To: Rowan Reid  
From: Frances Taylor  
Date: 6th August 2014  
Subject: Planning Application  
Your Reference: FUL/2014/2481  
Our reference: 214023417

Re: Land at Brandon Road, adjacent to  
    TGI Fridays, Binley Woods, Coventry

I have considered the above planning application and I have the following comments to make:

**Air Quality**

The proposed development triggers several of the thresholds in the Department for Transport Criteria for Transport Assessments in that it will:

1. Generate 30 or more two-way vehicle movements in any hour, namely between 12:00 and 13:00 hours on a weekend.
2. Generate 100 or more two-way vehicle movements per day.
3. Be in a location within an Air Quality Management Area

As such the following mitigation measures are proposed:

- 10% of parking spaces should be provided with electric vehicle recharging provisions.
- A method statement detailing the control of emissions to air during the construction phase should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. Such a method statement should be in-line with the Best Practice Guidance entitled ‘The control of dust and emissions from construction and demolition’ produced by the Greater London Authority and London Councils.

The applicant should also adopt a strategy to encourage the use of low emission vehicles and could consider:

- All delivery vehicles should be low emission vehicles
- Promotions / discounts for customers using low emission vehicles
**Contaminated Land**

Due to the proximity of the proposed development to an historic landfill, the following conditions should be placed on the development:

**1. Site Characterisation**
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. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks 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).

This must be conducted in accordance with DEFRA and the Environment Agency’s ‘*Model Procedures for the Management of Land Contamination, CLR 11*’.

**2. Submission of Remediation Scheme**
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 must be prepared, and is subject to the approval in writing of 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.

**3. Implementation of Approved Remediation Scheme**
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 remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

**4. Reporting of Unexpected Contamination**
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 1, and where remediation is necessary a remediation scheme must be
prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of 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 3.

**Noise**

1. No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition, are submitted and approved in writing by the local planning authority. The rating level of the noise emitted from this plant shall not exceed the current background noise level at the nearest off-site receptor. The noise levels shall be determined by measurements or calculations at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS 4142:1997 and shall include a tonal penalty of 5dB if relevant.

2. Opening hours should be conditioned to those given in the application form, namely 06:30 to 23:00 hours.

If you have any questions please feel free to contact me.

Regards,

Frances Taylor  
**Environmental Health Officer**
Rowan,

The Highways Agency previously responded to planning application FUL/2013/1613 with no objection on 28th September 2013, please see attached.

This application is the same as the previous application, and thus the Highways Agency has no objection to the proposals in line with previous advice.

Please find attached a TR110 confirming our position.

Kind Regards

Steve Pearce, Asset Manager, Coventry & Warwickshire  
Highways Agency | The Cube | 199 Wharfside Street | Birmingham | B1 1RN  
Tel: +44 (0) 121 6788456 | Mobile: + 44 (0) 7738 981118
Web: http://www.highways.gov.uk
GTN: 6189 8456

Safe roads, reliable journeys, informed travellers
Highways Agency, an executive agency of the Department for Transport.

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) This email has been certified virus free.

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All e-mails are monitored by Coventry City Council's ICT Security, using MailMeter and Mimecast in accordance with the Regulations of Investigatory Powers Act 2000.
Dear Rowan

PLANNING APPLICATION REF FUL/2013/1613, PROPOSED COFFEE SHOP WITH ASSOCIATED ACCESS, DRIVE-THROUGH FACILITY, PARKING, LANDSCAPING AND ASSOCIATED WORKS. AT: LAND ADJACENT TO TGI FRIDAYS, BRANDON ROAD, COVENTRY

Further to our letter dated 13th September in relation to your consultation on the above named planning application. The Highways Agency has been in discussion with the applicant’s agent with regard to the impact of the proposal on the strategic road network (SRN). These discussions have concluded, to our satisfaction, that the impact of the proposal on the SRN is likely to be minimal. We therefore have no objections to the grant of planning permission; please find attached an updated TR110 form which confirms our position.

Yours sincerely

Kathryn Simmonite
NDD Midlands Asset Development
Email: kathryn.simmonite@highways.gsi.gov.uk
Developments Affecting Trunk Roads and Special Roads
Highways Agency Response to an Application for Planning Permission

From: Divisional Director, Network Delivery and Development, Midlands, Highways Agency.
To: Coventry City Council

Council's Reference: FUL/2013/1613

Referring to the notification of a planning application received 27th August 2013, your reference FUL/2013/1613, PROPOSED COFFEE SHOP WITH ASSOCIATED ACCESS, DRIVE-THROUGH FACILITY, PARKING, LANDSCAPING AND ASSOCIATED WORKS. AT: LAND ADJACENT TO TGI FRIDAYS, BRANDON ROAD, COVENTRY, notice is hereby given under the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Secretary of State for Transport:

a) offers no objection;

b) advises that planning permission should either be refused, or granted only subject to conditions

c) directs conditions to be attached to any planning permission which may be granted;

d) directs that planning permission is not granted for an indefinite period of time;

e) directs that planning permission not be granted for a specified period (see Annex A).

Signed by authority of the Secretary of State for Transport

Date: 28.10.13
Signature:

Name: Kathryn Simmonite
Position: Asset Manager
Highways Agency: Floor 9
The Cube
199 Wharfside Street Birmingham, B1 1RN
Developments Affecting Trunk Roads and Special Roads
Highways Agency Response to an Application for Planning Permission

From: Divisional Director, Network Delivery and Development, Midlands Region, Highways Agency.

To: Coventry City Council

Council's Reference: FUL/2014/2481

Referring to the notification of a planning application dated 31st July 2014 referenced above, in connection with the A46 trunk road, ERECTION OF FREESTANDING BUILDING FOR USE AS A COFFEE SHOP WITH ASSOCIATED DRIVE-THROUGH AND PARKING FACILITIES, LANDSCAPING AND ASSOCIATED WORKS, Adjacent to TGI Fridays, Land at Brandon Road, Coventry, notice is hereby given under the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Secretary of State for Transport:-

a) offers no objection;

b) advises that planning permission should either be refused, or granted only subject to conditions

c) directs conditions to be attached to any planning permission which may be granted;

d) directs that planning permission is not granted for an indefinite period of time;

e) directs that planning permission not be granted for a specified period (see Annex A);

Signed by authority of the Secretary of State for Transport

Date: 6th August 2014

Signature: [Signature]

Name: Steve Pearce

Position: Asset Manager

The Highways Agency: The Cube, 199 Wharfside Street, Birmingham, B1 1RN
ECOLOGICAL RESPONSE - Weekly list for week ending 1st August 2014.

Thank you for your consultation.

A. Either we have already received details of the following applications and will be forwarding our comments shortly or, in some cases, we may have already submitted comments or are submitting comments here.

<table>
<thead>
<tr>
<th>Application no.</th>
<th>Location</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>FUL/2014/2378</td>
<td>31 Dillitford Avenue</td>
<td>As this proposal involves impacting on an existing roofspace a <strong>pre-determinative bat survey</strong> may be recommended. Please send in photos of the existing roof including from the side where it is proposed to be impacted. There are bats in the surrounding area.</td>
</tr>
<tr>
<td>FUL/2014/2463</td>
<td>24 Salisbury Avenue</td>
<td>We cannot access the plans online. Please provide online access so we can provide recommendations.</td>
</tr>
<tr>
<td>FUL/2014/2225</td>
<td>149 Leamington Road</td>
<td>As this proposal involves impacting on an existing roofspace a <strong>pre-determinative bat survey</strong> may be recommended. Please send in photos of the existing roof including from the side where it is proposed to be impacted. There are bats in the surrounding area.</td>
</tr>
<tr>
<td>FUL/2014/2397</td>
<td>8 Oslo Gardens</td>
<td>As this application involves a significant impact to the existing roof an Initial bat survey is recommended. There are records of bats in the surrounding area.</td>
</tr>
<tr>
<td>FUL/2014/2226</td>
<td>1 Hewitt Avenue</td>
<td>Tree protection condition if trees are to be affected by the proposed development. Bat and nesting bird tree note</td>
</tr>
<tr>
<td>FUL/2014/0650</td>
<td>4 Barras Lane</td>
<td>As this proposal involves impacting on an existing roofspace a <strong>pre-determinative bat survey is recommended</strong>. There are bat records and commuting and foraging bat habitat in the surrounding area.</td>
</tr>
<tr>
<td>FUL/2014/2537</td>
<td>Trinity Taxis, Highfield House, 51 Walsgrave</td>
<td>There doesn’t appear to be any plans online so it is assumed that no structural work is proposed. If it is</td>
</tr>
</tbody>
</table>
Road proposed then make the plans available online and let us know so we can provide comments.

<table>
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<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>FUL/2014/2495</td>
<td>1 The Spinney</td>
<td>Tree protection Condition to be attached to any permission granted if mature trees are to be affected by the proposed works. Bat and nesting bird tree note if trees affected Reptile and amphibian note Bat note Nesting bird note</td>
</tr>
<tr>
<td>FUL/2014/2508</td>
<td>43 Ladbrook Road</td>
<td>As this proposal involves impacting on an existing roofspace a pre-determinative bat survey may be recommended. Please send in photos of the existing roof including from where it is proposed to be impacted. There are bats in the surrounding area.</td>
</tr>
<tr>
<td>FUL/2014/2328</td>
<td>9 Tanners Lane</td>
<td>As this proposal involves impacting on an existing roofspace a pre-determinative bat survey is recommended. There are bat records in the surrounding area.</td>
</tr>
<tr>
<td>FUL/2014/1983</td>
<td>3 Sheriff Avenue</td>
<td>The plans are not accessible online. Please make them available and let us know when they are.</td>
</tr>
<tr>
<td>FUL/2014/2481</td>
<td>Land at Brandon Road</td>
<td>Preliminary Ecological Appraisal recommended</td>
</tr>
</tbody>
</table>

B. Please await my detailed, second level response for the following applications, as they appear to have the potential to adversely affect protected species and/or protected or significant sites and I shall therefore be investigating further. Please note that I may request plans to be emailed / sent on CD where I am unable to access them online.

A number European Protected Species (EPS) are found in Warwickshire. In considering planning applications that may affect European Protected Species, the District Council is bound by Regulation 3(4) of the Conservation (Natural Habitats, &c.) Regulations 1994 to have regard to the Habitats Directive when exercising their functions.

Therefore, in all cases affecting European Protected Species, we recommend the District Council seek information on the species prior to determination of the application to enable it to consider and balance all material matters.

<table>
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<tr>
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<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>DC/2014/2461</td>
<td>Garages The Wardens Avenue</td>
<td>We will respond in due course</td>
</tr>
</tbody>
</table>

We will be providing second level, more detailed responses whenever we feel (from the brief information provided on the planning list) that protected species are both likely to be present and adversely affected by the proposals, or that significant habitats may be affected.

However, the applicant should be informed that protected species could potentially be present wherever building work is proposed for houses or other buildings or may affect trees, particularly mature trees.
C. The following applications do not appear to need detailed Ecological comments:

However, we have the following brief ecological comments on them. Please attach the relevant notes (see below) to any planning permission granted:

NB Please note the recent change of name of non-statutory sites of nature conservation from Sites of Importance for Nature Conservation (SINCs) to Local Wildlife Sites (LWS).

<table>
<thead>
<tr>
<th>Application no.</th>
<th>Location</th>
<th>Ecological comments /condition/ notes to be attached to permission</th>
</tr>
</thead>
</table>
| FUL/2014/2302   | 30 Brownshill Green Road | Bat note  
Nesting bird note                                                   |
| FUL/2014/2416   | 48 Fletchamstead Highway | Bat note  
Nesting bird note                                                   |
| FUL/2014/2464   | 168 Windmill Road       | Bat note  
Nesting bird note                                                   |
| FUL/2014/2516   | 85 Hall Green Road       | Bat note  
Nesting bird note                                                   |
| CT/2014/2460    | 11 East Avenue          | Bat and nesting bird tree note                                      |
| FUL/2014/2494   | 49 Tennyson Road        | Bat note  
Nesting bird note                                                   |
| PA/2014/2597    | 16 Lammas Road          | Nesting bird note                                                   |
| TP/2014/2510    | 32 Fairlands Park       | TPO note                                                            |
| FUL/2014/2327   | 41 Alfriston Road       | Bat note  
Nesting bird note                                                   |
| FUL/2014/2399   | 37 Moat Avenue          | Bat note  
Nesting bird note                                                   |
| PA/2014/2508    | 43 Ladbrook Road        | Bat note  
Nesting bird note                                                   |

**Standard bat note:**
Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their ‘roost’ sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010 making them a European Protected Species. It is a criminal offence to disturb or destroy a bat ‘roost’, even if the roost is only occasionally used. Where a bat ‘roost’ is present a licence may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523. If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 01453 764450 for advice on the best way to proceed.

**Nesting Bird note:**
Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season lasts approximately from March to September, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

**Bat and Nesting Bird tree note:**
If it is essential to fell or lop any trees or part of the hedgerows, it should be ensured that this work does not disturb nesting birds, with work ideally being conducted outside the main breeding season (March-September). All nesting birds are protected from disturbance or injury under the 1981 Wildlife and Countryside Act. In addition, if mature trees are likely to be affected by the development, (e.g. by felling or lopping work), it is important to survey these trees for the presence of bats, prior to work commencing. Bats and their roost sites are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act, and are also deemed a European Protected Species.
Local Authorities are bound by the Conservation of Habitats and Species Regulations 2010 to have regard to the Habitats Directive when exercising their functions.

**For LBC roof works:**
Many listed buildings are likely to support features commonly used by bats (such as warped or lifted tiles or lead flashing and gaps around eaves or soffits). Bats and their ‘roost’ sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat ‘roost’, even if the roost is only occasionally used. The consent given by this notice does not override the protection afforded to these species and their habitats. You must take steps to ensure that the work you are carrying out will not harm any protected species. Where a bat ‘roost’ is present a licence may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523. If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 01453 764450 for advice on the best way to proceed.

**Bat lighting note**
Lighting can have a harmful effect on bats impacting on their use of a roost and also their commuting routes and foraging areas. Light falling on a roost access point is likely to delay bats from emerging, which can be especially damaging around dusk as that is when there is a peak in the number of insects. In the worst case scenario, it can cause the bats to desert the roost. Bats and their ‘roost’ sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, the latter of which deems them a European Protected Species. Bats should always be taken into account when lighting is being considered. It is respectfully advised that lighting is kept to a minimum around the roof area and is limited to illuminating the ground and not any possible access points or foraging corridor. For further advice on this please contact the Ecology Unit on 01926 418060.

**TPO/Tree works note:**
Many trees contain wildlife such as bats and nesting birds that are protected by law. The consent given by this notice does not override the protection afforded to these species and their habitats. You must take steps to ensure that the work you are carrying out will not harm any protected species, and if it may do so you must also obtain permission from Natural England prior to carrying out the work. For more information on protected species please see [http://www.naturalengland.gov.uk](http://www.naturalengland.gov.uk).

**Protection of Watercourse**
It should be ensured that there is no contamination of the watercourse either during or after development. All watercourses are of significant nature conservation value. Therefore, we would recommend that suitable measures are taken to minimise detrimental run-off and ensure no net biodiversity loss in accordance with PPS9 and to comply with guidance within the Water Framework Directive.

**Reptile and Amphibian note:**
In view of the nearby records, care should be taken when clearing the ground prior to development, and if evidence of specially protected species such as reptiles or amphibians is found (newts, snakes, lizard, frogs toads), work should stop while Warwickshire Museum Ecology Unit or Natural England is contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species.

D - All other applications on the weekly list dated week ending 1st August 2014 – have no known ecological concerns.
We do not know of any ecological concerns regarding these developments provided any hedgerows and mature trees present are protected and preserved, and provided protected species such as badgers, great crested newts, nesting birds, etc., are not affected. However, all sites have some value for wildlife. Therefore we would be happy to carry out further investigations of any site on request.

If you need any further information, please do not hesitate to contact me.

Yours faithfully,

Barbara Golding  
Ecologist
13th August 2014

F.A.O. : Rowan Reid, Senior Planning Officer, CC4/3

Application No. : FUL/2014/2481

Location : Land at Brandon Road adjacent to TGI Fridays, Binley Woods, Coventry

Proposal : Erection of freestanding building for use as a coffee shop with associated drive-through and parking facilities, landscaping and associated works.

The Local Highway Authority (LHA) has undertaken a review of the planning application and based on this assessment the LHA objects to the proposed development. The justification for this decision is set out below:

1. The LHA is concerned that the proposed development could generate significant pedestrian traffic especially in relation to the industrial uses opposite the site. The LHA therefore considers the proposed informal pedestrian crossings present a highway safety concern, and a potential for an increase in conflicts between pedestrians and motorists at the junction.

   The LHA therefore requests that Stage One Road Safety Audit to be submitted to support the proposed pedestrian improvements identified by the applicants. The LHA would recommend that in addition the applicants consider the provision of a Toucan Crossing at this location set back from the Roundabout.

2. The LHA requests that detailed mitigation plan is submitted. This would include all mitigation measures including white line details. The LHA also request that a costing schedule is also provided for the identified mitigation schemes.
3. The LHA requires alterations to be made to the site layout on the following matters:
   
a. The site clearly needs to be identified as a one-way system. This is not clearly portrayed on the site layout plan. Therefore this plan should be reviewed to show the proposed one-way system which will be used and the location of suitable signage where required.

b. The location of the bin collection point and the proposed pick up collection are considered too far apart. From the dimensions on the plan the waste vehicle would not back able to access the bin storage point as it would not be able to navigate the drive-thru area. It is considered the LHA the distance is too great for a member of staff or bon collection worker to move the bins. Therefore the location of the bin collection point should be reconsidered and located to a more appropriate and accessible location.

c. The parallel parking bays are considered appropriate. Whilst the LHA does acknowledge that they may be the last choice for parking by customers at the facility, the LHA is concerned that they propose a potential highway safety concern. This concern is due to the need for a motorist to undertake a number of manoeuvres to be able to exit in a forward gear, whilst maintaining potential 360 degree visibility. This is further exacerbated that pedestrian will also be traversing the car park to reach TGI Fridays and other vehicles in the car park. Therefore increasing the potential for pedestrian versus vehicle accidents.

Other comments:

1. The LHA has considered the Transport Assessment and considers this document to be sound and a robust assessment of the likely impact on the operation of the surrounding highway network.

2. The LHA requires the submission of a Travel Plan for the proposed development. The LHA would recommend this be a condition if the Local Planning Authority (LPA) is minded to approve the application, with a Travel Plan being submitted six months after occupation.

3. The LHA requests the deliveries and waste collections are undertaken outside the peak travel periods, 08.00 – 09.00 during the AM and 17.00 – 18.00 in the PM. It is requested that these is conditioned of the LPA is minded to approve the application.

4. The LHA requires the submission of a Construction Management Plan prior to any construction works being undertaken. This can be conditioned if the LPA is minded to approve the application.

5. The LHA requires the submission of a Traffic Management Plan prior to any construction works, or the implementation of the mitigation scheme is undertaken. This can be conditioned if the LPA is minded to approve the application.

6. The LHA will require the undertaking of S.278 agreement as the applicant will have to undertake works within the adopted highway boundary.

Ben Simm
Transport Planning Officer
CC4/8
13.08.2014
ECOLOGICAL SURVEY RESPONSE FORM

ADDRESS: Land adjacent to TGI Fridays
Brandon Road, Binley
Coventry
CV3 2TA

PROPOSAL: Proposed coffee shop with associated access, drive-through facility, parking, landscaping and associated works.

APPLICATION NO: FUL/2014/2481

Date: 13th August 2014

Rowan Reid

ECOLOGICAL DESCRIPTION AND NATURE CONSERVATION VALUE OF THE SITE

The site has no specific nature conservation designation, and there are no records of protected species within the application site. There are records of badgers, hedgehogs, bats, and the LBAP red listed small heath butterfly in the surrounding area.

EFFECT OF PROPOSED DEVELOPMENT

I have viewed the plans, searched the WBRC, viewed aerial photographs of the site and surrounding area on Google Maps and have the following comments:

The proposals are very similar to the withdrawn previous application (FUL/2013/1613) and it appears there no additional tree removal or other ecological impacts proposed and therefore our comments are the same. The comments for the previous application are as follows:

The proposed development site contains trees, shrubs, improved grassland, amenity and hardstanding. Herald Way Marsh Site of Special Scientific Interest (SSSI) with semi-improved neutral grassland and broad-leaved semi-natural woodland is to the south/south west in the surrounding area between 600 and 800 metres away. It is recommended as in Section 6.1 of the Extended Phase 1 Habitat Survey report by Middlemarch Environmental, June 2013, that Natural England are also contacted for their comments on this application due to the location of a SSSI close by. There are also ponds in the surrounding area with the closest being less than 75 metres away across a road, although there appear to be little connection of habitats from the pond to the site. Local Wildlife Site Binley Farm Wood ancient and semi-natural woodland is to the south east in the surrounding area. There is a strip of trees/woodland to the north/north west of the proposed development site, and other trees on the site. However, it appears from the plans that the strip of trees/woodland will not be impacted by the proposed development. These habitats could support a number of species including amphibians, reptiles, bats, birds, badger and hedgehog.
In view of the nearby pond and habitats on site, care should be taken when clearing the ground prior to development and when storing materials on site. The shrub beds should be cleared by hand in accordance with section 6.3 of the Extended Phase 1 Habitat Survey report by Middlemarch, June 2013. If evidence of specially protected species such as reptiles or amphibians is found (great crested newt, grass snake, common lizard or slow-worm), work should stop while WCC Ecological Services or Natural England is contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species under the Conservation of Habitats and Species Regulations 2010. I am attaching a reptile and amphibian information note below.

If mature trees are likely to be affected by the development, (e.g. by felling or lopping work), it is important to survey these trees for the presence of bats, prior to work commencing. Bats and their roost sites are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act, and are also deemed a European Protected Species. Local Authorities are bound by the Conservation of Habitats and Species Regulations 2010 to have regard to the Habitats Directive when exercising their functions. I am attaching an information note to this effect below. It is also recommended that if mature trees are to be affected by the proposals they should be protected as in Section 6.2 of the Extended Phase 1 Habitat Survey by Middlemarch Environmental 2013, and I am attaching a Protection of root protection zone condition below to ensure trees and other features are not harmed by the development.

It is further recommended that any trees and vegetation due to be removed are inspected for nesting birds prior to any work taking place as in Section 6.3 of the Extended Phase 1 Habitat Survey. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season lasts approximately from March to September inclusive, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season. I am attaching a Construction and Environmental Management Plan Condition to ensure protected species are not harmed by the development. A nesting bird information note is also attached below.

According to the Extended Phase 1 Habitat Survey by Middlemarch Environmental Ltd, June 2013, there is potential badger foraging habitat on the site. As there are also a number of badger records in the surrounding area it is recommended that pre-commencement badger checks are carried out prior to any works taking place. Furthermore, any trenches or ditches left overnight should be covered to prevent animals becoming trapped as in Section 6.3 of the report. A Construction and Environmental Management Plan Condition is attached to ensure that protected species are not harmed by the development. A general trench information note is also attached. Badgers and their setts (communal place of rest) are protected under the 1992 Badgers Act, making it illegal to carry out work that may disturb badgers without a Natural England licence.

As there is potential foraging habitat for hedgehogs on site according to the Extended Phase 1 Habitat Survey, and as there are also records of hedgehog in the surrounding area, it is strongly recommended that pre-commencement hedgehog checks should also be carried out as hedgehogs are of high conservation concern and are a Species of principal importance under section 41 of the NERC act. Habitat enhancement for hedgehogs can also easily be incorporated into development schemes, for example through provision of purpose-built hedgehog shelters. More details can be provided by the WCC Ecological Services if required. I am attaching a hedgehog information note below.

In accordance with NPPF, ODPM Circular 2005/06 there should be no net loss of biodiversity from development. Enhancements to the development should be in accordance
with Sections 6.2 and 6.3 of the Extended Phase 1 Habitat Survey by Middlemarch Environmental, June 2013. I am also attaching a biodiversity enhancements information note below which gives information about incorporating biodiversity enhancements into the development to improve the habitats and opportunities for the local wildlife and increase biodiversity.

It is further recommended that a tool box talk is carried out for all personnel prior to any works commencing on site. This should include information on how to identify protected species and what to do if any are found during works.

Please attach the conditions and notes below to any planning permission granted.

**CONDITIONS:**

**Protection of root protection zone condition:**
No part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the District Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered or any excavation take place without the prior consent in writing of the District Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed.

Reason: To protect trees and other features on site during construction.

**Construction and Environmental Management Plan condition:**
The development hereby permitted shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the District Planning Authority. In discharging this condition the LPA expect to see details concerning pre-commencement checks for badger and breeding birds, and appropriate working practices and safeguards for amphibians and reptiles and other wildlife will be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.

Reason: To ensure that protected species are not harmed by the development

**Mitigation in accordance with survey recommendations condition:**
The development shall be carried out to wholly accord with the recommendations in Sections 6.1, 6.2, and 6.3 for the safeguarding of protected species within the site as set out in the document 'Extended Phase 1 Habitat Survey' prepared by Middlemarch Environmental, June 2013.

Reason: To ensure that protected species are not harmed by the development.

**NOTES:**

**Nesting Bird note:**
Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season lasts approximately from March to September inclusive, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

**Bat and Nesting Bird tree note:**
If it is essential to fell or lop any trees or part of the hedgerows, it should be ensured that this work does not disturb nesting birds, with work ideally being conducted outside the main breeding season (March-September). All nesting birds are protected from disturbance or injury under the 1981 Wildlife and Countryside Act. In addition, if mature trees are likely to be affected by the development, (e.g. by felling or lopping work), it is important to survey these trees for the presence of bats, prior to work commencing. Bats and their roost sites are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act, and are also deemed a European Protected Species. Local Authorities are bound by the Conservation of Habitats and Species Regulations 2010 to have regard to the Habitats Directive when exercising their functions.

**Native planting note:**
The applicant is respectfully advised that if additional planting is proposed for the site, indigenous tree and shrub species should be used, preferably of local provenance. Such plants are visually attractive, and have a far higher value for local wildlife than cultivated, non-native plants.

**Generic reptile and amphibian note:**
In view of the nearby pond, care should be taken when clearing the ground prior to development and when storing materials on site. If evidence of specially protected species such as reptiles or amphibians is found (great crested newt, grass snake, common lizard or slow-worm), work should stop while WCC Ecological Services or Natural England is contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species under the Conservation of Habitats and Species Regulations 2010.

**General trench note:**
Particular care should be taken when clearing ground prior to development, and if evidence of badger, amphibians or reptiles is found, (such as the presence of these newts, lizards, snakes, reptile sloughs or badger, snuffle holes, latrines or established setts), then work must stop immediately while WCC Ecological Services or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow animals to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 01733 455136. Badgers and their setts (communal place of rest) are protected under the 1992 Badgers Act, making it illegal to carry out work that may disturb badgers without a Natural England licence. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside
and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species.

**Badger note:**
Badgers and their setts (communal place of rest) are protected under the 1992 Badgers Act, making it illegal to carry out work that may disturb badgers without a Natural England licence. Particular care should be taken when clearing ground prior to development, and if evidence of badger activity is found, (such as foraging routes, snuffle holes, latrines or established setts), then work must stop immediately while WCC Ecological Services or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow badgers to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 01733 455136.

**Hedgehog note:**
In view of the nearby record(s), care should be taken when clearing the ground prior to development, particularly piles of deadwood /leaves /bonfire mounds. If evidence of hedgehogs is found, work should stop while WCC Ecological Services or Natural England is contacted. Hedgehogs are of high conservation concern and are a Species of Principal Importance under section 41 of the NERC act. Habitat enhancement for hedgehogs can easily be incorporated into development schemes, for example through provision of purpose-built hedgehog shelters. More details can be provided by the WCC Ecological Services if required.

**Biodiversity enhancements**
Where possible enhancements should be incorporated into the development to improve the habitats and opportunities for the local wildlife and increase biodiversity. Such as bat and bird boxes which can be used by a variety of species, native species planting of hedges and wild flower meadows, and habitat piles of rubble, logs and earth which can be used by reptiles, amphibians and invertebrates. The WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required.

Please do contact me if you would like to discuss this further.

Yours faithfully,

Rachel Christie

Relief Assistant Ecologist
For the attention of Rowan Reid

08 September 2014

Dear Sirs

Re: Application No. FUL/2014/2481
Adjacent to TGI Fridays, Land at Brandon Road  Coventry

With reference to the above planning application the company's observations regarding sewerage are as follows.

I confirm that Severn Trent Water Limited has no objection to the proposal subject to the inclusion of the following;

**Condition 1**
The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

**Reason**
To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
If you require any further information please contact us on 0116 2343834.

Yours faithfully

Asset Protection - Waste Water (East)
Severn Trent Water Ltd
13th September 2014

F.A.O.  : Rowan Reid, Senior Planning Officer, CC4/3

Application No.  : FUL/2014/2481

Location  : Land at Brandon Road adjacent to TGI Fridays, Binley Woods, Coventry

Proposal  : Erection of freestanding building for use as a coffee shop with associated drive-through and parking facilities, landscaping and associated works.

The Local Highway Authority (LHA) has undertaken a review of the planning application and additional information which has been submitted. The LHA can confirm the applicant has resolved the LHA’s concerns and therefore the LHA has no objection to this development.

Ben Simm
Transport Planning Officer
CC4/8
16.09.2014