

Planning Committee Report	
Planning Ref:	PL/2025/0000265/OUT
Site:	Former Wisteria Lodge, Earlsdon Avenue South, Coventry, CV5 6QE
Ward:	Earlsdon
Proposal:	Outline application with all matters reserved except for access for the redevelopment of land to form up to eight residential dwellings
Case Officer:	Richard Edgington

SUMMARY

This application considers the relevant material planning considerations in respect of the redevelopment of the site to create 8 residential dwellings. Given the outline nature of the application, the relevant matters within this application relate to the principle of development, parameters and access. It is noted that within the consultation a number of queries have been raised as to the land ownership and covenants attached to the land relating to the sale of the land. Land ownership is not material in the consideration of any planning application and is not therefore relevant in the determination of this application.

BACKGROUND

The application as submitted seeks consent for the re-development of a brownfield site, which formerly contained a children's care home. The site has been vacant for in excess of 15 years and is now being sought for re-development to create up to 8 residential dwellings. The application seeks outline permission establishing the principle of development and details of the access. The application includes an indicative layout and suggests parameters in respect of maximum heights within the site. All other matters are reserved and would therefore come forward at reserved matters stage should planning permission be granted.

KEY FACTS

Reason for report to committee:	The application has been referred to planning committee due to more than five objections having been received.
Current use of site:	Vacant
Proposed use of site:	Residential
Proposed no of units	8

RECOMMENDATION

Planning Committee are recommended to grant Outline Planning Permission subject to conditions and the obligations set out within this report.

REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon highway safety.
- The proposal will not result in a detrimental impact upon the character and appearance of the area or the conservation area.
- The proposal will not adversely impact upon the amenity of neighbours.

- The proposal makes provision for necessary developer contributions.
- The proposal accords with Policies: DS3, H3, H4, H9, GE1, GE3, GE4, DE1, HE2, AC1, AC2, AC3, AC4, EM2, EM4, EM5, EM7 of the Coventry Local Plan 2017 and the emerging Local Plan, together with the aims of the NPPF.

SITE DESCRIPTION

The application site relates to a previously developed parcel of land extending to 0.47 hectares, situated within the locality of Earlsdon within the Kenilworth Road Conservation Area. The application site formerly contained a children's home which was closed and left vacant for a period of time prior to its demolition in around 2010. Since the demolition, the site has been left vacant for the intervening period. The demolition works removed buildings to slab level only and the hardstanding in the form of former foundations, access and car park remain, with former managed grass areas having been left to establish into unmanaged scrub. The site is bound by trees and hedges, together with high level boundary treatments. Stivichall Common wraps around the site to the south and west, immediately on the eastern side of the site lies Mary and William Cottages, a pair of single storey dwellings adjacent to the access. To the north and west lie existing dwellings within Earlsdon Avenue South and Warwick Avenue respectively. Dwellings within the area largely comprise of generous proportioned detached dwellings occupying large plots which are characteristic of this area of the conservation area.

The common immediately to the south contains a number of informal pedestrian routes through to the Kenilworth Road and War Memorial Park beyond. The site is accessed from Earlsdon Avenue South via an un-named adopted road in front of Mary and William Cottages into the site. To the north side of the un-named road lies an informal green area laid to grass. To the south, on the junction with Earlsdon Avenue South lies the Earlsdon Drinking Fountain, a Grade II Listed feature within the area.

When considering site constraints, the site lies within flood zone 1 and is therefore at the lowest risk of flooding and as indicated is within the Kenilworth Road Conservation Area. Stivichall Common to the south and western boundaries of the site is a designated local wildlife site within the adopted and emerging Local Plans.

APPLICATION PROPOSAL

The application as proposed seeks Outline Planning Permission with all matters reserved except for access, for up to eight residential dwellings. The application includes an indicative layout to show how properties could be accommodated on site and includes parameters to set out maximum heights which would reflect up to 2.5 storeys in height.

PLANNING HISTORY

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

Application Number	Description of Development	Decision
PL/2025/0000263/OUT	Outline application with all matter reserved for: redevelopment of land to form C2 or C3 accommodation -	Pending Consideration

	residential care home or independent/assisted living flats of the over 55's; comprising of up to 24no. units up to a maximum of 3 storey, along with associated resident and staff facilities, private and shared amenity space and parking.	
R/2010/1117	Demolition of disused residential care home.	Granted
S/2005/3088	Change of use and alterations to premises to form Children's Resource Club	Granted
R/2005/3087	Use of premises as local authority residential establishment for accommodation of children aged 0-12 and formation of four bed sitting rooms for adolescent children up to 18 years of age	Granted
S/1970/5000	Erection of residential Nursery with 8 bed sitting rooms and 3 flats	Granted

POLICY/LEGISLATION

Legislation

Section 72 – Planning (Listed Buildings and Conservation Areas) Act 1990

National Policy Guidance

National Planning Policy Framework (NPPF) December 2024. 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 2017, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application is:

Policy DS3: Sustainable Development Policy
Policy H1: Housing Land Requirements
Policy H2: Housing Allocations
Policy H3: Provision of New Housing
Policy H4: Securing a Mix of 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 HE2: Conservation and Heritage Assets
Policy AC1: Accessible Transport Network
Policy AC2: Road Network
Policy AC3: Demand Management
Policy AC4: Walking and Cycling
Policy EM2: Building Standards
Policy EM3: Renewable Energy Generation
Policy EM4: Flood Risk Management
Policy EM5: Sustainable Drainage Systems (SuDS)
Policy EM7: Air Quality

Emerging Local Policy Guidance – Local Plan Review Reg 19 Consultation

Local Plan review is currently at Reg 19 consultation. Relevant emerging policy relating to this application is:

Policy DS3: Sustainable Development Policy
Policy H1: Housing Land Requirements
Policy H2: Housing Allocations
Policy H3: Provision of New Housing
Policy H4: Securing a Mix of 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 HE2: Conservation and Heritage Assets
Policy AC1: Accessible Transport Network
Policy AC2: Road Network
Policy AC3: Demand Management
Policy AC4: Walking and Cycling
Policy EM2: Building Standards
Policy EM3: Renewable Energy Generation
Policy EM4: Flood Risk Management
Policy EM5: Sustainable Drainage Systems (SuDS)
Policy EM7: Air Quality

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development
SPD Delivering a More Sustainable City
SPD Coventry Connected
SPD - Kenilworth Road Conservation Area Control Plan

CONSULTATION

Archaeology: No objection, subject to WSI condition being appended to any decision.

Conservation: Objection to the elevational details currently provided, it is recommended that more traditionally designed dwellings similar to existing dwellings within the vicinity be considered.

Coventry Society: No comments received.

Ecology: No objection, subject to conditions.

Environmental Protection: No objection, subject to conditions for UXO assessment, CEMP and Air Quality measures to include EV charging and low emission boilers.

Highways: No objection, subject to conditions to require alterations to the access

Housing: No objection.

Lead Local Flood Authority: Conditions appended to the decision to secure detailed drainage design.

Streetscene and Greenspace: No comments received.

Tree Officer: No objection, subject to condition.

Urban Design and Landscape: No objection.

WM Fire: No comments received.

WM Police: General comments received recommending secure boundary treatments, secure lighting and low-level planting be considered in any forthcoming reserved matters application.

Neighbour consultation

Immediate neighbours and local councillors have been notified; a site notice was posted on 14th March 2025. A press notice was displayed in the Coventry Telegraph on 27th February 2025.

Nine representations have been received following the consultation, one of which neither objecting nor supporting, but makes suggestions for the inclusion of Swift Boxes in any reserved matters application.

The remaining eight letters all raise objections to the application raising the following material planning considerations:

- a) Insufficient parking provision
- b) Illustrative design incompatible with surrounding area
- c) Quantum over-intensive for the locality
- d) Detrimental to highway safety due to the narrow nature of the access road
- e) Development of the site would result in overlooking/loss of privacy
- f) All trees should be retained within the site
- g) The development would increase noise levels in the area

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

- h) The Council as landowner does not have consent to dispose of the site
- i) Detrimental impact upon house prices

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 trees/landscaping.

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 strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Footnote 8 to paragraph 11 confirms that this includes situations where the local authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer set out in paragraph 78).

Based on the provisions of the December 2024 NPPF the Council is able to demonstrate a 5.6 year housing land supply as of 31st December 2024. Whilst the Council is able to demonstrate a healthy supply of homes, the overarching aims of the NPPF and indeed the adopted Local Plan is to deliver additional dwellings, indeed windfall sites within the housing trajectory are key to maintaining an adequate supply of homes. Part C of Paragraph 125 of the NPPF states that planning decisions should ‘give substantial weight to the value of using suitable brownfield land within settlements for homes ... unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land’. In this case it is noted that within the consultation a number of representations have indicated that the re-development of the site is contrary due to conflict with the Kenilworth Road Control Plan. However, the control plan specifically relates to the use of access directly from the Kenilworth Road across The Spinney, which is not the case here. It is therefore given minimal weight. Indeed, the weight attached to the NPPF and the delivery of homes, being substantial as referenced above would be deemed to outweigh any harm. Indeed,

the site is also previously development brownfield land. Taking the above into account the principle of development is acceptable.

When considering other key housing policies within the adopted Local Plan, Policy H3 of the adopted Local Plan also relates to the provision of new housing and requires sites and developments to provide a quality living environment for future occupiers which does not have contaminants, noise and air quality issues. H3 also sets out a criterion that developments should wherever possible be located;

- a. within 2km radius of local medical services;
- b. within 1.5km of a designated centre within the city hierarchy (policy R3);
- c. within 1km radius of a primary school;
- d. within 1km of indoor and outdoor sports facilities;
- e. within 400m of a bus stop; and
- f. within 400m of publicly accessible green space.

The site meets the criterion set out in H3 given that the site is in a highly sustainable location well served by transport links to the city centre, Earlsdon High Street and surrounding amenities. Policy H4 relates to housing mix, the policy 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. That being said, part 2 of H4 states that in assessing the housing mix in residential schemes the Council may take into account circumstances where it may not be appropriate to provide the full range of housing types in accordance with the latest Strategic Housing Market Assessment, including; sites where particular house types and/ or building forms may be required in order to sustain or enhance the setting of a heritage asset. In this case, the plans indicate that the site will come forward for lower density, larger family homes for the open market.

As set out within the site description, the conservation area is largely defined by larger dwellings and plots which adopt a traditional style, creating a green and leafy suburban character. Formerly the site contained a two-storey flatted structure, the re-development of the site for family units as proposed is considered to be characteristic of the area and would align with the wider built form within the conservation area. Taking the site specific circumstances into account and the small scale nature of the development, the illustrative mix set out within the information provided is deemed acceptable.

It is noted within the consultation, queries were raised by residents as to whether affordable housing is proposed. In accordance with Policy H6 the site is not required to bring forward a provision for affordable homes as it falls below the identified threshold of developments for 25 units plus, the application is not therefore contrary to H6.

Impact on residential amenity

Policies H3, H5 and DE1 of the adopted Local Plan seek to ensure that development proposals provide a suitable living environment for future occupiers, whilst also not resulting in a detrimental impact to existing/neighbouring residential occupiers, the NPPF reaffirms the importance of quality design.

The illustrative layout provided as part of this submission includes an indicative layout for 8 dwellings. This enables the Council to consider the general principles for separation

distances, together with building heights. A condition is recommended to restrict the height of the dwellings in line with the parameters plan. During the course of the consultation, residents have raised concerns on three key areas in respect of amenity; overlooking, loss of light and noise. Taking each matter in turn, with respect of overlooking, the indicative layout sets out how generously proportioned plots can be provided on site with rear amenity spaces. The indicative layout shows that t properties can be built with separation distances of between 32m and 44m to the rear of the nearest surrounding dwellings within Earlsdon Avenue South and Warwick Avenue respectively, which is far in excess of the required 20m set out within the Design Guidance for New Residential Development SPD. With the retention of landscaping to boundaries the distances will also be further mitigated and the impact to nearby residential properties acceptable.

With respect to overlooking, the dwellings have a maximum height of 10.5m, which is approximately 0.8m higher than the surrounding ridge heights of existing dwellings. Such a height would allow for up to 2.5 storeys of accommodation (including within the roof space), or 2 storey units with generous pitched roofs. With the heights being similar to those of surrounding dwellings and set away as indicated above it is not considered the building heights, which would be broken up through the form and appearance of the dwellings within the site would be deemed harmful to the amenity of residents.

Finally, the concern with noise during the construction phase is accepted and as with any form of construction a level of increased noise through works taking place will likely occur. However, a Construction and Environmental Management Plan condition has been appended to the decision to ensure that each element of the working practices including noise and dust mitigation/suppression and working hours are all captured to minimise the impact upon existing residents where possible. As such the impact of the redevelopment upon residential amenity is not deemed unacceptable, subject to suitably worded conditions being appended to the decision securing the CEMP.

Character and appearance of the area and heritage assets

It is noted that within the consultation a number of residents have raised concern as to the impact of the proposed development upon the heritage asset in the form of the Kenilworth Road Conservation Area, and that the development of the site will be out of keeping with the area.

Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 Local Planning Authorities are required in the exercise, with respect to any buildings or other land in a conservation area, that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Policies HE2 and DE1 of the adopted Local Plan are consistent with Section 72, as is Section 16 of the NPPF (2024).

The application is for outline only, effectively establishing the principle for development within the site with indicative layout and height parameters and the detailed matters will be considered as part of the reserved matters submission.. Residents have objected to the proposals due to the building heights exceeding two storeys, and to the principle of redevelopment on the site due to the impact upon the conservation area/character of the area.

Whilst noting these concerns it is considered that there is benefit in the delivery of appropriately designed houses in this location with the delivery of this brownfield site. It was considered that a higher density housing scheme in this location would contrast to both what has preceded the site before and the established residential character. As such the applicants have sought to respond to the character impacts by having a lower density scheme with larger dwellings to align with the wider character of the area. The indicative siting shows heights which we would wish to condition as part of this outline application. Sections through the site show that the building heights would not be significantly higher than surrounding dwellings and would retain a semi-open feel through the set back of built from the boundaries, allowing for landscaping to be retained. The retention of the landscaping also assists in the development more likely harmonising with the locality, and whilst the Council expects for a high quality development to come forward with sensitive materials this is also a matter for consideration at the reserved matters stage.

Residents have noted that the submitted design and access statement includes imagery of dwellings which are defined by timber cladding and contrasting design to the area, however the statement is not being approved as elevational details and full consideration would be given at reserved matters stage. The Conservation Officer raised objections to the appearance of the dwellings within the document and suggested that more inspiration should be taken from the surrounding palate of materials and finish colours of neighbouring dwellings to ensure a design harmonises with the established character. The Local Planning Authority agrees with such an approach and expects full consideration to be given to design matters at the appropriate time, i.e. upon the submission of the reserved matters. The use of landscaping is also considered to have the opportunity to enhance the site and the scheme, it is expected that any forthcoming submission would retain the Category A tree to the south east of the site and the retention of the illustrative landscaped area shown on the layout plan will be encouraged to be retained going forwards.

Archaeology

Paragraph 207 of the NPPF requires due consideration to be given to archaeological assets. In decision making the NPPF states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. This is re-affirmed within Policy HE2 of the adopted Local Plan (2017).

In this case the application site relates to an area within the Kenilworth Road Conservation Area, adjacent to a densely wooded area within Stivichall Common. Areas of the site have not been developed previously with built development, although has been ancillary to the former use and managed. As part of the application submission, the heritage statement does not detail the potential risk of any below ground assets.

The Archaeology Officer states that there are no known archaeological investigations within the site or in close proximity and therefore this indicates unknown potential. Historic England's, Planning and Archaeology (HEAN 17) notes: Most archaeological sites are undesignated, meaning that the majority of archaeological remains are not protected by listing or scheduling. Indeed, the scale, quality and significance of the archaeological resource at a location are often unknown before the site is considered in the planning process. This generates both opportunities and risks. Previous Heritage Reports for the

area have also indicated this potential. The demolition of the previous building in 2010: R/2010/1117, included a Heritage Report in which the archaeological potential was highlighted.

The Council's Archaeologist does not object to the application, however a condition for a Written Scheme of Investigation for Archaeological Evaluation (Trial Trenching) to determine the presence or absence of any archaeological remains and to determine the preservation, nature and character of such remains has been requested. This has duly been appended to the decision, and with this condition the application is deemed acceptable.

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. Car parking will be expected to meet the Council's parking standards and this will need to be demonstrated with the layout at the reserved matters stage.

There have been a number of objections received relating to the proposed access point into the site and in particular the narrow nature of the vehicular highway in front of Mary and William Cottages. The width of the vehicular carriageway is 4.4m plus approximately 1.25m for the width of the pavement. Weight is afforded in this case to the fact that the highway is existing and the intensification of the site for residential dwellings is not deemed likely to exceed movements of the former care home use on-site. That being said, with the passage of time and period of vacancy it is considered necessary for highway improvements to be made most likely to incorporate a shared surface upon the access point into the site to improve the highway.

The details of this will be reported fully within the late representations document.

Whilst parking provision is not an outline matter, it should be noted that the applicants have demonstrated that the illustrative layout and quantum of development proposed can be achieved to meet the council's adopted parking standards. Whilst concerns have been raised by residents as to the quantum of parking provided on site not being sufficient, the Council can only require the maximum standards as set out in Appendix 5 of the Coventry

Connected SPD. In any case, this is a matter that will be assessed in full at reserved matters stage. Taking into account the above the application is acceptable in highway terms, subject to conditions.

Flood Risk

Policy EM4 for the Local Plan states that all major developments must be assessed in respect of the level of flood risk from all sources and that all opportunities to reduce flood risk in the surrounding area must be taken, including creating additional flood storage. Furthermore, Policy EM5 states that all development must apply SuDS and should ensure that surface water runoff is managed as close to its source as possible.

The Lead Flood Authority have been consulted and whilst have not formally commented at application stage, did make representations at Pre-application stage. Within the discussions no objections have been raised in respect of drainage or increased flood risk, but it is expected that any reserved matters application provides a detailed drainage design, once the final layout is known. As part of any design in accordance with the aforementioned policies measures to minimise surface water run-off will be expected, through the use of permeable paving and on-site attenuation features such as cellular tanks (below ground).

The application is therefore deemed acceptable in this regard, subject to a condition being appended to the decision securing full details of the proposed drainage system thereby according with policies EM4 and EM5 of the Local Plan.

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.

As part of the application submission the applicants submitted a Ground Conditions Report which covers contamination issues within the site. The report noted that an intrusive investigation be undertaken, with any remediation required ahead of any dwellings being constructed and occupied.

Environmental Protection note the content of the report and have requested that conditions be appended to the decision requiring further ground contamination works to be undertaken ahead of the construction of any proposed dwellings. This accords with the recommendations of the submitted Ground Conditions Report (Stage I). The conditions will ensure that intrusive investigations be undertaken and any remediation completed ahead of any works taking place. A condition for an unexploded ordnance assessment be undertaken has also been appended.

Air quality

Policy EM7 requires new developments to ensure that there is not an increase in air quality issues, this is supported and consistent with Paragraph 199 of the NPPF (2024) which states that planning decisions will have due regard for Air Quality Management Areas, of which the site and the rest of the city lies within.

Given the outline nature of the application there is currently limited information available as to the impacts of air quality specifically in relation to the dwellings themselves. As the

application is for a minor development a full air quality assessment is not required at this stage. However, it will be expected that at reserved matters stage, details of air quality mitigation measures will be incorporated into any forthcoming designs and proposals.

In accordance with Policy EM7 Environmental Protection have requested conditions be appended to the decision to secure details of any air source heat pumps if proposed and/or low emission boilers be used in each of the dwellings, together with the provision of electric vehicle charging points. These measures have duly been secured via condition to come forward at the submission stage of any future reserved matters application. With this condition attached the application is deemed acceptable in this regard.

Ecology

Paragraph 187 (d) of the NPPF (2024) states that planning decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures within the site.

Policy GE1 of the adopted Local Plan expects new development proposals to make provision for green infrastructure to ensure that such development is integrated into the landscape and contributes to improvements in connectivity and public access, biodiversity, landscape conservation, design, archaeology and recreation. Whilst also maintaining the quality and quantity of existing green infrastructure, and where the quantity is not retained, enhancement to quality is expected.

Policy GE3 of the Local Plan states proposals for development will be permitted provided that they protect, enhance and/or restore habitat biodiversity. Development proposals will be expected to ensure that they:

- Lead to a net gain of biodiversity, where appropriate, by means of an approved ecological assessment of existing site features and development impacts.
- Protect or enhance biodiversity assets and secure their long-term management and maintenance.
- Avoid negative impacts on existing biodiversity; and
- Preserve species which are legally protected, in decline, are rare within Coventry or which are covered by national, regional or local Biodiversity Action Plans.

The application site as indicated is previously developed but has been vacant for a period of time in which habitats have established. Whilst not the highest quality of habitats, based on the metric calculation approach the habitat loss would be 0.51 habitat units, with the existing site having a value of 1.73 units, whilst post-development based on illustrative plans would have a value of 1.22 units. This is due to the loss of scrub and the assumed managed nature of private gardens.

The Council's Ecology Officer has noted that whilst an overall loss, the quality of the habitat present through the use of native hedgerows and planting to bolster existing features would be higher. That being said, the Environment Act and GE3 requires a net gain, in this case greater than 10%. To mitigate this, 20.28% of the metric baseline needs to be secured in order to achieve the required net gain. Given the constrained nature of the site, and development of a site which has been left unkempt would unlikely be able to achieve a net gain. As such off-site mitigation is required, financial contributions have

therefore been secured to mitigate against this loss, the final figure is being prepared and will be provided as part of the late representations.

With regards protected species on site, the ecological reports identify the presence of a number of protected species within the site and/or the wider area. Ahead of the works commencing the Council's Ecologist has requested a number of conditions for further survey work to be undertaken in respect of nesting birds, invasive species, additional biodiversity features (to be submitted as part of any reserved matters) and a CEMP. With the conditions and contributions secured the application is deemed acceptable.

Trees/Arboriculture

Paragraph 136 of the NPPF (2024) attributes trees to making an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. As such the NPPF is clear in that planning decisions should ensure that new streets are tree-lined and that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

Policy GE4 of the Local Plan states that development proposals will be positively considered provided that:

- a) there is no unacceptable loss of, or damage to, existing trees or woodlands during or as a result of development, any loss should be supported by a tree survey.
- b) trees not to be retained as a result of the development are replaced with new trees as part of a well-designed landscape scheme; and
- c) existing trees worthy of retention are sympathetically incorporated into the overall design of the scheme including all necessary measures taken to ensure their continued protection and survival during construction

Within the consultation, residents have raised concerns that the proposed development would result in the loss of established trees within the site in order to facilitate the development. Noting these concerns a condition is recommended to ensure no landscaping is removed ahead of the approval of reserved matters to ensure trees are maintained where possible. The indicative layout also shows that a landscape feature adjacent to the access can be accommodated and this will be considered as part of the reserved matters submission..

To facilitate the access however the removal of trees T32-T35 is required which includes 1 category B, 2 category C and 1 category U trees. The tree officer raises no objections to the removals in this respect but has requested a detailed Tree Constraints Plan which will need to be considered with the layout at reserved matters stage.

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 DS3, H3, H4, H9, GE1, GE3, GE4, DE1, HE2, AC1, AC2, AC3, AC4, EM2, EM4, EM5, EM7 of the Coventry Local Plan 2017 and the emerging Local Plan Policies together with the aims of the NPPF.

CONDITIONS/REASONS

1.	Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced and the development shall be carried out in full accordance with those reserved matters as approved.
Reason	<i>To conform with Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015.</i>
2.	Application for approval of the reserved matters listed at condition 1 shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
Reason	<i>To conform with Section 92 of the Town and Country Planning Act 1990 (as amended)</i>
3.	The development hereby permitted shall begin within 3 years of the date of this permission or within 2 years of the final approval of the reserved matters, whichever is the later.
Reason	<i>To conform with Section 92 of the Town and Country Planning Act 1990 (as amended)</i>

4.	The access shall be carried out in accordance with the following approved plans/documents: [drawing numbers to be added]; whilst the reserved matters shall be in accordance with the illustrative plan ref. Parameters Plan DWG A(0)002 and include the following specific requirements: - rear gardens shall have a minimum length of 10m; - buildings shall not exceed a maximum eaves height of 6.3m and maximum ridge height of 10.5m.
Reason	<i>For the avoidance of doubt and in the interests of achieving sustainable development, having particular regard to the potential impact of the development in accordance with Policy DS3 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>
5.	The reserved matters shall include details of the access into the site, car parking areas and associated manoeuvring space to be provided. The approved details shall be implemented in full prior to the first occupation of the dwellinghouses and thereafter those areas shall be kept marked out and available for such use at all times.
Reason	<i>In the interests of visual amenity and highway safety in accordance with Policies AC1, AC2 and DE1 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>
6.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Phase I Geo-Environmental Desk Study Topographical Survey DWG 43270CVLS-01 Residential Noise Assessment Flood Risk Assessment Biodiversity Net Gain Assessment Preliminary Ecological Appraisal Tree Constraints Plan DWG RSE_9759_TCP-V1 Appendix A: Tree Schedule Transport Statement Location Plan DWG A(0)001 Parameters Plan DWG A(0)002 BNG Metric Calculation Excel BNG Calculation Biodiversity Metric 01</p>
Reason	<i>For the avoidance of doubt and in the interests of proper planning.</i>
7.	Before any development commences on site (including any demolition, site clearance or other preparatory works) the following shall be submitted to and approved in writing by the Local Planning Authority: a) a detailed scaled plan (to a scale and level of accuracy appropriate to the proposal) showing the location and species of all trees within the site and every tree on land

	<p>adjacent to the site (including street trees) that is likely to have an effect upon or be affected by the proposal (e.g. by shade, crown overhang from the boundary, intrusion of the Root Protection Area etc), their trunk diameter at chest height, their root protection areas, crown spread to North, East, South and West aspects and measurement from trunk centres to tree protection fence; b) details of the temporary fence (eg Heras fencing and method to be anchored into the ground) to be superimposed upon the proposed layout plan; c) a statement to confirm that the approved tree protection measures will be erected to the Root Protection Area will be erected prior to the commencement of development and to remain in place to the end of the build phase.</p> <p>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.</p>
Reason	<p><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 2017 and the emerging Local Plan.</i></p>
8.	<p>Any landscaping (other than the planting of trees and shrubs) including the erection of boundary treatment, and the installation of paving and footpaths referred to in condition one shall be completed in all respects, within three months of the first use of development and all tree(s) and shrub(s) shall be planted within the first planting season following that first use. Any tree(s) or shrub(s) removed, dying, or becoming; in the opinion of the Local Planning Authority; seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of similar size and species to those originally required to be planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations.</p>
Reason	<p><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 2017 and the emerging Local Plan.</i></p>
9.	<p>Prior to the first occupation of the residential accommodation hereby permitted, details of lighting to the entrance and communal areas within the site shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall 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.</p>
Reason	<p><i>To ensure a satisfactory residential environment for future occupiers of the residential accommodation in accordance with Policy H3 of the Coventry</i></p>

	<i>Local Plan 2017 and the emerging Local Plan.</i>
10.	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 2017, the emerging Local Plan and the advice contained within the NPPF.</i>
11.	Prior to the first occupation of the development hereby permitted details of ecological enhancement features inclusive of bat boxes, bird boxes, badger sett features shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully installed in strict accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.
Reason	<i>To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2017, the emerging Local Plan and the advice contained within the NPPF.</i>
12.	No removal of trees 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 trees, hedges or shrubs shall be removed between 1st March and 31st August (inclusive) other than in strict accordance with the approved bird nesting protection scheme.
Reason	<i>To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2017, the emerging Local Plan and the advice contained within the NPPF.</i>
13.	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 2017, the emerging Local Plan and the advice contained within the NPPF.</i>
14.	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 2017 and the emerging Local Plan.</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 2017 and the emerging Local Plan.</i>
16.	Prior to their incorporation into the development hereby permitted, a package of measures to minimise the impact of the development upon local air quality shall be submitted to and in writing by the Local Planning Authority. These measures shall have consideration of the following: - (i) Provision for electric vehicle recharging points or dwellings to be made 'EV-ready' so a power connection is available to install an EV charge point as required; (ii) 10% of parking provision to be for EV re-charging on non-residential development (iii) Use of low NOx boilers (to have a maximum dry NOx emissions rate of 40mg/kWh); (iv) A construction method statement demonstrating how dust and noise emissions are to be mitigated during construction. The measures shall 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 mitigate the impacts of development on air quality during and post construction in accordance with Policies DS3 and EM7 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>
17.	No demolition/development shall take place/commence until a written scheme of investigation (WSI) for Archaeological Evaluation has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives; and:- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.
Reason	<i>To ensure that the development makes adequate provisions to safeguard any below ground heritage assets in accordance with Policy HE2 of the adopted Local Plan (2017).</i>
18.	No development (including any demolition) shall take place unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of: - hours of work; - hours of deliveries to the site; - the parking of vehicles of site operatives and visitors during the demolition/construction phase; - the delivery access point; - the loading and unloading of plant and materials; - anticipated size and frequency of vehicles moving to/from the site; - the storage of plant and materials used in constructing the

	development; - the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; - wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; - measures to control the emission of dust and dirt during demolition and construction; - measures to control the presence of asbestos; - measures to minimise noise disturbance to neighbouring properties during demolition and construction; - details of any piling together with details of how any associated vibration will be monitored and controlled; and - a scheme for recycling / disposing of waste resulting from demolition and construction works. Thereafter, the approved details within the CMP shall be strictly adhered to throughout the construction period and shall not be amended in any way.
Reason	<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 2017 and the emerging Local Plan.</i>
19.	An investigation and risk assessment (in addition to any assessment provided with the planning application), must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site; whether or not it originates on the site; 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)
Reason	<i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2017, the emerging Local Plan and the aims and objectives of the NPPF</i>
20.	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.
Reason	<i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2017, the emerging Local Plan and the aims and objectives of the NPPF</i>
21.	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.
Reason	<i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2017, the emerging Local Plan and the aims and objectives of the NPPF</i>
22.	Prior to occupation of the development hereby permitted and following completion of the measures identified within the remediation scheme approved under condition No. 20, 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 2017, the emerging Local Plan and the aims and objectives of the NPPF</i>
23.	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 20, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 21, 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 22.
Reason	<i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2017, the emerging Local Plan and the aims and objectives of the NPPF</i>
24.	The development hereby permitted shall not commence unless and until a Desk Study for Potential Unexploded Ordnance Contamination and a risk mitigation strategy has been submitted to and approved in writing by the

	Local Planning Authority. The development shall only proceed in strict accordance with the approved details.
Reason	<i>To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2017, the emerging Local Plan and the aims and objectives of the NPPF</i>
25.	<p>Prior to the commencement of the development a scheme shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) for the provision of a Sustainable urban Drainage System (SuDS) in accordance with the latest available design guidance. The submission shall include all relevant details and calculations to enable a full evaluation to be undertaken, and clear and accountable consideration shall be given to the following features:- Open Air storage or attenuation in the form of a wet pond, dry basin, swale or other similar surface feature, aimed at managing water quantity, quality and introducing biodiversity at the ground surface.- 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. All in accordance with Coventry City Council's Supplementary Planning Document "Delivering a more Sustainable City". The drainage details shall be installed in full accordance with the approved documentation prior to occupation of the development and thereafter shall be maintained and shall not be removed or altered in any way.</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, EM4 and EM5 of the Coventry Local Plan 2017 and Coventry City Councils adopted Supplementary Planning Document for Delivering a More Sustainable City.</i>