

| <b>Planning Committee Report</b> |  |
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| <b>Planning Ref:</b>             | FUL/2021/2944  |
| <b>Site:</b>                     | 28 Tallants Road   |
| <b>Ward:</b>                     | Longford   |
| <b>Proposal:</b>                 | Demolition of No.28 Tallants Road and erection of eight dwellings and associated works. (Resubmission of FUL/2020/2733). |
| <b>Case Officer:</b>             | Emma Spandley  |

## **SUMMARY**

The application seeks full planning permission for the erection of eight houses on land to the rear of properties located within Over Street, Haddon Street and Tallants Road.

To facilitate the access to the site No.28 Tallants Road will be demolished.

All eight properties are three storey, three bedroomed houses.

The site is unallocated and lies on the north-western side of Tallants Road. It is an area of overgrown, open space landlocked between Tallants Road, Over Street and Haddon Street. The area measures 0.38 hectares and is accessed via single width car accessways between dwellings, namely, No.28 and No.26 Tallants Road and in between No.55 Over Street and No.102 Tallants Road providing access to rear garages. The site itself is located between the rights of access to the garages.

The surrounding houses are mainly terraced with the odd semi-detached property.

The application proposal secures over 15% of undeveloped areas, including formal landscaped areas to be used as informal Public Open Space (POS) and the creation of a 'Tiny Forest'.

## **BACKGROUND**

There have been a number of applications that have been submitted which have sought to develop the site for housing. The full details of which can be found in the *Planning History* section.

OUT/2015/1950, was refused on 1<sup>st</sup> December 2015 for the erection of 18no. dwellings based on the principle of the loss of the site as urban green space; not providing a safe access point and lack of information on how the site could be developed for the quantum of houses

A further application was submitted, OUT/2016/1254, for the erection of 11no. dwellings on the site. This too was refused on the basis of the impact on protected species, not providing a suitable access and the lack of information on how the site could be developed for 11no. houses

Between these two applications it has been established that the application site was not an area of publicly accessible open space and therefore its loss and the principal of the site being redeveloped for housing has been accepted.

A third application was submitted, OUT/2017/1071, for the erection of 11no. units; four flats and seven houses; with access and layout discharged and was refused for not achieving a high-quality design or a satisfactory living environment; not providing a safe access and no contributions to healthcare.

This application was appealed (APP/U4610/W/19/3219738) and dismissed by an Inspector. Whilst the Inspector considered that the principle of residential development within the site would be acceptable, the quantum of development proposed would result in a cramped development at odds with its immediate surroundings.

The Inspector also concluded that due to the narrowness of the access and the orientation of the site, there would be little opportunity to create a termination point or a new dwelling that could address this access. The Inspector concluded that this would result in a lack of sense of place and legibility for the scheme.

The Inspector noted that the parking requirement for the proposed development created a significantly car-dominated environment.

The Inspector therefore concluded that 11no units represented an over development of the site.

#### **KEY FACTS**

|  |   |
|--|---|
| <b>Reason for report to committee:</b> | Over 5 objections contrary to the officer recommendation. |
| <b>Current use of site:</b>            | Vacant  |
| <b>Proposed use of site:</b>           | Residential   |

#### **RECOMMENDATION**

Planning committee are recommended to delegate the grant of planning permission to the Strategic Lead for Planning subject to conditions.

#### **REASON FOR DECISION**

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours
- The proposal will not adversely impact upon the character and appearance of the area.
- The proposal accords with Policies: DS1, DS3, H1, H3, H4, H9, GE1, GE2, GE3, GE4, DE1, AC1, AC2, AC3, AC4, EM1, EM2, and EM5 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## **BACKGROUND**

### **APPLICATION PROPOSAL**

The application seeks full planning permission for the erection of eight houses on land to the rear of properties located within Over Street, Haddon Street and Tallants Road.

To facilitate the access to the site No.28 Tallants Road will be demolished.

All eight properties are three storey, three bedroomed houses.

The site is unallocated and lies on the north-western side of Tallants Road. It is an area of overgrown, open space landlocked between Tallants Road, Over Street and Haddon Street. The area measures 0.38 hectares and is accessed via single width car accessways between dwellings, namely, No.28 and No.26 Tallants Road and in between No.55 Over Street and No.102 Tallants Road providing access to rear garages. The site itself is located between the rights of access to the garages.

The surrounding houses are mainly terraced with the odd semi-detached property.

The application proposal secures over 15% of undeveloped areas, including formal landscaped areas to be used as informal Public Open Space (POS) and the creation of a 'Tiny Forest'.

The application will provide a dwelling, Plot No.8 to the entrance to the site, behind No.3 – No.7 (odd) Haddon Street before turning westwards to an area of open space, located behind No.30 – 40 (even) Tallants Road; there will be a block of four, three storey houses behind No.46 – No.52 Tallants Road, Plot 4, Plot 5, Plot 6 and Plot 7. Plot No.5 and Plot No.7 will be side onto the properties in Tallants Road, with a blank end gable.

There is then a row of three, three storey houses, Plot No.1, Plot No.2 and Plot No.3. Plot No.3 has a blank side gable onto the rear of No.60 – No.64 (even) Tallants Road.

No.76 – No.82 Tallants Road are directly behind Plots No.1, No.2 and No.3.

### **SITE DESCRIPTION**

The site is unallocated and lies on the north-western side of Tallants Road. It is an area of overgrown, open space landlocked between Tallants Road, Over Street and Haddon Street. The area measures 0.38 hectares and is accessed via single width car accessways between dwellings, namely, No.28 and No.26 Tallants Road and in between No.55 Over Street and No.102 Tallants Road providing access to rear garages. The site itself is located between the rights of access to the garages.

The surrounding streets are characterised by terraced properties.

## **PLANNING HISTORY**

| <b>Application Number</b>  | <b>Description of Development</b>   | <b>Decision and Date</b>   |
|--|---|--|
| OUT/2015/1950  | Outline Application for Residential Development for 18 dwellings (all matters reserved)   | Refused:<br>1st December 2015  |
| OUT/2016/1254  | Outline application (access and layout submitted) for demolition of 28 Tallants Road and erection of 11 dwellings with associated access, parking and landscaping | Refused:<br>17th August 2016   |
| OUT/2017/1071  | Demolition of 28 Tallants Road, new access and erection of 11 dwellings on land to rear (outline application with access and layout submitted)                    | Refused:<br>26th July 2018.<br><br>Dismissed on Appeal:<br>27th June 2019. |
| <p>In dismissing the appeal, the Inspector stated: -</p> <p><i>'The main issues were: -</i></p> <ul style="list-style-type: none"><li>• the effect of the proposal on the character and appearance of the area; and</li><li>• Whether the proposal makes adequate provision for car parking'</li></ul> <p>Whilst the Inspector considered that the principle of residential development within the site would be acceptable, the quantum of development proposed would result in a cramped development at odds with its immediate surroundings.</p> <p>The Inspector also concluded that due to the narrowness of the access and the orientation of the site, the Inspector felt there would be little opportunity to create a termination point or a new dwelling that could address this access. The Inspector concluded that this would result in a lack of sense of place and legibility for the scheme.</p> <p>The Inspector noted that the parking requirement for the proposed development created a significantly car-dominated environment.</p> <p>The Inspector therefore concluded that 11no units represented an over development of the site.</p> |   |  |
| FUL/2020/2733  | Demolition of existing dwelling (No. 28 Tallants Road) and erection of 9 dwellings and associated access road and landscaping on existing vacant land.            | Withdrawn  |

## **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 H3: Provision of New Housing

Policy H4: Securing a Mix of Housing

Policy H6: Affordable Housing

Policy H5: Managing Existing Housing Stock

Policy H9: Residential Density

Policy GE1: Green Infrastructure

Policy GE2: Green Space

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

Policy GE4: Tree Protection

Policy DE1: Ensuring High Quality Design

Policy AC1: Accessible Transport Network

Policy AC2: Road Network

Policy AC3: Demand Management

Policy AC4: Walking and Cycling

Policy EM1: Planning for Climate Change Adaptation

Policy EM2: Building Standards

Policy EM5: Sustainable Drainage Systems (SuDS)

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

SPG Design Guidelines for New Residential Development

SPD Delivering a More Sustainable City

SPD Coventry Connected

SPD Air Quality

### **CONSULTATION**

No Objections received from:

- a) West Midlands Fire Service
- b) Tree Officer

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

- c) Ecology
- d) Environmental Protection
- e) Drainage
- f) Highways
- g) Urban Design

h) West Midlands Police

Immediate neighbours and local councillors have been notified on 16<sup>th</sup> February 2021 on the initial application, then on 16<sup>th</sup> September 2021 to take account of the amendment to the redline which reduced the site area; a site notice was posted, and a press notice was displayed in the Coventry Telegraph on 18<sup>th</sup> March 2021 and 13<sup>th</sup> May 2021.

19no. letters of objection have been received, raising the following material planning considerations:

- a) Loss of green space.
- b) The need for extra housing.
- c) Impact on traffic, congestion and Highway Safety.
- d) Bin Wagon and Emergency services access.
- e) Increased noise and disturbance.
- f) Loss of wildlife and green spaces.
- g) Overlooking and loss of light.
- h) Compromising security of residents.

Within the letters received the following non-material planning considerations were raised, these cannot be given due consideration in the planning process:

- i) The right to a view
- j) Existing parking problems

17no. letters of support have been received, raising the following material planning considerations:

- k) Reuse of undeveloped land
- l) need for housing

Any further comments received will be reported within late representations.

### **APPRAISAL**

The main issues in determining this application are principle of development, density, highway considerations, residential amenity, design and visual, ecology, flood risk and drainage, air quality and noise.

### **Principle of Development**

The Council is required to make decisions in accordance with the statutory development plan unless material considerations indicate otherwise. (Section 38(6) PCPA 2004 and Section 70(2) TCPA 1990). The statutory development plan is the Coventry Local Plan adopted in December 2017. The National Planning Policy Framework (NPPF) is a key material planning consideration.

Paragraph 119 of the NPPF seeks to ensure planning policies are promoting 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. 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 H1 of the Coventry Local Plan states future housing will be designed to create new and stable communities.

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

Policy H4 of the Coventry Local Plan states that the Council will require proposals for residential development to include a mix of market housing which contributes towards a balance of house types and sizes across the city.

The site is in a sustainable location accessible by several transport modes and is close to several employment generating areas and local retail provision, however, creating sustainable communities and therefore sustainable developments requires the proposals to also include safe and appropriate access, have adequate amenity space and parking provision and be safe from environmental pollutants such as land contamination, excessive noise and air quality issues.

As noted under the *Background* section between applications OUT/2015/1950 and OUT/2016/1254 it was established that the application site was not an area of publicly accessible open space and therefore its loss and the principal of the site being redeveloped for housing has been accepted.

This was further confirmed in the Inspectors decision when dismissing appeal (APP/U4610/W/19/3219738), where the Inspector considered that the principle of residential development within the site would be acceptable, the quantum of development proposed would result in a cramped development at odds with its immediate surroundings and that was one of the reasons the Inspector dismissed the appeal.

Taking everything into consideration and being mindful that the previous Inspector's decision is a material consideration in the assessment of the application, the principle of the redevelopment of the site for housing is acceptable and in accordance with Policy DS3, GE1 and GE2 of the Coventry Local Plan.

### **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 assessment of recent developments has shown that the density and mix of residential development largely reflects local density patterns, and this should continue. In order to support urban regeneration and high-quality design, development must ensure that land is used as intensively as possible whilst remaining compatible with the quality, character and amenity of the surrounding area.

Therefore, outside of the Ring Road (The A4053) a minimum of 35 dwellings per hectare (net) should be provided on Previously Developed Land.

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

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

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

As amended, the application now proposes the required 15% undeveloped landscaped areas.

The principle of new dwellings and the quantum of development in this location is acceptable, subject to compatibility with other policies.

As mentioned above sustainable developments requires the proposals to include safe and appropriate access and be safe from environmental pollutants such as land contamination, excessive noise and air quality issues.

These areas are discussed in more detail below.

### **Highway Considerations**

Policy AC1 of the Coventry Local Plan tilted '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.

### **Access**

The Highway Authority has reviewed the proposed access points into the site on Tallants Road. The application proposes a vehicle crossover arrangement to retain pedestrian priority. Tracking for Emergency vehicles and Bin wagons has been undertaken which demonstrates that the relevant vehicles can enter, manoeuvre within and exit the site safely.

As amended, the new access is acceptable subject to conditions.

### **Parking**



All the properties have the required number of parking spaces and visitor spaces and is in accordance with appendix 5 and Policy AC3 of the Coventry Local Plan. Conditions will be attached to secure the access, parking and manoeuvring spaces prior to occupation of the houses.

Whether the proposed layout for the scheme, including the full quantum of policy compliant parking, could achieve an acceptable layout without being too car dominated is discussed under the *Design and Visual* section below.

#### Cycle Parking

The application also provides for cycle parking and is required to be in place prior to occupation.

The proposal would result in a high-quality residential environment which would provide safe and appropriate access and therefore the proposals would contribute to a sustainable community in accordance with Policy H3 of the Coventry Local Plan.

Policy H3 requires adequate amenity space for each dwelling in order to create a suitable residential environment also. This element is discussed in more detail below.

#### **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. A suitable residential environment includes amongst other requirements, adequate amenity space

#### Proposed Residential Amenity

The Design Guide for New Residential Development (DGNRD) SPG sets out the requirement for 3+ bedroom houses is 50 square metres of private amenity space.

The application proposes two different variants of the same house type, but they are all proposed to be three bedrooms.

Plot No.1, No.2 and No.3 are House Type A which provides a split-level amenity/garden space.

At ground floor there is an internal courtyard measuring 14sq.m and at first floor there is a terrace also measuring 14 sq.m.

There is also a rear garden.

- Plot No.1 measures 36sq.m;
- Plot No.2 measures 42sq.m and
- Plot No.3 measures 35sq.m.

Plot No.4, No.5, No.6 and No.7 are House Type B which provides a split-level amenity/garden space.

At ground floor there is an internal courtyard measuring 14 sq.m and at first floor there is a terrace also measuring 14 sq.m.

Plot 8 is House Type C which similar to House Type A also has a ground floor courtyard which opens out onto a garden area measuring 44sq.m to the side of the property. There is also a terrace at first floor above the internal courtyard measuring 15sq.m.

Plots No.1, No.2, No.3 and No.8 all have amenity space which exceeds the 50sq.m requirement and therefore is policy compliant.

However, it is noted that Plots No.4, No.5, No.6 and No.7 are designed as back-to-back houses which therefore does not have a typical rear garden. The properties do benefit from amenity space in the form of courtyards and terraces which provides 28sq.m of private amenity space. Whilst this is below the 50sq.m required for a three-bedroom house, it is considered that due to the design of the site, the site characteristics that on balance the proposals will provide a suitable residential environment for future occupiers.

It must also be noted that the proposals are for open market housing and not affordable housing, this means that any prospective occupier will have the choice about whether the house is fit for them to live in. People will not be placed in the houses without any options.

#### Existing Residential Amenity

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 dwellings 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.

Starting at the entrance to the site, Plot 8 is located on the entrance and has a rear elevation opposite the rear elevation of No.3 and No.5, and part of No.7 Haddon Streets rear elevations. The distance between Plot 8 and the existing houses is 23m.

Plot 8 is house type C, which is a detached three storey house. However, the design of the house is not completely conventional and benefits from split level living which includes split level courtyards and balconies. The elevation facing the properties in Haddon Street is a blank elevation.

The Design Guide for New Residential Development (DGNRD) SPG sets out the layout requirements for new developments and states a minimum of 12 metres is required between the rear of one property and the side, blank gable of another property.

Officers note that the house is proposed to be three storeys and set to the west of the

properties located in Haddon Street. The separation distance is 23m, an increase of 11m from the SPG 12m requirements.

On this basis, it is considered that the application will provide a satisfactory residential environment for existing neighbouring properties in Haddon Street is in accordance with Policy H3 of the Coventry Local Plan thus far.

Keeping with Plot No.8, the properties No.7 and No.9 Over Street, have their rear elevation looking onto the blank side, end gable of the proposed house. Again, officers note that the house is proposed to be three storeys and set to the south of the properties located in Haddon Over Street. The separation distance is 23m, an increase of 11m from the SPG 12m requirements.

On this basis, it is considered that the application will provide a satisfactory residential environment for existing neighbouring properties in Over Street is in accordance with Policy H3 of the Coventry Local Plan thus far.

Traversing westwards into the site, to the northeast, of the dwellings No.30 – No.42 (even) Tallants Road, is an area of open space. This is set to the rear of No.30 – No.42 (even) Tallants Road at a distance of some 18m. The rear gardens of these properties are separated from the application site by an existing and retained vehicular accessway, which will be denoted by a landscaped boundary.

Beyond the public open space is a quadrant of four, three storey houses. Plot 7 and Plot 5 are set side on to the rear of the properties No.46 – No.52 (evens) Tallants Road. The side elevation in Plots 5 and 7 are blank and set, at the closest point at ground floor, 16m to ground floor and 20m to first floor from the rear elevation of No.46 Tallants Road; increasing to 20m at ground floor and 23m to first floor to No.52 Tallants Road.

The Design Guide for New Residential Development (DGNRD) SPG sets out the layout requirements for new developments and states a minimum of 12 metres is required between the rear of one property and the side, blank gable of another property.

The separation distance at the pinch point is 20m, an increase of 8m from the SPG 12m requirements.

On this basis, it is considered that the application will provide a satisfactory residential environment for existing neighbouring properties No.46 – No.52 (evens) Tallants Road and is in accordance with Policy H3 of the Coventry Local Plan thus far.

Plots 1, Plot 2 and Plot 3 are located at the western end of the application site and is arranged as a terrace of three properties. Again, these properties have been designed as three storey, split level living town houses, with a two-storey element interconnecting the properties together. The side elevations and rear elevations are blank gables.

Plot No.3 is side onto No.58 – No.64 (evens) Tallants Road. No.58 is located 19.5m at ground floor and 23m at first floor and 20m at both ground and first floor from No.64 Tallants Road.

The rear of Plots No.1, Plot No.2 and Plot No.3 are rear onto the rear of properties No.80 – No.86 Tallants Road. These properties are set:

- No.80 – 29m at ground floor and 32m at first floor
- No.82 – 27m at ground floor and 30m at first floor
- No.84 – 30m at ground floor and 30m at first floor
- No.86 – 30m at ground floor and 30m at first floor

Within the rear elevation of these properties is a door at ground floor; a bedroom window at first floor and then a blank third floor.

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

The separation distance at the pinch point is 30m, an increase of 10m from the SPG 20m requirements.

On this basis, it is considered that the application will provide a satisfactory residential environment for existing neighbouring properties No.80 – No.86 (evens) Tallants Road and is in accordance with Policy H3 of the Coventry Local Plan thus far.

It is also worth mentioning that the properties No.30 – No.102 Tallants Road are all separated from the application site by an existing and retained vehicle accessway, therefore there is a gap to the rear boundary of properties No.30 – No.102 Tallants Road.

Plot No.1 is side onto the properties, No.51 and No.53, and is set 34m at ground floor at 30m at first floor from the side elevation. Furthermore, the properties in Over Street, No.7 – No.53 (odd) are separated from the application site by a gifted vehicle accessway (this is discussed in more detail under *Other Matters* section.) and the internal road for the proposed houses.

On this basis, it is considered that the application will provide a satisfactory residential environment for existing neighbouring properties No.7 – No.53 (odd) Tallants Road and is in accordance with Policy H3 of the Coventry Local Plan.

### **Design and Visual**

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.

As mentioned within the *Background* section, there have been a number of applications relating to developing the site for housing which have all been refused with one application being dismissed at appeal.

OUT/2015/1950 – reason for refusal: -

*“The proposed development would be contrary to Policies BE2, H9 and H12 of the Coventry Development Plan 2001 and the overriding principles of the National Planning Policy Framework as it does not demonstrate how 18 dwellings could be sited on the application site and achieve a high quality design and satisfactory living environment for future occupiers and protect the living conditions of existing residents, to the detriment of the character of the locality and the amenities of occupiers of neighbouring properties.”*

OUT/2016/1254 – reason for refusal: -

*“The proposed development would be contrary to Policies BE2, H9 and H12 of the Coventry Development Plan 2001 and the overriding principles of the National Planning Policy Framework as it does not demonstrate how 18 dwellings could be sited on the application site and achieve a high quality design and satisfactory living environment for future occupiers and protect the living conditions of existing residents, to the detriment of the character of the locality and the amenities of occupiers of neighbouring properties.”*

OUT/2017/1071 – reason for refusal: -

*“The proposed development would be contrary to Policy DE1 of the Coventry Local Plan 2016 and the overriding principles of the National Planning Policy Framework as the layout does not achieve a high-quality design and satisfactory living environment for future occupiers to the detriment of the character of the locality”.*

Dismissed at appeal:

Whilst the Inspector considered that the principle of residential development within the site would be acceptable, the quantum of development proposed would result in a cramped development at odds with its immediate surroundings. (Paragraph 8).

The Inspector also concluded that due to the narrowness of the access and the orientation of the site, the Inspector felt there would be little opportunity to create a termination point or a new dwelling that could address this access. The Inspector concluded that this would result in a lack of sense of place and legibility for the scheme. (Paragraph 9)

At paragraph 10 the Inspector noted that the parking requirement for the proposed development created a significantly car-dominated environment.

The Inspector therefore concluded that 11no units represented an over development of the site.

Turning to the proposal and the previous reasons for refusal on the quantum of development on the site.

The previous applications sought permission for 18no and 11no properties on the site which were deemed to be overdevelopment.

The current application seeks permission for eight properties a reduction of 10no and 3no respectively.

In dismissing the appeal for the 11no houses, the inspector felt that as a dwelling was not located to address the access which would create an unacceptable termination point and this would result in a lack of sense of place and legibility for the scheme.

The current application now provides a detached dwelling at the entrance to the site, this is in conjunction with the landscaped entrance that has been provided on arrival to the site now provides an acceptable termination point and would now create a sense of place and legibility of the scheme.

Officers feel this reason for refusal has been overcome.

In dismissing the appeal for the 11no houses, the Inspector considered that due to the number of units proposed (11no), and the parking requirement for the dwellings created a car dominated environment.

The amended scheme now provides an area of public open space together with additional soft landscaped planting.

There are no more than a run of two parking spaces before they are separated by soft landscaping. The details of the proposed soft landscaping has not been submitted with the application however, it is an item that can be conditioned.

On this basis, it is considered the reduction in the number of units has enabled the car parking requirement to be reduced and an increase of landscape planting to the public realm has overcome the previous reasons for refusal.

Turning to the design of the proposed properties.

One detached dwelling is located to the entrance of the site and benefits from a main three storey gabled element with a two-storey element tucked to the side. Due to the design of the property, it will be side onto the entrance road, but it will deliver an active frontage and provide natural surveillance to the access.

The central block offers back-to-back design with a split-level outdoor amenity. The three-storey element are book ends to the quadrant with the two storey elements within the central core of the properties. These two storey elements provide the amenity space for the proposed dwellings.

The western terrace is a similar house type to the detached property, with Plot No.3 and No.2 with the three-storey element to the south side and Plot No.1 with the three-storey element to northern side

The properties are proposed to be constructed from red multi brick and grey slate roofing to match the external materials used in the area. This element can be controlled by a suitably worded condition.

Officers and the applicant have worked closely together to deliver a scheme that will provide three-bedroom properties on land that is under used and used for fly tipping. It is considered due to the location of the site, being enclosed by surrounding built form, the site can create its own sense of character and place. The properties have been designed with a three storey, contemporary take on a traditional form.

Taking all of the above into consideration, it is considered the proposals will create a sense of place and will create beautiful and a sustainable residential environment and is in accordance with Policy DS3, H3 and DE1 of the Coventry Local Plan.

### **Ecology, Biodiversity and Trees**

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

#### **Ecology and Biodiversity**

The development would not have any impact on any statutory or non-statutory wildlife sites. The nearest site is Former Bell Green Goods Yard (Local Wildlife Site) approx. 200m away. There are no records of notable wildlife from the site. However, there are records for bats and hedgehogs in the wider area

The site is undeveloped and is largely unmanaged grassland with some scattered scrub and trees. The surrounding area is residential with gardens.

The application was supported by a Preliminary Ecological Assessment. The report provides background information and an assessment of the habitats and wildlife on the site.

The site is considered to be relatively low biodiversity value but with local value and likely to support a range of wildlife and species such as hedgehogs. There is no evidence of bats within the building to be demolished.

The development would lead to an overall loss in biodiversity. The PEA recommends a number of features to enhance biodiversity.

The proposed landscaping includes a “Tiny Forest” which would provide a valuable biodiversity and community feature, together with other proposed enhancements.

Taking all of the above into account it is considered with the provision of a Tiny Forest and other landscaped enhancements provided as mitigation for the application, the application is in accordance with Policy GE3 of the Coventry Local Plan.

#### **Impact on Trees**

Policy GE4 states that trees make a valuable contribution to the city’s green landscape. New developments should seek to retain existing trees and other landscape features, incorporating them into a high-quality design and landscape proposals where possible. Should loss be unavoidable, compensatory provision of new trees should be proposed as part of a well-designed landscape scheme.

There are no trees on the site. The comments are noted with regards the apparent removal of a tree from the site.

However, the site is not located within a Conservation Area, where trees have protection, nor were there any trees on site that were protected by a Tree Preservation Order (TPO).

Therefore, whether a tree was removed or not (as no evidence has been supplied to substantiate this) is not a material consideration in the assessment of this application.

#### **Flood Risk and Drainage**

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

The full drainage details have not been given; however, this element can be controlled by a suitably worded condition which requires SuDs and permeable paving to be used.

#### **Noise**

The site is located within an existing residential area, where a full noise assessment is not required. No objections are raised subject to a condition requiring a Construction Management Statement (CMS) being submitted prior to commencement.

#### **Other Matters**

##### **Rights of Access**

There have been many comments made with regards to existing rights of access over the application site.

The grant of planning permission does not overcome private law restrictions on development; and the principle remains that private law interest such as restrictive



covenants are not material considerations for the purposes of determining planning applications. The City Council as local planning authority has a statutory obligation to determine all applications submitted in accordance with the development plan and other material considerations (Section 70 TCPA 1990 provides that a local planning authority, when determining an application '*should have regard to the provisions for the development plan in so far as material to the application and to other material considerations*').

Covenants and private law restrictions are not material considerations and therefore to take them into account when determining a planning application would be ultra vires, i.e. outside the legislative scope of the local planning authority; which could result in the decision (if planning permission were to be refused) being challenge at appeal to the Secretary of State or in the Courts by way of Judicial Review.

Irrespective of what legal action the neighbours may take, the City Council as local planning authority, has a statutory obligation to determine the application submitted and grant planning permission, if the proposal is considered acceptable, even if ultimately the applicant may be prevented from undertaking the development by private law restrictions.

Notwithstanding the above, Officers have been furnished with the land registry deeds for a selection of properties that surround the site to establish the exact rights of access granted. However, none of the title deeds show the right of access or what the right of access entails.

Therefore, officers have considered the application on the basis that all the properties that have a Right of Access over the application site within their deeds that needs to be retained.

Amended drawings have been submitted which shows how the access routes to the existing houses surrounding the site can be achieved.

The applicant has also supplied additional tracking information which demonstrates how the existing garages can be accessed along with the proposed development.

Whether the road will be offered up for adoption or not is not a material planning consideration, however, the application has been assessed on the basis and to the standard of an adoptable highway.

### **Equality Implications**

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

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

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

## **CONCLUSION**

The application site is unused and overgrown land.

There is no public access or right of way over the site apart from the occupiers of some of the properties that surround the site. As the site is not publicly accessible the loss of it and its redevelopment is considered acceptable subject to suitable mitigation.

The comments are noted with regards to impact on traffic and parking, the site is providing the full quantum of parking required by the Policy AC3 of the Coventry Local Plan and the access to the site has been agreed by the Highway Authority.

Notwithstanding the above, the comments are noted with regards to existing parking problems and traffic, however the proposed application cannot make right an existing perceived wrong, it can only mitigate against the impacts of the proposed application. Highways have been fully involved within the discussions with the application and subject to the conditions mentioned above the application is considered acceptable with regards to highway safety.

The application achieves all the relevant separation distances and has been designed to a high standard.

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, highway safety, ecology or infrastructure, subject to relevant conditions and contributions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DS3, H1, H3, H4, H6, H9, HE2, GE1, GE2, GE3, GE4, JE7, DE1, AC1, AC2, AC3, AC4, EM1, EM2, EM4, EM5, EM7 and IM1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## **CONDITIONS/REASONS**

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

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| 2.            | <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <ul style="list-style-type: none"> <li>• DRAWING - Location Plan - Drawing No.1192.01</li> <li>• AMENDED DRAWING - Proposed Site Plan - Drawing No.1192.03P</li> <li>• AMENDED DRAWING - Proposed House Type B - Drawing No.1192.14A</li> <li>• AMENDED DRAWING - Proposed House Type A and Type C - Drawing No.1192.13A</li> <li>• DRAWING - Alterations to No. 30 - Drawing No.1192.09A</li> <li>• REPORT - Preliminary Ecological Appraisal, dated 22nd September 2021</li> </ul>  |
| <b>Reason</b> | <i>For the avoidance of doubt and in the interests of proper planning.</i>  |
| 3.            | <p>No development (including any demolition) shall take place unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of: - hours of work; - hours of deliveries to the site; - the parking of vehicles of site operatives and visitors during the demolition/construction phase; - the delivery access point; - the loading and unloading of plant and materials; - anticipated size and frequency of vehicles moving to/from the site; - the storage of plant and materials used in constructing the development; - the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; - wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; - measures to control the emission of dust and dirt during demolition and construction; - measures to control the presence of asbestos; - measures to minimise noise disturbance to neighbouring properties during demolition and construction; - details of any piling together with details of how any associated vibration will be monitored and controlled; and - a scheme for recycling / disposing of waste resulting from demolition and construction works. Thereafter, the approved details within the CMP shall be strictly adhered to throughout the construction period and shall not be amended in any way.</p> |
| <b>Reason</b> | <p><i>The agreement of a Construction Management Plan prior to the commencement of development is fundamental to ensure a satisfactory level of environmental protection; to minimise disturbance to local residents and in the interests of highway safety during the construction process in accordance with Policies AC1 and AC2 of the Coventry Local Plan 2016.</i></p>  |
| 4.            | <p>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</p>   |

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|               | <p>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.</p>  |
| <b>Reason</b> | <p><i>In order to safeguard protected and/or priority species from undue disturbance and impacts, noting that initial preparatory works could have unacceptable impacts; and in order to secure an overall biodiversity gain in accordance with Policy GE3 of the Coventry Local Plan 2016.</i></p>   |
| <b>5.</b>     | <p>Prior to the occupation of the development hereby permitted the following drainage details shall be submitted to and approved in writing by the Local Planning Authority;</p> <p>A scheme shall be submitted to, and approved in writing by, the LPA for the provision of a Sustainable urban Drainage System (SuDS) in accordance with the latest available design guidance. The submission shall include all relevant details and calculations to enable a full evaluation to be undertaken, and clear and accountable consideration shall be given to the following features:-</p> <ul style="list-style-type: none"> <li>• General below ground attenuation, aimed solely at managing the quantity of water on site;</li> <li>• Water quality control mediums such as permeable paving aimed at improving the quality of water passing through the system;</li> <li>• The use of water harvesting options such as water butts at individual plot level within the development and any reasons for NOT using should be clearly stated;</li> <li>• The use of infiltration drainage either as above ground (open air) or below ground (buried) – to be accompanied by a full intrusive Geotechnical Site Investigation as detailed below;</li> </ul> |

All in accordance with Coventry City Council's Supplementary Planning Document "Delivering a more Sustainable City".

ii. 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.

iii. The stormwater discharge rates from the development shall be managed in order to reduce flood risk to surrounding sites, downstream areas or the wider environment by means of a flow control mechanism (or mechanisms) limiting the total site discharge offsite to 5 l/s.

iv. Provisions must be made for the drainage of the site to ensure there are no temporary increases in flood risk, on or off site, during the construction phase. This should be covered under environmental risks in the Site-Specific CEMP.

v. An appropriately scaled intrusive ground investigation report must be provided to establish the depth and type of strata, including percolation results in accordance with BRE 365 and identifying the presence and risk associated with migrant or soluble contaminants. Please provide evidence of existing groundwater levels and seasonal variation, in order to inform the drainage design.

vi. The development shall not be occupied until such time as a scheme to install trapped gullies serving the vehicular car access and parking facilities, together with a periodic maintenance plan, has been submitted to, and approved by, the LPA.

vii. Evidence to show the management of overland flow routes in the event of exceedance or blockage to the drainage system. Details should include demonstration of how the buildings will be protected in such an event.

viii. Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway. This information should be included within the Site-Specific CEMP

ix. Where new or redevelopment site levels result in the severance, diversion or the reception of natural land drainage flow, the developer shall maintain existing flow routes (where there are no flood risk or safety implications) or intercept these flows and discharge these by a method approved by the Local Planning Authority.

x. Foul drainage plans.

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|               | The drainage details shall be installed in full accordance with the approved documentation prior to occupation of the development and thereafter shall be maintained and shall not be removed or altered in any way   |
| <b>Reason</b> | <i>To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with policy EM5 of the Coventry Local Plan 2016 and Coventry City Councils adopted Supplementary Planning Document for Delivering a More Sustainable City.</i>   |
| <b>6.</b>     | Prior to their incorporation into the development hereby permitted, details of all facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. These details shall be installed only in full accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.   |
| <b>Reason</b> | <i>To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy DE1 of the Coventry Local Plan 2016.</i>   |
| <b>7.</b>     | The development hereby permitted shall not be occupied unless and until the access to the site, manoeuvring space(s) and car parking area(s) indicated on the approved drawing , AMENDED DRAWING - Proposed Site Plan - Drawing No.1192.03P, have been provided in full accordance with those details and thereafter those areas shall be kept marked out and available for such use at all times.  |
| <b>Reason</b> | <i>To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the Council's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies AC1,AC2 and AC3 of the Coventry Local Plan 2016.</i>  |
| <b>8.</b>     | Prior to occupation of the development details of the footway crossing for vehicular access shall be submitted to and approved in writing by the Local Planning Authority. Then prior to occupation the footway crossover shall be implemented, retained therein after and kept available for this use at all times.  |
| <b>Reason</b> | <i>In the interests of highway safety during the construction process in accordance with Policies AC1 and AC2 of the Coventry Local Plan 2016.</i>  |
| <b>9.</b>     | Prior to the first occupation of the development hereby permitted, details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the type of bricks and colour of the railings and gates; footpaths; and hard surfacing (which |

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|               | shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area). The hard landscaping works shall be completed in strict accordance with the approved details within three months of the first occupation of the dwelling(s) hereby permitted; and all planting shall be carried out in accordance with the approved details within the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes; in the opinion of the Local Planning Authority; seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations. |
| <b>Reason</b> | <i>To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GE1 and DE1 of the Coventry Local Plan 2016.</i>  |
| <b>10.</b>    | Prior to the first occupation of the development hereby permitted details of the 'Tiny Forest' shall be submitted to and approved in writing by the Local Planning Authority. The offsetting scheme shall be fully installed in strict accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.  |
| <b>Reason</b> | <i>To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016 and the advice contained within the NPPF 2018.</i>   |
| <b>11.</b>    | Prior to the first occupation of the development hereby permitted, details of general ecological habitat enhancement measures and hedgehog mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. Such measures shall include; retention and management of boundary vegetation, and hedgehog friendly boundary fencing and gates. The habitat enhancement measures shall be undertaken in strict accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.  |
| <b>Reason</b> | <i>To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016 and the advice contained within the NPPF 2018.</i>   |
| <b>12.</b>    | Prior to the first occupation of the development hereby permitted a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following: a) Description and evaluation of features to be managed; b) Ecological trends and constraints on site that might influence   |

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|               | management; c) Aims and objectives of management, including mitigation and enhancement for species identified on site; d) Appropriate management option for achieving aims and objectives; e) Prescriptions for management actions; f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period); g) Details of the body or organisation responsible for implementation of the plan, along with funding mechanism(s) for that body or organisation; h) Ongoing monitoring and remedial measures, including where monitoring shows that conservation aims and objectives of the LEMP are not being met. The LEMP plan shall be implemented in strict accordance with the approved details within three months of the first occupation of the development and thereafter shall not be withdrawn or amended in any way. |
| <b>Reason</b> | <i>In order to safeguard and enhance habitat on or adjacent to the site in order to secure an overall biodiversity gain in accordance with Policy GE3 of the Coventry Local Plan 2016.</i>   |
| <b>13.</b>    | The dwellings hereby permitted shall not be occupied unless and until the car parking provision for that dwelling has been constructed and / or laid out and made available for use by the occupants and / or visitors to the dwelling and thereafter those spaces shall be retained for parking purposes at all times and shall not be removed or altered in any way.   |
| <b>Reason</b> | <i>To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the Council's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies AC1, AC2 and AC3 of the Coventry Local Plan 2016.</i>  |
| <b>14.</b>    | <p>The residential accommodation hereby permitted shall not be occupied unless and until the bin storage areas have been provided in full accordance with the details shown on the approved plans and thereafter, they shall remain available for use at all times and shall not be removed or altered in any way.</p> <p>All bins which serve the development within the red line site area must be stored within the approved bin storage area and not positioned on the public highway or in the open, unless on bin collection days.</p>   |
| <b>Reason</b> | <i>In the interests of the amenities of the future occupants of the residential accommodation in accordance with Policy DE1 of the Coventry Local Plan 2016.</i>   |
| <b>15.</b>    | The dwelling(s) hereby permitted shall not be occupied unless and until cycle parking facilities have been provided in full accordance with the approved details. Thereafter those facilities shall remain available for use at all times and shall not be removed or altered in any way.  |



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| <b>Reason</b> | <i>In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies DS3, AC3 and AC4 of the Coventry Local 2016.</i>  |
| <b>16.</b>    | Prior to the construction of the entrance feature wall, to the south east of Plot No.8 details of the position, appearance and materials of such feature shall be submitted to and approved in writing by the Local Planning Authority. The entrance feature shall be completed in full accordance with the approved details before the respective dwellings are first occupied and thereafter shall be retained and shall not be removed or altered in any way.  |
| <b>Reason</b> | <i>To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy DE1 of the Coventry Local Plan 2016.</i>   |
| <b>17.</b>    | No structures including vegetation shall be placed within the 2m x 2m pedestrian visibility splay and then be retained thereafter and kept free from all obstructions exceeding 600mm.  |
| <b>Reason</b> | <i>In the interests of Highways Safety and the free flow of traffic in accordance with Policies AC2 of the Coventry Local Plan 2016.</i>  |
| <b>18.</b>    | No lighting or illumination of any part of the site shall be installed or operated unless and until details of such measures have been submitted to and approved in writing by the Local Planning Authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details.  |
| <b>Reason</b> | <i>To safeguard the amenities of the adjoining occupiers of the development in accordance with Policy DE1 of the Coventry Local Plan 2016.</i>  |
| <b>19.</b>    | Any gas boilers installed on site shall have a dry NOx emission rate of no more than 40mg/kWh. One electric vehicle recharging point per dwelling shall be provided prior to occupation and shall not be removed or altered in any way and shall be kept available for such use by residents at all times.  |
| <b>Reason</b> | <i>To mitigate the impacts of development on air quality in accordance with Policy DS3 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.</i>   |
| <b>20.</b>    | Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any statutory instrument amending, revoking and/or replacing that Order, no gate, fence, wall or other means of enclosure shall be erected, constructed or improved or altered such as to place the structure in front of the forwardmost part of any dwellinghouse[S] fronting a highway or footpath without the prior grant of planning permission by the Local Planning Authority. |

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| <b>Reason</b> | <i>Having regard to the open plan layout and general nature of the proposed development it is important to ensure that no development is carried out except with the permission of the Local Planning Authority, which would detract from the appearance of the area and affect the amenities of adjacent properties in accordance with Policies H3 and DE1 of the Coventry Local Plan 2016.</i>  |
| <b>21.</b>    | Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any statutory instrument amending, revoking and/or replacing that Order, no buildings or enclosures shall be erected within the curtilage of Plot 8 (dwelling on entrance) hereby permitted without the prior grant of planning permission by the Local Planning Authority.   |
| <b>Reason</b> | <i>Due to the restricted nature of the application site and its relationship with adjoining properties it is considered important to ensure that no additional development is carried out without the permission of the Local Planning Authority in accordance with Policies H3 and DE1 of the Coventry Local Plan 2016.</i>  |
| <b>22.</b>    | Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any statutory instrument amending, revoking and/or replacing that Order, no extension, enlargement or addition shall be erected or constructed to Plot No.8 (dwelling on entrance) hereby permitted without the prior grant of planning permission by the Local Planning Authority.   |
| <b>Reason</b> | <i>Due to the restricted nature of the application site and its relationship with adjoining properties it is considered important to ensure that no additional development is carried out without the permission of the Local Planning Authority in accordance with Policies H3 and DE1 of the Coventry Local Plan 2016.</i>  |
| <b>23.</b>    | <p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any statutory instrument amending, revoking and/or replacing that Order, no first or second floor windows or openings (apart from any shown on the approved plans) shall be formed in:-</p> <ul style="list-style-type: none"> <li>• Plot No.1 - north, side facing elevation of the dwellinghouse;</li> <li>• Plot No.3 - south, side facing elevation of the dwellinghouse;</li> <li>• Plot No.4 - north, side facing elevation of the dwellinghouse;</li> <li>• Plot No.5 - south, side facing elevation of the dwellinghouse;</li> <li>• Plot No. 6 - north, side facing elevation of the dwellinghouse;</li> <li>• Plot No.7 - south. side facing elevation of the dwellinghouse, and,</li> </ul> |

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|               | <ul style="list-style-type: none"> <li>Plot No.8 - north east, rear and north west, side facing elevations of the dwellinghouse</li> </ul> <p>hereby permitted, without the prior grant of planning permission by the Local Planning Authority.</p> |
| <b>Reason</b> | <i>In the interests of the amenities of the occupiers of nearby properties in accordance with Policy DE1 of the Coventry Local Plan 2016.</i>   |