

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	OUT/2022/0552
<b>Site:</b>	Woodfield Primary School, Stoneleigh Road
<b>Ward:</b>	Wainbody
<b>Proposal:</b>	Outline planning application with all matters reserved except for access for the demolition of all school buildings and construction of up to 24 residential dwellings, together with associated landscaping and infrastructure works
<b>Case Officer:</b>	Daniel Taylor

## SUMMARY

The application seeks outline planning permission for redevelopment of this site for housing for up to 24 dwellings. This an allocated site in the Local Plan for up to 30 dwellings and is in the Kenilworth Road Conservation Area. The application seeks access in detail with all other matters reserved for future approval. However, an indicative layout is provided to demonstrate that 24 dwellings can be accommodated satisfactorily on site.

## BACKGROUND

The application is linked to the proposal to redevelop the former Woodlands School site on Broad Lane as a new flagship school to meet the growing demand for places for children with special educational needs and disabilities (SEND). A full planning application and Listed Building Consent has been submitted to the Council for these works. The Woodlands SEND School will combine the facilities of the Woodfield Primary School located on Stoneleigh Road, and Woodfield Secondary School located on Hawthorn Lane. These sites will be surplus to requirements as part of the proposals and outline planning applications have been submitted for both sites for residential development. The former Woodlands School site allows for the additional capacity required within the special school system that the current Woodfield primary and secondary school sites cannot provide and ensures benefits in terms of shared working practices, provision of more efficient and improved facilities and reduced revenue pressure from a site no longer being split over two school sites. The capital land receipts from the two Woodfield School sites will be used to fund the Woodlands SEND School.

The total application submitted for approval are as follows:

1. FUL/2022/0561 – Woodlands SEND School development
2. LB/2022/0544 – Woodlands SEND School development Listed Building Consent
3. OUT/2022/0552 – Woodfield Primary School Outline residential development
4. OUT/2022/0548 – Woodfield Secondary School Outline residential development

## KEY FACTS

<b>Reason for report to committee:</b>	<p>There are more than five unresolved public representations which are material planning comments and which take a contrary view to that of the planning officers.</p> <p>Additionally, representations have been received from statutory consultees raising objections and it is</p>
--	--

	considered prudent to present these matters to Planning Committee before referring the application to the Secretary of State.
<b>Current use of site:</b>	School buildings and grounds / playing fields
<b>Proposed use of site:</b>	Residential development
<b>Proposed no of units</b>	Up to 24

## **RECOMMENDATION**

Planning Committee are recommended to delegate the grant of planning permission to the Strategic Lead for Planning subject to the Secretary of State not wishing to intervene and subject to conditions and the completion of a s106 Legal Agreement to secure the contributions summarised in this report.

## **REASON FOR DECISION**

- The proposal is acceptable in principle as it is an allocated housing site in the Local Plan.
- The proposal will not adversely impact upon the Kenilworth Road conservation area, the adjacent ancient woodland or highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal makes provision for necessary developer contributions.
- The proposal accords with Policies: H2, GE2, CO2, DE1, H4, AC1 and AC3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## **SITE DESCRIPTION**

The site, which is roughly rectangular in shape, measures 3 hectares in area and is located in a backland site to the rear of houses which face Stoneleigh Road. The site is served by a single access taken from Stoneleigh Road to the southwest of the Site. The southern edge of the site is bordered by a number of residential dwellings. The eastern edge of the site is enclosed by a passenger railway line which facilitates services between Leamington Spa and Nuneaton, beyond which lies an agricultural field. The Leighton Close Cul-de-sac and adjoining dwellings are situated to the west of the site, The Spinney Cul-de-sac and adjoining dwellings to the north-west of the site, and to the north lies an area of Ancient Woodland known as 'Wainbody Wood', which is recognised as a Local Wildlife Site, Local Nature Reserve and is Safeguarded Land in the Green Belt.

The Woodfield Primary School remains in use as a specialist educational facility providing for key stages 1 and 2. The site contains the main school building and an additional pair of smaller buildings also used for educational purposes together with associated hard landscaping and green space.

The site is located within the Kenilworth Road conservation area.

## **APPLICATION PROPOSAL**

The application is in Outline seeking approval of access only at this stage and with all other matters reserved. The dwellings are to be served from the existing site access from Stoneleigh Road which will be extended through the site. Pedestrian footways will separate the dwellings from the highway and there will be an extended walkway to provide pedestrian access from the site into the nearby Local Wildlife Site.

## **PLANNING HISTORY**

There have been a number of historic planning applications on this site; the following are the most recent/relevant:

<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
2019/2904	Request for a screening opinion in connection to the proposed residential development of up to 24 dwellings at the Woodfield Primary School on Stoneleigh Road	Opinion sent 12/03/2020
2004/0883	Retention of temporary classroom and alteration to paths.	Approved 01/03/2006
1991/0380	Single storey extension to provide resource and communication skills centre	Approved 09/05/1991
1963/1392	Erection of special school, together with caretaker's bungalow and electricity sub-station	Approved 19/06/1963

## **POLICY**

## **National Policy Guidance**

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

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

## **Local Policy Guidance**

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

Policy DS1: Overall Development Needs

Policy DS3: Sustainable Development Policy

Policy DS4: (Part A) – General 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 AC5: Bus and Rapid Transit

Policy EM1: Planning for Climate Change Adaptation

Policy EM2: Building Standards

Policy EM3 Renewable Energy Generation

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):**

SPG Design Guidelines for New Residential Development

SPD Delivering a More Sustainable City

SPD Coventry Connected

SPG Extending your home – a design guide

## **CONSULTATION**

### **Statutory**

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

- Lead Local Flood Authority.
- Highways. Condition requiring full engineering drawings of proposed access

Objections have been received from:

- Sport England

### **Non-statutory**

No Objections received from:

- Urban Design

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

- Conservation
- Ecology
- Economic Development
- Education
- Environmental Protection but request additional information regarding noise from railway and plant
- Green Spaces who require a LEAP on site and an off-site contribution.
- Urban Design
- West Midlands Fire Service – advice on Approved Document B (Building Regs)
- West Midlands Police – advice on Secured by Design

### **Neighbour consultation**

Two rounds of public consultation were carried out following amendments made to the layout of the proposed houses. Notification letters were sent to immediate neighbours on 21/04/2022 and on 30/06/2022. A site notice was put up outside the site on 04/05/2022. A press notice was displayed in the Coventry Telegraph.

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

- a) Too many houses in a small area, backing onto many existing houses creating a large amount of noise, disruption and pollution.
- b) Increase traffic on Stoneleigh Road, which is already at capacity, is very busy with queues often at peak times and where traffic travels very fast.
- c) Highway safety with increased number of vehicles pulling out onto Stoneleigh Road, where it is already difficult for existing residents getting in and out of their drives, and therefore won't be easy for the occupiers of the proposed development.
- d) There are already a lot of new houses to be built around Kings Hill Lane, which will increase traffic along Stoneleigh Road.
- e) Considerable disruption during the construction phase including noise and pollution with safety concerns of construction vehicles turning / reversing into the site.
- f) The area is already experiencing disruption because of the development of HS2.
- g) Large lorries travel along Stoneleigh Road constantly.
- h) Who will maintain the existing laurel bush and leylandii next to the entrance and privet hedges between the existing properties and the school.

- i) Impact on existing residential properties from new street lighting in the development.
- j) Loss of privacy from the proposed housing backing directly onto existing houses and from loss of trees on site.
- k) Concern whether ample off-road parking will be provided.
- l) The proposed properties will not reflect the context of large houses that make up the conservation area. The size of the proposed houses and plots and the positioning and layout of some of the proposed dwellings would be out of keeping with the character of the conservation area.
- m) S106 money to be used to improve existing neighbouring properties and the area's infrastructure such as providing mains sewage and rainwater.
- n) The Council is unfairly considering its own application by taking into account its ownership of the land and how any capital receipts are spent.
- o) The proposed layout is designed to maximise the capital receipt needed rather than to preserve the character and appearance of the conservation area.
- p) The local plan states the proposed homes are linked to the NUCKLE rail project; however, members are not being asked to take this into account for this application.
- q) Increase vehicle movements down the side of existing houses as a result of more cars using the access into the site all day rather than just during school time causing noise and air pollution. An acoustic fence should be erected along the side of existing properties.
- r) TPO trees in existing neighbour gardens could potentially be damaged during construction.
- s) Damage to drainage and sewers of existing properties that back onto the site.

Any further comments received will be reported within late representations.

## **APPRAISAL**

The main issues in determining this application are principle of development, the impact upon the character of the area and the Conservation Area, the impact upon neighbouring amenity, highway considerations, loss of sports pitches, flood risk, noise, contaminated land, air quality, ecology / ancient woodland and infrastructure.

### **Principle of development**

Policy H2 identifies the sites to be allocated for housing development alongside essential details that will support the principles of sustainable development. Local Plan Policy H2:21 identifies this site for housing on a mix of previously developed and greenfield land for up to 30 dwellings. The Local Plan indicates that the intention is to link the new homes with the railway station to be delivered as part of the wider NUCKLE project. The Inspector's report on the Local Plan does indicate that this site cannot come forward ahead of the wider NUCKLE project. As this is an allocated housing site the principle of residential development for up to 24 dwellings is therefore considered acceptable.

Policy GE2 states that development involving the loss of green space that is of value for amenity, recreational, outdoor sports and/or community use will not be permitted unless specifically identified as part of a strategic land use allocation, or it can be demonstrated that:

- a) An assessment showing there is no longer a demand, or prospect of demand, for the recreational use of the site or any other green space use;
- b) A deficiency would not be created through its loss, measured against the most up-to-date Coventry Green Space standards; or

- c) The loss resulting from any proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location of the city.

In simple terms, as this site is allocated for housing in the Local Plan, the loss of the Green Space complies with Policy GE2. The Local Plan makes provision for new replacement pitches at Land at Charter Avenue (former Alderman Harris School site) and at land east of Coundon Wedge Road. This provision was to compensate for the loss of pitches at Mitchell Avenue. The Local Plan does not make provision for the loss of the pitches at Stoneleigh Road but it should be noted that there were no objections from Sport England in respect of this site during consideration of the Local Plan. Whilst Sport England are now raising objections it is considered that this is an allocated housing site where any objections in respect of the loss of pitches should have been made by Sport England during the Examination in Public of the Local Plan. Any replacement facilities could have then been considered by the Planning Inspector in considering the allocation of this site for housing.

Policy CO2 states that the re-use or redevelopment of facilities will not be acceptable where there is an outstanding local need which could reasonably be met at that location, the site remains viable for existing uses or the proposal is not compatible with nearby uses. Where replacement facilities are intended, they should continue to serve the community, be of an appropriate scale and character and be of high-quality design. As this is an allocated site for housing the redevelopment of the site is considered acceptable.

### **Impact on visual amenity**

Policy DE1 of the 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 127 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 130) “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also 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).”

Policy H4 of the 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.

Whilst the proposal has been submitted in outline form, with all matters reserved except for access, a parameters plan has been submitted which would be conditioned in order to give some form and certainty as to how the site would be developed. An indicative masterplan has also been submitted to demonstrate how this may work in a layout, although that would not be an approved document. The purpose of the illustrative layout is simply to demonstrate that the number of dwellings may be provided on the site.

The parameters plan splits the site into logical development areas or parcels, largely set around a central open space with a retained pond and mature vegetation. Development would back onto existing housing on Leighton Close as well as onto the railway line to the south east. An additional substation would be required on site, which would likely be located in the western corner of the site.

Aside from the central open space, a footpath link would be created to the woodland to the north east and a buffer provided to this habitat. Following negotiations, the width of the footpath link has been widened to make it safer and more pleasant.

Overall, it is considered that the submitted material demonstrates that the site can be developed in a satisfactory manner, resulting in a high-quality residential environment. Given the character of the surrounding area, the density of the development would be significantly lower than average modern developments, with a predominance of larger aspirational homes. This will contribute to a mix within the City, as not many other sites are as suitable for such properties. Therefore, it is considered that the proposal would accord with the thrust of Policy H4 whilst retaining the character of the area.

### **Impact on residential amenity**

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

Paragraph 130 of the NPPF seeks to protect the amenities of all existing and future occupants of land and buildings. Policy H5 requires new development to be designed and positioned so it does not adversely affect the amenities of the occupiers of neighbouring properties.

The proposal would not harm the amenity of existing residential properties with the proposed houses being two-storey houses set to the rear the existing houses along Stoneleigh Road and Leighton Close. The majority of the proposed houses would have their rear gardens backing onto the rear gardens of existing properties and by virtue of the generous depth to both sets of gardens sufficient space would be created between properties. Supplementary Planning Guidance sets out minimum distances between residential dwellings and seeks a minimum of 12 metres from a flank elevation to a habitable room window and 20 metres between habitable room windows. Furthermore, the guidance also recommends minimum garden depths of 10 metres. Whilst the layout is only indicative at this stage and siting/layout and design is reserved for future consideration, it clearly demonstrates that satisfactory relationships will be achieved between existing and proposed dwellings. In addition, due to the angle of the existing and proposed houses, there would be unlikely to be any directly facing windows. The surrounding area is residential and therefore the proposed use would be compatible with its context.

As a result of the above, the proposal will not have an adverse impact on the amenity levels of the existing adjacent properties through increased visual intrusion, loss of light or loss of privacy. It is considered that the proposal will accord with Residential Design Guide SPG in terms of distances and impact on directly facing windows and will be in accordance with Policy H5 and H11 of the Coventry Local Plan, and the paragraphs contained within the NPPF.

### **Heritage character of the area and Heritage Assets**

Local Plan Policy HE2 reflects NPPF policy and states that development proposals involving heritage assets in general and listed buildings in particular, should acknowledge the significance of the existing building and the area by means of their siting, massing, form, scale, materials and detail.

Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 places a duty on a local planning authority, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses. A number of recent court cases have considered the importance of the impact on heritage assets and how the matter should be dealt with as part of the decision-making process. Importantly, the Court of Appeal has held that in enacting section 66(1), Parliament intended that the desirability of preserving the settings of listed buildings should not simply be given careful consideration but “considerable importance and weight” when carrying out the balancing exercise. This gives rise to a strong statutory presumption against granting planning permission for development which would cause harm to the settings of listed buildings. Even where the harm would be “less than substantial” in NPPF terms the balancing exercise cannot ignore the overarching statutory duty imposed by section 66(1).

Paragraphs 199-200 of the NPPF state “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to,

or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”.

Stoneleigh Road forms part of the Kenilworth Road Conservation Area (designated 1967). The area is characterised by the long spinney that runs along Kenilworth Road and the nearby sections of woodland that bleed into the wide grass verges, resulting in streets lined with various shrubs and mature trees. From the late 1930s, Stoneleigh Road was built out, and by the 1960s, the road was sparsely populated with houses reaching past the railway bridge to the edge that we see today. However, there has been significant infill in recent years, and the properties have gradually increased in size, reducing the green edges.

Within the plots are a large range of housing types. This is a more affluent area; there are a series of arts and crafts style houses and some modernist architect-designed homes along with several polite modern dwellings, all generally aesthetically pleasing from the roadside.

The site is located within the Kenilworth Road Conservation Area, and there are no other heritage assets within the setting of the school that would be affected by the proposed development.

The proposed dwellings are generously proportioned and are located within large gardens, as such the Council would consider that they are in keeping with the spatial qualities and plot sizes of the existing dwellings along the Stoneleigh Road, within Kenilworth Road Conservation Area. The proposed residential extension, although possessing a different layout from the more typical linear arrangement of dwellings long the Stoneleigh Road, does have some precedent, with buildings to the west of the site also in a cul-de-sac arrangement.

That being the case the Council does not consider that the proposed dwellings are untypical of Stoneleigh Road and do not result in harm to the character of the conservation area.

The design of the dwellings should have aesthetic merit however, located as they are proposed in one of the more affluent areas within Coventry, and within Coventry's Kenilworth Road Conservation Area. It would not be unreasonable to expect that quality of the housing responds to the character of the conservation area, with a design that was fitting. As such, the Council would expect to see at reserve matters stage some architectural innovation in style and design that elevate the quality of the proposals from standard to high.

In conclusion, the proposal has a neutral impact upon the Kenilworth Road conservation area.

### **Affordable Housing**

As the site is over 1 hectare in area, Policy H6 requires 25% affordable housing to be provided. Policy H6 also confirms that proposals within areas of existing high

concentration should make provision for 10% social/affordable rental provision and 15% intermediate provision.

The proposed development seeks outline planning permission for up to 24 dwellings and will provided affordable housing in accordance with Policy H6. It is considered appropriate to require 6 affordable dwellings (i.e. 25% provision) to be provided on the linked Woodfield Secondary School Site on Hawthorn Lane Site, in lieu of those which would normally have to be provided at the Stoneleigh Road site, in the event that Members grant planning permission reference OUT/2022/0548. The reason for this is that the properties which would be erected at Stoneleigh Road would be extremely unlikely to be of interest to Registered Social Landlords due to their cost, and rather than take a commuted sum it is considered better to secure alternative provision at a specified site. Due to the location and likely large size of properties at Stoneleigh Road, it is recommended that the 6 additional dwellings to be provided at Hawthorn Lane should all have at least 4 bedrooms with four of the dwellings being allocated for social rent and two intermediate tenure.

### **Highway considerations**

Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city. c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form. d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

Policy AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene. Proposals for the provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

Parking provision should accord with the maximum standard expressed in Appendix 5 unless it has been clearly demonstrated that the site is in a highly accessible location where transport, by means other than the private car is a realistic alternative. In that respect lower levels of provision may be considered acceptable where the site is in close proximity to the City Centre, a train station, a high-quality rapid transport route or other public transport interchange and where there is a package of measures (proportionate to the scale of development) to enable sustainable means of transport. Any variation from the maximum standard must be fully justified by proportionate evidence.

The proposal would utilise the existing vehicular access to the site from Stoneleigh Road and the internal site layout is considered reasonable with houses having a positive relationship with the new roadways, providing good natural surveillance over the site that includes the neighbouring woodland and informal open space, which would be directly

overlooked by the proposed housing. Proposals to do with final parking arrangements will be confirmed at reserved matters stage.

The trip rates and mode share have been agreed previously with the Highway Authority and are acceptable. The development is expected to generate 23 2-way movements in the AM peak and 24 2-way movements in the PM peak which is not considered to be a significant increase in traffic on to Stoneleigh Road.

There are potential footway / cycle improvements along Stoneleigh Road that are to come forward with the development of the Stoneleigh Road / A46 Link Road Phase Two scheme and it is considered that it is appropriate that the access for this development be designed to incorporate these improvements once the scheme has been developed.

### **Flood Risk**

Policy EM4 states that all major developments must be assessed in respect of the level of flood risk from all sources. The site is not located within a flood risk zone and the Lead Local Flood Authority are satisfied with the submitted flood risk assessment and drainage report and agree with the greenfield runoff assessment and the overland flow assessment and with the intended stormwater discharge rate of 11l/s.

The LLFA would suggest some additional features to the drainage strategy but support the concept and recommend the application is granted approval subject to conditions.

### **Noise**

The quality of the living environment for future residents has been assessed with the Council's Environmental Protection Team requiring further information to be submitted regarding the source of the plant noise and its location and should include measurements for all monitoring undertaken, including L<sub>Amax</sub> values. Railway noise has also not been adequately assessed and needs to be resubmitted along with the noise mitigation measures for each property. This information has been requested and will be reported on in late items.

### **Contaminated land**

Policy EM6 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 waste water by whatever means.

The Council's Environmental Protection team have requested further information as to why six rounds of gas results are not provided and for further testing of soils near the surface to be carried out on a plot-by-plot basis as recommended by the site investigation report. This information has been requested and will be reported on in late items.

### **Air quality**

Policy EM7 states that major development schemes should promote a shift to the use of sustainable low emission transport to minimise the impact of vehicle emissions on air quality. There is no objection to the proposal on air quality grounds subject to conditions requiring 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 and gas boilers shall be ultra-low NO<sub>x</sub> emissions with a maximum dry NO<sub>x</sub> emissions rate of 40mg/kWh and a CEMP to be submitted for approval.

## **Ecology**

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

The site is immediately adjacent to Wainbody Wood (LNR, Local Wildlife Site, Ancient Woodland). There are no records of notable wildlife from the site, but there are numerous records in the local area including bats, amphibians, badgers and hedgehogs.

The application includes a Preliminary Ecological Appraisal (Mott MacDonald, August 2019) which includes background information and an assessment of the habitats and species present on the site. The report notes the need for additional bat surveys for one building, potential impact on great crested newts and the likely impact of any development on Wainbody Wood. No Biodiversity Impact Assessment is included. The report is out of date but the general information and recommendations are valid.

The existing site includes school buildings and a large area of grassland with trees and a pond. The surrounding area includes woodland. Residential development and arable land. The railway line runs along the eastern border providing an ecological corridor linking sites with the urban centre. The Illustrative Masterplan shows that all of these existing habitats on the site will be affected by the development.

The Tree Implication Plan (The Tree and Woodland Co., dwg 1274-D-002, Sheet 1 of 2, October 2019) shows that a number of trees and groups of trees will be removed with the arboricultural information requiring updating. The proposal would involve the loss of biodiversity and would have a potential impact on ancient woodland, however, to be in line with Local Plan policy GE3 and the Environment Act 2021 the parameter plans show the houses set off the boundary away from the ancient woodland with conditions attached to the permission requiring assessment on trees on and around the site as well as on the biodiversity net gain of the proposal.

As a result, and in order to assess this potential impact further, information is required at detailed design stage with the following requirements to be submitted at the Reserved Matters stage to be conditioned:

- Bat survey (as recommended in PEA)
- A survey of the pond for great crested newt (as recommended in PEA)
- Updated arboricultural information including trees within the adjacent areas
- Biodiversity Impact Assessment using accepted metric

## **Parks and Green Space**

Policy GE1 Green Infrastructure of the Coventry Local Plan 2016 requires, where the opportunity arises and in line with the city's most up-to-date Green Space Strategy, for new developments to enhance the green infrastructure and create and improve linkages between individual areas.

Developments must respect the importance of conservation, improvement and management of the green infrastructure in order to compliment and balance the built

environment. This is underpinned by the recently adopted Coventry City Council Green Space Strategy (GSS) (2019 – 2023).

This development will have an estimated population of 58 residents. Based on the Green Space SPD this number of occupants will equate to the requirement of 0.0487 ha Formal and 0.1717 ha Informal, quality open space. As the former measurement is below the minimum threshold of 0.1 ha, a contribution of £28,462.22 in the form of a Section 106 legal agreement for off-site provision will be required to provide enhancements to the nearest Formal site which is Tutbury Ave open space.

Coventry City Council has adopted the Fields in Trust standards for the provision of equipped play areas and a development of over 10 dwellings should have a LEAP with an accessibility standard of a maximum of 400m. It is preferable to have the on-site open space to be the central feature within a development, however with this scheme the main open space provides a buffer between the houses and the adjacent woodland which is considered acceptable.

### **West Midlands Fire Service**

West Midlands Fire Service in their consultation response have objected to the proposals on that basis that the current masterplan creates a 'dead-end' over 180m in length which does not comply with the safety standards of West Midlands Fire Service.

The current masterplan has taken into account the surrounding context of the conservation area and provides a similar design hierarchy to adjacent streets, whilst maintaining a circulatory arrangement to ensure vehicles are able to suitably access and egress the proposed residential site.

The planning application is submitted in outline with all matters reserved except access, which utilises the existing access arrangements for the site as Woodfield Primary School. The illustrative masterplan demonstrates an indicative layout only and will be subject to detailed design, and it considered that matters relating to the access arrangements for emergency vehicles can be addressed through reserved matters.

### **Sustainability and Energy**

The Sustainability (Energy) Officer in their consultation response has noted that further information is required in the form of an Energy and Sustainability Statement demonstrating how low carbon energy and renewables will be incorporated within the proposals.

As the planning application is in outline with all matters reserved except access matters relating to energy and sustainability can be addressed at the detailed design stage through the reserved matters.

### **Developer Contributions**

Policy IM1 'Developer Contributions for Infrastructure' 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;
- b) Physical, social and green infrastructure to support the needs associated with the development.

The development would trigger the need for the following contributions to be secured under a Section 106 Legal Agreement. The heads of terms are as follows:

1. Education - A contribution of £99,227 is required to include £74,88 for secondary school provision and £24,339 for Sixth Form provision.
2. Green Spaces - The proposals require the provision of:
  - a. at least 0.0487 ha formal greenspace and 0.1717 ha informal greenspace on site.
  - b. a LEAP play facility on site
  - c. A contribution of £28,462.22 to improve the formal green space at Tutbury Avenue open space.
3. Biodiversity - off setting contribution per unit figure to be reported at late items.

### **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 application site is an allocated housing site within the Coventry Local Plan that is earmarked for a total of 30 dwellings. The proposal would provide up to 24 dwellings and would be in accordance with the Local Plan with the size of the plots in keeping with the context of the area and the character of the Kenilworth Road Conservation Area. The indicative layout demonstrates that the proposed housing development would have an acceptable relationship to neighbouring residential properties and to the adjacent woodland. The release of the land for housing would not only positively contribute to the Council's housing requirement, but it would also allow the delivery of a new expanded SEND school on the former Woodlands School site on Broad Lane. This would result in several benefits, including improving the provision of special needs educational in the city by being able to increase pupil numbers and by combining the primary school currently on Stoneleigh Road and the secondary school currently on Hawthorn Lane onto one site with the educational, resource and cost benefits that will bring. In addition, the Grade II listed buildings of the former Woodlands School Site would be repurposed for educational use and refurbished with the site also being able to expand community sport use on the underused former Woodlands School Site.

The application is in Outline except for access with the detail to be provided at the reserved matters stage. The indicative illustrative masterplan and parameters plan demonstrate that a high standard of residential development can be delivered on the site and will not result in any significant impact upon neighbour amenity, highway safety, the Kenilworth Road conservation area, ecology or infrastructure, subject to relevant conditions and contributions. The reason for Coventry City Council granting planning permission is because the development is in accordance with the Coventry Local Plan 2016, together with the aims of the NPPF.

#### **CONDITIONS:/REASON**

1. Approval of the details of the appearance, landscaping, layout and scale (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.

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

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.

**Reason:** *To conform with Section 92 of the Town and Country Planning Act 1990 (as amended).*

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.

**Reason:** *To conform with Section 92 of the Town and Country Planning Act 1990 (as amended).*

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

Location plan dated 28/02/2022

CCC-CV4-P-101 Rev. A - Parameters Plan

24716cv-01 Rev. A - Topographical Survey, dated 05/08/2019

24716cv-02 Rev. A - Topographical Survey, dated 05/08/2019

1274-D-001 Rev. A - Tree Constraints Plan, sheets 1 and 2

1274-D-002 Rev. C - Tree Implications Plan, sheet 1

1274-D-002 Rev. B - Tree Implications Plan, sheet 2

TWC1274-S-001A - Tree Survey Schedule

100108111-MMD-01-XX-PL-REP-0001-A - Playing Pitch Impact Assessment and Mitigation Report, dated 27.06.22, prepared by Mott MacDonald

220426 Rev. R01 - Environmental Noise Assessment, dated 26/04/2022, prepared by MACH Group

1024198 RPT-TC-001 Transport Assessment, dated 30/01/2020, prepared by Cundall Johnston and Partners LLP

1024198 RPT-TC-004 Travel Plan, dated 23/04/2020, prepared by Cundall Johnston and Partners LLP  
C14855 - Site Investigation Report, October 2019, prepared by Ground Engineering Limited  
411033EC01 | 003 Rev. 1 - Preliminary Ecological Appraisal Report, dated 23.08.2019, prepared by Mott MacDonald  
14972/AP-MD-FRA-01 - Flood Risk Assessment and Drainage Strategy Report, dated 16/10/2019, prepared by ABA Consulting  
P3913-R1-V1 - Air Quality Assessment, dated 23/04/2020, prepared by Noise Air Limited  
409566-MMD-XX-XX-RP-HE-0003 Rev. 03 - Heritage Statement, dated 02/03/22, Prepared by Mott MacDonald

**Reason:** *For the avoidance of doubt and in the interests of proper planning.*

5. The reserved matters shall be in accordance with the approved parameters plan and shall include the following specific requirements and/or be supported by the following documents in so far as relevant to that matter:
- i) a Local Equipped Area of Play (LEAP) for children
  - ii) a footpath connection to the ancient woodland

**Reason:** *In the interests of achieving sustainable development, having particular regard to the potential impact of the development in accordance with Policy DS3 of the Coventry Local Plan 2016.*

6. Prior to the commencement of the development hereby approved a Local Labour and Business Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall incorporate measures to promote employment opportunities arising from the development to, and encourage job applications from, residents of the City of Coventry and shall incorporate measures to promote opportunities for local businesses to gain contracts associated with the construction of the development. The Strategy shall be implemented in accordance with the approved details throughout the lifetime of the development.

**Reason:** *In order to contribute to the local economy and local residents in need of employment and in accordance with the principles within policy JE7 of the Coventry Local Plan (2016).*

7. Prior to commencement of development 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. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- a survey of the extent, scale and nature of contamination;
  - an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines

and pipes, adjoining land, groundwater and surface waters, ecological systems,  
- archaeological sites and ancient monuments;  
- an appraisal of remedial options, and proposal of the preferred option(s).  
This must be conducted in accordance with DEFRA and the Environment Agency's Guidance Land Contamination: Risk Management, LC:RM.

**Reason:** *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

8. Prior to commencement of development 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 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. Thereafter the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

**Reason:** *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

9. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of any dwellings hereby permitted.

**Reason:** *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

10. Any gas boilers installed on site shall have a dry NOx emission rate of no more than 40mg/kWh. One electric vehicle recharging point per dwelling shall be provided prior to occupation and shall not be removed or altered in any way and shall be kept available for such use by residents at all times.

**Reason:** *To mitigate the impacts of development on air quality in accordance with Policy DS3 of the Coventry Local Plan 2016 and the aims and the objectives of the NPPF.*

11. No development hereby approved shall take place until full engineering details of the proposed access have been submitted to and approved in writing by the local planning authority and no part of the development hereby approved shall be brought into use or occupied until the approved details have been completed to the satisfaction of the local planning authority. The approved details shall be retained thereafter.

**Reason:** *In the interests of highway safety in accordance with the aims and objectives of Policies AC1 and AC2 of the Coventry Local Plan 2016.*

12. Drainage details shall be submitted together with the reserved matters application. These shall include the following:-
  - i) 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:-
    - a) 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.
    - b) 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).
    - c) Water quality control medium(s) such as permeable paving, filter drains, rain gardens, ponds or swales aimed at improving the quality of water passing through the system either above or below ground.
    - d) The use of water harvesting in the form of water butts at a property level and any reasons for NOT using should be clearly stated.
  - ii) The stormwater 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%. The discharge rates for brownfield sites shall be considered as greenfield in accordance with the CCC SFRA.
  - iii) 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.
  - iv) 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, particularly with respect to the planned demolition/construction works and the deposition of silts and cementitious materials. This should be covered under environmental risks in the Site Specific CEMP.
  - v) 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 building(s) will be protected in such an event.
  - vi) 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.

vii) Foul drainage plans.

The development shall proceed in accordance with the approved details.

**Reason:** *To ensure satisfactory drainage and to reduce the risk of flooding in accordance with Policies EM4 and EM5 of the Coventry Local Plan 2016 and the principles of the NPPF.*

13. No development shall commence unless and until a Sustainable Building Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate how the requirements of Local Plan Policy EM2 (Building Standards) have been met. The development shall not be occupied unless and until all the works within the approved scheme have been completed in strict accordance with the approved details and thereafter the works shall be retained at all times and shall not be removed or altered in any way.

**Reason:** *To comply with the provisions of the NPPF and in accordance with Policy EM2 of the Coventry Local Plan 2016.*

14. 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.

**Reason:** *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.*

15. Any landscaping (other than the planting of trees and shrubs) including the erection of boundary treatment, and the installation of paving and footpaths referred to in condition one shall be completed in all respects, within three months of first occupation of the first dwelling and all tree(s) and shrub(s) shall be planted within the first planting season following that first use. Any tree(s) or shrub(s) removed, dying, or becoming; in the opinion of the Local Planning Authority; seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of similar size and species to those originally required to be planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations.

**Reason:** *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.*

16. Prior to the first occupation of the development hereby permitted, a landscape management plan, including long term design objectives, long term management responsibilities and maintenance schedules for all landscape areas (other than

domestic gardens within the curtilage of a single dwellinghouse), shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be implemented as soon as the approved landscaping is carried out and shall not be withdrawn or altered in any way.

**Reason:** *To ensure a satisfactory standard of appearance over the lifetime of the development in the interests of the visual amenities of the area in accordance with Policy GE1 and DE1 of the Coventry Local Plan 2016.*

17. 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 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.

**Reason:** *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.*

18. Together with any reserved matters application, the following shall be submitted:
- a) a Tree Constraints Plan (5.1-5.3);
  - b) Arboricultural Impact Assessment (5.4) to assess the direct and indirect implications of trees upon the proposal and visa-versa, including locations for underground/ over-ground services, level changes within RPA's etc.;
  - c) Arboricultural Method Statement (6.1); and

d) a 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.

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.

**Reason:** *To protect those trees which are of significant amenity value to the Conservation Area and which would provide an enhanced standard of appearance to the development in accordance with Policy GE3, GE4 and HE2 of the Coventry Local Plan 2016.*

19. Together with any reserved matters application, a survey for the presence of bats shall be carried out by a qualified surveyor, and shall be submitted to the Local Planning Authority. Should the presence of bats be found then no demolition or preparatory works shall take place until full details of measures for bat mitigation and conservation in accordance with good practice guidelines have been submitted to and approved in writing by the Local Planning Authority. All works shall be implemented in strict accordance with the approved timings and details and once undertaken any mitigation works shall not be removed or altered in any way.

**Reason:** *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.*

20. Together with any reserved matters application, a survey of the pond on site for the presence of Great Crested Newts shall be carried out by a qualified surveyor, and a report shall be submitted to the Local Planning Authority. Should the presence of Great Crested Newts be found then no demolition or preparatory works shall take place until full details of measures for newt mitigation and conservation in accordance with Natural England requirements and good practice guidelines have been submitted to and approved in writing by the Local Planning Authority. All works shall be implemented in strict accordance with the approved timings and details and once undertaken any mitigation works shall not be removed or altered in any way.

**Reason:** *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.*

21. A Biodiversity Impact Assessment shall be submitted with the landscaping and layout reserved matters application.

**Reason:** *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.*