

Planning Ref:	PL/2023/0000196/FUL
Site:	Garage Block Foresters Road, Coventry,
Ward:	Cheylesmore
Proposed Number of Units:	Two
Proposal:	Erection of 2no 3-bedroom houses with associated access, landscaping and parking. Private drive to existing properties retained
Case Officer:	Fiona Runacre

SUMMARY

This application seeks planning permission for the development of a brownfield site within a wholly residential area to provide two family homes. Vehicle and pedestrian access to existing adjacent dwellings is to be retained.

KEY FACTS

Reason for report to committee:	Number of representations including an e-petition
Current use of site:	Former garage site, hardstanding, parking and access
Proposed use of site:	Residential
Proposed no. of units:	Two
Housing mix/tenure:	2 No. 3 bedroomed affordable (Development by Citizen Housing)
Parking Provision:	Two spaces per unit
Amenity space:	Private gardens

RECOMMENDATION

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

REASON FOR DECISION

- The proposal is acceptable in principle and will deliver additional affordable housing stock.
- Development will be compatible with the residential character of the area and contribute positively to the street scene.
- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal will deliver biodiversity net gain.
- The proposal accords with relevant development plan policies and Supplementary Planning Documents together with the aims of the National Planning Policy Framework to deliver housing in a sustainable location, make use of previously developed land and secure high-quality design.

SITE DESCRIPTION

The site is located in a wholly residential area comprising two storey semi-detached and terraced dwellings c. 1950. The former garage site is currently laid to hardstanding and provides parking and access to the rear of adjacent properties fronting Black Prince Avenue to the north east and properties in Foresters Road. A small sloping grassed area forms the south eastern part of the site. The site is not available for informal parking being closed off by two concrete bollards and a locked bollard at the access from Foresters Road between nos 15 and 17.

The south of the site is open to the adjacent informal amenity greenspace being part of the wider greenspace network across the estate. A series of timber bollards enclose the southern edge of the site although informal pedestrian access is afforded across the site.

Whilst there are no trees within the site there are three trees on adjoining land. Levels change across the site sloping up in a southern easterly direction across the site from the access at Foresters Road to the south eastern corner by c. 3m. There is a level change of c. 700mm between the location of the proposed footprint of the dwellings and the adjacent dwellings nos. 17 and 19.

PROPOSAL DESCRIPTION

Two demi-detached dwellings are proposed. External materials will comprise red brick elevations and concrete roof tiles (colour TBC). The dwellings are to be constructed using Modern Methods of Construction (MMC), either a SIP's panel system or modular build.

Two parking spaces would be provided for each dwelling. The existing access will be retained and resurfaced/repaired. Access to the rear of adjacent properties is to be retained.

Provision for waste storage bins is to be provided in the rear garden.

A small shed would be provided in the rear gardens for storage and space to store a bicycle. The rear garden would be laid to lawn.

The small, sloped grassed area comprising informal amenity greenspace along the south eastern boundary of the site is to be removed.

Amended plans

During the course of the application amended plans showing the dwellings set back further in the site, resiting of car parking spaces and changes to the extent of hard surfacing to the rear of the dwellings were received.

PLANNING HISTORY

There is no relevant planning history.

POLICY

National policy

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG)

Tilted Balance

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

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

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

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

This report assesses all aspects of the proposal against the policies in the NPPF, and the development plan policies above will inform the balancing exercise in which “adverse impacts” and “benefits” are fully weighed and considered at the end of this report.

Development Plan Policies

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan for the area relevant to this application site comprises of the Coventry City Council Local Plan 2016. Relevant policies are listed below:

- DE1: Ensuring High Quality of Design
- EM1: Planning for Climate Change Adaptation
- EM2: Building Standards
- EM5: Sustainable Drainage Systems (SuDS)
- EM6: Redevelopment of Previously Developed Land
- EM7: Air Quality
- EM8: Waste Management
- AC1: Accessible Transport Network
- AC2: Road Network
- AC3: Demand Management
- AC4: Walking and Cycling
- DS1: Overall Development Needs
- DS3: Sustainable development
- H1: Housing Land requirements
- H3: Provision of New Housing
- H4: Securing a Mix of Housing
- H9: Residential Density
- GE1: Green Infrastructure
- GE2: Green Space
- GE3; Biodiversity, Geological, Landscape and Archaeological Conservation
- GE4: Tree Protection
- HE2: Conservation and Heritage Assets

Supplementary Planning Guidance/ Documents (SPG/ SPD):

- SPD New Residential Development Design Guide (2022)
- SPD Delivering a More Sustainable City
- SPD Coventry Connected –
 - Appendix 5-car park and cycle parking standards
- SPD Air Quality (2019)
- SPD Trees and Developer Guidance October (2020)
- SPD Energy (2022)
- SPD Biodiversity Net Gain (2022)

CONSULTATION

• Highways (CCC)	No objection subject to conditions (17/4/2023)
• Environmental Protection (CCC)	No objection subject to conditions (28/02/2023)
• Ecology (WCC)	No objection subject to conditions (17/02/2023)
• Waste Management	No objection (24/04/2023)
• Housing Policy (CCC)	No objection (23/02/2023)
• Sustainability (CCC)	No objection subject to conditions

	(27/02/2023)
• Lead Local Flood Authority (CCC)	No objection subject to conditions (15/02/2023)
• Archaeology (CCC)	No objection subject to conditions (06/03/2023)
• Tree Officer (CCC)	No objection subject to conditions (18/04/2023)
• West Midlands Fire Service	No adverse comments (03/03/2023)
• Severn Trent	No objection subject to informative (16/03/2023)

PUBLIC RESPONSES

- Neighbour notification was sent in accordance with the Communications Record.
- A site notice was displayed on 27/2/2023.
- An E-petition sponsored by Councillor R Bailey with nine signatures has been received raising the following material concerns:
 - a) Increase in traffic and demand for parking
 - b) Safety concerns due to increased vehicle movements
 - c) Increase in anti-social behaviour, gatherings and litter
 - d) Overlooking and loss of privacy
 - e) Loss of light
 - f) Houses are unattractive and have a looming presence
 - g) Potential harm to trees
 - h) Negative effect on residents from construction, potential subsidence

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

- i) impact on property values

Four representations have also been received raising the following material concerns:

- j) Height of the dwellings more than 1 m higher than adjacent properties
- k) Out of keeping and unattractive
- l) Loss of privacy and natural light
- m) Threat of anti-social behaviour as a result of access between dwellings
- n) Questions over the private road, how it will be secured, resurfaced and drained
- o) Road safety concerns between pedestrians and vehicles
- p) Potential blocking of access to rear of existing dwellings
- q) Development would only represent a 6.84% biodiversity net gain
- r) Harm to adjacent Oak tree

- s) Intrusive ground investigations should be undertaken before any decision is made

Any further comments received will be reported within late representations.

ISSUES AND APPRAISAL

Key issues:

- The principle of development
- Design and visual
- Residential amenity
- Highways and access
- Ecology and biodiversity
- Air quality and ground conditions
- Equality considerations
- Planning balance and summary

Principle of Development

Paragraph 69 of the NPPF supports small sized sites for residential development, recognising the contribution that suitable windfall sites can make to the housing requirement within existing settlements.

Paragraph 120 (c) of the NPPF requires that substantial weight is given to the value of using suitable brownfield sites within settlements for homes and other identified needs, and part (d) promotes and supports the development of under-utilised land and buildings. The principles adopted in the development plan promote the utilisation of accessible brownfield sites.

Policy H3 of the Local Plan sets out locational considerations for unallocated sites to ensure that the site is situated within a sustainable location and will create an appropriate and acceptable residential environment. The transport technical note details the location in relation to services and accessibility by modes of transport other than the private car. The dwellings will help meet the shortfall of social housing units within the City and the site is within a sustainable location.

The D & A statement states that “development consists of entirely affordable homes (the application form identifies social, affordable, intermediate rent) that are much needed within the local area. Citizen Housing, is helping to provide dwellings throughout the city in response the Coventry’s growing population and additional need for affordable housing.”

Policy H9 identifies that a minimum of 35 dwellings per hectare (dph) should be provided on previously developed land and the proposed density is 20 dph such that the development would not represent an overdevelopment of the site. The lower density is appropriate given the back land character of the site.

Whilst in isolation, the dwellings will make a small contribution to housing delivery, it is acknowledged that in aggregate the small schemes together may make a moderate contribution to the housing stock. However, on smaller

infill sites matters of detail can be more acute such that any harm may be afforded more weight as discussed further below.

The use of the site for housing is supported in principle, being previously developed land delivering affordable housing within a sustainable location in accordance with the objectives of the NPPF and policies DS3, H3 and H9 of the local plan. These factors combined would represent a moderate benefit.

Informal Green space

The Green Space strategy 2019-2024 identifies the purpose of amenity greenspace (which is the typology relevant to the garage sites) as “*Informal green space often found in housing areas or adjacent to highways providing opportunities for informal activities close to home or work or enhancement of the appearance of residential or other areas*”.

A grassed area (c. 131 sq m) along the south eastern boundary of the site would be lost as a result of the proposal and included partly within private rear gardens with the remainder given over to hard surfacing. The loss of this informal space is subject to policy GE2 consideration. Whilst this area is part of the network of informal green space, its contribution to the wider estate is limited in function and quality compared to that of the adjacent informal greenspace next to the public right of way, due to its siting and gradient. As such it is not considered that this area of green space makes a significant visual contribution to the appearance of the estate such that its loss would be acceptable.

The Green Space Strategy identifies that Cheylesmore ward as a whole has 4.56 hectares of unrestricted green space per 1000 population which is above the average for Coventry City as a whole. Existing informal provision in the ward is 5.2 hectares. The local standard is 2.10 hectares. Therefore, the loss of 0.0131 hectares of informal green space where there is an identified surplus, combined with the siting and physical attributes of the space would not result in a quantifiable or quantitative loss. As such the proposal would accord with policy GE2 of the local plan as a deficiency would not be created as a result of the loss. The loss would however represent a limited adverse impact.

Notwithstanding this, it is accepted that the green space by its very nature has an inherent biodiversity value and this is discussed further below.

Design and Visual

Paragraph 130 of the NPPF seeks to ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; and 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.

The Coventry Urban Design Guidance identifies the importance of ensuring that the scale, massing and height of new development respects adjacent buildings. Policy DE1 of the local plan requires development to respect and enhance their surroundings. The Residential Design Guide SPD highlights that to maintain the character and visual amenity of an area that new development should fit in to the existing context regarding the predominant dwelling type and the scale, mass and proportions.

The SPD expects new residential development to respond to the size, shape and rhythm of surrounding plot layouts. The dwellings proposed are shown to be set back from the frontage building line of the adjacent properties nos. 17 and 19. Due to the nature of the site, being more characteristic of a back land than frontage infill site, the set back is appropriate and necessary to respect the residential amenity of adjacent residents and would not detract from the Streetscene.

In terms of scale and massing, the SPD expects new development to respond to the spacing, heights and building footprints of existing buildings, noting that varied building heights that can add interest to a Streetscene as long as they are contextually appropriate in the street scene. The street scene elevations submitted show that the height of the dwellings is greater than that of the original roof of the adjacent property no. 17 by c. 1.7 m, and 2.3 m higher than that of the extended part of the dwelling. Given the context of the site, and the existing ground levels the difference in the height will not be harshly contrasting. The streetscene (front elevation) shows two storey dwellings to the south of the site in Dillotford Avenue having a similar ridge height to those proposed.

Taking account of the change in levels, the height of the dwellings in adjacent roads and the back land character of the site, the scale and height proposed would be compatible with the context. Whilst the height difference would be noticeable from Foresters Road, it would be compatible with the wider street scene and roofscape.

Access will be retained to the rear of adjacent properties and improvements to be confirmed through a landscaping condition will secure suitable finishes to the surfaces, as well as boundary treatments, and works to levels particularly where the grassed area is to be removed.

The red brick finish and concrete tile proposed would be acceptable subject to final sample details being submitted.

The proposal would accord with the design objectives of part 12 of the NPPF and policies DS3 and DE1 of the Local Plan, and the Councils Residential Design Guide SPD and the benefits arising from the development on this site would represent a moderate beneficial impact.

Residential Amenity

Paragraph 130 of the NPPF seeks to ensure that development creates 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. This is echoed in the Residential SPD that expects new residential developments to provide future occupants with high quality amenities and that do not undermine the amenities of existing neighbouring residents.

Representations received raised concerns regarding residential amenity and potentially overlooking, loss of privacy and loss of light. Whilst window to window distances from front and rear windows to adjacent properties would exceed the recommended 20 m distance in the residential SPD, the original layout introduced issues of overlooking of the garden of no. 15 Foresters Road. The front of the dwellings would have been within 7.5m of the side boundary to the rear garden, particularly the space immediately to the rear of no. 15. The amended plans received show the dwellings set back to provide an increased distance of 12.7 m.

The set back of the dwellings has resulted in the dwellings being stepped back from the front building line of nos. 17 and 19. The dwellings have also been set further off the boundary with no. 17 to provide a gap of 6m to the side boundary. This relationship would not introduce issues of overlooking, loss of outlook or the creation of a sense of enclosure in accordance with the residential SPD. Access to the existing rear garden gate to no. 17 would be retained via a hard surfaced area to the rear of the garden of plot 1.

The gardens proposed would vary in size. Plot 1 would have a generous garden (c.144 sq m) due to the space to the side of the dwelling and plot 2 (c. 78 sq m). This would exceed the 65 sq m SPD requirement and would provide for a good standard of amenity to future occupants due to the distance from adjoining properties.

The proposal respects the residential amenities of existing residents and would deliver high quality design in respect of space and the standard of accommodation for those of the future occupants of the new dwellings.

Representations received refer to the potential for an increase in anti-social behaviour and littering as a result of the development. The Design and Access statement refers to the under use of the site and some areas being overgrown and littered. The provision of dwellings would improve the appearance of the site, being beneficial to the wider area and would introduce an increased natural surveillance of the site.

A condition to secure a Construction Management Plan would be imposed to protect residential amenity during construction.

There would be no conflict with policy DE1 of the Local Plan, part 12 of the NPPF and adopted residential design SPD. The benefits arising from the development on this site would represent a moderate beneficial impact.

Highways issues

The NPPF expects the highways impacts to be considered as part of any proposal and is explicit that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

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 are assessed on the basis of parking standards set out in Coventry Connected SPD. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

Access to existing properties would be retained and the access road repaired/resurfaced in accordance with details to be submitted pursuant to condition. Concerns raised in representations received with regard to drainage and surfacing are noted and would fall within the scope of the requisite condition.

Concerns raised in representations with regard to increase in the demand for parking are noted. All proposals are assessed for compliance with the Coventry Connected SPD and parking requirements. In this case, there would be no displaced parking, access would be retained to existing garages and the proposal would provide for 2 car parking spaces per dwelling. A small shed would be provided in the rear garden to provide for the storage of bicycles. This would accord with the SPD parking requirements.

Highways raise no objection to the proposal subject to conditions to secure the parking and turning facilities. A CMP is also required.

The proposal would accord with Policies AC1, AC2, AC3, AC4, DE1 and H3 of the Coventry Local Plan 2016, Residential Guidance SPD, Coventry Connected SPD, and the aims and objectives of the National Planning Policy Framework such that the access, layout and parking provision would not be detrimental to highway safety and sufficient onsite vehicle and cycle parking can be provided. There would be a neutral impact in respect of highways matters.

Ecology and biodiversity

The NPPF expects decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. (Paragraph 174). Policy GE3 of the local plan and the Biodiversity SPD echoes this providing a gauge for this to be assessed.

The application includes a Preliminary Ecological Assessment and Biodiversity Impact Assessment that identifies a 6.84% biodiversity net gain. The concern raised in a representation regarding the 6.84% biodiversity net

gain and not a 10% biodiversity net gain is noted. Under the Environment Act 2021 this requirement will apply to all planning permissions (with a few exemptions) from an as yet unconfirmed date in November 2023. Policy GE3 requires that development leads to a net gain of biodiversity which this proposal would do. Notwithstanding this, the Council's Ecologist has recommended that to increase this to meet the 10% gain requirement that the addition of a swift brick and bat box should be included on the properties which would support species that use the Whitley Common which is in close proximity.

Conditions are also requested to secure protected species mitigation for hedgehogs, fencing adjustments for hedgehogs and the specific biodiversity enhancements. It would also be appropriate for permitted development rights to be removed for hard surfacing within the curtilage of the dwellings to ensure that biodiversity net gain secured is maintained.

It has however been noted that the PEA and the BNG has been calculated based on a different layout that includes more grassed areas than is proposed. An updated BNG calculation has been requested. An update will be given at the planning committee meeting.

Subject to the PEA demonstrating that biodiversity net gain will be delivered, there would be no conflict with the NPPF and policy GE4 of the Local Plan and the Biodiversity SPD, and it is expected that the development would result in limited, or moderate (at best) benefits in respect of biodiversity net gain.

Trees

The NPPF highlights that trees make an important contribution to the character and quality of urban environments and can also help to mitigate and adapt to climate change and seeks to retain existing trees where possible. The Trees and development SPD states that "preference should be given to retaining A and B category trees." Policy GE4 of the Local Plan supports development proposals where trees not to be retained as a result of development are replaced with new trees as part of a well-designed landscape scheme.

The application includes an Arboricultural constraints report – AIA and TCP which identifies trees adjacent to the site, two of which are category A trees : T1 (London Plane) to the south east of the site; and T2 (Oak) in the rear garden of no. 17 adjacent to the north west boundary. T3 (Goat Willow) is a category B tree within the garden of No. 15 adjacent to the north boundary of the site. The Root Protection Areas (RPA's) of all three trees fall within the application site.

Whilst the footprint of the dwellings is shown to fall outside of the RPA's, works of repair/resurfacing of access (details of which are to be conditioned) would fall within the RPA's. The Councils Tree officer has raised no objection to the proposal subject to a condition to secure a Dimensioned Tree

Protection Plan (DTPP), which will need to show distances from the tree protection barriers, plus details of the ground protection measures in order to protect parts of the RPA's where the vertical barriers are not appropriate to be erected.

Due to the siting and orientation to the proposed dwellings an acceptable level of residential amenity would be afforded to the future occupant(s) and it is not considered that there would be future pressure to remove trees due to overshadowing / detritus issues.

There would be no conflict with policies GE1, GE3 and GE4 of the Local Plan or part 13 and para 131 of the NPPF subject to conditions. The impact on trees would be neutral.

Air Quality and Ground conditions

Air Quality

With the city being declared an Air Quality Management Area since 2009 for nitrogen dioxide, primarily as a result of traffic related emissions, and the more recent Ministerial Direction that requires the city council to implement a package of measures to reduce nitrogen dioxide emissions to legal levels within the 'shortest possible time'. Policy AC1 of the Local Plan and Coventry Connected SPD requires the infrastructure for electric vehicles to be installed through planning condition; in this case one space per dwelling. The policies reflect paragraph 181 of the NPPF. This can be secured through a condition requiring electric vehicle charging points to be provided.

A CEMP has been requested in respect of vehicular emission and dust and dirt mitigation. This has been included as part of the CMP.

Ground Conditions

Policy EM6 seeks to ensure that redevelopment of previously developed land does not have a negative impact on water quality, either directly through pollution of surface or ground water or indirectly through the treatment of waste water by whatever means. Environmental Protection raise no objection subject to conditions in relation to contaminated land. This would include intrusive works referred to in the representations received and which are suitable matters to be conditioned.

The proposal would accord with Policies AC1 and EM7 of the Local Plan, Coventry Connected SPD, Air Quality SPD and the objectives of the NPPF. Any impact arising would be neutral.

Other Considerations

Energy and sustainable construction

Sustainable design and climate change adaptations are set out in the submitted Sustainability Statement (Rev A) in accordance with the Energy SPD. The dwellings are to be constructed off site using Modern Methods of Construction (MMC) – SIP's panels or modular units in factories based in the West Midlands region with several preferred suppliers with Coventry. The proposal would accord with part 14 of the NPPF Planning for climate change and with policy EM2 of the Local Plan and the Energy SPD.

Drainage

The application form indicates that foul water drainage is proposed to the mains sewer with details to be confirmed. Full details of surface water drainage have not been provided. The Lead Local Flood Authority has raised no objection to the proposal and recommend that any opportunity to further reduce storm runoff is considered as part of the development. Options include: The use of permeable paving on drives and parking areas and the use of rainwater harvesting, either as a dedicated tank connected to the non-potable water system or as water butts.

The Sustainability Statement submitted identifies that rainwater harvesting is to be incorporated. A condition to secure details of foul and surface water drainage, including inspection of existing drains in the vicinity of the site to ensure there has been no damage or blockages as a result of site works has been requested. It is expected that details of drainage accords with the Sustainability Statement to ensure that principles of sustainable drainage systems proportionate to the scheme are secured in accordance with policies EM1 and EM4.

Archaeology

The Council's Archaeologist has requested that a pre-commencement condition be imposed requiring a written scheme of investigation be submitted for approval given the potential for archaeological activity on the site. Subject to the condition being agreed as a pre-commencement condition there would be no conflict with policy HE2 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.

Planning Balance and Summary

Having assessed the proposal fully, the following table shows the adverse impacts and benefits detailed above and attributes a substantial, moderate, limited or neutral score.

Key issue	Summary	Adverse (-) Benefit (+)
Redevelopment of PDL for affordable housing provision	Re-use of PDL in sustainable location 2 no. 3 bed affordable dwellings	Moderate +
Loss of green space	Loss of 0.0131 hectares of informal amenity space in the Cheylesmore ward where there is an identified surplus	Limited -
Biodiversity Net gain	Net gain of 6.84% biodiversity units (subject to confirmation)	Limited /Moderate +
Design & Street scene	Set back within the site Eaves and ridge heights greater than adjacent properties Materials palette reflects locality Porch canopy detail	Moderate +
Residential amenity	Introduction of dwellings and natural surveillance over the site Window to window/garden distances, sizes accord with the SPD	Moderate +
Trees	Resurfacing/repair works to hard surfacing within RPA's - subject to DTPP	Neutral
Highways / access	Off street parking provided for new dwellings Access retained for existing properties and improved	Neutral

The development would result in the delivery of housing by a registered provider that would contribute to the housing supply and affordable provision on previously developed land in a sustainable location which is supported in principle. On matters of detail due to the specific locational and design characteristics, whilst noting that the height exceeds that of the adjacent properties in Foresters Road, the proposal would overall deliver good design that respects the character and pattern of development in the area in

accordance with development plan policies, the Residential Guidance SPD and part 12 of the NPPF.

Due to the lack of a five-year housing land supply, the 'tilted balance' is engaged, whereby in applying the presumption in favour of sustainable development even greater weight should be accorded in the overall planning balance to the provision of new housing. As summarised in the above table, there would be identifiable benefits from this small level of housing provision, with only a limited adverse impact in respect of the green space. The identified adverse impact would not significantly and demonstrably outweigh the benefits identified. Planning permission should therefore be granted.

CONDITIONS / REASON FOR REFUSAL

1.	The development hereby permitted shall begin not later than 3 years from the date of this decision.
Reason	<i>To conform with Section 91 of the Town and Country Planning Act 1990 (as amended)</i>
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <ul style="list-style-type: none"> 500 Rev D Proposed Site Layout 501 Rev A Site Location Plan 502 Rev A Existing Site Plan 503 Rev B External Works & Boundary Treatments 1105 Shed 1.2 Plan and Elevations 1380 Rev A House types Amended 2070 Existing Front Elevation 2071 Rev B Proposed Front Elevation 2072 Existing Side Elevation 2073 Rev B Proposed Side Elevation amended Report Ref: 27467-TRAN-0801 Transport technical note October 2022 43155CVLS-05 Topographical Survey Arboricultural Constraints Covering Report Reference: 090922/RP/Citizen Batch 3 including Tree Constraints Plan AA TCP 500 Preliminary Ecological Appraisal and Biodiversity Impact Assessment Report Reference: BG22.252.20 December 2022 Phase 1 Geo-environmental Report reference DE.193.22 dated 05/09/2022 Sustainability Statement Rev A Design and Access statement REV A Services records
Reason	<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:</p> <ul style="list-style-type: none"> - 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 and minimise noise disturbance to neighbouring properties during demolition and construction (referring to good practice guidance such as BS5228 and the Mayor of London Guidance 'Controlling Dust and Emissions During Construction and Demolition'); -an asbestos survey including measures to control the presence of asbestos; and - a scheme for recycling / disposing of waste resulting from demolition and construction works. <p>Thereafter, the approved details within the CMP shall be strictly adhered to throughout the construction period and shall not be amended in any way.</p>
Reason	<p><i>The agreement of a Construction Management Plan prior to the commencement of development is fundamental to ensure a satisfactory level of environmental protection; to minimise disturbance to local residents and in the interests of highway safety during the construction process in accordance with Policies H3, EM2, EM6, EM7, DS3, AC1 and AC2 of the Coventry Local Plan 2016.</i></p>
4.	<p>An investigation and risk assessment (in addition to any assessment provided with the planning application), must be completed in accordance</p>

	<p>with a scheme to assess the nature and extent of any contamination on the site; whether or not it originates on the site; and any report of the findings must be submitted to and approved in writing by the local planning authority prior to the commencement of development (including any demolition). The report of the findings, to be conducted in accordance with Environment Agency Guidance Land Contamination: Risk Management (2021) and must include (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risk to; human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options and proposal of the preferred option(s)</p>
Reason	<p><i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF 2021.</i></p>
5.	<p>The development shall only be undertaken in accordance with a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, which shall be submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.</p>
Reason	<p><i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF 2021.</i></p>
6.	<p>The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out the remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.</p>
Reason	<p><i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF 2021.</i></p>

7.	Prior to occupation of the development hereby permitted and following completion of the measures identified within the remediation scheme approved under condition No.6, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to the Local Planning Authority for approval in writing
Reason	<i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF 2021.</i>
8.	In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition [NO. 4], and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition [NO.5], which shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition [NO.7].
Reason	<i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF 2021.</i>
9.	No development (including any demolition or preparatory works) shall commence unless and until a Biodiversity Method Statement for hedgehogs, including Reasonable Avoidance Measures, has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with the approved Biodiversity Method Statement.
Reason	<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 2021.</i>
10.	Prior to their incorporation into the development hereby permitted, sample details of all facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. These details shall be installed only in full accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.

Reason	<i>To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy DE1 of the Coventry Local Plan 2016.</i>
11.	<p>Prior to their incorporation into the development hereby permitted, a drainage scheme detailing proposed foul and surface water disposal shall be submitted to and approved in writing by the LPA. The Drainage scheme shall have regard to the approved Sustainability Statement and include the following: -</p> <p>Provisions to be made for the drainage of the site to ensure that there is no discharge of surface water to the public highway; details of the results of inspection of existing drains in the vicinity of the site to ensure there has been no damage or blockages as a result of site work; and a site drainage layout plan to inform on the method of storm and foul drainage of the site. Thereafter, the approved drainage shall be installed in full accordance with the approved details prior to first occupation of the dwellings and shall not be amended or altered in any way.</p>
Reason	<i>To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policies EM1, EM2 and EM4 of the Coventry Local Plan 2016.</i>
12.	<p>Prior to occupation of the development the turning areas and parking facilities shown on the approved plans shall be properly consolidated, delineated, surfaced, drained, free of loose stone and otherwise constructed and provided in accordance with details to be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.</p>
Reason	<i>In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway in accordance with the aims and objectives of Policies AC1, AC2 and AC3 of the Coventry Local Plan 2016.</i>
13.	<p>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: proposed boundary treatments, including full details of the proposed boundary fencing/walls and retaining walls (taking into account any changes in levels with adjacent land and which shall include hedgehog passings - see condition 9), works or repair to existing boundary treatments, and gates to be erected to the new dwellings, specifying the materials and colour finishes; footpaths; and hard surfacing, including any works of repair (which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area). The hard and soft landscaping works shall be completed in</p>

	strict accordance with the approved details within three months of the first occupation of the first occupation hereby permitted.
Reason	<i>To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GE1 and DE1 of the Coventry Local Plan 2016.</i>
14.	The dwelling(s) hereby permitted shall not be occupied unless and until provision has been made for the siting of bins within the side/rear garden as shown on the approved plans. All bins must be stored within the rear/side garden as shown on the approved plans and not positioned on the public highway or in the open unless on bin collection days.
Reason	<i>In the interests of the amenities of the future occupants of the residential accommodation in accordance with Policy DE1 of the Coventry Local Plan 2016.</i>
15.	Prior to occupation of the dwellings, sheds shall be erected in accordance with the approved plan 1105 and thereafter shall remain available for use at all times and shall not be removed or altered in any way, save for like for like replacement.
Reason	<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 and objectives of the NPPF 2021.</i>
16.	Prior to their incorporation into the development hereby permitted details of the proposed sustainable electric heating system shall be submitted to and approved in writing by the Local Planning Authority. The heating system as approved and all other sustainable design, construction, energy and climate change adaptation measures set out in the Sustainability Statement Rev A, shall be fully installed prior to the first occupation of the dwelling and thereafter shall be retained and shall not be removed or altered in any way.
Reason	<i>To ensure that the development accords with Policy EM2 of the Coventry Local Plan 2016 and the objectives of the NPPF 2021.</i>
17.	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any statutory instrument amending, revoking and/or replacing that Order, no development to form hard surfaces shall be carried out within the site

	without the prior grant of planning permission by the Local Planning Authority.
Reason	<i>In the interests of ensuring that biodiversity value is retained in accordance with Policy GE3 of the Coventry Local Plan 2016.</i>
18.	Prior to the commencement of any development (including any demolition, site clearance or other preparatory works): a Dimensioned Tree Protection Plan (DTPP) (to include protection measures during and after construction and any construction exclusion zones) (in accordance with 5.5/ Table B.1), site monitoring (6.3) of British Standard BS5837:2012 - Trees in relation to design demolition and construction - Recommendations, which shall also include any proposal for pruning or other preventative works, shall be submitted to and approved in writing by the Local Planning Authority. The DTPP will need to show the distances from the trees to the tree protection barriers, plus details of the ground protection measures in order to protect parts of the RPA's where the vertical barriers are not appropriate to be erected. The approved mitigation and / or protection measures shall be put into place prior to the commencement of any works and shall remain in place during all construction work.
Reason	<i>To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy GE3 and GE4 of the Coventry Local Plan 2016.</i>
19.	No development (including any demolition or preparatory works) shall commence unless and until a Biodiversity Method Statement for hedgehogs, including Reasonable Avoidance Measures, has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with the approved Biodiversity Method Statement.
Reason	<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 2021.</i>
20.	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 (which shall be submitted as part of the details required

	for condition 14.) 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.
Reason	<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 2021.</i>
21.	Prior to the first occupation of the development hereby permitted details of swift bricks and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The swift bricks and bat boxes shall be fully installed (one per dwelling) 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	<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 2021.</i>

