

Planning Committee Report	
Planning Ref:	PL/2023/0001869/FULM
Site:	Land at Isadora Lea, Coventry, CV3 1HJ
Ward:	Lower Stoke
Proposal:	Erection of 93 residential dwellings (Use Class C3), including access off Isadora Lea and Marjorie Way, with associated public open space, landscaping and supporting infrastructure.
Case Officer:	Liam D'Onofrio

BACKGROUND

The site was previously allocated to deliver a new two-tier primary school as part of the wider New Century Park redevelopment (application reference R/2009/1082). Under the Outline S106 Agreement, if within 5 years of commencement of the development Coventry City Council had not requested the site to be used for a primary school it would be released from this requirement. In December 2017, Coventry City Council confirmed that they did not intend to acquire the site for a new school.

KEY FACTS

Reason for report to committee:	More than five objections have been received.
Current use of site:	Vacant land
Proposed use of site:	Residential
Proposed no of units	93 units

RECOMMENDATION

Planning Committee are recommended to delegate the grant of planning permission to the Strategic Lead for Planning subject to conditions and the completion of a S106 Legal Agreement to secure the contributions summarised in this report.

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 makes provision for necessary developer contributions.
- The proposal accords with Policies: DS1, DS3, DS4(a), H1, H2, H3, H4, H6, H9, GE1, GE3, GE4, 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.

SITE DESCRIPTION

The application site is a vacant, roughly 'L-shape' plot some 2.58ha in size and is located immediately to the south of the New Century Park housing development, with vehicular access provided via both Isadora Lea and Majorie Way.

The site is bound by residential development to the north, east and south with the pitches of the Coventry Sphinx Sports and Social Club adjoining the western boundary. There is

a minor level difference of approximately a 5m level across the site, with the lowest point to the south-eastern corner.

The site is within the built-up area of Coventry with good access to shops, services and public transport on Binley Road.

APPLICATION PROPOSAL

Planning permission is sought for the erection of 93 residential dwellings (Use Class C3). The scheme includes vehicular accesses into the site off Isadora Lea and Marjorie Way, with associated public open space, landscaping and supporting infrastructure.

PLANNING HISTORY

There have been a number of historic planning applications relating to the wider New Century Park that incorporates the application site. The following are the most recent/relevant:

Application Number	Description of Development	Decision and Date
R/2009/1082	Redevelopment for Business purposes (Class B1) General Industry (Class B2) Storage and Distribution (Class B8), Hotel (Class C1), residential (Class C3) and Education (Class D1) with associated car parking, servicing, infrastructure and landscaping and the Stopping up and diversion of a public highway/footpath (Outline scheme with masterplan identifying land for provision of school, means of access being discharged in part (Brindle Avenue/Binley Road junction alteration) with all other matters reserved).	Granted 25/08/2010
S73/2011/0604	Variation of conditions 1, 21 and 31 and deletion of condition 29 of planning permission reference R/2009/1082 granted on 25th August 2010 for the redevelopment of the site for Business purposes (Class B1) General Industry (Class B2) Storage and Distribution (Class B8), Hotel (Class C1), Residential (Class C3) and Education (Class D1) with associated car parking, servicing, infrastructure and landscaping and the Stopping up and diversion of a public highway/footpath (Outline scheme with masterplan identifying land for provision of school, means of access being discharged in part (Brindle Avenue/Binley Road junction alteration) with all other matters reserved). Variation / deletion of conditions to allow the development of plot 1 for residential development without compliance with the requirements of: conditions 1 and 21 (to enable the phased redevelopment of the site); condition 29 (to allow the of development of plot 1 without the prior	Granted 27/07/2011

	need to fully service and make available for marketing plots 3, 4, 5 and 7 for business and employment purposes); and condition 31 (to allow the occupation of the residential development on plot 1 without the need to fully complete the full spine road between Allard Way and Binley Road.	
RM/2011/2152	Reserved matters to planning permission reference S73/2011/0604 (determined on 21/07/2011, for the mixed-use redevelopment of the site) in respect of: the layout of the site; the scale of buildings; the appearance of buildings; the means of access within the site for vehicles, cycles and pedestrians; landscaping (in-part as relates to Plot 1).	Granted 06/03/2012
RM/2012/1797	Revised reserved matters to planning permission reference S73/2011/0604 determined on 21/07/2011 for the mixed-use redevelopment of the site) in respect of siting and appearance (in-part) which comprises the substitution of house types on plots 247 - 249 and 253 - 255; re-positioning of houses on plots 268, 269, 288-290; and re-arrange parking for plots 266 & 277.	Granted 17/12/2012
RMM/2013/0566	Submission of revised reserved matters details in respect of the layout of the site (in-part), pursuant to Condition 1 of outline planning permission reference S73/2011/0604 determined on 21/07/2011, to: substitute house type on plots B17, B18, B67, B100 & B116; minor change of dwelling position on plots B117 - B126 & B133 - B138 (consecutive); revisions to driveway to plots B126, B133 – B135; and to turning head adjacent to plots B137 – B138.	Granted 02/09/2013

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF) September 2023. 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 6th December 2017. Relevant policy relating to this application is:

Policy DS1: Overall Development Needs

Policy DS3: Sustainable Development Policy
Policy DS4: (Part A) – General Masterplan Principles
Policy H1: Housing Land Requirements
Policy H2: Housing Allocations
Policy H3: Provision of New Housing
Policy H4: Securing a Mix of Housing
Policy H6: Affordable Housing
Policy H9: Residential Density
Policy GE1: Green Infrastructure
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 EM3 Renewable Energy Generation
Policy EM4 Flood Risk Management
Policy EM5 Sustainable Drainage Systems (SuDS)
Policy EM7 Air Quality
Policy IM1: Developer Contributions for Infrastructure

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development
SPD Delivering a More Sustainable City
SPD Coventry Connected
SPG Extending your home – a design guide

CONSULTATION

No Objections received from:

- West Midlands Fire Service
- Cadent Gas
- Archaeology (CCC)

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

- West Midlands Police
- Highways (CCC)
- Environmental Protection (CCC)
- Ecology (CCC)
- LLFA (CCC Drainage)
- Economic Development (CCC)
- Tree Officer (CCC)
- Education (CCC)
- NHS (UHCW)
- CCG

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

- Environment Agency
- Severn Trent Water
- Parks (CCC)

Neighbour consultation

Immediate neighbours and local councillors have been notified; a site notice was posted on 21/09/23. A press notice was displayed in the Coventry Telegraph on 14/09/23.

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

- a) The site's access route via Isadora Lea and Amelia Crescent are an entirely unsuitable choice. New Century Park streets are too narrow and congested.
- b) Second Avenue should be used for the site access. It is straighter, wider, shorter and in all respects the obvious choice. For new residents, it would be much easier for them to access the site via Second Avenue.
- c) Concerns regarding traffic congestion/pollution/noise and pedestrian safety from additional vehicle movements.
- d) Concerns regarding disruption from construction traffic/damage to existing highway and associated dust and pollution.
- e) This is renegading on previously planned and promised development for the area.
- f) This is very unfair, unethical, greed of builders. The space is allocated for a park as promised by Council.
- g) There is no play space provided.
- h) The traffic assessment is out-of-date because the Binley Rd/Allard Way/Hipswell Highway junction has been reconfigured.
- i) Concern development will damage garden plants in adjacent gardens.

A petition has been submitted sponsored by Councillor McNicholas with 111 signatures raising the following: We the undersigned petition the Council to ensure that the following changes are made to Application PL/2023/0001869/FULM before it can be approved: A Play Area must be included in the Open Space, as consistently indicated to our Association by Councillors and Council Officers on 12 occasions in the past 7 years. Construction traffic must NOT use New Century Park streets but must be diverted up Second Avenue.

An unsponsored petition with 117 signatures has raised the following: We the undersigned petition the Council to ensure that the following changes are made to Application PL/2023/0001869/FULM before it can be approved: 1. We strongly oppose the ONLY vehicular access is from Isadora Lea and needs to be reconsidered. There must be second vehicular entry/exits onto and out of this new housing estate from the Second avenue because:

A. The Second Avenue route is pure common sense given the narrowness of our streets on Isadora Lea, Amelia Crescent and Gwendolyn Drive.

B. The Second Avenue is wider, straight and provides direct access to Allard Way, which is safer, convenient and more environmentally friendly as it will avoid going through Weir Way, Gwendolyn Drive, Amelia Crescent and Isadora Lea. In simple numbers, there are 28 homes in(upper) Second Avenue compared with over 100 homes on the route proposed through Isadora Lea.

C. The 'health and safety' of the existing and future residents need to be prioritise such as in emergency the ambulance, fire services, doctors etc should have quicker access compared to Isadora Lea/Amelia Crescent which has hazardous junction at the entrance of the estate already causing congestion and delays.

D. While Isadora Lea/Amelia can provide access to Binley Road, the Second Avenue provides the direct access to Allard Way. This will be fair share of traffic to improve safety and well-being of all residents/children on Isadora Lea/Amelia Crescent. The Council/Developers must carry out an environmental assessment of the area to understand the potential damage that would occur by keeping proposed only entrance compared to two vehicular access for the new proposed site.

E. Neither Routes of Isadora Lea nor Second Avenue are adopted roads by Coventry City Council. On the other hand, existing residents on Isadora Lea/Amelia Crescent are previous customers of developer (Barratts Homes). Hence Council and developer's not only legal but moral responsibility to play pivotal role between both sides of residents to eradicate negative impact on both sides and create positive/harmonise environment which will be beneficial to everyone rather than one side take all impact while the other takes none.

2. A Play area must be included in the open space and funding needs to be provided for the upkeep and running of this Play area so that no financial requirement is made on the NCP residents.

3. Construction traffic must not use New Century Park's narrow, unsuitable streets for heavy/wider constructions vehicles but should be diverted to easily accessible Second Avenue.

Any further comments received will be reported within late representations.

APPRAISAL

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

Principle of development

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 the policies of the NPPF taken as a whole.

Policy H3 ‘Provision of New Housing’ states that new residential development must provide a high-quality residential environment, which assists in delivering urban regeneration or contributes to creating sustainable communities and which overall enhances the built environment. A suitable residential environment will include safe and appropriate access, have adequate amenity space and parking provision and be safe from environmental pollutants such as land contamination demonstrably outweigh the benefits” when assessed against, excessive noise and air quality issues.

Following confirmation that a school was not being proposed on this site, the most appropriate use would be for residential development, which would form a continuation of the existing New Century Park housing development.

The development will provide a sustainable and high-quality residential environment, which has adequate amenity space, parking provision and is safe from environmental pollutants.

The proposed development is therefore considered to be acceptable in principle.

Policy Aspects

Housing Mix

Policy H4 ‘Securing a Mix of Housing’ 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 in accordance with the latest Strategic Housing Market Assessment (SHMA).

The SHMA 2015 Housing Mix seeks the following mix for market housing:

1 Bed	2 Bed	3 Bed	4 Bed
5-10%	25-30%	40-45%	20-25%

The more up-to-date Coventry and Warwickshire Housing and Economic Development Needs Assessment 2023 (HEDNA) seeks the following mix:

1 Bed	2 Bed	3 Bed	4 Bed
10%	40%	40%	10%

The proposed scheme provides the following market housing mix:

1 Bed	2 Bed	3 Bed	4 Bed
0%	7%	77%	16%

Where the proposed housing mix does not accord with the latest SHMA, Policy H4 states that various circumstances will be considered when determining whether a proposed mix is appropriate including physical and viability constraints and location.

The applicant has provided a supporting Housing Mix Analysis to justify the housing mix. The report's findings show a strong requirement for the provision of 3-bedroom units. The proposed provision is significantly higher than the provision set out within the SHMA and HEDNA, however the findings of the report show a clear need for this unit type, being larger units suitable for families, while being more affordable than 4 or 5 bed units. The mix also provides 2 and 4-bedroom units, offering smaller and more affordable units along with larger units for those with the ability to purchase slightly more expensive units or for those who require the larger units such as larger families. The report notes that one-bedroom units will be provided for within the affordable provision and consider this provision to be adequate to support the housing needs.

Given the detailed justification for the housing mix based upon local analysis, Officers consider that the housing mix presented for this scheme is acceptable.

Affordable Housing

The scheme provides 25% affordable housing in accordance with Policy H6. This is split with 11 units for affordable rent and 12 units for shared ownership, which overall complies with the Affordable Housing SPD.

In terms of the affordable housing mix the SHMA seek to provide the following:

1 Bed	2 Bed	3 Bed	4 Bed
20-25%	30-35%	25-30%	15-20%

The scheme provides the following:

1 Bed	2 Bed	3 Bed	4 Bed
17%	26%	48%	9%

The scheme provides a higher proportion of three-bedroom units and a lower proportion of 1, 2 and 4-bedroom units. Again, the applicant has provided an analysis of the local housing market and justification for the larger numbers of three-bedroomed units based upon the higher demand for these dwellings in the locality. These affordable dwellings are appropriately distributed throughout the eastern side of the site.

Density

The site achieves 36 dwellings per hectare, which complies with the minimum requirement of 35 dwellings per hectare as set in Policy H9.

Open Space

The scheme provides the necessary 20% of the site area as open space, which equates to 0.517 hectares. The soft planting of these areas is dealt with in the Ecology section of the report.

A significant number of representations raise concern that the proposed open space provides no play provision. Plans have been amended to include a Locally Equipped Area of Play (LEAP). This LEAP is appropriately positioned 20m from the elevations of surrounding properties (existing and proposed) to ensure acceptable levels of amenity to surrounding occupiers. A condition is suggested to secure the exact details of the LEAP.

Impact on visual amenity

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

The National Planning Policy Framework (2023), paragraph 135 states that “Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The layout has been adjusted to accommodate Highway requirements and the scheme provides an appropriate hierarchy of streets for the scale of the development and good separation between properties. Open space is provided to the northwest of the site and the main area of open space is provided to the east of the site. Properties have been designed to front onto the open space to provide good natural surveillance of this area.

In terms of design the proposed development provides a varied and well-proportioned mix of house types and designs. The majority of properties are two-storey with several 2.5 storey houses added to provide variety to the streetscene and roofscape.

The materials palette provides for an appropriate mix of either red or orange bricks for elevations and either cottage red or slate grey roof tiles. The plots are separated by 1.8m high timber fencing and properties with gardens siding onto the road will have a more robust 0.9m high brick wall and pillars with timber fence panel inserts. A 30cm high timber knee rail forms a divide for properties fronting onto the public open space.

Having regard to the open plan layout and general nature of the proposed development conditions are suggested to remove permitted development rights to ensure that no gate, fence, wall or other means of enclosure is erected within front gardens and no additional hardstanding is laid within front gardens to protect soft landscaping areas from encroachment.

The layout and design is considered to accord to Policy DE1 and the aims and objectives of the NPPF.

Impact on residential amenity

The SPD states that: A minimum distance of 20m is a generally accepted guideline for there to be no material loss of privacy between the rear of two storey buildings directly facing each other (i.e., a back-to-back relationship). A minimum separation distance of 12m is sought between built form to provide an acceptable level of light/outlook.

There have been a number of minor plot adjustments to ensure that the necessary separation distances between proposed dwellinghouses and existing adjoining properties are met to ensure that there is no significant impact upon the outlook, privacy or amenity of existing residents. The proposed residential use is compatible with surrounding residential uses.

In terms of future occupiers, the necessary separation distances between dwellinghouses are met. All properties will provide a high-quality residential environment with off-street car parking in accordance with Appendix 5 and private garden spaces that meet size standards.

Given the proximity of the Sphinx Sports and Social Club a noise survey has been completed. This demonstrates that the scheme meets noise level requirements for both internal and outdoor garden areas on the application site. Environmental Protection have assessed the report and raise no objections.

The Police raise no objections to the scheme but suggest that the development should follow the design specifications and physical security measures that are outlined in the Secured by Design Guidance for New Homes 2023. These details can be conditioned accordingly.

The scheme is therefore considered to provide a high-quality residential environment and is in accordance with Coventry Local Plan Policy H3, DE1 and DS3.

Highway considerations

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

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

Policy AC4 of the Local Plan states that development proposals should incorporate appropriate safe and convenient access to walking and cycling routes. Where these links do not exist, new and upgraded routes will be required and these must appropriately link into established networks to ensure that routes are continuous.

There has been a significant amount of public opposition to the scheme based upon the application site, which forms part of the New Century Park development, using the New Century Park roads for vehicular access. Local residents have raised concerns regarding additional traffic congestion and pollution and also disruption during the construction phase from large lorries, creating dust, noise and damage to the highway. The majority of representations suggest that Second Avenue to the east of the site is used instead.

Second Avenue is not an adopted highway and therefore the applicant has no rights to use this road for either pedestrian or vehicular access. The scheme does not propose to use Second Avenue as a vehicular access route. A pedestrian route has been provided across the open space running up to the existing palisade fence separating the site from Second Avenue, should this ever become a feasible route in the future.

The application site (initially safeguarded as a school site) forms part of the wider New Century Park housing development and as such it is appropriate for vehicles to access the site via the wider development. Highways have no objections in this regard. It is noted that the roads within New Century Park are being adopted by the City Council, with some areas already adopted and others ongoing.

Highways have sought amendments to the scheme to improve the layout. A loop route has been established towards the centre of the development and a vehicular connection into Marjorie Way created (previously an emergency route only) so that the scheme now has two vehicular accesses. Enhancements to on-street visitor bays have been established with street trees in the form of tree pits being introduced to break up the shared surface. Highways have no objection to the amended layout.

In terms of parking, all dwellinghouses will have two off-street car parking spaces and the one-bedroom units will have one off-street parking space each in accordance with Appendix 5 parking standards.

Conditions are suggested to secure car and cycle parking. A Construction Management Plan condition is also suggested to agree construction vehicle routing through New Century Park, hours of work and measures to control dust and noise etc.

The scheme is therefore in accordance with Policies AC1, AC2, AC3, AC4 and H3 of the Coventry Local Plan 2016.

Flood Risk

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

The site is within Flood Zone 1. The LLFA (Drainage) are content with the supporting information submitted and raise no objections to the proposed scheme, subject to a condition to secure final drainage detailing.

Contaminated land

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

The applicant has provided a report and remediation strategy for contaminated land and also for unexploded ordnance. Environmental Protection have reviewed these reports and have raised no objections. Conditions are suggested to ensure that the development proceeds in accordance with the reports and that a verification report is provided upon completion.

Air quality/Sustainability

Policy EM7 states that major development schemes should promote a shift to the use of sustainable low emission transport to minimise the impact of vehicle emissions on air quality. Policy EM2 seeks to secure sustainable building standards within new developments.

A condition is suggested to secure air quality mitigation in the form of low emission boilers and EV chargers for all properties. The construction management plan will also seek to control dust at the construction stage.

The Sustainability Statement states that the development strategy sets a high standard of overall sustainability with measures that include:

- Building elements with highest standard 'A+' Green Guide ratings including upper floors, external cavity walls, internal partitions, insulation and pitched roof;
- Material suppliers with responsible sourcing certification guided by a high-quality sustainable procurement policy;
- The provision of EV charging points to all plots;
- Efficient internal and external water use in line with building regulations;
- Enhanced building fabric specification with a Fabric-First approach including high efficiency insulation and provision of efficient appliances; and
- Use of PV and/or waste water heat recovery (WWHR) to achieve the efficiency levels required under Part L 2021.

Ecology

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

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.

Ecology note that the site has been bare ground with re-colonising ruderal vegetation, scrub, and grass for over 5 years, with a tree line border. The loss of boundary trees and

hedges to the south and west result in ecological loss; however, these are noted as not being of good quality. Post development landscaping will see the inclusion of 500m of ornamental hedgerow across the site, with an additional 90m of species-rich native hedgerow along the western boundary to retain the connective value of the site.

The scheme also proposes replanting of urban trees across the site. The Tree Officer has asked for mitigation planting for the loss of the existing Weeping Willow (T10) with a Weeping Golden Willow on the new open space. This is confirmed to be provided adjacent to the LEAP.

The Ecologist notes that the updated Biodiversity metric suggests a habitat gain of 10.11% (in accordance with National policy) and a hedgerow gain of 42.76%.

The Ecologist has requested a number of conditions to ensure that the scheme proceeds appropriately and in accordance with Policy GE3.

Developer Contributions

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

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

- 25% affordable housing in accordance with Policy H6.
- Education have requested a contribution of £1,337,803. This is supported by additional supporting information to demonstrate Community Infrastructure Levy (CIL) compliance, as requested by the applicant.
- Highways have requested the following contribution:
 - £300,000 towards funding of a cycle connection between the site and Allard Way.
 - Mobility credits - £1200 per dwelling
 - Establishing a car club - £150 per dwelling
 - Travel Plan Co-ordinator - £9,100
 - WMCH Cycle docking station (12-dock station and 6 e-bikes) - £53,955
 - Residential Travel Plans - £56,500
 - Travel Plan Monitoring - £6800
 - Household Travel Surveys - £10 per dwelling
 - Traffic Monitoring Cameras at Junctions - £32,500

The developer has agreed to these requested contributions.

The CIL Regulations 2010 (2) states: A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The developer has questioned the CIL compliance of the following contribution requests:
- NHS (UHCW) who have requested a contribution of £150,996 for acute care.

- CCG who have requested a contribution of £112,536.

At the time of writing this report neither of the above consultees had provided sufficient justification that their requested contributions are CIL compliant.

An update on these two contributions will be provided to members within the Late Representations.

Equality Implications

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

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

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

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

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

Conclusion

The proposed development is considered to be acceptable in principle 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 H3, DE1, AC1, AC2, AC3, AC4, DS3, GE3, GE4, EM4, EM5 & EM7 of the Coventry Local Plan 2016, together with the aims of the NPPF.

CONDITIONS/REASON

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

	<p>Drg No.PL001 B , PL002 S, PL003 S, PL004 D, PL005 G, PL006 F, PL007 D, PL008 -, PL009 -, PL203 C Maidstone Hipped End, PL204 C Ellerton Hipped End, PL206 A Ellerton Mid, PL207 A Moresby End, PL208 B Morseby, PL209 B Kingsvile, PL212 B Type 58 & 59, PL213 – Type 50 Mid, PL215 – Type 52 Mid, PL217 – Type 55 End, PL220 – Double Garage, PL221 - Single Garage, PL222 A Hale, PL223 A Kingsley Hipped, PL225 A Kenley Hipped, PL226 A Type 50 Hipped, PL227 – Type 54 Hipped, PL228 A Type 52 Hipped, PL229 – Double Garage</p> <p>Brindle & Green Preliminary Ecological Appraisal & Biodiversity Impact Assessment Ref: BG23.234 Rev 4 February 2024, Brindle & Green Arboricultural Impact Assessment Survey & Report Ref: BG23.234.4 REV4 – February 2024, BG23.234.5-BRGR-ZZ-ZZ-DR-L-00001 P07, BG23.234.5-BRGR-ZZ-ZZ-DR-L-00002 P07, BG23.234.5-BRGR-ZZ-ZZ-DR-L-00003 P07, BG23.234.5-BRGR-ZZ-ZZ-DR-L-00004 P07, BG23.234.5-BRGR-ZZ-ZZ-DR-L-00005 P07, BG23.234.5-BRGR-ZZ-ZZ-DR-L-00006 P07, BG23.234.5-BRGR-ZZ-ZZ-DR-L-00007 P07, BG23.234.5-BRGR-ZZ-ZZ-DR-L-00008 P07, BG23.234.5-BRGR-ZZ-ZZ-DR-L-00009 P07, BG23.234.5-BRGR-ZZ-ZZ-DR-L-00010 P07, Q9978 LEAP plan, DB-SD11-T804 Hedgehog Highway Guidance, DB-SD11-T803 Bat Box Guidance, DB-SD11-T802 Swift Box Guidance</p> <p>Loveday Lighting Ltd Street Lighting Design Risk Assessment & Environmental Design Report Ref: LL1672-001 dated 21/12/2023, Loveday Lighting Ltd S38 Lighting Ref: LL1672-001 dated 19/12/2023, Drg No.LL1672-001 Street Lighting Layout – S38, Environmental Economics Sustainable Buildings Statement v2 dated 30/06/22, Noise.co.uk Noise Risk Assessment & Acoustic Design Statement Report No 21506-1-R2 dated 22nd June 2023, Patrick Parsons Phase I Site Appraisal B21027/DTS/Rev0 May 2021, Patrick Parsons Phase II Site Appraisal (Rev 2) March 2022, PJS Remediation Strategy August 2023 Ref: PJSG23-003-DOC-01, First Line Defence Preliminary UXO Risk Assessment Reference EP13310-00 dated 22/04/21, Travis Baker Flood Risk Assessment and Drainage Strategy Rev B 25/08/23, Allsopp Avery 22-041_rep_01 rev C Technical Note – Drainage Strategy, Drg No. 22-041_02_06.1, 22-041_02_05.1 B, 22-041_02_04.2 B, 22-041_02_04.1 C, 22-041_02_03.1 D, 22-041_02_02.1 C, 22-041_02_01.1 C.</p>
Reason.	<i>For the avoidance of doubt and in the interests of proper planning</i>
3.	Prior to the first occupation of the development hereby permitted the Local Equipped Area for Play (LEAP) shall be fully installed in accordance with the approved Drg No. Q9978.
Reason.	<i>In the interests of achieving sustainable high-quality development in accordance with Policies DE1, H3 and DS3 of the Coventry Local Plan 2016.</i>

4.	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 in front of the forwardmost part of any dwellinghouse fronting a highway or footpath without the prior grant of planning permission by the Local Planning Authority.
Reason.	<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>
5.	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 fronting a highway or footpath without the prior grant of planning permission by the Local Planning Authority.
Reason.	<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/or affect the amenities of adjacent properties in accordance with Policies H3 and DE1 of the Coventry Local Plan 2016</i>
6.	No development (including any demolition or preparatory works) shall commence unless and until a detailed badger survey, including timetabled mitigation measures where appropriate, has been carried out by a qualified badger consultant and has writing to the Local Planning Authority. Any approved mitigation measures shall be implemented in full accordance with the approved timetable of works and once provided 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 2023.</i>
7.	No development (including any demolition or preparatory works) shall commence unless and until details of measures to protect badgers from being trapped in open excavations and/or pipes and culverts have been submitted to and approved in writing by the Local Planning Authority. The measures shall include: a) creation of sloping escape ramps for badgers

	<p>which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and b) blocking off open pipe-work larger than 150mm outside diameter at the end of each working day. All protection measures shall be implemented in strict accordance with the approved details and shall be retained accordingly whilst development works are undertaken.</p>
Reason.	<p><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 2023.</i></p>
8.	<p>No development (including any demolition or preparatory works), shall commence unless and until a qualified ecologist has conducted a hand search for reptiles within the application site in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority. The site will be cleared from the centre outwards in order to allow reptiles to escape into surrounding habitats and once the site clearance has been completed, the site shall be enclosed with a suitable reptile proof barrier, the details of which shall have been submitted to and approved in writing by the Local Planning Authority; and such barrier shall remain in place during the development. The ecologist shall remain present on the site during the search and clearance works and should any reptiles be discovered, they shall be carefully removed from the development site and relocated to an appropriate receptor site. If the hand search is undertaken during the reptiles active seasons (from April to October -where daytime temperatures are between 8 degrees centigrade and 18 degree centigrade with no significant rain fall or strong winds) reptiles should be moved to a suitable habitat within the locality and away from the development site. If the hand search is to be undertaken outside of the reptiles active seasons a purpose built hibernacula should be constructed prior to the search. Any potential hibernacula should be hand searched and carefully removed and any reptiles found moved immediately to the purpose built hibernacula. The positioning and details of the hibernacula shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the hand search.</p>
Reason.	<p><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 2023.</i></p>
9.	<p>No removal of trees or boundary hedges shall take place between 1st March and 31st August (inclusive) unless a survey to assess the nesting bird activity on the site during this period has been undertaken by a qualified surveyor, and a scheme to protect any nesting birds identified on the site has first been submitted to and approved in writing by the Local Planning Authority. No removal of trees or boundary hedges shall take place between 1st March and 31st August (inclusive) other than in strict accordance with the approved bird nesting protection scheme.</p>

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 2023.</i>
10.	Prior to the first occupation of the development hereby permitted, a combined ecological and landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all aspects of landscaping including details of any compensation for biodiversity loss, including the erection of bat boxes and/or bird nesting boxes (to include box type, numbers, location and timing of works). The approved scheme shall be fully implemented 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 2023.</i>
11.	No development (including any demolition or preparatory works) shall commence unless and until an Invasive Non-Native Species Protocol (INNSP) has been submitted to and approved in writing by the Local Planning Authority. The INNSP shall detail the timing and method of containment, control and removal of Japanese Knotweed from the site. The development shall only proceed only in full accordance with the measures identified in the approved INNSP.
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 2023.</i>
12.	No development (including any demolition or preparatory works) shall commence unless and until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following: (a) a risk assessment of potentially damaging construction activities;(b) identification of biodiversity protection zones (e.g. buffers to trees and hedges or to protected wildlife habitat); (c) practical measures (both physical measures and sensitive working practices, such as protective fencing, exclusion barriers and warning signs) to avoid or reduce impacts during construction (particularly in relation to works within canopy and root protection areas for hedgerows or protected trees); (d) the location and timing of sensitive works to avoid harm to biodiversity features (in relation to breeding birds in particular); (e) the times during construction when specialist ecologists need to be present on site to oversee works (as required); (f) responsible persons and lines of communication; and (g) the role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person (as necessary). The approved CEMP shall be adhered to and implemented

	throughout the construction period strictly in accordance with the approved details.
Reason.	<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>
13.	Street lighting shall be installed in full accordance with the approved Loveday Lighting Ltd Street Lighting Design Risk Assessment & Environmental Design Report Ref: LL1672-001 dated 21/12/2023, Loveday Lighting Ltd S38 Lighting Ref: LL1672-001 dated 19/12/2023, Drg No.LL1672-001 Street Lighting Layout. All lighting thereafter shall be subsequently maintained in strict accordance with the approved details.
Reason.	<i>To ensure that the proposed development has a satisfactory appearance in the interests of public safety and the visual amenities of the area in accordance with Policies H3 & DE1 of the Coventry Local Plan 2016.</i>
14.	None of the dwellings hereby permitted shall be occupied unless and until the car parking provision for that dwelling has been constructed or laid out and made available for use by the occupants and / or visitors to the dwellings and thereafter those spaces shall be retained for parking purposes at all time and shall not be removed or altered in any way.
Reason.	<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>
15.	Prior to the first occupation of the development hereby permitted a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following: a) Description and evaluation of features to be managed; b) Ecological trends and constraints on site that might influence management; c) Aims and objectives of management, including mitigation and enhancement for species identified on site; d) Appropriate management option for achieving aims and objectives; e) Prescriptions for management actions; f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period); g) Details of the body or organisation responsible for implementation of the plan, along with funding mechanism(s) for that body or organisation; h) Ongoing monitoring and remedial measures, including where monitoring shows that conservation aims and objectives of the LEMP are not being met. The LEMP plan shall be implemented in strict accordance with the approved details within three months of the first occupation of the development and thereafter shall not be withdrawn or amended in any way.

Reason.	<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>
16.	Prior to their incorporation into the development hereby permitted, details of a scheme which sets out where and how 'Secured by Design' standards will be incorporated into the development, shall be submitted to and approved in writing by the Local Planning Authority. These measures should be installed in full accordance with the approved details prior to first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.
Reason.	<i>To ensure Secured by Design standards are met, in the interests of safety and security and the health and wellbeing of future occupiers of the development in accordance with Policies DS3, H3 and DE1 of the Coventry Local Plan 2016.</i>
17.	Any gas boilers installed on site shall have a dry NOx emission rate of no more than 40mg/kWh. One electric vehicle recharging point per dwelling shall be provided prior to occupation and shall not be removed or altered in any way and shall be kept available for such use by residents at all times.
Reason.	<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>
18.	The development hereby permitted shall only proceed in strict accordance with a scheme for targeting and utilising local people for construction and employment, which shall be submitted to and approved in writing by the Local Planning Authority.
Reason.	<i>To secure local employment in accordance with the City Council jobs strategy and Policy JE7 of the Coventry Local Plan 2016.</i>
19.	The development shall proceed in accordance with the mitigation measures outlined within the approved Noise.co.uk Noise Risk Assessment & Acoustic Design Statement Report No 21506-1-R2 dated 22nd June 2023 prior to first occupation and mitigation measures shall remain in place thereafter.
Reason.	<i>To safeguard the amenities of occupiers of the development in accordance with Policies H3, DS3 & DE1 of the Coventry Local Plan 2016.</i>
20.	Notwithstanding approved details, prior to their incorporation into the development hereby permitted the following details shall be submitted to and approved in writing by the local planning authority:

i. 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:-

- General below ground attenuation, aimed solely at managing the quantity of water on site (Note: preference should be given to localised cellular storage unless there is no possible mechanism for doing so).

- Water quality control medium(s) such as permeable paving, filter drains, rain gardens, ponds or swales aimed at improving the quality of water passing through the system either above or below ground.

ii. The stormwater discharge rates from the development shall be managed in order to reduce flood risk to surrounding sites, downstream areas or the wider environment by means of a suitable vortex flow control mechanism (or mechanisms) limiting the total site discharge offsite to Q_{bar} greenfield runoff minus 20% or 5 l/s, whichever is greater. The discharge rates for brownfield sites shall be considered as greenfield in accordance with the CCC SFRA.

iii. A detailed strategy document must be submitted to, and approved in writing by, the LPA for the long-term inspection and maintenance of the SuDS and other surface water drainage elements on site. It should also mention any notable Health and Safety or specialist training, and special equipment required as part of the routine maintenance.

iv. Prior to the commencement of any works on site, provisions must be made for the drainage of the site to ensure there are no temporary increases in flood risk, on or off site, during the construction phase, particularly with respect to the planned demolition/construction works and the deposition of silts and cementitious materials. This should be covered under environmental risks in the Site Specific CEMP.

v. Evidence must be provided to show the management of overland flow routes in the event of exceedance or blockage of the drainage system. Details should include demonstration of how the building(s) will be protected in such an event.

vi. Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway.

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

	<p>viii. Foul drainage plans.</p> <p>All details shall be carried out as approved and maintained thereafter.</p>
Reason.	<p><i>To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy EM4 & EM5 of the Coventry Local Plan 2016.</i></p>
21.	<p>The development shall proceed in accordance with the approved Patrick Parsons Phase I Site Appraisal B21027/DTS/Rev0 May 2021, Patrick Parsons Phase II Site Appraisal (Rev 2) March 2022, PJS Remediation Strategy August 2023 Ref: PJSG23-003-DOC-01 and First Line Defence Preliminary UXO Risk Assessment Reference EP13310-00 dated 22/04/21. Upon completion of the development a verification report shall be submitted to and approved in writing by the Local Planning Authority.</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</i></p>
22.	<p>In the event that contamination or unusual ground conditions are encountered during the development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be prepared for submission to and approval in writing of the Local Planning Authority. Following completion of the measures identified within the approved remediation scheme, a verification report must be prepared for submission to and approval of the Local Planning Authority.</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</i></p>
23.	<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; -</p>

	<p>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>
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 [EM7], AC1 and AC2 of the Coventry Local Plan 2016.</i></p>
24.	<p>No works shall be carried out until full engineering and constructional details of the proposed accesses from Isadora Lea and Majorie Way have been submitted to and approved in writing by the Local Planning Authority. The works shall be completed prior to occupation of the first dwelling.</p>
Reason.	<p><i>In the interests of highway safety in accordance with the aims and objectives of Policies AC1 and AC2 of the Coventry Local Plan 2016.</i></p>
25.	<p>No dwelling shall be occupied unless and until cycle parking and bin storage facilities for that dwelling 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.</p>
Reason.	<p><i>In the interests of visual amenity and encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies DE1, DS3, AC3 and AC4 of the Coventry Local 2016.</i></p>