



Coventry City Council

Pegasus Group
5 The Priory Old London Road
Canwell
SUTTON COLDFIELD
West Midlands (Met County)
B755SH

**TOWN & COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT
MANAGEMENT) (ENGLAND) ORDER 2015**

OUTLINE PLANNING APPLICATION

Application No. : **OUT/2014/2282**
Registered on : **29/07/2014**

Applicant : **Lioncourt Homes Limited**

Re Site at : **Land bounded by Hall Brook, Bennetts Road South,
Sandpits Lane and Tamworth Road**

Description of Development: Outline application for the erection of up to 800 dwellings, with associated Local Centre comprising Convenience Store (Class A1) Retail/Commercial Units (Class A1, A2, A3, A5 and/or D1); a Primary School; Public Open Space (including equipped play area); allotments; nature conservation area; and landscaping; with all matters reserved except for means of vehicular access to the site from Tamworth Road and Bennetts Road South.

Delegated Decision on 12/02/2018

Coventry City Council, as Local Planning Authority, **GRANT** permission for the development proposed in your application subject to the following conditions: -

CONDITIONS

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1. The written approval of the local planning authority shall be obtained for the following reserved matters before any development is commenced in each phase of the development:-
 - a) the layout of the site and its relationship with existing adjoining development;
 - b) the scale of the buildings;
 - c) the appearance of the buildings;
 - d) the means of access within the site to the buildings;
 - e) the landscaping of the site.

2. Application for approval of the reserved matters shall be made to the local planning authority not later than eight years of the date of this permission.

3. The development to which this permission relates shall begin within ten years of the date of permission or within two years of the final approval of the reserved matters, whichever is the later.

4. The reserved matters to be submitted in accordance with Condition 1 shall include details of all earthworks, mounding and the finished floor levels of all buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings, and the development shall be carried out in strict accordance with these approved details or any subsequently approved amendment.

5. The development shall proceed only in accordance with phasing plans which show:
 - a) details of the precise location and extent of individual development phases;
 - b) extent of development within each phase and a description of the intended timing of the commencement and completion of each phase;
 - c) permanent and temporary access arrangements to that phase; and
 - d) any interim surface boundary or landscaping details relating to that phase;which shall be submitted to and approved in writing by the local planning authority.

6. Any reserved matters submitted under this permission shall follow the masterplan principles and allow for the following:
 - a) retention of Local Wildlife Site
 - b) retention of hedgerows
 - c) provision of 20% of total site area as green space
 - d) provision of a network of cycle/ footpaths
 - e) provision of a local centre

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- f) provision of a 1.8ha school site
- g) provision of a corridor reserved for future link road that positively supports the comprehensive delivery of the overall allocation
- h) provision of a watercourse corridor
- i) provision of character areas as set out in the Design and Access Statement

7. The development hereby permitted shall not comprise more than 800 dwellings falling within Class C3 and no more than 2500sqm of floorspace falling within Classes A1, A2, A3, A5 and D1 of the Town and Country Planning Use Classes Order 1987 (as amended) within the local centre.

8. No retail unit erected under this permission shall exceed 250sq.m in floor area.

9. The development within each phase shall only proceed in accordance with a tree and hedge retention plan which shall identify all trees and hedges to be retained within that phase, the details of which shall be submitted to and approved in writing by the local planning authority. The existing tree(s) and hedge(s) indicated to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or hedge(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development of that phase shall be replaced, as soon as practicable with tree(s) and hedge(s) of such size and species details of which must be submitted to and approved by the local planning authority. All Tree(s) and hedge(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations (excluding hard surfaces).

10. Before any development commences within any phase on site the following shall be submitted to and approved in writing by the local planning authority and any approved mitigation or protection measures shall be put into place prior to and remain in place during any construction work:

- a) a detailed scaled plan (to a scale and level of accuracy appropriate to the proposal) showing the position of every tree on the site, and every tree on land 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, overhang from the boundary, intrusion of the Root Protection Area etc) with a stem diameter over the bark measured at 1.5 metres above ground level of at least 75 millimetres.
- b) a schedule of the trees surveyed as specified in paragraph 4.2.6 of 2012 Trees in relation to design, demolition and construction - Recommendations;

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c) an arboricultural implications assessment, arboricultural method statement and tree protection plan (to include protection measures during and after construction and any construction exclusion zones) (in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction) which shall also include any proposal for pruning or other preventative works.

11. Any hedging to be retained in accordance with Condition No. 9 shall not be cut down, grubbed out or otherwise removed or topped or lopped so that the height of the hedge(s) falls below 2m at any point without the written consent of the local planning authority. Any hedge(s) removed without consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development each phase shall be replaced within the next planting season with hedging, tree(s) and/or shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations (excluding hard surfaces).

12. Any landscaping (other than the planting of trees and shrubs) including boundary treatment, paving and footpaths referred to in condition one shall be completed in all respects, with the exception of tree(s) and shrub(s) planting, within the first planting season following the first use of the dwellings and the tree(s) and shrub(s) shall be planted within six months of 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 each phase 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 BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations.

13. The development shall proceed only in accordance with the open space strategy that has been submitted to and approved in writing by the local planning authority. This shall include the specification and timing of completion of:

- a) all areas of informal and formal open space;
- b) children's play area;
- c) sustainable urban drainage system, watercourses and other water bodies; and
- d) green infrastructure linkages including pedestrian and cycle links and public rights of way.

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14. The development shall proceed only in accordance with a landscape management plan (including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned gardens)), the details of which shall be submitted to and approved in writing by the local planning authority.

The scheme shall include the following elements:

- a) details of extent and type of new planting (NB native species);
- b) details of maintenance regimes;
- c) details of any new habitat created on site;
- d) details of treatment of site boundaries and/or buffers around water bodies to include the brook and ponds; and
- e) details of management responsibilities.

The development shall only be carried out only in accordance with the details of the approved landscape management plan unless otherwise agreed in writing by the local planning authority.

15. The development hereby permitted (including demolition) shall not commence until further bat transect surveys for low habitat quality of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys - Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the local planning authority. Such approved mitigation plan shall thereafter be implemented in full.

16. The development hereby permitted (including demolition) shall not commence until a further bat survey of Category A and Category B trees on the site, to include appropriate activity surveys if required in accordance with BCT Bat Surveys - Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the local planning authority. Such approved mitigation plan shall thereafter be implemented in full.

17. The development hereby permitted shall proceed only in accordance with details of all external light fittings and external light columns which shall be submitted to and approved by the local planning authority. In discharging this condition the local planning authority expects lighting to be restricted and to be kept to a minimum at night across the whole site in order to minimise the impact on emerging and foraging bats. This could be achieved in the following ways:

- a) low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps;
- b) the brightness of lights should be as low as legally possible;
- c) lighting should be timed to provide some dark periods;

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d) connections to areas important for foraging should contain unlit stretches.

18. The development hereby permitted shall not commence until a further bird survey of the site has been carried out and has been submitted to and approved in writing by the local planning authority. Such approved mitigation plan shall thereafter be implemented in full.

19. No part of the development hereby permitted shall be commenced until a badger survey of the two identified woodlands and any other area deemed necessary depending on the length of time elapsed since the last surveys, including timetabled mitigation measures where appropriate, has been carried out by a suitably qualified badger consultant and has been submitted to and approved in writing by the local planning authority. Any approved mitigation measures shall be implemented in accordance with the approved timetable.

20. No work shall start within phases 4, 5 or 6 shown adjacent to the local wildlife site on indicative phasing plan drawing no. B0263_18_1B until adequate measures have been taken to protect existing trees, scrub and ground flora of the Local Wildlife site during development. A barrier such as a wire fence should be erected before works start. This fenced area should include a buffer zone of at least 2-3 metres between the development and the boundary of the LWS. It is important not to allow access, or storage of materials within this buffer zone, otherwise soil compaction is likely to occur, with subsequent damage to the ground flora.

21. The development hereby permitted shall not commence until a construction and Environment Management Plan has been submitted to and approved in writing by the local planning authority. The Plan shall include details of pre-commencement checks for great crested newts, badgers, bats, breeding birds and reptiles and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The agreed construction and environmental management plan shall thereafter be implemented in full.

22. No works shall commence on site, including site clearance, until a combined ecological and landscaping scheme has been submitted to and agreed in writing by the local planning authority. The scheme must include all aspects of landscaping including details of any lake/pond creation. The agreed scheme must be fully implemented before/ during development of the site as appropriate.

23. No work shall start until a further reptile survey has been carried out at the appropriate time of year and during appropriate weather conditions, by a

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suitably qualified ecologist. The survey shall include any appropriate mitigation measures as recommended and shall be submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with such approved details.

24. No commercial kitchen shall be operated until details of any fume extraction and odour control equipment have been submitted to and approved in writing by the local planning authority. Any extraction system shall consist of, as a minimum, an extraction canopy above the cooking range to incorporate grease filters and shall be powered by an extraction fan that is capable of achieving a minimum terminal efflux velocity of 15 m/s. The flue shall terminate vertically at least 1m above roof eaves level and shall not be restricted by a cop, cowl or similar device. Details shall include manufacturers specification for the extraction equipment along with details of any external ducting and maintenance schedule. The fume extraction equipment shall be fully installed in accordance with the approved details and shall be permanently maintained in accordance with the manufacturer's instruction and be operated at all times when cooking is carried out.

25. No retail/commercial unit shall be occupied unless and until the car parking for that unit has been provided in accordance with any approved drawings and thereafter such areas shall be kept marked out and available for such use at all times.

26. None of the dwelling(s) hereby permitted shall be occupied unless and until the car parking provision for that dwelling(s) has been constructed or laid out, and made available for use by the occupants and / or visitors to the dwelling(s) and thereafter those spaces shall be retained for parking purposes.

27. No development shall take place within the application site, unless and until a programme of archaeological works and investigations has been secured and initiated in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the local planning authority.

28. The development hereby permitted shall not commence until a noise assessment has been submitted to and approved in writing by the local planning authority. This assessment should:
-monitor traffic sources on existing roads to demonstrate the site is fit for residential use, and that residential dwellings within the proposed development will achieve the internal standards laid down in BS8233:2014 and the upper external level of 55dB in gardens/amenity spaces as required

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by the WHO along with full details of any mitigation measures that are required;

- predict noise levels from new roads that are part of the development to demonstrate that new dwellings achieve BS8233 and WHO standards as above;
- assess the impact on existing residential dwellings (i.e. those on Bennetts Road South/Sandpits Lane and Tamworth Road) from 1) construction noise and 2) from additional traffic created by this development when it is fully operational together with an assessment if this noise is likely to cause any adverse impacts;
- consider existing commercial noise sources at the boundary of the development area, (such as plant and entertainment noise from the Beechwood Hotel and Royal Court, noise from Wyndon Motors and the golf Course and any other commercial sources identified by the consultants);
- consider new commercial noise sources that may arise as part of the development such as plant noise within the commercial centre and school and establish plant noise criteria based on the existing background levels and the criteria set out in BS4142:2014.

29. The development hereby permitted shall not commence until details of surface and foul water drainage works have been submitted to and approved in writing by the local planning authority. The approved drainage systems shall be implemented in full and thereafter shall be retained, managed and maintained in strict accordance with the approved details unless alternative drainage methods have been approved in writing by the local planning authority.

30. No development shall commence until a scheme for the provision of surface water drainage, fully incorporating appropriate open air SuDS (with particular emphasis being on attenuation techniques as part of the dual use amenity space in peak conditions), has been submitted to and approved in writing by the local planning authority. The drainage shall be designed in accordance with the strategy set out in the FRA (which recommends that peak runoff will be restricted to Q_{bar} rate minus 20% for all flood events up to and including the 1:100 year).

31. The development of the local centre and school shall incorporate Green Roofs for the management of surface water peak and total flows, biodiversity and water filtering in accordance with Coventry City Council's adopted Supplementary Planning Document for "Delivering a More Sustainable City". The details of any green roofs shall be submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with such approved details.

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32. All "within building plot" drainage must be considered for the incorporation of water re-use systems such as Grey Water Harvesting to manage down both peak and total rainfall runoff discharging to sewer systems, watercourses and ground water.
33. The development hereby permitted shall not commence until provisions have been made for the drainage of the site in accordance with details that shall be submitted to and approved in writing by the local planning authority. Such details shall demonstrate that there will be no temporary increases in flood risk on and off site during the construction phase and the development shall be carried out only in accordance with such details unless otherwise agreed in writing by the local planning authority.
34. Prior to the commencement of development on site an updated Flood Risk Assessment shall be submitted to and approved in writing by the local planning authority which shall include the following:
- Details of surface water attenuation which is to be designed on a 1:100 year + 30% for climate change and located outside the 1:100 year surface water flood map extents and National Flood Zones 2 and 3
 - Evidence to show that all existing overland flow routes to and within the site have been managed as part of the proposed development land drainage and infrastructure drainage to not cause or exacerbate flood risk either on or off the development site.
 - Evidence of existing groundwater levels and 12 month seasonal variation monitoring to inform the drainage design to ensure the development will not increase or cause groundwater flood risk on site or offsite.
 - Evidence that receiving water bodies or sewers are capable of accepting the attenuated flows and this will not exacerbate flood risk on or off site This will include capacity calculations and outcomes, not just the correspondence from Severn Trent Water Ltd in isolation, accepting the point discharges. Evidence of existing sub catchments within the site are needed to support the connectivity survey and confirm the acceptability of proposed point discharges to the watercourses and infrastructure sewers.
 - Mapping of the 1:100 and 1000 year surface water flood extents to indicate the exceedance flows to inform building floor level design and general ground levels and to consider flood flow routing off site. Evidence is required that the 1 in 100 year + 30% climate change events will be held within the site boundaries and the 1:1000 year flood event flow will be safely routed.
 - Provision of an intrusive ground investigation report to establish depth and type of strata, including percolation results in accordance with BRE 365 and the presence and risk associated with migrant contaminants.
- The development shall only be carried out in accordance with the details contained within the updated FRA unless otherwise agreed in writing by the local planning authority.

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35. No development shall take place on any land within phases 2, 3, 6 or 8 shown adjacent to the Hall Brook and shown on indicative phasing plan drawing no. B0263_18_1B until a scheme for the provision and management of a minimum 20m wide buffer zone alongside the Hall Brook and ponds associated with Great Crested Newts has been submitted to and approved in writing by the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- a) plans showing the extent and layout of the buffer zone;
- b) details of any proposed planting scheme (for example, native species);
- c) details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan; and
- d) details of any proposed footpaths, fencing, lighting etc.

Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing by the local planning authority.

36. No development shall take place until a method statement that is in accordance with the approach outlined in the Environmental Statement, has been submitted to and approved in writing by the local planning authority. This shall deal with the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. Such a scheme shall include the following:

- a) the timing of the works;
- b) the measures to be used during the development in order to minimise environmental impact of the works (considering both potential disturbance and pollution);
- c) the ecological enhancements as mitigation for the loss of habitat resulting from the development;
- d) a map or plan showing habitat areas to be specifically protected (identified in the ecological report);
- e) any necessary mitigation for protected species e.g. GCN protection plan, badger, breeding birds, amphibians, bats);
- f) any necessary pollution protection methods;
- g) biosecurity measures to prevent spread of invasive non-native species.

Please note that (*Crangonyx pseudogracilis*) is recorded in the Hall Brook/holbrook. Any equipment in contact with the water will need to be cleaned, checked and dried, to prevent this invasive species being transported to other sites; and

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h) information on the persons/ bodies responsible for particular activities associated with the method statement that demonstrate they are qualified for the activity they are undertaking.

The work shall be carried out in accordance with the approved method statement.

37. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

38. No dwelling shall be occupied unless and until street lighting has been provided on the means of access serving that dwelling or any associated parking areas in accordance with details submitted to and approved in writing by the local planning authority. Thereafter, the lighting shall be maintained in accordance with such details.

39. Dropped kerbs and ramps, suitable for wheelchairs and prams, shall be provided in the footways at all major pedestrian crossing points and at road junctions at the time such footways are constructed unless otherwise agreed in writing by the local planning authority.

40. The development (including any works of demolition) shall not commence until a construction method statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; 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 construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority. The agreed construction method statement shall thereafter be implemented in full.

41. The development hereby permitted shall not commence until an Energy Assessment has been submitted to and approved in writing by the local planning authority. The Energy Assessment shall indicate how energy demand has been assessed, the options considered for meeting predicated demand and the methods and assumptions used to make the assessment

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and the conclusions reached. The Energy Assessment shall also include details regarding proposed energy efficient measures; an assessment of the feasibility of providing combined heat and power; and details of how the 10% on-site renewable energy requirement will be met. Once implemented the details contained within the Energy Assessment shall be retained and shall not be withdrawn without the prior written approval of the local planning authority.

42. The development hereby permitted shall not be carried out otherwise than in accordance with the following plans:

B.0263_18-1B;

B.0263_06-1E;

968-100/A;

968-02/C;

968-08;

B.0263_23-1;

Figure 2.1;

Figure 3.1;

Figure 4.1.

43. Any housing development hereby permitted shall not commence until a public transport access strategy has been submitted to and approved in writing by the local planning authority. This shall detail access to bus stops throughout all phases of the development with the aim of ensuring that all dwellings are within 400m of a bus stop. The public transport access strategy shall thereafter be implemented in full unless otherwise agreed in writing by the local planning authority.

44. None of the dwellings shall be occupied until the new accesses to serve those dwellings off either Tamworth Road or Bennetts Road have been provided in accordance with the approved details.

45. The development hereby permitted shall not commence until details of cycle improvements have been submitted to and approved in writing by the local planning authority. None of the dwellings shall be occupied until the cycle improvements have been made in accordance with such approved details.

46. On completion of any link road from Tamworth Road across the site, the Tamworth Road access to the site shall be closed.

47. None of the dwellings hereby permitted shall be occupied until the following junction improvements:

a) Tamworth Road/ Long Lane

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- b) Tamworth Road/ Sandpits Lane
- c) Bennetts Road South/ Penny Park Lane

have been completed in accordance with the approved plans.

48. The development hereby permitted shall not commence within any phase until a green travel plan for that phase has been submitted to and approved in writing by the local planning authority. Such details shall cover all uses within that particular phase. The agreed travel plan shall thereafter be implemented in full and shall not be withdrawn or altered without the prior written approval of the local planning authority.

49. Unless otherwise agreed in writing by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until all conditions regarding ground contamination have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until the relevant ground contamination conditions have been complied with in relation to that contamination.

50. 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 first occupation. The report of the findings, to be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', 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 monument;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

51. The development shall 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 must be prepared 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

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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.

52. 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 (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced shall be submitted to and approved in writing by the local planning authority.

53. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (No.50), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (No.51), which shall be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with condition (No.52).

54. The development hereby permitted shall not commence until a soil management plan has been submitted to and approved in writing by the local planning authority. This shall identify how soils will be handled and supervised across the site. The agreed soil management plan shall be thereafter be implemented in full.

55. No habitable buildings shall be constructed within 14m of the High Pressure Gas Pipeline which crosses the site.

56. No plant or equipment shall be installed on any of the commercial/ retail units or the school hereby permitted unless a noise survey has been submitted to and approved in writing by the local planning authority. The assessment shall be made in accordance with BS4142 'Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas' and shall cover all activities, building services, plant and machinery and background noise levels shall be measured over two separate 24 hour periods. The report shall provide a scheme for any necessary noise mitigation and the findings of

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the report shall be implemented in full and shall not be altered in any way without the prior written approval of the local planning authority.

57. No deliveries shall be taken or dispatched from the retail/commercial units hereby permitted other than between 0800 to 2000 hours Monday to Saturday and 1000 to 1800 hours on Sundays and Bank Holidays unless otherwise agreed in writing by the local planning authority.

58. There shall be no burning of any material on allotment land unless otherwise agreed in writing by the local planning authority.

59. Details of cycle parking provision for any commercial/ retail unit and the school shall be submitted to and approved in writing by the local planning authority. Such details shall be in accordance with the guidance contained within Appendix 5 of the Coventry Local Plan 2016. None of the commercial/ retail units or the school shall be occupied until the agreed cycle parking has been provided and thereafter it shall remain available for use at all times.

60. No development shall commence on the area of land hatched black on dwg. No. B.0263_23_1 unless and until details of a mechanism have been submitted and approved in writing by the local planning authority which may provide for:-

- (i) 25% affordable housing;
- (ii) the laying out of 20% of the site as open green space;
- (iii) education for early years, primary, secondary and 6th form pupils;
- (iv) sports improvements
- (v) ecology measures
- (vi) off-site highways works and bus/ cycle improvements; and
- (vii) local employment

The mechanism shall be implemented in full accordance with the approved details, unless otherwise agreed in writing by the local planning authority

61. The development hereby permitted shall not commence until an air quality assessment has been submitted to and approved in writing by the local planning authority. The assessment shall:

- consider the impact of the development upon nearby receptors both from impacts from operational traffic and during the construction phase for emissions of nitrogen dioxide and particulate matter PM10 and 2.5.

REASONS FOR CONDITIONS

1. To comply with Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

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2. To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
3. To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
4. To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policy DE1 of the Coventry Local Plan 2016.
5. To ensure the proper development of the site in accordance with Policies DE1 & AC1 of the Coventry Local Plan 2016
6. To ensure that the development follows the principles set out in the indicative masterplan in accordance Policy DE1 of the Coventry Local Plan 2016
7. The proposal is the subject of an Environmental statement (ES) in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 upon which the Masterplan is based and the significance of any material alteration and impact of that has not been assessed. The development must be limited accordingly and not exceed the total 800 dwellings.
8. To ensure that the retail units are of an appropriate scale in accordance with Policies R1, R2 & R3 of the Coventry Local Plan 2016
9. To ensure appropriate development of the site in accordance with Policy DE1 of the Coventry Local Plan 2016.
10. In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy GE3 of the Coventry Local Plan 2016.
11. To protect that hedging which is of significant amenity value to the area in accordance with Policies DS3 & GE3 of the Coventry Local Plan 2016.
12. 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 & DE1 of the Coventry Local Plan 2016.

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13. In the interests of residential amenity, visual amenity and provision of an appropriate green infrastructure in accordance with Policies DE1 & GE1 of the Coventry Local Plan 2016.
14. To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of nature conservation value of the site in line with national planning policy and in accordance with Policies GE3 & DE1 of the Coventry Local Plan 2016.
15. To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016.
16. To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016.
17. In accordance with the NPPF ODPM Circular 2005/06 and in accordance with Policy GE3 of the Coventry Local Plan 2016.
18. To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016.
19. To ensure appropriate measures are taken in relation to protected species in accordance with Policy GE3 of the Coventry Local Plan 2016.
20. To ensure the protection of important habitats during development in accordance with Policy GE3 of the Coventry Local Plan 2016.
21. To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016.
22. To ensure that protected species are not harmed by the development in accordance with NPPF, ODPM Circular 2005/06 and Policy GE3 of the Coventry Local Plan 2016.
23. To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016.
24. To protect the amenities of occupants of nearby properties in accordance with Policy DS1 of the Coventry Local Plan 2016.
25. To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies AC1 & AC3 of the Coventry Local Plan 2016.

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26. To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the Council's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies AC3 & H9 of the Coventry Local Plan.
27. In order to ensure any remains of archaeological importance, which help to increase our understanding of the City's historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy HE2 of the Coventry Local Plan 2016.
28. To protect the amenities of future occupants of nearby properties in accordance with Policies DS1 & EM1 of the Coventry Local Plan.
29. To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with policy EM4 of the Coventry Local Plan 2016.
30. To reduce the risk of flooding by ensuring the provision of a satisfactory means of surface water disposal to achieve 20% betterment. To provide for a betterment in watercourse quality in line with the Water Framework Directive and in accordance with Policies EM4 & EM5 of the Coventry Local Plan 2016.
31. To reduce the risk of flooding from surface water runoff, infrastructure sewers, open water bodies and ground water by ensuring the provision of a satisfactory means of limiting the peak and total discharge of surface water. To provide for a betterment in watercourse quality in line with the Water Framework Directive and in accordance with Policy EM5 of the Coventry Local Plan 2016.
32. To reduce the risk of flooding from surface water runoff, infrastructure sewers, open water bodies and ground water by ensuring the provision of a satisfactory means of limiting the peak and total discharge of surface water. To provide for a betterment in watercourse quality in line with the Water Framework Directive and in accordance with Policy EM5 of the Coventry Local Plan 2016.
33. To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal during the construction phase. To safeguard water quality in line with the Water Framework Directive and in accordance with Policy EM4 of the Coventry Local Plan 2016.
34. To ensure that properties are not located on existing overland exceedance flow routes emanating from off site or within the site that will be detrimental to the development and ensure that existing overland flows are

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managed to not put development on site or off site at risk of flooding and to ensure that existing land drainage is not adversely affected so as to cause flooding in accordance with Policy EM4 of the Coventry Local Plan 2016.

35. Land alongside watercourses and ponds are particularly valuable for wildlife and it is essential that this is protected. Development that encroaches on watercourses and ponds has a potentially severe impact on their ecological value. It is also essential to allow for future riparian maintenance of the watercourse in accordance with Policy EM4 of the Coventry Local Plan 2016.

36. To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of nature conservation value of the site in line with the NPPF and Policy GE3 of the Coventry Local Plan 2016.

37. To protect and improve the quality of 'controlled Waters' receptors on and in the vicinity of the site in accordance with Policy EM4 of the Coventry Local Plan 2016 .

38. In the interests of public safety and the amenities of future residents in accordance with Policies EM1 & DE1 of the Coventry Local Plan 2016.

39. For the safety and convenience of all pedestrians, but in particular, the elderly, the disabled, and wheelchair, pram and pushchair users and in accordance with Policies AC1 & A4 of the Coventry Local Plan 2016.

40. In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies AC1, EM1 & DE1 of the Coventry Local Plan 2016.

41. To comply with the provision the National Planning Policy Framework and in accord with Policy DS3 of the Coventry Local Plan 2016.

42. For the avoidance of doubt and in the interests of proper planning.

43. To ensure a sustainable development in accordance with Policy DS3 of the Coventry Local Plan 2016.

44. In the interests of road safety in accordance with Policy AC1 of the Coventry Local Plan 2016.

45. In the interests of road safety and ensuring sustainable development in accordance with Policies AC1 & DS3 of the Coventry Local Plan 2016.

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46. In the interests of road safety in accordance with Policy AC1 of the Coventry Local Plan 2016.
47. In the interests of road safety in accordance with Policy AC1 of the Coventry Local Plan 2016.
48. To ensure a sustainable development in accordance with Policy DS3 of the Coventry Local Plan 2016.
49. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM1 of the Coventry Local Plan 2016.
50. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM1 of the Coventry Local Plan 2016.
51. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM1 of the Coventry Local Plan 2016.
52. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM1 of the Coventry Local Plan 2016.
53. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM1 of the Coventry Local Plan 2016.

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54. To ensure that sustainable use of soil within the site in accordance with Policy DS3 of the Coventry Local Plan 2016.
55. To protect important infrastructure and ensure the safety of future occupiers in accordance with Policy DE1 of the Coventry Local Plan 2016.
56. To protect the amenity of future occupiers in accordance with Policy EM1 of the Coventry Local Plan 2016.
57. To protect the amenity of future occupiers in accordance with Policy EM1 of the Coventry Local Plan 2016.
58. To ensure that nuisance from smoke and odours does not affect the amenity of neighbouring residents in accordance with Policy EM1 of the Coventry Local Plan 2016.
59. To ensure sustainable development in accordance with Policies DS3 & AC4 of the Coventry Local Plan 2016.
60. To ensure the provision of all necessary infrastructure appropriate to the development and to ensure the impact of the development is fully mitigated across the whole site in accordance with Policies DS1 & IM1 of the Coventry Local Plan 2016.
61. To protect the amenities of future occupants of nearby properties in accordance with Policies DS1, EM1 & EM7 of the Coventry Local Plan 2016.

In determining the application Coventry City Council have made the decision in a positive way to foster the delivery of sustainable development, working proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. The decision has been taken having regard to the impact of the development, and in particular to the policies and proposals in the adopted Coventry Local Plan set out below, and to all relevant material considerations, including the National Planning Policy Framework, and Supplementary Planning Guidance.

The City Council have worked in a seamless and timely manner to undertake the necessary liaison and negotiation with the applicant, third parties and statutory consultees (at the application and pre-application stages) to look for solutions which seek only high quality sustainable development.

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Policy AC1: Accessible Transport Network
Policy AC3: Demand Management
Policy AC4: Walking and Cycling
Policy DE1: Ensuring High Quality Design
Policy DS3: Sustainable Development Policy
Policy EM1: Planning for Climate Change Adaptation
Policy EM4: Flood Risk Management
Policy EM5: Sustainable Drainage Systems (SuDS)
Policy EM7: Air Quality
Policy GE1: Green Infrastructure
Policy GE3: Biodiversity, Geological, Landscape and Archaeological-
Conservation
Policy H9: Residential Density
Policy HE2: Conservation and Heritage Assets
Policy R1: Delivering Retail Growth
Policy R2: Coventry City Centre – Development Strategy
Policy R3: The Network of Centres

INFORMATIVES

- You are advised that if your proposal involves works covered by the Party Walls etc Act 1996. You are recommended to seek independent advice. Booklets are available from the Planning Advisory Desk & HMSO. Please be aware that if any part of the development (such as foundations, guttering, windows, ventilation systems or pipes etc.) overhangs or encroaches onto land or buildings outside of your ownership; or involves works and / or access to land or buildings outside of your ownership; you will need the owner's permission before undertaking any development. The granting of planning permission does not override or authorise the breach of any private ownership rights; and any development undertaken without the consent of the landowner and in breach of any private ownership rights could give rise to civil proceedings brought by the owners of those rights.
- You should contact Severn Trent Water as soon as possible to discuss their detailed requirements concerning connections to existing sewers etc.
- You are advised that the responsibility for the safe/secure occupancy of the land rests with the developer and that the City Council gives no warranty that the site will not in the future be the subject of flood risk.
- **Protected Species**

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A number of European Protected Species are found in Coventry. Please be aware that any development may have implications and / or adverse impact on species and habitats which are protected by the Wildlife & Countryside Act 1981; the Habitat Regulations 1994; the Conservation of Habitats & Species Regulations 2010 and by other European Legislation. The permission given by this notice does not override the protection afforded to these species and their habitats. Please be aware that it is the developers / landowners / contractors responsibility to ensure that any work being carried out will not harm any protected species. (For more information on protected species please see <http://www.naturalengland.gov.uk>)

If evidence of protected species is found, work should stop immediately while Warwickshire Museum Ecology Unit (01926 418074) or Natural England (01453 764450) are contacted for advice on the best way to proceed. If any conditions concerning protected species are attached to this decision you are advised to contact Warwickshire Museum Ecology Unit (01926 418074) or www.warwickshire.gov.uk/museum for advice before commencing development or submitting any necessary discharge of conditions applications.

- **This is not an approval under the Building Regulations.**

This permission is given under the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (General Development Procedure) Order 1995 and, is subject to due compliance with the Building Regulations, local Acts and Regulations and with all other relevant statutory provisions in force in Coventry and nothing herein contained is to be regarded as dispensing with such compliance beyond the extent herein specified. This permission does not modify or affect any personal or restrictive covenant applying to the land or any right of any person entitled to the benefit thereof.

- **Appeal Rights: -**

If you are aggrieved by the decision of the City Council to grant permission for the proposed development subject to the conditions, you can appeal to the Office of the Department of Communities and Local Government under Section 78(1) of the Town and Country Planning Act 1990 (as amended). An appeal must be made within **six** months of the date of this notice.

The form to be used for an appeal is obtained from the Planning Inspectorate, Chartroom, Hawk Wing, Room 3/23 Temple Quay House, 2

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The Square, Temple Quay, Bristol, BS1 6PN or you can access their website on **www.planning-inspectorate.gov.uk**

The Secretary of State can allow a longer period for the giving of a Notice of Appeal, but will not normally be prepared to use this power unless there are special circumstances.

The Secretary of State may not consider if it appears that the local planning authority could not have granted planning permission for the proposed development due to statutory requirements, provision of a development order or to any directions given under an order. The Deputy Prime Minister will not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

- If permission to develop land is granted subject to conditions, whether by the City Council or on appeal by the Deputy Prime Minister, the owner of the land may claim that the land cannot be put to a reasonable beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or may be permitted. In these circumstances, the owner may serve a purchase notice on the City Council requiring the Council to purchase the interest held in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).
- In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is granted subject to conditions by the Deputy Prime Minister on appeal or on a referral of the application to the Deputy Prime Minister. The circumstances in which such compensation is payable are set out in Section 114 & 120 and related provisions of the Town and Country Planning Act 1990 (as amended).
- If any part of the development for which planning permission is hereby granted affects the means of access to a building then your attention is drawn to Section 46 of the West Midlands County Council Act 1980 under which the Council must reject plans deposited in accordance with building regulations unless those plans show:
 - a) That there will be adequate means of access for the fire brigade to the building, or as the case may be, to the building as extended;
and
 - b) That the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

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- **FURTHER APPROVALS**

If one or more of the conditions listed in this decision notice require you to submit further information to the City Council for approval then in **all** instances those details are to be submitted to: -

Development Management,
Coventry City Council
PO Box 15
Council House
Coventry CV1 5RR.

The receipt of such details will be acknowledged and a further decision notice will be issued following full consideration of these additional matters.

- **MINING INFORMATIVE**

The proposed development lies within a coal mining area (either an area of old workings or active and future workings, or an area of proved coal resources) and therefore could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required.

Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate

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measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

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