation to works within canopy and root protection areas for hedgerows or protected trees); (d) the location and timing of sensitive works to avoid harm to biodiversity features (in relation to breeding birds in particular); (e) the times during construction when specialist ecologists need to be present on site to oversee works (as required); (f) responsible persons and lines of communication; and (g) the role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person (as necessary). The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

<b>Reason</b>	<i>In order to safeguard protected and/or priority species from undue disturbance and impacts, noting that initial preparatory works could have unacceptable impacts; and in order to secure an overall biodiversity gain in accordance with Policy GE3 of the Coventry Local Plan 2016.</i>
21.	Prior to the first occupation of the development hereby permitted a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following: a) Description and evaluation of features to be managed; b) Ecological trends and constraints on site that might influence management; c) Aims and objectives of management, including mitigation and enhancement for species identified on site; d) Appropriate management option for achieving aims and objectives; e) Prescriptions for management actions; f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period); g) Details of the body or organisation responsible for implementation of the plan, along with funding mechanism(s) for that body or organisation; h) Ongoing monitoring and remedial measures, including where monitoring shows that conservation aims and objectives of the LEMP are not being met. The LEMP plan shall be implemented in strict accordance with the approved details within three months of the first occupation of the development and thereafter shall not be withdrawn or amended in any way.
<b>Reason</b>	<i>In order to safeguard and enhance habitat on or adjacent to the site in order to secure an overall biodiversity gain in accordance with Policy GE3 of the Coventry Local Plan 2016.</i>
22.	Prior to the installation of any street lighting or any external lighting to be fixed to any building(s), an external lighting strategy (including a plan) shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate that lighting shall be kept to a minimum at night in order to minimise impact on emerging and foraging bats, and to restrict light spillage onto foraging corridors. The lighting shall be installed in full accordance with the approved strategy and all lighting thereafter shall be subsequently maintained in strict accordance with the approved details.
<b>Reason</b>	<i>To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016 and the advice contained within the NPPF.</i>
23.	No development (including any demolition or preparatory works) shall commence unless and until a scheme for the retention of the bat roost(s) and the retention of the existing entry/emergence routes, or the provision of alternative roost space and new entry/emergence routes, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for the implementation of the development which avoids any building or other operations likely to affect the

	bat roost being undertaken whilst also ensuring that at no time provision for roosting bats is lost from the site. The development shall only be carried out in strict accordance with the approved scheme.
<b>Reason</b>	<i>To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016 and the advice contained within the NPPF.</i>
<b>24.</b>	No part of the residential accommodation hereby permitted shall be occupied unless and until the external amenity space has been laid out and provided in full accordance with the details shown on the approved plans and thereafter shall remain available for use at all times.
<b>Reason</b>	<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>
<b>25.</b>	Prior to the first occupation of the development hereby permitted, details of bin storage areas shall be submitted to and approved in writing by the Local Planning Authority. The bin storage areas shall be provided in full accordance with the approved details prior to first occupation of the development 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 approved bin storage area and not positioned on the public highway or in the open, unless on bin collection days.
<b>Reason</b>	<i>In the interests of the amenities of future occupants of the residential accommodation and neighbouring occupiers in accordance with Policy DE1 of the Coventry Local Plan 2016.</i>
<b>26.</b>	<p>Notwithstanding, REPORT - Flood Risk Assessment, dated 31st May 2023 - Report Ref:HLEF84243, the following shall be submitted to the Local Planning Authority together with each reserved matters applications the provision of a Sustainable urban Drainage System (SuDS) in accordance with the latest available design guidance. The submission shall include all relevant details and calculations to enable a full evaluation to be undertaken, and clear and accountable consideration shall be given to the following features:</p> <ul style="list-style-type: none"> <li>• Open Air storage or attenuation in the form of a wet pond, dry basin, swale or other similar surface feature, aimed at managing water quantity, quality and introducing biodiversity at the ground surface.</li> <li>• General below ground attenuation, aimed solely at managing the quantity of water on site (Note: preference should be given to localised cellular storage unless there is no possible mechanism for doing so)</li> </ul>

- Water quality control mediums such as permeable paving, filter drains, rain gardens, ponds or swales aimed at improving the quality of water passing through the system either above or below ground.
- The use of water harvesting and grey water reuse at individual plot level within the development. This consideration should include both the deployment of water butts, and dedicated tank-based storage where appropriate and any reasons for NOT using should be clearly stated. All in accordance with Coventry City Council's Supplementary Planning Document "Delivering a more Sustainable City".
- The storm water discharge rates from the development shall be managed in order to reduce flood risk to surrounding sites, downstream areas or the wider environment by means of a flow control mechanism (or mechanisms) limiting the total site discharge offsite to  $Q_{bar}$  greenfield runoff minus 20% or 5 l/s whichever is greater. The discharge rates for brownfield sites shall be considered as greenfield in accordance with the CCC SFRA.
- A detailed strategy document must be submitted to, and approved in writing by, the LPA for the long-term inspection and maintenance of the SuDS and other surface water drainage elements on site. It should also mention any notable Health and Safety or specialist training, and special equipment required as part of the routine maintenance.
- An appropriately scaled intrusive ground investigation report must be provided to establish the depth and type of strata, including percolation results in accordance with BRE 365 and identifying the presence and risk associated with migrant or soluble contaminants. Please provide evidence of existing groundwater levels and seasonal variation, in order to inform the drainage design.
- Prior to the commencement of any works on site, provisions must be made for the drainage of the site to ensure there are no temporary increases in flood risk, on or off site, during the construction phase. This should be covered under environmental risks in the Site Specific CEMP.
- Evidence must be provided to confirm that receiving water bodies or sewers are capable of accepting the attenuated flows specified by the Lead Local Flood Authority (LLFA) or Local Planning Authority (LPA) and that this will not exacerbate the flood risk on or off site. This will include capacity calculations and outcomes, not just the correspondence from Severn Trent Water Ltd in isolation, accepting the point discharges.
- Evidence of existing sub catchments within the site may be needed to support the connectivity survey and confirm the acceptability of proposed point discharges to the watercourses and infrastructure sewers. This must be submitted to, and agreed by, the LPA and LLFA.
- Evidence must be provided to show the management of overland flow routes in the event of exceedance or blockage of the drainage system. Details should include demonstration of how the buildings will be protected in such an event.

	<ul style="list-style-type: none"> <li>• Single outfall points will be discouraged on larger sites, as outfall points should be located to best mimic the natural discharge condition.</li> <li>• Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway.</li> <li>• 300mm above the 1 in 100 year pluvial flood levels, and above the 1 in 1000 year fluvial flood levels.</li> <li>• Evidence of the 1 in 100 year plus climate change events will be held within the site boundaries, by the designed drainage system and surface profile.</li> <li>• No ordinary watercourse shall be culverted unless there is an overriding need to do so and justified in line with the Environment Agency's current policy. If possible, any existing surface water culverts should be opened and restored to a natural channel.</li> <li>• Where watercourses are culverted as part of the development, adequate provision for maintenance and survey access must be provided.</li> <li>• Where new or redevelopment site levels result in the severance, diversion or reception of natural (or engineered) land drainage flow, the developer shall maintain existing flow routes (where there are no flood risk or safety implications) or intercept these flows and discharge these by a method approved by the Local Planning Authority.</li> <li>• All opportunities to reduce flood risk in the surrounding area must be taken, including creating additional flood storage. In this instance reference should be made to the Councils IDP or Regulation 123 list.</li> <li>• Foul drainage plans.</li> </ul> <p>The drainage details shall be installed in full accordance with the approved documentation prior to occupation of the development and thereafter shall be maintained and shall not be removed or altered in any way.</p>
<b>Reason</b>	<p><i>To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with policies EM1, EM4 and EM5 of the Coventry Local Plan 2016 and Coventry City Councils adopted Supplementary Planning Document for Delivering a More Sustainable City.</i></p>
<b>27.</b>	<p>Prior to their incorporation into the development hereby permitted, details of a scheme which sets out where and how 'Secured by Design' standards will be incorporated into the development, shall be submitted to and approved in writing by the Local Planning Authority. These measures should be installed in full accordance with the approved details prior to first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.</p>
<b>Reason</b>	<p><i>To ensure Secured by Design standards are met, in the interests of safety and security and the health and wellbeing of future occupiers of the development in accordance with Policies DS3, H3 and DE1 of the Coventry</i></p>

	<i>Local Plan 2016.</i>
<b>28.</b>	Prior to their incorporation into the development hereby permitted, sample details of all facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. These details shall be installed only in full accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.
<b>Reason</b>	<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>
<b>29.</b>	None of the dwellings hereby permitted shall be occupied unless and until the car parking provision 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.
<b>Reason</b>	<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>
<b>30.</b>	Prior to occupation of the dwellings hereby permitted, details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided in full accordance with the approved details prior to first occupation of the relevant dwelling and thereafter those facilities shall remain available for use at all times and shall not be removed or altered in any way.
<b>Reason</b>	<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>
<b>31.</b>	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 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



	<p>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>
<b>Reason</b>	<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>
<b>32.</b>	<p>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.</p>
<b>Reason</b>	<p><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></p>