

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	OUT/2021/3576
<b>Site:</b>	Land Adj Abbots Lane
<b>Ward:</b>	Sherbourne
<b>Proposal:</b>	Hybrid planning application: Full planning application for 212 dwellings (Class C3) served via access from Abbots Lane and Upper Hill Street; strategic landscaping and earthworks; temporary car parking; surface water drainage and all other ancillary and enabling works. Outline planning application for new residential development up to 478 units (Class C3); ancillary Class E development up to 950sqm of floorspace; strategic landscaping and earth works; surface water drainage and all other ancillary infrastructure and enabling site works with means of access to be taken from the connections from Abbots Lane and Upper Hill Street (part of the full application) for consideration; all other matters (layout, appearance, scale and landscaping) reserved for subsequent approval
<b>Case Officer:</b>	Owain Williams

## SUMMARY

This is a hybrid planning application for redevelopment of a vacant brown field site for residential purposes, contained within 7 blocks of development across the site which vary in height from 4 storeys to 21 storeys. The scheme is split with detailed full planning permission applied for in plots 3 and 4 and outline permission in plots 1 and 2.

## BACKGROUND

The application site is the former gas works site on Abbots Lane. It is bounded by the ring road to the south-east, by Abbots Lane to the north and west and by Upper Hill Street to the south-east. It is an allocated housing site within the Coventry Local Plan 2016. Applications for creation of a linear park running across the site and full remediation of the site have recently been approved by planning committee. The approved linear park is now in situ.

A previous application for outline permission for 731 residential units was refused on the site in January 2021.

## KEY FACTS

<b>Reason for report to committee:</b>	Objections have been received from more than 5 residents and this is a revised application to that previously refused by Planning Committee
<b>Current use of site:</b>	Vacant previously developed site (Former Transco Gas Works)
<b>Proposed use of site:</b>	Mixed Use of Residential and ancillary Class E uses.

## RECOMMENDATION

Planning committee are recommended to delegate the grant of planning permission to the Strategic Lead for Planning subject to conditions and the completion of a S106 Legal

Agreement to secure the contributions summarised within this report and to delegate refusal of planning permission to the Strategic Lead for Planning if the obligations summarised in this report are not secured as specified within this report.

### ***REASON FOR DECISION***

- The proposal is acceptable in principle.
- The development will make effective and efficient use of a brownfield site.
- The density and housing mix proposed are acceptable in this highly sustainable location.
- The proposed layout, design and appearance of the development is considered of high-quality design.
- The proposal is deemed to have less than substantial harm upon the neighbouring heritage assets that is outweighed by the public benefits of the scheme.
- The proposal will not adversely impact upon highway safety.
- The parking provision for the site is considered acceptable when considering its highly sustainable location and the proposed transport assessment and travel plan incentives.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal will provide biodiversity gain.
- The proposal makes acceptable 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; JE7; DE1; HE2; AC1; AC2; AC3; AC4; AC5; EM1; EM2; EM3; EM4; EM5; EM7 and IM1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## BACKGROUND

### **SITE DESCRIPTION**

The application site is the former gas works site which is bounded by Abbots Lane to the north and west, the ring road to the south-east, and by Upper Hill Street to the south-east.

There are significant level changes across the site with the highest point at the east corner at the Abbots Lane/ Upper Hill Street junction, then dropping down to the south and east. On Upper Hill Street are a group of locally listed buildings that back directly onto the site which are residential and located opposite the listed St. Osburg's Church. St. Osburg's Primary School is located opposite the site on Upper Hill Street.

The site is immediately adjacent the Spon End and Nauls Mill Conservation Area, the edge boundary of which runs along Abbots Lane. Abbots Lane comprises mainly residential properties, other than Britannia Tyres and a vacant commercial premises on the junction with Mill Street. At the top of Abbots Lane, the residential properties are various heights and styles and are raised significantly above street level. At the lower end of Abbots Lane, near the junction with Mill Street there is a two-storey terrace of residential properties at street level.

### **APPLICATION PROPOSAL**

The application proposes redevelopment of the site for up to 690 residential units to be provided within 7 blocks which vary between 4 storeys and 21 storeys in height and up to 950sqm of class E floorspace.

The initial proposal made originally proposed 700 units and 1050sqm of ancillary E Class floorspace. However, following amendments made during the process of this application the numbers have fallen to 690 units and 950 sqm of ancillary E Class floorspace.

The application being a hybrid application splits the site in half with a varying level of detail for each. The full part of the application proposes 212 units to be provided in plots 3 and 4 to which full design details (layout, scale and appearance), housing mix, and associated infrastructure has been provided. The outline part of the application proposes up to 478 dwellings in plots 1 and 2 and provides details only regarding access. All other matters such as layout, appearance, scale and landscaping would be left for reserved matters.

There are three access points which would serve the development, two from Abbots Lane which will provide access in and out of the site and also one onto Upper Hill Street which will only be used as an exit from the development.

### Plot 3

Plot 3 is located to the southwest of the site so fronts Upper Hill Street and sits adjacent to the ring road.

The proposed design is centred around a semi-private green courtyard space with family housing and front doors addressing and activating the green streets which will run through the site providing connectivity for pedestrians. The design provides a low to mid

rise collection of buildings (4 to 11 storeys) with the lowest block being those closer to the Upper Hill Street properties and rising away into the site towards plots 1 and 2.

The plot which consists of two main blocks of development have been brought forward in three distinct characters, The Mansion Block, The Terrace Block and The Urban Block. The differing characters are brought forwards using different facades and details and by using differing materials to provide contrast and interest. This block of development all has flat roof finishes which provides opportunities for private terraces and green roofs.

#### Plot 4

Plot 4 is a more transitional plot, marking the shift between Nauls Mill Conservation Area and City Centre and consists of two blocks of development forming a more sympathetic townhouse scale and articulation. The two blocks are formed around an inner landscaped courtyard and set back from edge of the boundary to create green buffer zones.

Both buildings are low rise in nature. The design is contemporary and has been provided to take inspiration from the architectural character of the area, defined by typically two and three storey terraced houses. These two blocks have pitched roofs and gables onto the lower sections of the buildings to reinforce the terraced house typology.

Within plots 3 and 4 there is a detailed landscape strategy. There are proposals for a series of orchards and courtyards throughout the plots with a diverse and varying mix of plants proposed dependent on the amount of sun those areas will receive. There is also areas of suspended seating in which both children and adults can use whilst within a central courtyard space.

#### Plots 1 and 2

It has been proposed in the outline section of the application to provide a further 478 dwellings which will sit either side of the linear park. There will be areas of public realm and private courtyards provided also.

There have been parameter plans provided detailing the maximum and minimum parameters for those buildings falling within these plots. The maximum height of the building is shown at 21 storeys with that being within the most eastern corner of the site between the linear park and fire station. As requested by the Urban Design officer a design code has been drawn up combining the parameter plans and design details proposed within the full section of the application. The design code will guide the development on plots 1 and 2 and ensure that important design elements within the site are adhered to and incorporated into any reserved matters application that comes forward so there is consistency and a high-quality design carried on throughout.

In terms of the parking provision on site 34.5% of the total number of dwellings will be provided a parking space which equates to 239 spaces. These would be spread across the plots but with the majority within plot 2 within a podium parking provision on the first two levels of the building making use of the existing level changes across the 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>
FUL/2013/0003	Engineering works to remediate contaminated material located below ground	Approved 03/04/2013
OUT/2019/2454	Outline Planning Application for up to 731 residential units and 711 sqm of retail and commercial space (use class A1 / A2 / A3/ A4 / B1) provided in a series of buildings of 4 to 22 storeys, creation of a water feature utilising the culverted Radford Brook, creation of a green link across the site, and provision of parking and landscaping	WITHDRAWN
FUL/2019/3199	Creation of new linear park from Belgrade Plaza to Naul's Mill Park, including upgrades to the existing underpass, the creation of a new water feature using the culverted Radford Brook; central landscape feature in conjunction with outline application ref: OUT/2019/2454) and a new pedestrian route from Abbots Lane to Middleborough Road.	Approved 03/12/2020
OM/2020/0935	Outline Planning Application for up to 731 residential units and 711 sqm of retail and commercial space (use class E) provided in a series of buildings of 4 to 22 storeys, creation of a water feature utilising the culverted Radford Brook, creation of a green link across the site and provision of parking and landscaping.	Refused 14/01/2021
NMA/2020/3055	Submission of amended details (omission of the timber pedestrian bridge and creation of a sculptural arch feature) to permission FUL/2019/3199 for creation of new linear park	Approved 23/02/2021
FUL/2021/3298	Operational development/earthworks to facilitate site remediation	Approved 25/05/2022

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## **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

## **CONSULTATION**

No Objections received from:

- Cadant Gas
- Housing
- Policy

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

- Urban Design Officer
- Street Scene and Green Spaces
- NHS CCG
- Local Lead Flood Authority
- Education
- Economic Development Services
- Ecology
- Environment Agency
- Tree Officer
- Coventry Public Health
- West Midlands Fire Service
- Conservation
- Environmental Protection

Objections have been received from:

- Highways – a number of financial contributions have been requested by Highways Officers and in the event that they are not fully met then Highways object to the proposals.

Historic England whilst not formally objecting to the scheme shared some concerns to the initial submission.

At the time of writing the report comments have not been received from:

NHS – UCWH

Immediate neighbours and local councillors have been notified; a site notice was posted on 6<sup>th</sup> January 2022. A press notice was displayed in the Coventry Telegraph on 13<sup>th</sup> January 2022.

MP Taiwo Owatemi has written to object on the following grounds:

1. "Whilst I recognise that the number of homes overall has been reduced, it is still far in excess of the c.100 for which the land was earmarked in the Local Plan. This continues to represent a serious overdevelopment.
2. Although the amount of parking provided therein has been increased from the previous application, at only around a third of the needed spaces it is still far too low.
3. I would like to draw the Committee's attention to Policies AC3, H3 and DE1 and the Parking Standards for New Development set out in Appendix 5 to the Local

Plan 2016 and the principles of the National Planning Policy Framework (in particular paragraphs 105, 122 and 180), which set out the acceptable standards for the above which this application fails to meet.

4. Furthermore, this new application continues to not provide sufficient affordable housing, contrary to Policies H6 and IM1 of the Coventry Local Plan 2016 and the principles of the National Planning Policy Framework (in particular paragraphs 34 and 122).”

18 letters of objection have been received to the original consultation on 22<sup>nd</sup> December 2021, raising the following material planning considerations:

- a) The proposal will impact upon existing visual amenity
- b) The development will clearly substantially increase demand for parking both within and particularly outside the site exacerbating existing problems
- c) This development will add to existing polluting levels affecting the local residents
- d) A similar scheme has already been refused previously based on over-intensive development and insufficient parking.
- e) This is over intensive development of the site that doesn't fit with the 'Coventry Local Plan 2016 for 100 dwellings.
- f) High rise tower blocks could lead to an increase in crime.
- g) Over development of the site.
- h) The area in itself has too many HMO's so adding apartments will not benefit the existing community.
- i) Concerned about the level of traffic that this development would bring in relation to air quality and safety of children from the school.
- j) There is a need for affordable family housing which isn't being provided.
- k) The development is not in keeping with the character of the area.
- l) The plans have not significantly changed from before.
- m) The high-rise blocks will still be the highest in the area and daylight will be lost.
- n) There are parking problems in the area with no residents parking here in Abbots Lane.
- o) Traffic in and around Bablake School in term terms is a nightmare and with not enough parking in the development the cars will find their way to surrounding streets.
- p) This will only make matters worse for the local Primary School.
- q) The linear park will encourage antisocial behaviour so add 700 properties this would only get worse.
- r) There is asbestos on site and concerned the clearance of this has not been done safely.
- s) The application does not take account of the existing conservation area.
- t) Such a scale of 17, 18 and 22 stories will knowingly create a substantial loss of existing privacy while overlooking neighbouring properties.
- u) Increase in night-time light pollution.
- v) Inevitable increase in noise pollution in what is an otherwise quiet conservation area neighbourhood.
- w) Doesn't seem to meet the challenges of climate change.
- x) The density proposed is 376dph which is 10-11 times the recommended minimum of 35dph and is excessive.
- y) No parking or drop off areas for parents of primary school let alone 700 homes. The parking proposed is insufficient.



- z) The exit onto Upper Hill Street is a concern as there will be nothing stopping more vehicles than just serving plot 3 to exit onto Upper Hill Street.
- aa) The new exit will replace parking spaces and footpath used by families walking to the nursery and reception classes.
- bb) The proposed changes to Upper Hill Street onto the Ring Road if it were to go ahead would see constant stream of traffic on Upper Hill Street causing a danger to the children of the school.
- cc) The Air Quality Survey does not reflect these new proposals nor does the travel plan and transport statement.
- dd) There is concern about the high-rise blocks overlooking the children in school.
- ee) The planting of some trees does not make an orchard and having some commercial units in blocks of flats does not make a village centre.
- ff) Why make a decision to remove 8 blocks of flats in Hillfields in a more accessible location and nearly 5 times bigger than the Abbots Lane site and then try and do it 20 years on in a more constrained area.
- gg) The height of the buildings would adversely impact the view of the Coventry's three spires and adversely impact upon the setting of St Osburg's Church, a grade II Listed Building.
- hh) The plans must fail to meet the minimum 20% requirement for Public Open Space/Greenspace.
- ii) The planning statement clearly shows that these proposals fail to meet the housing needs of Coventry. The need for 3 and 4 bed properties is a recurrent theme.

A petition of 97 signatures has been received and is sponsored by Councillor Gavin Lloyd based on the following:

1. Overlooking/invasion of privacy of the school and playground (= safeguarding issues)
2. Will make the area less safe – increase in crime and anti-social behaviour (West Midlands Police objected to previous application on a similar scale on these exact grounds)
3. Air pollution from increased traffic in an Air Quality Management Area and its proven adverse impact (particularly on children) in terms of health, wellbeing and academic performance
4. Road safety fears from additional traffic/on-street parking

A further petition of 49 signatures has been received and is sponsored by Councillor Gavin Lloyd based on the following:

1. STOP Over-Intensive Building on TRANSCO site.
2. The Local Plan (H2:14) was/is for 100 Houses (NOT 700 Flats).
3. We do not want/need a Total Loss of Privacy.
4. We don't need more Pollution/Traffic on our streets, the local Roads cannot cope with it.
5. Transco site WAS approved for 100 homes by HM Government Planning Inspector.
6. The CCC/LPA Decision Notice (Jan 2021) cited Appendix 5 & still applies to this application
7. This will negatively Impact on Our Lives, Our Children's Heritage & This Conservation Area of listed/locally listed buildings.

Following the submission of amended plans on the 14<sup>th</sup> June 2022 a further neighbour consultation was undertaken.

A further 14 Objections were received, raising the following additional concerns:

- a) The amendments appear largely cosmetic and superficial and the loss of 10 units from the 22-storey block will not make a difference.
- b) The disabled parking spaces for plot 3 not be in a less user-friendly location for wheelchair users.
- c) This site is allocated only for housing therefore the class E part of the development is not valid.
- d) Temporary Parking is an unacceptable arrangement and for how long will it be temporary?
- e) There is a history of subsidence and general health and safety concerns on the site.
- f) The latest census data clearly suggests much of the growth in the older population. These apartments would not be suitable.
- g) The Census data confirms an overestimate of some 34,00 people, this area neither needs or wants a development of this scale, type or design.
- h) There has been no real engagement or qualitative consultation with local residents of any consequence or value in real terms at any time throughout this process.
- i) A developer should not be allowed to defray established and well-known associated project costs to the City.

Following the submission of further amended plans and documents on the 13<sup>th</sup> September 2022 there have been 6 further neighbour comments but nothing different has been raised that hasn't already been reported above.

A letter of support has been received from the Coventry Society within the following comments:

- We find the development to be of high-quality design and well thought out.
- The idea of developing the central park in advance of the housing scheme is particularly impressive. The design sets a high standard and compares very favourably with other similar developments in the city centre.
- Whilst we understand the concern of residents and councillors about the level of car parking, we feel that the future sustainability of the city will require an approach that encourages high density developments like this close to the city centre with an emphasis on collective transport usage.

Any further comments received will be reported within late representations.

## **APPRAISAL**

The main issues in determining this application are the principle of development, the impact upon the character of the area and heritage assets, the impact upon neighbouring amenity, highway considerations, flood risk, noise, contaminated land, air quality, ecology and the provision of infrastructure/s106 contributions.

## **Principle of development**

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 7 states that 'the purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 8 indicates that sustainable development has three overarching objectives, being economic, social and environmental, and planning should therefore perform each of these roles. These objectives are mutually dependant and should not be undertaken in isolation.

Paragraph 119 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Paragraph 185 states new development should be appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site.

Policy H2, Housing Allocations, of the Local Plan 2016 identifies the sites to be allocated for housing development alongside essential details that will support the principles of sustainable development.

Within policy H2, the site in question, the former Transco site, Abbots Lane, is identified as allocated land for residential development (H2:14) with an indicative number of total dwellings identified as 100. Taking aside the number of dwellings identified within the policy, the fact the site is allocated for residential development and making use of previously developed brownfield land would clearly make the development acceptable in principle.

The development proposal seeks permission for up to 690 dwellings so clearly is well above the indicative figure given within the policy in terms of total number of dwellings. The indicative figure given in each allocation was formulated on a generalisation based on-site area with high level constraints at a local plan review, in this case 6 years ago. The considerations given would not have taken account of a range of factors such as unseen constraints i.e., land conditions, the viability of a scheme and market conditions.

Taking paragraph 185 of the NPPF into account the location of this site within close proximity of the City Centre (approx. 60m away) abutting up to the Ring Road needs to also be taken into consideration. This is a transition site from the City Centre to the inner-city areas and the likelihood of traditional dwelling houses with gardens on large parts of this site being suitable is questionable and exploring the effective and efficient use of the site up and above the indicative figure can't be ignored or dismissed.

For the reasons above the proposed development would be acceptable in principle and cannot be judged against the figure of total dwellings within policy H2, therefore a balanced judgement must be made as to whether the development at the density

proposed would be acceptable when assessed against other policies within the Local Plan 2016.

### Density

In regard to density, policy H9 of the Coventry Local Plan is concerned with housing density and states, in order to promote sustainable urban regeneration, new residential developments must promote the most efficient and effective use of land. The policy identifies the minimum densities that should be achieved in certain areas with sites outside of the ring road/city centre boundary looking to achieve a minimum of 35 dwellings per hectare (dph) and those in the ring road/city centre looking to achieve 200 dph.

It continues to state that 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. Higher densities do not and should not compromise the quality of new development and, indeed, they can continue to be achieved using a variety of building types in response to local character and context.

It is stated in the supporting text of policy H9 of the Local Plan that the best locations for higher density development would be within or adjacent to designated centres or public transport nodes. This is particularly true of the City Centre where recent densities have consistently exceeded 200 dwellings per hectare (dph). Thus, design principles will be vital when delivering higher densities, to ensure the protection of local distinctiveness and an attractive environment for residents, businesses and investors.

When considering density however, 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;
- at least 15% of gross site area to remain undeveloped on sites below 2ha; and
- at least 5% of gross site area to remain undeveloped on sites within the city centre

The proposed density of the development would comply with policy H9 of the local plan as it would achieve above the minimum density set, that being 35dph. However, it has been argued by some that the overall density is way too high for the area it is set in. As highlighted previously this is a transition site located only 60 metres away from the city centre boundary and inner ring road where minimum densities of over 200dph would be expected. As indicated within the context of policy H9 the best locations for higher density development would be within or adjacent to designed centres or public transport nodes and this site is exactly that. The site sits next to the main designated centre, that being the city centre, which is where the main public transport nodes are also situated.

With regards to the other essential onsite provisions within the site 45% of the development site remains undeveloped with public and private amenity spaces, strategic landscaping and footpaths provided. This would again comply with the context of policy H9 and highlight that there has been consideration when planning this development.

There is a lot still to discuss within the report about the development its design and appearance in relation to the context and character of the area and the impact it may have on various aspects within the area but based on density alone it is considered that the development would be in accordance with and comply with policy H9 of the Local Plan.

### Housing Mix

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 in accordance with the latest strategic housing market assessment (SMHA). However, the policy does highlight that when assessing the housing mix in schemes there are circumstances that need to be taken into account where it may not be appropriate to provide the full range of housing types in accordance with the latest SMHA. The circumstances identified in the policy are physical constraints, locational issues, such as highly accessible sites within or close to designated centre where larger homes and low/ medium densities may not be appropriate and sites with severe development constraints where housing mix may impact on viability.

The application being a hybrid application details the housing mix for plots 3 and 4, (the full section of the application) but not that of plots 1 and 2, (the outline section). The housing mix that can be reported for plots 3 and 4 is as follows:

#### Plot 3

No. of Beds	Number	%
One Bed	41	33%
Two Bed (inc Townhouses)	59	48%
Three Bed (inc Townhouses)	24	19%
Four Bed	0	0%
Total	124	100%

#### Plot 4

No. of Beds	Number	%
One Bed	22	25%
Two Bed (inc Townhouses)	60	68%
Three Bed (inc Townhouses)	6	7%
Four Bed	0	0%
Total	88	100%

#### Plots 3&4 combined

No. of Beds	Number	%
One Bed	63	30%
Two Bed (inc Townhouses)	119	56%
Three Bed (inc Townhouses)	30	14%
Four Bed	0	0%
Total	212	100%

The SHMA sets out the market housing mix as follows:

1 bed 5.2%, 2 bed 27.4%, 3 bed 54.3% and 4 bed 13.1%

When comparing the proposed mix against the SHMA mix, it is evident that the mix of the first two phases would not relate, most notably the lack of any 4-bedroom units and higher percentage of 2 bed units to those of 3 beds. However as highlighted in policy H4 parts 2b and 2c of the Local Plan there are circumstances that need to be taken into account.

As explained the site is a transitional site which is located adjacent to the Ring Road and in very close proximity to the city centre, which in other policies highlights as being the most suitable sites for higher density development. The size of the site, the locational constraints and the site's previous use as a former gas works would not make this a suitable site for low density development made up of traditional 3-to-4-bedroom dwellings with gardens. The other factor highlighted within policy H4 is the impact upon viability that housing mix may have. The application has been accompanied by a viability appraisal which highlights there are viability issues with the proposed development on the offering that has been given, resulting in affordable housing not being offered. Therefore, a reduction in the density of the development and a different mix would certainly not be viable. There has been an effort made within the design of plots 3 and 4 to include some townhouse style units to provide a variety in the offering of accommodation which is welcomed. Taking into account the above it is considered that the proposed mix within plot 3 and 4, whilst not contributing fully to the balance of house types in the SMHA, it would comply with policy H4 after taking account of the circumstances explained.

With regards to plots 1 and 2, the outline section of this application, the exact housing mix is not yet known but it is proposed to develop up to 478 further residential units. Looking at the proposed general arrangement plans for those two plots it is likely that they will follow a similar mix to that proposed and for the same reasons would likely to be acceptable, however, this will be considered at the reserved matters stage.

### Affordable Housing

Policy H6, Affordable Housing, states that new residential schemes of 25 dwellings or more (excluding student accommodation), or more than 1ha, will be expected to provide 25% of all dwellings as affordable homes.

However, within the same policy it states that where the specified level of affordable housing cannot be provided, including for reasons of viability, robust evidence must be presented to justify a reduced or alternative form of contribution.

It has already been mentioned that the application was accompanied by a viability appraisal which has indicated that the development is proving unviable if any affordable housing were provided in the scheme. 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. The results of the assessment have proven that indeed the proposed development would be unviable if affordable housing were introduced.

It has been highlighted by objectors, which hasn't gone unnoticed, that one of the reasons for refusal from the previous application (OUT/2020/0935) on this site was due to no affordable housing being provided as part of the scheme. The way in which national and local policy is written it allows justification, via viability appraisals, to be given as to why affordable housing can't be provided and for that to be taken into consideration. As explained there has been strong scrutiny of the appraisal, partially due to the reason for refusal previously, as to whether the appraisal was correct and based on sound ground. It has been proven the justifications given via the appraisal have been fairly assessed and therefore significant weight should be given to these findings when forming the overall balanced judgement.

Whilst the viability assessment indicates that the scheme is not viable with any affordable housing, the applicant has indicated that they will be seeking grant funding to provide 20% affordable housing. However, this does not form part of this application and will need to be applied for by the applicant once planning permission is in place, as funding is only given where viability issues are agreed.

The proposals also include a small element of retail/commercial/office use (Use Class E) which would provide for 950sq.m at ground floor level within plot 2. Policy R4 of the Local Plan states that proposals for retail and other Main Town Centre uses will not be permitted in out-of-centre locations unless they satisfy the Sequential Assessment. This is also repeated within policy JE4 in relation to offices. Although the site is located on the edge of the city centre, it is outside the defined city centre boundary and therefore consideration must be given to both policies R4 and JE4. A sequential assessment has been provided with the application which does show availability of various size units within the city centre but discounts them due to the distance away from the site or due to the E class uses provided would be ancillary to the development and not affect those units. Whilst this isn't necessarily the correct way in which the sequential test should be adopted and would not strictly comply with policy R4 and JE4 of the Local Plan the significant benefits of the development would outweigh any minor harm that may arise from this modest level of out of centre provision and therefore be acceptable in relation to policies R4 and JE4 of the Local Plan.

A comment received within the objections referred to the recently released census data indicating that there wasn't a need for a development of this size. The Council has made a commitment to trigger a Local Plan Review before the end of this year. Whilst a Plan Review should not take as long as developing an entirely new Plan it is still expected to take around 2 years from the launch of the first consultation to the adoption of the final document. During this time the 2016 Plan remains fully in effect, and applications must be determined accordingly. The current Plan identified a need for some 42,400 dwellings over the plan period, using the 2014 Office of National Statistics (ONS) population projection as a base. Neighbouring authorities agreed to deliver 17,800 of these due to capacity constraints in the city. Whilst it would be inappropriate to predict the result of the Review it should be noted that a) the government still require us to base housing need on the same 2014 population projections and b) any amendment to housing need would impact on the full extent of the unmet need absorbed by neighbouring authorities before any impact is made on the Review.

As highlighted above there is still a need for housing and the number of units proposed on this brownfield site would be making effective and efficient use of a brownfield site which would be a welcome addition.

### **Impact on visual amenity**

Building beautiful and better designed homes in areas where they are need is at the centre of the NPPF 20211. It gives Local Planning Authority's the confidence to refuse permission for development that does not prioritise design quality and does not complement its surroundings.

Paragraph 126 of the NPPF states the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 of the NPPF states 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.

Policy DE1 of the Coventry Local Plan 2016 states all development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

Whilst the application site is not located within a Conservation area, nor are there any listed/locally listed buildings on the site, the site is in close proximity to the Coventry Canal Conservation Area and St Osburg's Church, a Grade II Listed Building.

As highlighted already in this report the proposed development is being delivered in 2 phases. The full element (plots 3 and 4) and the outline element (plots 1 and 2).

### Site wide



In considering the site wide matters as a starting point by virtue of the former uses on site of significant scale, the location has in recent history enjoyed a landmark status in the city and currently offers an opportunity for positive re-development, referencing the sites former uses whilst seeking to positively transition between the two distinct built form contexts bounding the site to the north (Nauls Mill Conservation Area) and the South (City Centre).

When considering development of significant scale and height in and around the city centre, as this development will be delivering, due regard must be paid to the Coventry City Area Action Plan, which defines where important views of the cities iconic three spires are located. Through the design there has to be sensitivity given in order ensure the primacy of the spires in the skyline remains and city-wide legibility remains from the viewpoints. The proposed scheme impacts most notably the defined view corridor 16 (Upper Hill Street & Footbridge). However, the design and access statement submitted has indicated that the views from the footbridge would be unaffected due to the location of the site and the other views from the top of Upper Hill Street have already been compromised by the development within Belgrade Plaza. This has been agreed is the case by the Council's Urban Design Officer. Refencing the prescribed view cones in the action plan the siting of the proposals is otherwise located outside of the prescribed view corridors.

Due to the site's location between the notably varied contexts, it had been noted through pre app discussions, that the development must seek to positively address and transition between neighbouring contexts of differing scale, whilst also delivering sensitivity and responsiveness in architectural form and detail. It has been noticed that a lot of work has gone into the proposals to achieve what was requested and the broad principles of the submitted scheme which show the scaling down of the units across the site from South to North are welcomed and have been acknowledged the Urban Design officer.

It is clear from the parameter plans and detailed plans of plots 3 and 4 that the development brings increased permeability through the site delivering enhanced connectivity for pedestrians moving to and from the Naul's Mill area of the city into the city centre. The layout delivers positive definition of public and semi-public areas, aided by the courtyard approaches to built form whilst welcoming the opportunity of a direct linkage being established from the new green space toward St Osburg's School.

A key component knitting together and bringing a high-quality design output to the development is the landscape scheme that is proposed. The design and access statement brings positive design rationale forwards for the approaches taken with positive references to the site and wider contexts past interwoven in hard and soft landscape outputs.

### Plot 3

Plot 3 is situated to the southwest of the application site and neighbours the locally listed 58-64 Upper Hill Street and the ring road to the south. The plot which consists of two blocks comprising 4 distinct elements of mainly red brickwork, has been considered, following amendments, architecturally well proportioned, with elegant detail consideration and a subtle delivery of tripartite design principles by the urban design officer. In terms of its form and height the breaking down of plot 3 into 4 distinct elements is seen as

generally successful in allowing the plot to contribute towards the wider massing transitions. The primary elements of the plot are noted to be located toward movement routes whilst the tallest element of plot 3 delivers a notable stepping up to elements that would form plots 1 and 2.

The linking sections of the block provide sufficient subservience to enact their role of the articulation and understanding of the massing patterns, whilst the stepping down in massing to New Gas Street and the neighbouring relationship to existing properties on Upper Hill Street is seen as an appropriate response to context. In terms of the principle of massing approach within plot 3 there are no objections from the Urban Design Officer.

During the process of the application there have been amendments made to the plot 3 which has seen the applicant make positive changes and take on board constructive suggestions from the urban design officer. The changes made have provided context to material choices, altered sections of roof form to re-interpret in a contemporary manner precedents seen on Barras Lane; and has built upon terrace references with articulation of a defined rhythm to the public realm.

The changes made have satisfied the urban design officer who has no objections plot 3 subject to conditions requesting details of finishes and materials to be made and used in order to achieve the quality of design that has been promised.

#### Plot 4

Plot 4 has a greater interface with the conservation area, whilst also being sited to the rear of locally listed buildings on Upper Hill Street and extending up to the newly formed linear park.

Similar to plot 3, the proposals are distinctly contemporary in aesthetic, which is not objected too by the urban designer officer. The massing and architectural approach is delivered in two distinct elements in this plot with that of pitched roof and flat roofed forms. It has been highlighted by the urban design officer that the architect has positively referenced architectural cues from the conservation area, which have in turn informed design proposals. The use of a-symmetric pitched roofs is a key positive providing both a link to the conservation areas vertical proportion examples and the sites industrial heritage, whilst delivering an understandable rhythm of development which helps articulate its residential use.

Again, as part of amendments submitted the plot has had changes made including the continuation of the pitched roofs further along the elevations that front Abbots Lane.

#### Plots 1 and 2

Plots 1 and 2 form the rest of the site which are both accessible from Abbots Lane and are situated either side of the linear park. A large amount of consideration in regard to the impact on visual amenity of the area would fall within reserved matters application for assessment at a later stage, those being of scale, layout, appearance and landscape.

However, the applicant has provided parameter plans within the submission outlining elements to form a site wide development strategy that would form a framework for reserved matters applications at later stages.

Using these parameter plans, which gives indications of scale, there were amendments requested by the Urban Design Officer in regard to the upper height proposed of the tall building sited at the junction of Radford Road and the ring road junction. The amendments responded to the requirement to lower the upper height of this element to deliver a more harmonious relationship to existing built forms of significant scale around the civic space of the Belgrade Theatre.

In regard to the requests made by the urban design officer a design code has now been submitted. This document has been reviewed and agreed that it provides a positive framework around which to promote positive design outcomes at reserved matters application stage for the elements of the site currently supplied in outline.

Taking into account the details given within this section it is considered that the proposed development in terms architectural, form, massing and detail would provide a high-quality development that would be in context with the area it sits and would therefore be in compliance with policy DE1 of the Local Plan 2016.

### **Impact on residential amenity**

Policy DS3 of the Coventry Local Plan is concerned with creating sustainable development, sustainable development is meeting the needs of the present without compromising the ability of future generations to meet their own needs, Policy H3 of the Coventry Local Plan states that new development must provide a high-quality residential environment.

In regard to residential amenity policy DE1 also highlights that all development will be expected to seek high quality design and attention to detail in the layout of developments, individual building and infrastructure in terms of the function and impact.

Given the scale of the development, it has to be accepted that there will be some impact on neighbouring residential amenity, as the proposals will significantly alter the skyline and change the outlook for local residents. Whilst there is a right to light there is no right to a view. The proposals are indicated as between 4 and 21 storeys in height and therefore will impact on daylight and sunlight in the immediate vicinity of the site. As per the previous application a daylight and sunlight assessment has been submitted, this looks at the impact on the closest residential properties to the site. This concludes that the majority of neighbouring properties will retain good levels of daylight (measured using the vertical sky component – VSC) in excess of the 27% target recommended in the BRE standards. The report does highlight that there are four houses on Abbots Lane and four houses on Upper Hill Street which will receive some reduction in light having VSC levels of 21% but notes that the BRE guidance suggests that the numerical targets given need to be interpreted flexibly and in consideration of other site constraints. In looking at the shadow tests, these again show relatively minor impact on neighbouring residential properties in the winter months when shadows are longer, but almost no impact in the summer months. In view of the limited number of properties impacted and the relatively high levels of daylight retained, the impact caused by the proposed development is considered to be broadly consistent with BRE guidance

The Design Guide for New Residential Development (DGNRD) SPG sets out the layout requirements for new developments and states a minimum 20m window to window separation distances are required between habitable room windows. This distance will need to be increased where dwellings exceed two storeys in height and will have an impact on the daylighting and privacy of the adjoining gardens/dwellings. However, this distance, between the fronts of dwellings, can be relaxed depending on the street typology being developed, however consideration will need to be given to the placement of windows and the position of windows to ensure that no overlooking loss of privacy issues arise, this can be achieved by vertical planting.

A minimum of 12 metres is required between the rear of one property and the side, blank gable of another property. Furthermore, development cannot breach a 45-degree sightline taken from any habitable room window, whether outside or inside the site.

The proposed layout both the detailed for plots 3 and 4 and the indicative layout for plots 1 and 2 shows a scheme that accords with the residential design guide in terms of separation distances between the proposed development and neighbouring residential properties.

The closest residential properties to the development are the 3-storey terrace at 58-64 Upper Hill Street and a distance of 25m is retained between the rear of these properties and the proposed 5 storey block directly behind them. The distance measured is taken from the closest part of the existing dwelling house, that being the single storey rear extension. Whilst the distance is over the distance recommended the developer has also introduced oriel windows to this elevation to redirect views so that there isn't any direct overlooking.

No.58 Upper Hill Street has its principal elevation facing the side and the block proposed adjacent to this on Upper Hill Street within plot 3 is positioned so there is 20m separation and the height reduced to 4 storeys at the north-west end of the block to further minimise impact. The windows that will face towards have been minimised in number the windows directly facing at first and second floor do not serve habitable rooms. There is the Upper Hill Street orchard that has been proposed which will sit between the properties providing a natural screening interrupting the direct views. This relationship however will be no different to a normal street where properties face each other across a highway. Furthermore the new development will not be positioned directly in front of the habitable room windows in no. 58 so the outlook from the windows is considered acceptable.

It's not only loss of privacy and overlooking that would need to be considered but also the overbearing nature of the development upon the amenities of the neighbouring properties. Again, the properties on Upper Hill Street, being the closest residential properties, are the ones mainly affected. There have been amendments made to the elevation of the new development, which sits behind the residential properties, in order to break up and reduce the massing. This has led to a more architecturally pleasing elevation also. The roof pitches have been reversed to reduce the height and the block is set at a lower level to that of the neighbouring gardens. The distance between the block of development and the rear of the properties helps to reduce the overbearing nature of

the development which again is aided by the orientation of the development to the north of the neighbouring gardens. Although not yet adopted as a guideline, if you were to take a 25-degree angle from the rear window upwards towards the development, the development would not breach that 25-degree angle, indicating that the height of the development and distance between the two is acceptable. Taking into account again the limited number of properties affected plus the reasons given above it is considered that the proposed development would not result in a significant impact in terms of an overbearing nature.

Separation distances in excess of 30m are retained between the proposed development and properties on the opposite side of Abbots Lane. Referring to one of the objections received it was mentioned that the proposed development would result in overlooking of the playground at St Osburg's School which would be of concern. The development fronting Upper Hill Street would be set back from Upper Hill Street so approximately 40 metres away from the school grounds. The front block would be 6 storeys tall and would be screened by the mature vegetation which sits along this boundary behind the stone wall. The footbridge and screening on the bridge would also be a barrier between the two. There would be limited views due to these factors. As the height rises inwards to 11 storeys within plot 3 the distance increases to approximately 70-80 metres. These distances would be more than sufficient to alleviate any concerns of overlooking.

In view of the separation distance and the proposed blocks being in accordance with the residential SPG, it is not considered that the proposals would result in any significant loss of privacy or overlooking to neighbouring occupiers and therefore is considered compliant with policies DS3, H3 and DE1 of the Local Plan.

## **Open Space**

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 Design Guide for New Residential Developments sets a requirement for at least 30sq.m of private amenity space is provided per two bedroomed dwellinghouse. There is no definitive guidance on how much communal amenity space is required for apartment blocks.

The proposed layout that has been put forward does look to include areas of open space within the development. There obviously has already been a significant open space located on the site which divides plot 1 and 2, that being the linear park. The works done also have made improvements to Naul's Mill Park Lake and provides a secure link through from the park to the linear park. This provides an open space which can be utilised by residents of the development and the public and also acts as a connective open space providing safe and secure access under the ring road.

The other open spaces that are proposed to be interwoven into the development is a new landscaped orchard (St Osburg's Orchard) located at the arrival point on Upper Hill Street opposite the church and school. This will provide a space for local residents, parents and pupils of the school to meet and socialise.

There is also a stepped garden which will have a physical link to the linear park. This will utilise an area in which the gradients of the site change and will provide spaces for all ages with areas dedicated to natural play, relaxation and gardening. A linear rain garden will form a new focal point offering a green pathway for pedestrians with swales, specially designed tree pits and ideal habitats for birds and butterflies.

In addition to the public open spaces there are also private courtyards proposed between the buildings located on plot 3 and 4 to allow the residents an area in which they can enjoy away from the public domain. It has also been indicated this will be replicated within plot 2 also. The proposed layout of plot 4, provides a green buffer between Abbotts Lane and the town houses that front it, which gives the opportunity for those properties to have small garden areas to sit out and enjoy. Throughout the development in plots 3 and 4 there are private terraces provided to some properties which would add to that outdoor private amenity space.

The open space, landscaping and connectivity that is proposed through the development, initiated by the formation of the linear park provides open space for residents of the area and new development to utilise. The connection from Naul's Mill Park and into the City Centre allows ease of access to other open spaces in close proximity which again will be of benefit to the new development and local area. The provision of some private space in and around the development via courtyards, small garden areas and terraces provides a variance of private amenity space which gives the residents the space they need whilst adding to the vibrancy that it will create.

There are no traditional dwellings to speak of on the development with the townhouses the closest to a 'dwelling house' in which there are small garden like areas provided for residents. As highlighted there is no definitive guidance on how much communal amenity space is required for apartment blocks, however taking into consideration the courtyards, terraces and the open spaces provided within the development, added to that which is within easy walking distance, Nauls Mill Park and the City Centre, with its public realm improvements, it is considered that there would be sufficient space and the development would be in compliance with policy GE1 of the Local Plan.

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

Paragraph 199 of the NPPF states 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.

Paragraph 200 states 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.

The following paragraphs of the NPPF 201 and 202 refer to the level of harm. The levels that are referred to are, substantial harm or (total loss of significance) as being the scenario where an application should be refused and less than substantial harm being the scenario in which the harm is weighed against the public benefits of the proposal.

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).

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.

With regards to the proposed development the heritage assets affected are, the adjacent Naul’s Mill Conservation Area, St Osburg’s Church and the locally listed buildings fronting Upper Hill Street. It is important to note that the development site isn’t located within the Conservation Area but sits adjacent. The site at present is a vacant previously developed site which used to house a gas works which now has a new linear park running through connecting Naul’s Mill Park with the city centre and the Belgrade square. St Osburg’s church is a Grade II Listed Building situated on the opposite side of Upper Hill Street to the site and located closer to the junction with Barras Lane and Abbots Lane. The locally listed buildings on Upper Hill Street are a group of 4 three storey terraced dwellings.

The proposed development has been submitted as a hybrid application to demonstrate that the scale, massing, form and details provided in plots 3 and 4, which are closest to these heritage assets, are considerate to the context of its surroundings. As already considered within the report the proposed layout and design of the development has been well thought out and has positively referenced architectural cues from the conservation area. The scale of the proposals has been lowered towards the northeast corner of the site to form more of a relevance to the conservation area and locally listed buildings to which they are to neighbour. Through the process of the application the applicants have taken the comments and requests made by the urban design officer and conservation officer on board and amendments have been made to the betterment of the scheme and have allowed the development to enhance the edge of the conservation area to which it adjoins. The design and appearance of the units which will front Abbots Lane have been praised by the urban design officer and conservation officer to the contribution they would bring.

There are small areas of detail within the development in which the Conservation Officer would like to see improved most notably the boundary wall of new gas street and details regarding materiality, however these can be covered by condition if the application is to be approved.

It is the conservation officers view that the amendments that have been made to the development will improve the appearance of the development and the way people interact with the space, this is a large site, and these smaller interventions will ensure that there will be individual points of interest across the site. This will have the knock-on effect of ensuring desirability of the development and creating a richer visual tapestry to the walkable areas, which will become a thoroughfare for adults and children alike.

The development has evolved through the process of consultation and initial concerns relating to impacts to the Conservation Area and the Locally Listed 58-64 Upper Hill Street have largely been addressed and the minor less than substantial level of harm arising from the increased development and change to setting of the Conservation Area along Abbots Lane, is outweighed by the public benefits of these proposals and the proposals are therefore considered acceptable according to para. 202 of the NPPF.

In terms of archaeology this has largely been resolved within the application that was approved for the remediation works. A condition was proposed on that application to ensure that further investigations are undertaken before the remediation works are progressed to ensure that there are no findings of significance in relation to the former gas works that would need to be preserved in situ. The Council's archaeologist has reiterated his agreement to that condition being replicated on this application. Taking this into consideration the proposed development with regards to archaeology would be acceptable.

Taking the above into account the above it is considered that the proposed development would be in compliance with policy HE2 of the Local Plan 2016.

### **Highway considerations**

The Local Plan includes policies setting out a balanced approach to supporting the movement needs of local residents and businesses in a growing city. Those policies recognise the role of the car in supporting connectivity to areas in and around Coventry, but also actively encourage sustainable and active modes of travel to help address traffic congestion, air quality and health issues.

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

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



Policy AC4 of the Local Plan states that Development proposals should incorporate appropriate safe and convenient access to walking and cycling routes. Where these links do not exist, new and upgraded routes will be required and these must appropriately link into established networks to ensure that routes are continuous. The expected type of provision will depend on the scale, use and location of the site. For larger developments, financial contributions may be required to support improved pedestrian and /or cycling routes on the wider network. The expected level of cycle parking provision should be based on the cycle parking standards set out in the Appendix 5.

### Access

The proposed access to the application site will be via Abbots Lane and two existing accesses will be utilised. There will be another access to the development that is situated on Upper Hill Street again utilising an existing access to the site, however it is proposed that this is only used as an exit from the site for the properties that are situated in plots 3.

The transport assessment undertaken has based the vehicle trip generation using the amount of parking provided on site (239 parking spaces) as a marker. The proposed development is assessed, and taking into account other associated trips also, as generating 53 and 64 two vehicle trips in the AM and PM peak periods respectively. This is not considered significant by the Highway Authority and as such they are of the opinion that no further assessment of the local highway network is necessary in terms of capacity and safety under the scenario where 33% car parking provision is proposed.

### Car Parking

The amount of car parking the development provides is a key consideration in this application, due to the objections received and due to the fact, it was a reason given for refusal on the previous application.

With regards to the car parking standards provided within appendix 5 of the Local Plan, the standards are set out based on two distinct zones, the city centre and the outer city. The difference between in the standards is stark whereby the city centre applications is determined on a site-by-site basis, generally looking to restrict the amount of residential parking provision provided, and the outer city area based on standards which look for provision of 1 space for 1-bedroom dwellings and 2 spaces for any dwelling that is 2+bedrooms, together with visitor parking spaces.

When considering the parking provision, the quality and accessibility of public transport, walking and cycling routes to key services need to be taken into account as they can influence how people travel, for example, people living in or near the city centre are less likely to be reliant on car use, hence there will be a reduced need for car parking compared to less accessible areas of the city.

Taking this into consideration the supporting context to the parking standards states that, it is recognised that in exceptional circumstances there may be occasions when it could be appropriate to have a lower or higher level of parking depending on the specific details of the application.

The proposed development is looking to provide 239 parking spaces within the development to serve the 690 units that are being developed. This now provides, following the reduction in the number of units through the process of the application, 34.5% of the units with a car parking space. The level of parking previously offered in the application which was refused was 26.5%. Whilst there has clearly been an acknowledgement from the developer to the concerns raised by increasing the level of parking, the 8% increase has been made whilst still acknowledging the other factors and considerations that can't be ignored and need to be taken into consideration such as traffic congestion, air quality, health issues and promotion of sustainable travel.

Based on the car parking standards set out in appendix 5, the proposed development for plots 3 and 4 would require 361 car parking spaces for the occupiers of the units and 43 spaces for visitors so 404 parking spaces would be required for the 212 units in plots 3 and 4. The overall development is proposing 239 parking spaces to serve 690 units across the 4 plots.

When assessing parking provision against the standards the starting point is that maximum parking provision should be provided in line with appendix 5 unless the site is in a highly accessible location such as a major transport interchange. In such cases a lower level of provision may be acceptable subject to mitigation measures being in place, such as funding of a residents parking scheme for example.

This site is located adjacent to the city centre boundary with good pedestrian and cycle connections across the ring road into the city centre, so will be very well served by all that the city has to offer with services, amenities and exceptional transport nodes therefore the need for car ownership would be severely diminished. The fact this development is within the outer city zone should not mean that it has to adhere to the standards given. If this development were to adhere to the parking standards there would be over 1000 parking spaces required which would one, not be physically possible on the site and two, would cause significant issues to the traffic problems and air quality problems alike.

The majority of parking provided on site (181 spaces) would be located within plot 2 and would be in a podium style car park forming the lower two levels of any building that is formed, utilising the changing levels of the site to its advantage. The remaining parking provided would be formed at street level and integrated into the other plots as not give the appearance of a vehicle dominated development. The parking bays in and around the development of plots 3 and 4 will be broken up by landscaping again providing a more pedestrian friendly environment. It has been indicated that the exact allocation of parking spaces has not yet been determined but it is anticipated that some spaces will be dedicated to either a specific property or car club. Parking within the site will be subject to a car parking management strategy which would include the use of a management company which could include gating the site or provision of permits to prohibit public parking introduced.

There were comments received that the temporary parking was an unacceptable arrangement and that there was no indication on how long it would be in place. The proposed temporary parking has been offered during the process of the development due to the phasing of the development and the large amount of parking proposed being on site within plot 2. Plot 1 which will be the last section to be developed will be allocated as

the main temporary secured car park for residents, providing 77 spaces, whilst plot 2 is brought forward. Whilst there is no activity on plot 2 there will also be some parking within this plot to ensure that the residents within plots 3 and 4, as and when they occupy the units, have an option to park. Whilst it is agreed it isn't the ideal scenario the fact that there is a strategy in place is commended to avoid conflict occurring on surrounding streets.

The increase in parking provision offered on site has been one reaction to the previous refusal. The other reactions have been to include in the transport assessment and travel plan, measures to address the problematic parking in the local area and to promote sustainable transport methods. As part of the proposals there is a contribution to be made to the Council in order for a resident parking zone to be created along Upper Hill Street, Abbots Lane and Coundon Road for existing residents. This would enable the designated parking bays to be restricted for use only by residents who have a permit. The residents of the new development on the former Transco site will not be eligible for a permit to park within these roads which would avoid any overspill of cars from the development onto the neighbouring streets and would deter the majority of potential occupiers from car ownership. This would address a significant number of concerns raised by residents.

Another initiative the developer is looking to introduce is the offer of a car club. It is intended that a minimum of 15 car club spaces would be provided. Car clubs offer an option to use a car, without owning one. The aim of car clubs is to reduce single occupancy car journeys and the total number of vehicles on the road. Where the car is not owned and therefore readily available, it is unlikely that the car will be used for short car trips, rather they are used for pre-planned trips where a car is more essential. This should therefore encourage shorter trips to be undertaken by more sustainable modes of travel such as active modes.

Connected to the car club but also looking to encourage alternative modes of transport would be the provision of mobility credits to be issued to each unit within the development. Mobility Credits is an electronic voucher credits system that is being developed by TfWM as part of their Future Mobility Zone workstream. Cash credits are loaded onto a travel card and smartphone app, that users can spend on alternative modes of transport to the private car, including public transport, car sharing or green hire schemes. Mobility Credits has been developed with the ambition of providing freedom for people to choose between sustainable travel options all within one package.

The highway authority has indicated that a contribution equating to £580 per dwelling should be offered via the mobility credit method which as highlighted would give new occupiers various options of how to move about other than having a reliance on a private car.

Other initiatives that will be included within the Travel plan to encourage sustainability would be the installation of a West Midlands Cycle Hire hub, walking information/promotion; cycling information/promotion; bicycle user group; public transport information; encourage home working and welcome packs.

Taking into account the highly sustainable location of the site, added to the suggested initiatives such as residents parking zone for existing residents, car club and mobility

credits it is considered that the increased level of parking proposed within the site would be sufficient to support the scheme and not result in a detrimental impact upon neighbouring amenities in compliance with policy AC3 of the Local Plan. In that regard it is important to ensure that there are sufficient mitigation measures in place to ensure alternative means of transport is a genuine option and that the proposals will not impact on the existing parking provision for surrounding residents. This is discussed further under the Developer Contributions section of the report.

### Cycle Parking

In terms of Cycle Parking the local plan within appendix 5 highlights that there should be a cycle parking space per residential dwelling. The proposals put forward will provide one cycle space per dwelling and they will be provided within each building providing secure areas. The cycle stores are clearly visible within plots 3 and 4 on the ground floor plans and the parameter plans for 1 and 2 also indicate towards these areas being provided. There are also proposals to install additional cycle parking stands in close proximity to the linear park to enable cycles to be parked and secure whilst enjoying the amenity space.

Taking the above into account the proposed development would comply with policy AC4 of the Local Plan.

### **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.

The development site will have its primary access on Abbots Lane and will then access the key road network via Holyhead Road. This is the critical location within the Local Air Quality Action Plan (LAQAP) being implemented by the City Council in response to the Ministerial Direction (the Environment Act 1995 (Coventry City Council) Air Quality Direction 2021, with nitrogen dioxide (NO<sub>2</sub>) levels recorded as being in exceedance of the legal limit set by Government. The City Council is currently implementing the LAQAP, with the majority of the Coundon Cycle Route having been completed and construction works underway on the Spon End and Ring Road Junction 7 improvements. Once these schemes have been completed, the proposed measures for the Coundon and Holyhead Road corridors to target traffic reduction, and therefore NO<sub>2</sub> reduction, can be implemented during 2023/24. These proposed measures are currently being refined with further public engagement planned in the near future.

The Environmental Protection Officer has stated that the conclusions from Coventry City Council's air quality modelling for the Local Air Quality Plan indicates that there is a very small margin between compliance and non-compliance on Holyhead Road, and therefore any increase in traffic could potentially delay the year of compliance and therefore go against the Ministerial Direction. Therefore, it was initially recommended that the proposed development should not become operational until after the completion of the Coventry Local Air Quality Action Plan measures approved by the City Council's Cabinet in July 2020, as these are identified as achieving compliance with the Ministerial Direction. Following the successful implementation of the CLAQAP and sign off by Government (JAQU), then the commencement of operations at the development would

be acceptable in air quality terms. It was further recommended that monitoring of continued compliance post development be undertaken, and that the developer should financially contribute to this requirement through a S106 agreement.

Since the original comments were given further updated air quality reports and addendums to the reports have been undertaken. These further reports have confirmed that the additional estimated traffic on Holyhead Road generated by the operational phase of the development does not undermine the effectiveness of the Local Authority Air Quality Action Plan (LAQP) to achieve compliance with the EU Ambient air quality directives, assuming the full development will not be operational until 2027, (i.e., post the (proven) successful implementation of the LAQP). The estimated Annual Average Daily Traffic (AADT) headroom in 2027 according to the LAQP modelling (scenario L4) is enough to accommodate the additional 646 AADT expected from the Abbots Lane development being fully operational.

It was raised within the EP officers' original comments about the uncertainty regarding the Upper Hill Street works within the AQAP works and whether these were to be undertaken. As this still remains in the balance the proposed further assessments made have included the Upper Hill Street works as part of the assessments. At present the works have been agreed by JAQU and would need to be carried out unless an alternative option is made and approved via the ministerial directive.

It is acknowledged that the delivery of the development will occur in two phases. The above conclusions are still valid under the assumption that the first phase of the development, which includes the provision of 212 houses (77 parking spaces via the temporary parking strategy) will be operating in 2025/2026 (i.e., with the AQAP in place). It is still recommended that monitoring of continued compliance post development be undertaken, and that the developer should financially contribute to this requirement through a S106 agreement.

In summary following the air quality assessments, the proposed development on plots 3 and 4 could be developed out and occupied without taking the air quality levels above what is acceptable. However, the remainder of the development plots 1 and 2 (478 dwellings) cannot be occupied until the AQAP works have been completed and monitoring of the levels found to be acceptable in terms of the target NO<sub>2</sub> reduction and agreed with by the LPA, which is likely to be 2027. In order to ensure this is the case there will be a restriction on occupation of plots 1 and 2 written into the S106 agreement.

### **Flood Risk**

Policy EM4 states that all major developments must be assessed in respect of the level of flood risk from all sources. If development in areas at risk of flooding is the only option following the application of the sequential test, it will only be permitted where the criteria set out in Policy EM4 are met.

The site is located entirely within Flood Zone 1. As part of the submission a Flood Risk Assessment (FRA) and drainage strategy was submitted which concludes that there is a low risk of flooding from fluvial sources and that flood risk from surface water is very low across the site and that the development will not increase flood risk on or off the site.

The Local Lead Flood Authority have raised no objections to the scheme subject to conditions requiring a scheme for the provision of sustainable surface water drainage with consideration to open air SuDS and particular emphasis on attenuation techniques and a detailed strategy for the long-term maintenance of the SuDS and other surface water drainage systems on site.

With these conditions put in place it is considered the proposed development would comply with policy EM4 of the Local Plan 2016.

### **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 wastewater by whatever means.

The proposed remediation strategy of the site has already been given approval subject to conditions via application ref FUL/2021/3298 on 30<sup>th</sup> May 2022. The Remediation Strategy summarised the required works as below:

- Removal of surface materials including tarmac, concrete, topsoil and reinstatements from earlier phase of remediation works (2014);
- Made ground excavation, crushing, screening stockpiling for re-use;
- Removal of below ground structures / cut / fill to a depth of 1.5 m below finished levels in proposed building plots and 0.525 m below finished levels across the remainder of the site;
- Removal of 0.25 m of concrete/tarmac finishes where finished levels are in excess of 1.5m above existing ground level.
- Stockpiling of surplus soils in potential building plots.
- Provision for storage, treatment and disposal of any previously identified contamination.
- Filling with available made ground and surplus made ground material from Linear Park remediation works, currently stockpiled in upper level.
- Construction of approx. 250 mm running layer across site using site won crushed hardstanding.
- Construction of tarmac surfaced temporary access road from Upper Hill Street to gas governor in north.
- Construction of temporary stone access road from Abbots Lane to gas governor in south-east.
- Removal of remaining steel base and sidewalls of Gasholder No 5 and backfilling with arisings.
- Undertake earthworks cut and fill to proposed formation levels.
- Undertake drainage diversion of existing combined sewer.

The conditions that were added to the approval requested that a Construction Management Plan, further assessment of the risk to controlled waters from the residual contamination and further archaeological investigations were carried out and submitted before any works commenced.

The Environment Agency, Environmental Protection Officers, Highway Officers and Archaeologist have all reiterated the need for the same conditions to be added to any approval given.

With these conditions reiterated it would be considered that the proposed development would comply with policy EM6 of the Local Plan.

### **Ecology**

Policy GE3 of the 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.

The site is approx. 200m from Coventry Canal (potential Local Wildlife Site) and is more than 1km from Lakeview Park (Local Wildlife Site), so therefore the development would not have any direct impacts on any statutory wildlife sites. There are no records of significant wildlife from the site, there are records of bats and amphibians from the local area. The site currently a vacant brownfield area largely comprising hardstanding with limited trees and other vegetation has recently benefitted from the construction of the linear park which has created a green link through the site from Naul's Mill Park to the city centre, splitting the development parcels, which has obviously given an immediate biodiversity gain.

The application was supported by a Preliminary Ecological Assessment (PEA) which stated that in general the site has relatively low ecological value and wildlife will not be a significant constraint on the development. The assessment does make enhancement recommendations that would increase the biodiversity value of the development such as areas of biodiverse/bio solar roofs, wildlife friendly landscaping, areas of vertical greening and provision of artificial bat boxes.

There are numerous statements within the design and access statement that highlighting the emphasis on incorporating biodiversity into the development that has been picked up on by the Council's ecologist such as the linear park, courtyard planting, green roofs and other biodiversity enhancements. There is no objection to the proposal on ecology grounds by the ecologist subject conditions being imposed to ensure that the opportunities for biodiversity are fully implemented. If the objectives of the Design and Access Statement are achieved the development would be a very significant benefit to green landscape and biodiversity and provide a model for other development to extend.

It is proposed to add conditions requesting a landscape management plan, construction environmental management plan but also conditions requesting further detail on the green roofs indicated on the plan, which mainly occur in plot 3 in the full application and the other biodiversity enhancements such as bat boxes.

Taking into account the above it is considered that the proposed development would comply with policy GE3 of the Local Plan.

### **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; and b) Physical, social and green infrastructure to support the needs associated with the development.

The development would trigger the need for a number of contributions. However, as already highlighted the developer has put forward a viability report in respect of the development which concludes that taking account of a 25% affordable housing provision and including all construction and strategic costs, the resulting residual land value for the whole site equates to negative land value. Even with a 0% affordable housing provision and including all construction and strategic costs, the resulting residual land value for the whole site is equates to negative land value, which demonstrates the site is not currently viable.

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:

- **Education** have requested a contribution of £914,058
- **NHS CCG** requested a contribution of £600,959
- **Highways** have requested a contribution of £55,000 for Resident Parking Zone; £147,500 for 3 WM cycle hire docking stations; £406,000 for Mobility Credits; £31,164 for EV car club vehicles and £68,000 Travel Plan Monitoring Fee.
- **Parks and open space** have requested a contribution of £246,288 towards informal open space provision which would be required in addition to the provision and maintenance of the linear park.

In view of the viability of the scheme indicated the developer has put forward lesser contributions than those requested and the justification for this:

- **Education;** The developer does not consider the request to be proportionate to the impact of the scheme and are prepared to offer a contribution of £531,541 for education, which has been based on a professional assessment following meetings with education.
- **NHS;** The developer is prepared to offer a contribution of £464,179, which equates to over £670 a unit which they have again taken professional advice in offering this contribution.
- **Highways;** The contribution of £55,000 is agreed for the RPZ. The developer is of the opinion taking into account the location of site, plus the cycle stores provided on site that only 1 docking station is required and will pay £49,050 for that. The car club will be contributed direct by the applicant via the provision of a car club. Again the EV car club vehicles will be provided direct by the applicant via the provision of a car club. The developer is of the opinion that the monitoring fee is £6800 as per other applications recently granted.
- **Parks and open space;** The developer considers that the open space investment on the linear park and off-site public realm works is way in excess of the £283,759 requested and are not proposing to offer any further contribution in this respect. Considering the amount of open space within the site and the works already undertaken officers are in agreeance that this contribution would not be sought. The maintenance of the linear park open space is covered by a planning condition for that permission and therefore separate to this application. The s106 Agreement will need to cover the maintenance of the on-site open space for this application, whether that be a financial



contribution to the Council to maintain the open space or maintenance through a management company.

In summary, the developer is proposing on an ex-gratia basis, to provide a total contribution of £1,106,570 as set out above, which will include the cost of providing a car club in addition to the commuted sum c.£1m they are spending on maintaining major elements of the off-site public realm and landscape.

Clearly the contribution proposed is not the full contribution requested from consultees and there is a shortfall from the £2.3m requested. Education have stated they met the developer halfway for the previous reduction in contributions and had an agreement at that figure so are disappointed this has been further reduced.

The reduction in the contributions of Education and NHS has been considered and reviewed. It has to be noted that the viability assessment undertaken by the independent consultants did conclude that the development was not viable with any affordable housing or S106 contributions and that the developer is looking to provide contributions to partially mitigate the impact of the development on the infrastructure. However, the difference in terms of a % loss in relation to the GDV with or without the full amount secured is not considered by officers to be significant. The applicant has argued that costs have risen since the viability was initially submitted but in the absence of an updated viability assessment to reflect market changes officers consider that the request from NHS and Education are not unreasonable. In the absence of this funding Officers are therefore of the opinion the NHS and Education contributions should be paid in full through the S106 agreement. If this cannot be achieved, then, in line with the recommendation, officers proposed to refuse the application under delegated powers.

A review mechanism could be factored into the S106 to enable an updated viability review before the reserved matters applications are made. This has been suggested to the applicants but is still under discussion.

The contribution with regards to mobility credits is again seen as vital to the functioning of the development in terms of promoting sustainable travel so again this contribution in full will be sought via the S106 and again if not achieved then officers again, in line with the recommendation, propose to refuse the application under delegated powers.

Highways have requested a number of contributions which, as assessed above, are largely required to mitigate the impact of the development having regard to the under-provision of parking spaces. However, it should be noted that Highways are recommending refusal of the application if all of their requests are not met. Officers consider that most of these requests are necessary to mitigate the impact of development, such as the provision of a residents' parking zone and the mobility credits but do not consider that the requirement for £68,000 for travel plan monitoring is CIL compliant as this is normally £6,800 per development and not per year. Equally, one cycle docking station is considered sufficient in this location as the requirement for three is not considered to have been demonstrated.

## **Other considerations**

The police architectural liaison officer has raised concerns mainly regarding the issue around parking. The officer has stated that “the site is within an area of Coventry that has historically been subjected to high levels of crime and anti-social behaviour. There is obvious concern that such an expansion will potentially exacerbate the current problems due to the expected increase in the levels of people and vehicles that this proposal will no doubt attract to the area”.

The officer continues to state that “the lack of parking may also cause issues and force any proposed vehicle owners into parking their vehicles some distance away from the site, therefore, increasing the vulnerability of the vehicle (please note that vehicle crime is one of the most prevalent offences in the area). The need to find parking may also impact upon the surrounding side roads causing issues away from the site itself”.

With regards to the officers’ concerns regarding the parking there are initiatives, incentives and contributions being put forward as part of the scheme to reduce car ownership and the highly sustainable location itself would lend towards this. The RPZ and car club would reduce the amount of cars that would be neighbouring streets which would alleviate some of the concerns the officer had.

Before the application was submitted and following on from the previous application the applicants design team met with the crime prevention design advisor to discuss and review the scheme. Aspects taken from that meeting which have been incorporated into the development is the use of CCTV, provision of secure parking for both cars and cycles, lighting design, secure private courtyards, passive surveillance, well maintained landscape and limited access and egress points. The layout of the scheme with a grid like pattern would provide clear sight lines along public open spaces, there will be natural and passive surveillance of all routes around the site and the parking of the majority of cars and cycles will be secure within buildings. There has been a commitment made to the introduction of CCTV which can be conditioned and the landscaping within the site is confined and doesn’t interfere with walkways. There are aspects suggested by the officer in which can be picked up and incorporated by the developers when within the development stage. It is apparent that the design team have taken into consideration designing out crime within the proposed development and therefore it would be acceptable in relation to this aspect.

Policy EM2, Building Standards, states that new development should be designed and constructed to meet the relevant Building Regulations. It continues to state that In meeting the carbon reduction targets set out in Building Regulations, the Council will expect development to reduce energy through energy efficiency measures, supply energy through efficient means and look to utilise renewable energy generation.

The proposed application was submitted with an energy statement which indicates that the development would provide a 41% betterment over currently building regulations saving 211 tonnes of carbon per annum. This will be slightly less now taking into account the new building regulations which have recently been introduced but still this development will be sustainable in terms of its energy. In order to ensure that there will be aspects within the build which build upon the energy statement a sustainable building statement will be requested via condition to be submitted before any development commences. The proposed development will therefore be in compliance with policy EM2 of the Local Plan.

## **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 proposed development is considered to be acceptable in principle due to the allocation within the local plan for residential development. The development has a density and housing mix that are suited to this highly sustainable location adjacent to the city centre. Taking into consideration the details within the report it is clear that the proposed development performs on all three overarching objectives of sustainable development, being economic, social and environmental, without having a significant negative impact to counterbalance the positives. The development makes effective and efficient use of this vacant brownfield site whilst decontaminating the site, improving connectivity and providing open spaces for all to enjoy. The full aspect of the development is considered to be high quality with a design which will help improve the character and appearance of the area. The submitted design code submitted with the application will ensure the high-quality design is carried through to the latter phases. The less than substantial harm that the development would have upon the neighbouring heritage assets has been lessened by amendments made therefore the public benefits clearly outweigh that harm. This development could be an exemplar development in the city in helping and encouraging the modal shift in use of different transport methods to help improve the air quality of the area. The development will have minimal impact upon neighbour amenity with design aspects to deflect overlooking views used. The development and estimated trip rates are found to be acceptable with initiatives and incentives put in place to reduce the need of car ownership. The proposed landscaping and green roofs proposed would provide a net gain in biodiversity on the site with contributions made to improving infrastructure for public benefits. It is therefore recommended that the proposed development be approved because the development is in accordance with: Policies DS1; DS3; DS4; H1; H2; H3; H4; H6; H9; GE1; GE3; GE4; JE7; DE1; HE2; AC1; AC2; AC3; AC4; AC5; EM1; EM2; EM3; EM4; EM5; EM7 and IM1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## **CONDITIONS:/REASON**

1. The development to which the FULL planning permission relates must not be begun later than the expiration of three years from the date of this permission.

**Reason:** *To conform with Section 91 of the Town and Country Planning Act 1990 (as amended)*

2. Application for approval of the reserved matters specified in Condition 4 below associated with the OUTLINE planning permission, accompanied by detailed plans and full particulars, must be made to the Local Planning Authority before the expiration of five 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, as referred to in Condition 2 above, must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved for that phase.

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

4. Details of the following reserved matters associated with the OUTLINE planning permission shall be submitted to and approved in writing by the Local Planning Authority before any part of the development associated with the OUTLINE planning permission has commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority: a - Scale; b - Layout c - Appearance; & d – Landscaping.

**Reason:** *To ensure that the details of the development are acceptable to the Local Planning Authority.*

5. Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

Full Permission

- 2298-GHA-Z3-00-DR-A-(05)0300\_P03 - Plot 3 Ground floor Layout
- 2298-GHA-Z3-01-DR-A-(05)0301\_P03 - Plot 3 First floor Layout floor Layout
- 2298-GHA-Z3-02-DR-A-(05)0302\_P03 - Plot 3 Second floor Layout
- 2298-GHA-Z3-03-DR-A-(05)0303\_P03 - Plot 3 Third and Fourth floor Layout
- 2298-GHA-Z3-05-DR-A-(05)0305\_P03 - Plot 3 Fifth Floor Layout
- 2298-GHA-Z3-06-DR-A-(05)0306\_P03 - Plot 3 Sixth Floor Layout
- 2298-GHA-Z3-07-DR-A-(05)0307\_P03 - Plot 3 Seventh Floor Layout
- 2298-GHA-Z3-08-DR-A-(05)0308\_P03 - Plot 3 Eighth Floor Layout
- 2298-GHA-Z3-09-DR-A-(05)0309\_P03 - Plot 3 Ninth Floor Layout
- 2298-GHA-Z3-10-DR-A-(05)0310\_P03 - Plot 3 Tenth Floor Layout

- 2298-GHA-Z3-11-DR-A-(05)0311\_P02 - Plot 3 Rooftop Layout
- 2298-GHA-Z3-ZZ-DR-A-(05)0600\_P02 - Plot 3a Bay Study 01
- 2298-GHA-Z3-ZZ-DR-A-(05)0601\_P03 - Plot 3a Bay Study 02
- 2298-GHA-Z3-ZZ-DR-A-(05)0602\_P02 - Plot 3b Bay Study 01
- 2298-GHA-Z3-ZZ-DR-A-(05)0603\_P02 - Plot 3D (link) Bay Study 01
- 2298-GHA-Z3-ZZ-DR-A-(05)0605\_P02 - Plot 3D (link) Bay Study 02
- 2298-GHA-Z3-ZZ-DR-A-(05)0606\_P03 - Plot 3C Bay Study 01
- 2298-GHA-Z3-ZZ-DR-A-(05)1200\_P02 - Plot 3 - Elevations 1 of 2
- 2298-GHA-Z3-ZZ-DR-A-(05)1201\_P02 - Plot 3 - Elevations 2 of 2
- 2298-GHA-ZZ-ZZ-DR-A-(05)1300\_P02 - Plot 3 - Proposed Site Section A-A and B-B
- 2298-GHA-ZZ-ZZ-DR-A-(05)1301\_P02 - Plot 3 - Proposed Site Section C-C and D-D
- 2298-GHA-ZZ-ZZ-DR-A-(05)1302\_P02 - Plot 3 - Proposed Site Section E-E and F-F
- 2298-GHA-ZZ-ZZ-DR-A-(05)1302\_P02 - Plot 3 - Proposed Site Section E-E and F-F
- 2493.1001 P3 Plot 4 - Proposed GF Plan (Level 0)
- 2493.1002 P3 Plot 4 - Proposed 1st Floor Plan
- 2493.1003 P3 Plot 4 - Proposed 2nd Floor Plan
- 2493.1003 P3 Plot 4 - Proposed 2nd Floor Plan
- 2493.1005 P3 Plot 4 - Proposed 4th Floor Plan
- 2493.1006 P3 Plot 4 - Proposed 5th Floor Plan
- 2493.1007 P3 Plot 4 - Proposed Roof Plan
- 2493.2001 P2 Plot 4 – Abbots Lane Elevation
- 2493.2002 P2 Plot 4 – Radford Brook Park Elevation
- 2493.2003 P3 Plot 4 - New Gas Street Elevation
- 2493.2004 P3 Plot 4 - Gable Elevation
- 2493.2005 P2 Plot 4 - Courtyard Elevation (1 of 3)
- 2493.2006 P2 Plot 4 - Courtyard Elevation (2 of 3)
- 2493.2007 P3 Plot 4 - Courtyard Elevation (3 of 3)
- 2493.2101 P2 Bay Study A
- 2493.2102 P2 Bay Study B
- 2493.2103 P3 Bay Study C
- 2493.2104 P2 Bay Study D
- 2493.2105 P3 Bay Study E
- 2493.3001 P2 Plot 4 - Section A-A
- 2493.3002 P2 Plot 4 - Section C-C
- 2493.3003 P3 Plot 4 - Section C-C
- 2298-GHA-ZZ-00-DR-A-(05)0100\_P03 - Site Wide GF General Arrangement
- 2298-GHA-ZZ-01-DR-A-(05)0101\_P03 - Site Wide L1 General Arrangement
- 2298-GHA-ZZ-02-DR-A-(05)0102\_P03 - Site Wide L2 General Arrangement
- 2298-GHA-ZZ-03-DR-A-(05)0103\_P03 - Site Wide L3 General Arrangement
- 2298-GHA-ZZ-04-DR-A-(05)0104\_P03 - Site Wide L4 General Arrangement

- 2298-GHA-ZZ-05-DR-A-(05)0105\_P02 - Site Wide L5 General Arrangement
- 2298-GHA-ZZ-06-DR-A-(05)0106\_P02 - Site Wide L6 General Arrangement
- 2298-GHA-ZZ-07-DR-A-(05)0107\_P02 - Site Wide L7 General Arrangement
- 2298-GHA-ZZ-07-DR-A-(05)0108\_P01 - Site Wide L8 General Arrangement
- 2298-GHA-ZZ-07-DR-A-(05)0109\_P01 - Site Wide L9 General Arrangement
- 2298-GHA-ZZ-07-DR-A-(05)0110\_P01 - Site Wide L7 General Arrangement
- 2298-GHA-ZZ-07-DR-A-(05)0111\_P01 - Site Wide L7 General Arrangement
- 2298-GHA-ZZ-07-DR-A-(05)0112\_P01 - Site Wide L7 General Arrangement
- 2298-GHA-ZZ-07-DR-A-(05)0113\_P01 - Site Wide L7 General Arrangement
- 2298-GHA-ZZ-14-DR-A-(05)0114\_P02 - Site Wide L14-L18 General Arrangement
- 2298-GHA-ZZ-19-DR-A-(05)0119\_P01 - Site Wide L19 General Arrangement
- 2298-GHA-ZZ-ZZ-DR-A-(05)0400\_P01 – Site Sections A-A
- 2298-GHA-ZZ-ZZ-DR-A-(05)0401\_P01 – Site Sections B-B
- 2298-GHA-ZZ-ZZ-DR-A-(05)0402\_P01 – Site Sections C-C
- 2298-GHA-ZZ-ZZ-DR-A-(05)0403\_P01 – Site Sections D-D
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#### Outline Permission

- 2298-GHA-ZZ-ZZ-DR-A-(05)0001\_P01 - Parameter Plan 01 - Phasing & Plot Plan
- 2298-GHA-ZZ-ZZ-DR-A-(05)0002\_P01 - Parameter Plan 02 – Existing Site Plan
- 2298-GHA-ZZ-ZZ-DR-A-(05)0003\_P01 - Parameter Plan 03 – Proposed Uses B2 Level Plan
- 2298-GHA-ZZ-ZZ-DR-A-(05)0004\_P01 – Parameter Plan 04 - Proposed Uses B1 Level Plan
- 2298-GHA-ZZ-ZZ-DR-A-(05)0005\_P01 – Parameter Plan 05 - Proposed Uses GF Level Plan
- 2298-GHA-ZZ-ZZ-DR-A-(05)0006\_P01 – Parameter Plan 06 - Limits of Deviation
- 2298-GHA-ZZ-ZZ-DR-A-(05)0007\_P02 - Parameter Plan 07 - Min + Max AOD Levels
- 2298-GHA-ZZ-ZZ-DR-A-(05)0008\_P01 – Parameter Plan 08 – Public Realm Phasing Plan
- 2298-GHA-ZZ-ZZ-DR-A-(05)0009\_P01 – Parameter Plan 09 – Proposed Movement Plan
- 2298-GHA-ZZ-ZZ-DR-A-(05)0010\_P02 - Parameter Plan 10 - Temp CP Strategy
- 2298-GHA-ZZ-ZZ-DR-A-(05)00011\_P01 – Parameter Plan 11 – End Scheme Carpark Strategy
- Other Approved Documents
  - Design and Access Statement May 2022 Revision 01
  - Abbots Park Design Code September 2022 Revision 02
  - Air Quality Report
  - Air Quality Assessment Addendum
  - Preliminary Ecological Assessment
  - Remediation Strategy

- Transport Assessment and Travel Plan
- Tree Survey
- Noise Assessment Report

**Reason:** *For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority*

6. The details to be submitted in relation to Condition 4 above shall have full regard to the principles set out in the Abbots Park Design Code Revision 2 dated September 2022.

**Reason:** *To ensure the detailed development of the site is acceptable to the Local Planning Authority*

7. No development shall commence on either the FULL or OUTLINE/RESERVED MATTERS element of the scheme unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces of all buildings and structures (inclusive of façade artwork detail), together with samples of the facing materials and roof tiles/slates for that element of the scheme, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

**Reason:** *To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality in accordance with policy DE1 of the Local Plan.*

8. No development shall commence on the FULL element unless and until a comprehensive hard and soft landscaping scheme including the full planting schedule specifying species, location, number, density, height and eventual spread and location of grass turfing or seeding, the depth of top soil where necessary the timing of implementation. The details should also give details of the Green Roofs proposed. The landscape works shall be permanently retained and managed in accordance with the submitted details. In event that any trees or plants which within a period of 10 years from their planting die, are removed or become diseased, they shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

**Reason:** *To ensure the proper development of the site and in the interest of visual amenity and biodiversity in accordance with policies DE1 and GE3 of the Local Plan.*

9. The details of landscaping for each built part of the development submitted pursuant to the requirements of Condition 4 shall include a phasing scheme for implementation. The landscaping shall be implemented in accordance with the approved phasing scheme.

**REASON:** *To ensure the proper development of the site and in the interest of visual amenity*

10. No external lighting, including roadway and pathway lighting, shall be erected or installed unless and until full details of the type, design and location of the lighting columns, fixtures and fittings, together with their associated angle, fall, spread and intensity, have been submitted to and approved in writing by the Local Planning Authority. Any lighting shall only be erected and installed in accordance with the approved details.

**Reason:** *To prevent unnecessary light pollution and in the interests of the amenities of the area*

11. Prior to development commencing on either the FULL or OUTLINE/RESERVED MATTERS element of the proposed development, the following drainage details for that element of the phase shall be submitted to, and approved in writing by, the Local Planning Authority (LPA):
- a) 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:-
    - 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).
    - 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.
    - 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".
  - b) 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.
  - c) Development discharge rates to be managed to Qbar greenfield rates or 5 l/s, whichever is greater. The discharge rates for brownfield sites shall be considered as greenfield in accordance with the SFRA
  - d) A 5m way leave must be provided from the top bank of any ordinary watercourse to the building line
  - e) Evidence 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 will be protected in such an event
  - f) Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway



- g) Where new or redevelopment site levels result in the severance, diversion or the reception of natural or engineered 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

**Reason:** *To reduce the risk of flooding from surface water runoff, infrastructure sewers, open water bodies and groundwater by ensuring the provision of a satisfactory means of limiting the peak and total discharge of surface water.*

*To provide learning opportunities and increase the interaction of people with water, in accordance with section 8.7.2 Design Principle of the SFRA.*

*Furthermore, to provide for betterment in watercourse quality, in line with the Water Framework Directive*

12. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the components:
1. A detailed risk assessment scheme to provide information for a detailed assessment of the risk to all controlled waters receptors that may be affected, including those off-site.
  2. The results of the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved

**Reason:** *To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework*

13. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

**Reason:** *This information is required to support Chapter 11 and policies EM6, H3, DS3 and EM2 of the Coventry local plan 2016.*

14. 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. A new site investigation and risk assessment must then be undertaken and submitted to for approval in writing by the Local Planning Authority before any other works progress. If any

further remediation is required a remediation scheme must be prepared in accordance with the requirements within the site investigation report and 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.

**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*

15. Prior to the commencement of any works on either the FULL or OUTLINE/RESERVED MATTERS element of the scheme a Construction Management Plan (CMP) shall be 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.*

16. No site remediation and/or development shall take place until the applicant, or their agents or successors in title, have submitted an archaeological mitigation strategy, based on the results of a programme of archaeological evaluation, in

accordance with the approved Written Scheme of Investigation Archaeological evaluation v.5 dated May 2022, that has been submitted to and approved in writing

by the local planning authority. The strategy shall include details of the following:

- the proper identification and evaluation of the extent, character and significance of archaeological remains within the application area,
- an assessment of the impact of the proposed development on the archaeological remains,
- the submission of an updated Written Scheme of Investigation for the approval in writing of the local planning authority setting out mitigation proposals that

include the following:

- measures to ensure the preservation in situ or by record of archaeological features of identified importance
- methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts;
- post-fieldwork methodologies for assessment and analyses;
- report content and arrangements for dissemination, and publication proposals;
- archive preparation and deposition with recognised repositories;
- a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken

and completed in accordance with the strategy;

- monitoring arrangements, including the notification in writing to the LPA of the commencement of archaeological works and the opportunity to monitor such works;

- Details on any programme of public engagement, including open days, during and following any required site works;

Any site works will only be undertaken in accordance with the approved site archaeological mitigation strategy. The works could be undertaken in a phased approach if approved by the Local Planning Authority. The full condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the archaeological mitigation strategy

***Reason:*** *The submission of these details prior to the commencement of development is fundamental to mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets are preserved in the most appropriate format for this and future generations in accordance with Policy HE2 of the Coventry Local Plan 2016 and National Planning Policy.*

17. Prior to the commencement of any works on either the FULL or OUTLINE/RESERVED MATTERS element of the scheme 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.

**Reason:** *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.*

18. Prior to the first occupation of either the FULL or OUTLINE/RESERVED MATTERS element of the scheme hereby permitted a Landscape and Ecological Management Plan (LEMP) for that element of the scheme 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.

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

19. Prior to the first occupation of either the FULL or OUTLINE/RESERVED MATTERS element of the scheme hereby permitted Biodiversity enhancements for that element of the scheme shall be submitted to and approved by the Local Planning Authority. These should include the following: Areas of biodiverse/biosolar roofs; Wildlife friendly landscaping; Areas of Vertical Greening; Diverse mix of native species; provision of artificial bat boxes; A range

of nest boxes and invertebrate habitat features. The approved enhancements 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.

**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 2018.*

20. Notwithstanding the information submitted and prior to the first occupation of the FULL element of the scheme full details of the temporary parking strategy, including full layout of the spaces, shall be submitted to, and approved in writing by the Local Planning Authority. The spaces shall be thereafter laid out in accordance with the approved details for a time period to be agreed.

**Reason:** *In order for the satisfactory functioning of the development*

21. No less than 25% of the parking spaces provided within both the FULL and OUTLINE/RESERVED MATTERS element of the scheme shall be provided with electric vehicle recharging points prior to occupation and they 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*

22. Prior to occupation of the FULL element of the scheme details of the external cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shown within the FULL element, as well as those submitted to discharge this condition, shall be provided in full accordance with the approved details prior to first occupation of the buildings and thereafter those facilities shall be retained.

**Reason:** *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*

23. Prior to occupation of the OUTLINE/RESERVED MATTERS element of the scheme details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shown and approved shall be provided in full accordance with the approved details prior to first occupation of the buildings and thereafter those facilities shall be retained.

**Reason:** *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*

24. Full details of waste management provision and a refuse strategy for the OUTLINE/RESERVED MATTERS element of the scheme, shall be submitted to

and agreed in writing by the Local Planning Authority Prior to the commencement of development on any phase. The details and the refuse strategy shall be implemented in accordance with the approval by the Local Planning Authority.

**Reason:** *To ensure satisfactory waste management and provision.*

25. Prior to the first occupation of either the FULL or OUTLINE/RESERVED MATTERS element of the scheme hereby permitted an estate management plan, including long term management responsibilities and maintenance schedules of the application site, shall be submitted to and approved in writing by the Local Planning Authority. The estate management plan shall include details of access control systems and CCTV provision across the site. The development shall only be occupied and operated in full accordance with the estate management plan for that element of the scheme.

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

26. No development shall commence on either the FULL or OUTLINE/RESERVED MATTERS element of the scheme unless and until details of all boundary treatment for that element of the scheme, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

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

27. Prior to the incorporation into the development on either the FULL or OUTLINE/RESERVED MATTERS element of the full details of the window, doors, balconies and rainwater good arrangements for that element of the scheme, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

**Reason:** *To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality in accordance with policy DE1 of the Local Plan.*

28. No development shall commence on the FULL element of the scheme unless and until full details of the treatment of the wall to Hill Street Subway has been submitted to and agreed in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

**Reason:** *To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality in accordance with policy DE1 of the Local Plan.*

29. No development shall commence on either the FULL or OUTLINE/RESERVED MATTERS element of the scheme unless and until a Sustainable Building Statement for that element of the scheme 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*

30. 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)*

31. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) the E class uses hereby approved shall exclude E(g)(ii) Research and development of products or processes and E(g)(iii) Industrial Processes.

**Reason:** *To safeguard the amenities of the neighbouring residents in accordance with policy DE1 of the Local Plan.*

32. The proposed E Class uses hereby approved shall not exceed gross internal floorspace of 950sqm.

**Reason:** *The granting of an unrestricted planning permission could have a significant impact on the vitality and viability of existing shopping centres as set out in Policy R3 of the Coventry Local Plan 2016.*

33. *Prior to the occupation of the FULL element of the scheme all bin stores and refuse collection points shall be provided in full accordance with the approved details.*

**Reason:** *To ensure satisfactory waste management in compliance with policy EM8 of the Local Plan 2016.*

34. Prior to the commencement of any works on either the FULL or OUTLINE/RESERVED MATTERS element of the scheme no development (including any demolition or preparatory works) shall commence unless and until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. This shall include details of; the methodology for carrying out a hand dug exploratory trench/pit within the Root

Protection Area without causing damage to those roots greater than 25mm diameter, contingency should roots be discovered within trench/pit, design of foundations to respect a 200-300mm air void located between the existing ground level and lower surface level of suspended foundation floor, and full tree protection details. The development shall only be carried out in strict accordance with the approved details.

**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.*