

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	FUL/2018/2651
<b>Site:</b>	Land off De Montfort Way, Coventry. CV4 7EH
<b>Ward:</b>	Wainbody
<b>Proposal:</b>	Redevelopment of the existing car park to provide a new student accommodation building and associated amenities, a new multi-storey car park, landscaping enhancements, new pedestrian crossing and other public realm improvements.
<b>Case Officer:</b>	Mary-Ann Jones

## **SUMMARY**

The application seeks planning permission for the redevelopment of the existing surface level car park located to the east of De Montfort Way. The scheme proposes a new student accommodation building comprising 808 bedspaces, a new multi-storey car park, landscaping and a new pedestrian crossing.

## **BACKGROUND**

The application site is located within the Cannon Park District Centre. The Cannon Park Shopping Centre is located to the west of the site.

## **KEY FACTS**

<b>Reason for report to committee:</b>	Over 5 objections against the officer recommendation.
<b>Current use of site:</b>	Surface level car park located within the Cannon Park Major District Centre
<b>Proposed use of site:</b>	Student accommodation and multi storey car park

## **RECOMMENDATION**

Planning committee are recommended to delegate the granting of planning permission to the Head of Planning and Regulatory Services, subject to the conditions listed in the report and the completion of the S106 legal agreement to secure the contributions listed within the report.

## **REASON FOR DECISION**

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal makes provision for necessary developer contributions.
- The proposal accords with Policies DS1, DS3, DS4 (Part A), H3, H10, R1, R3, GE3, GE4, JE7, DE1, HE2, AC1, AC2, AC3, AC4, EM1, EM2, EM3, EM4, EM5, EM7, IM1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## BACKGROUND

### **SITE DESCRIPTION**

The application site is (2.1ha) in size and occupies a surface level car park within the Cannon Park Shopping Centre car park. The shopping centre is defined as a Major District Centre within Policy R3 of the Coventry Local Plan 2016.

The main shopping area is located to the west of the site. The application site is separated from the shopping centre by De Montfort Way which runs north to south along the application site boundary.

The northern section of the existing car park currently serves the shopping centre with 242 parking spaces available for customers of the shopping centre, whilst the southern section of the car park is currently leased to Jaguar Land Rover for staff parking and provides 252 parking spaces. These spaces are not available for the use of customers visiting the shopping centre. There are a total of 494 car parking spaces within the application site.

Towards the centre of the site is an area of woodland within the car park referred to as The Spinney.

There is one vehicular access point on De Montfort Way which provides vehicular access and egress to the site.

The site is bounded by trees and hedgerows to the north, east and south of the site which provide screening to the immediate surrounding area. A Tree Preservation Order ('TPO') (Order No.396) covers mature oaks within the western bank of the Shultern Lane hedgerow to the east of the site. There are nine TPO's to the south of the southern and eastern boundary. A footpath runs along the southern edge of the site between De Montfort Way and Stare Green.

### **APPLICATION PROPOSAL**

The application seeks planning permission for the redevelopment of the existing car park to provide a new student accommodation building and associated amenities, a new multi-storey car park, landscaping enhancements, new pedestrian crossing and other public realm improvements

The proposal comprises the following elements;

- 303 student accommodation cluster units providing 808 bed spaces;
- Multi-storey public car park (MSCP) providing 422 spaces (previously 335 spaces);
- Surface car park providing 67 spaces to serve the student accommodation;
- 240 cycle spaces to serve the student accommodation;
- Upgraded pedestrian and cycle links;
- Hard and soft landscaping scheme;
- A new pedestrian crossing point on De Montfort Way.

#### *Accommodation*

The student accommodation will be provided as follows;

Unit type	No. of units	No. of bed spaces
Cluster	94	599
Studio	209	209
	303	808

Cluster units are typically 4 or 6 bedrooms with some comprising 3 and 7 bedrooms. Studio flats are considered to be self-contained units of accommodation.

A total of 808 units are proposed in the student accommodation building. The ground floor provides amenity spaces including communal areas, gym spaces, study spaces, laundry facilities, coffee spaces, bin stores and general recreational areas. Common space is also indicated on some of the upper floors. A variety of safe external amenity spaces are provided by means of secure courtyards at ground level.

#### *Access*

All vehicular access to and from the site will be off De Montfort Way. The site will have two accesses off De Montfort Way. The first access will serve the Multi Storey Car Park and the second will serve the student accommodation.

The student accommodation building will be served by a total of 67 surface car parking spaces provided to the south. Access to the student car park will be controlled by a barrier system.

Cycle storage facilities will be provided on the ground floor of the building, providing storage for 240 cycles.

The multi storey car park will be located on the northern part of the site, with 422 spaces provided. This car park is for public use with capacity to include Jaguar Land Rover parking if required. Within this car park 21 electric vehicle parking spaces will be provided, within provision of an additional 21 spaces to serve future charging needs if required.

A total of 489 car parking spaces will be provided within the overall development.

A new Toucan Crossing will be installed to De Montfort Way. Details of this will be secured by condition.

#### *Building Design*

The proposed buildings incorporate a range of heights up to a maximum of 6 storeys in the centre of the scheme. The buildings reduce in height towards the northern and southern boundaries of the site to respond to the scale of residential development adjacent to the site.

The proposed buildings incorporate a palette of external materials. The primary external material is brick to tie in with surrounding residential dwellings with window reveals in a contrasting material linked to that on the Cannon Park Shopping Centre. These window bays are features which help to break up the elevations. Some parts of the elevations are set-back to break up the mass of the building. This façade treatment will provide a clean and high-quality look with low maintenance and durability to secure absence of degradation over time.

The ground floor of the building that faces onto De Montfort Way and into the courtyards will have sections of glazed windows at ground level providing active street frontages. The car park will present a modern frontage incorporating a living green wall façade that helps soften and mask its use.

The proposed building provides secure access to a managed environment containing general common areas, reception, general office, lobby, cinema and kitchen. The upper

ground level also has its own common spaces and can extend to an external secure landscaped courtyard.

The proposed multi storey car park will also incorporate a green wall which will aid in softening the scheme and providing a green relief against the urban backdrop of the district centre. Detailed planting of this will be secured by condition.

### *Landscaping*

The development includes a series of soft and hard landscaping proposals which will enhance the site. These include the following measures which are detailed further on the submitted soft landscaping scheme and Management Plan:

- Retention and augmentation of existing native hedgerows;
- Protection of existing boundary trees and enhancement through management of existing stock and under-planting of native species to promote habitat creation in addition to supplementary proposed native tree planting;
- Retention of existing boundary planting and enhancement through additional tree, shrub and hedge planting;
- Planting of new trees, meadow and wild flower areas throughout the site;
- Provision of a wildflower green roof and feature green wall to provide additional habitat opportunities and enable sustainable retention of rainwater;
- Habitat creation to be enhanced through provision of bird and bat boxes;
- Managed amenity courtyard spaces to provide external gardens throughout the scheme;
- Retention of existing footpaths along with their widening to incorporate new cycle links (to Shultern Lane).

Following receipt of revised plans, the scheme has been amended:

- Reduction in building footprint to retain more of the existing spinney;
- Decrease in massing adjacent to the spinney to allow more sunlight to penetrate and a section of building removed adjacent to Shultern Lane;
- Amendments to the façade facing St. Joseph the Worker Church include, the removal of windows which face directly onto the church to avoid overlooking, bin storage relocated away from the church, and removal of a section of the building to allow the building to be pulled back immediately beside the church;
- Revision of multi storey car park layouts to accommodate existing on-site car parking provision and provision for Jaguar land Rover if required and Increase in parking provision within the Multi Storey Car Park.
- Removal of section of the building close to St. Joseph the Worker also moves building away from pitch point at Shultern Lane, improving separation distances.

Submitted with the scheme were various supporting documents, including;

- Design and access statement;
- Planning Statement
- Transport Assessment, and an addendum to the transport assessment.
- Framework travel plan;
- Noise Survey;
- Energy Statement;
- Ecological Appraisal;
- Tree Survey;
- Air quality assessment;

- Biodiversity impact Assessment;
- Archaeology assessment;
- Student management plan;
- Soft landscaping design statement;
- Lighting impact assessment;
- Landscape Management plan;
- Ground conditions report;
- Preliminary unexploded ordinance survey;

## PLANNING HISTORY

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

Application Number	Description of Development	Decision and Date
R/2008/1381	“Redevelopment of part of the Cannon Park Major District Centre comprising the demolition and replacement of the existing Tesco food store (Use Class A1), the erection of additional retail/service units (Use Class A1-A5 and D1), the erection of residential units comprising 1 and 2 bedroom flats including an element of affordable dwellings (Use Class C3), the relocation of the existing petrol filling station and associated works including the realignment and partial stopping up of De Montfort Way, revised access arrangements from Lynchgate Road, a public transport hub, a public plaza, parking and landscaping.”	February 2010  Note: This permission was not implemented and has subsequently lapsed; however it did establish the acceptability of the principle of the redevelopment of the site along with the introduction of residential uses.  As part of this scheme the entirety of the proposed application site was approved to be replaced by car parking and a petrol filling station (alongside the boundary with the Church). This would have resulted in the loss of most of the trees on the site including the entirety of the spinney.

## POLICY

### National Policy Guidance

National Planning Policy Framework (NPPF). The new NPPF published on 24 July 2018 sets out the Government’s planning policies for England and how these are expected to be applied. It sets out the Government’s requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The new NPPF increases the focus on achieving high quality design and states that it is “fundamental to what the planning and development process should achieve”.

The National Planning Practice Guidance (NPPG) 2014, this adds further context to the NPPF and it is intended that the two documents are read together.

## Local Policy Guidance

The current local policy is provided within the Coventry Local Plan 2016, which was adopted by Coventry City Council on 6<sup>th</sup> December 2017. Relevant policy relating to this application is:

Policy DS1	Overall Development Needs
Policy DS3	Sustainable Development Policy
Policy DS4	(Part A) – General Masterplan Principles
Policy JE7	Accessibility to Employment Opportunities
Policy H3	New residential development
Policy H10	Student accommodation
Policy R1	Delivering Retail Growth
Policy R3	The Network of Centres
Policy GE3	Biodiversity, Geological, Landscape and Archaeological Conservation
Policy GE4	Tree Protection
Policy DE1	Ensuring High Quality Design
Policy HE2	Conservation and Heritage Assets
Policy AC1	Accessible Transport Network
Policy AC2	Road Network
Policy AC3	Demand Management
Policy AC4	Walking and Cycling
Policy EM1	Planning for Climate Change Adaptation
Policy EM2	Building Standards
Policy EM3	Renewable Energy Generation
Policy EM4	Flood Risk Management
Policy EM5	Sustainable Drainage Systems (SuDS)
Policy EM7	Air Quality
Policy IM1	Developer Contributions for Infrastructure

## Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development

SPD Delivering a More Sustainable City (adopted 2009)

Appendix 5 Coventry Local Plan – car parking and cycle parking standards

## CONSULTATION

### *Consultee responses*

No Objections received from:

- West Midlands Police
- CCC Conservation
- CCC Archaeology
- CCC Urban Design
- CCC Housing and Policy Services
- CCC Rights of Way Officer
- CCC Planning Policy
- CCC Waste Management
- West Midlands Fire Service

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

- CCC Highways - conditions and S106 contribution of £200k for junction improvements at the Shultern Lane/Lynchgate Junction.
- NHS - S106 contribution of £69,830.00 towards additional health care facilities to meet patient demand from the development
- CCC Skills and Employment- condition relating to local employment.

- Education No objection, subject to the proposal remaining as student accommodation – S106 required to secure this.
- Tree Officer - conditions required related to tree protection
- Drainage – conditions required relating to a drainage scheme
- Ecology Officer – conditions required relating to Detailed Landscape and Ecological Management Plan; Sensitive Lighting Strategy and; detailed method Statement for badgers, bats, reptiles and breeding birds including how the spinney and associated species will be protected from negative impacts during construction.
- CCC Environmental Protection - conditions required relating to noise, air quality and ground contamination.

#### *Public consultation responses*

First consultation: Immediate neighbours and local councillors were notified on 28/09/2018; a site notice was posted on 05/10/2018 and a press notice was displayed in the Coventry Telegraph on 04/10/2018

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

- a) Impact on the character of character – development too large and out of proportion with surrounding area
- b) Numbers of students proposed is too many – quantum of development
- c) Impact on neighbouring properties – overbearing impact, noise and disturbance.
- d) Highway safety – too much traffic in the local area, this development will exacerbate existing problem
- e) Loss of car parking to Cannon Park Shopping Area
- f) Loss of trees (in particular The Spinney)
- g) Negative impact on local biodiversity and ecology
- h) Negative impact on tranquil Shultern Lane
- i) Negative impact on air quality due to removal of trees
- j) No mention in the application about the phasing of construction and car parking,
- k) How will the student car parking be allocated and managed?
- l) Volume of litter and over flowing bins created by the occupants of the development will impact on the character of the area
- m) Impact on St. Joseph the Worker Church in regarding the intensity of development (too much), parking provision, car park charging, setting of St. Joseph the Worker Church, bus stop siting, the overall height, noise and disturbance and lighting so close to the boundary with the church.
- n) No public consultation at pre application stage
- o) Green walls will be poorly maintained
- p) Car park so close to student accommodation is a safety issue
- q) Studio suits show double bed, therefore there could be a potential for over the 808 student numbers and circa 1000 students.
- r) Flat roofs will be used for social gatherings
- s) Level changes at the site will make the building appear higher

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

- t) Land ownership queries
- u) Character of the area is being spoilt by too much student accommodation

A multi signature letter objecting to the scheme has been received containing 110 signatures. Reasons for objection were cited as; the structure is too high and its size and

design are out of keeping with the character of the area; the density of occupation is inappropriate for the social balance of the area and; there will be a major loss of The Spinney.

Objections have been received from the Cannon Park Residents Association on the grounds of, out of character with the area, drawings give a false impression of the overall height, and adjacent church will be over powered, out of scale with Cannon Park Shopping Centre, loss of spinney, and loss of trees will result in reduction of air quality as a result.

Second consultation following revised plans: Immediate neighbours, local councillors and all persons who provided representation in the first consultation were re-notified on 09/01/2019. The consultation period ran for 10 days.

A further 91 letters of objection have been received, raising the following material planning considerations:

- v) Revised plans have not addressed the issues raised regarding scale and massing
- w) Building is still too large
- x) Will exacerbate on street parking near to the site
- y) How will the cycle parking and student car parking be allocated?
- z) Under provision of student car parking. Most students will have cars.
- aa) The risk arising from the creation of an "ambush zone". There is a triangle of land at the north east end of the multi-storey car park where the building and hedges form a zone hidden from the view of pedestrians walking from south to north along Shultern Lane.
- bb) Impact on the character of the area – development too large and out of proportion with surrounding area
- cc) Character of the area is being spoilt by too much student accommodation
- dd) Numbers of students proposed is too many – quantum of development
- ee) Impact on neighbouring properties – overbearing impact, noise and disturbance
- ff) Highway safety – too much traffic in the local area, this development will exacerbate existing problem
- gg) Traffic analysis flawed
- hh) Loss of car parking to Cannon park Shopping Area
- ii) Loss of trees (in particular The Spinney)
- jj) Impact on local biodiversity and ecology
- kk) Impact on tranquil Shultern Lane
- ll) Impact on air quality due to removal of trees
- mm) No mention in application about the phasing of construction and car parking
- nn) Volume of litter and over flowing bins created by the occupants of the development will impact on the character of the area

The objection regarding the impact on St. Joseph the Worker Church was formally withdrawn.

Ward Councillor Sawdon has also provided an objection stating the proposal is gross overdevelopment of the site and totally out of keeping with the character of the area.

Any further comments received will be reported within the late representations document.

## **APPRAISAL**

The main issues in determining this application are;

- Principle of development,

- The impact upon the character of the area,
- The impact upon neighbouring amenity,
- Highway considerations,
- Flood risk,
- Noise,
- Contaminated land,
- Air quality,
- Ecology, biodiversity and trees,
- Conservation and heritage assets,
- Bin storage,
- Developer S106 contributions,
- Other issues,
- Equality issues.

### **Principle of development**

The proposal lies within the designated Cannon Park Major District Centre as set out in the Coventry Local Plan policies map and defined in Policy R3 which states that within defined centres;

- a) A balance will be sought between shops (Class A1), and other Main Town Centre and community uses in order to protect the vitality and viability of the centre as a whole;
- b) Proposals that reduce the concentration of A-class uses within a centre below 51% will not be approved
- c) a residential element will be promoted and encouraged, subject to the creation of a satisfactory residential environment and so long as it does not undermine the functionality of the centre;
- d) Improvement to the environment and accessibility will be promoted and encouraged.

Policy R3 (Network of Centres) does afford flexibility in supporting a residential element as long as it does not undermine the functionality of the centre. It is considered that the proposal does not have the potential to undermine the functionality of the centre due to the likely increase in footfall thus maximising the vitality and viability of the centre. In addition, the proposed multi storey parking element would increase the availability of vehicular parking for visitors of the centre, all satisfying criterion (c) of Policy R3. The submitted information demonstrates an improvement to the environment and accessibility through soft and hard landscaping and the provision of a pedestrian crossing in accordance with criterion (d) of Policy R3. It is therefore considered that the proposal accords with Policy R3 of the Coventry Local Plan 2016.

Policy H10 of the Local Plan states that purpose-built student accommodation and conversions of residential and non-residential properties to student accommodation will be encouraged where:

- a) It is directly accessible from the universities,
- b) Such development can play a part in the regeneration of the immediate neighbourhoods without disadvantage to local services,
- c) It will not materially harm the amenities of occupiers of nearby properties and
- d) It will reflect and support or enhance the appearance and character of the area.

In respect of point a); the proposal is located close to the University of Warwick campus and therefore accords with part a)

In respect of point b); the development seeks to redevelop the surface level car park of Cannon Park Shopping Centre. It is considered that because Cannon Park is a Major

District Centre, mixed uses including residential development should be encouraged, the increase in people living within the centre will provide a much needed economic boost to the area, thus securing the viability of the centre long term. The proposal is therefore considered to accord with part b) of Policy H10.

In respect of points c) and d) the remainder of this report will demonstrate that the proposal accords with parts c) and d) of Policy H10.

### **Impact on character of the area**

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

The National Planning Policy Framework, paragraph 127 states that “Planning policies and decisions should ensure that developments:

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

The NPPF further states (at paragraph 130) “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).”

In respect of Policy DE1; the proposed development is considered to have been designed to enhance the area having regard to the existing physical context of the site which is comprised primarily of tarmacked car park. Mature trees and hedgerows, particularly along the site boundaries, have been retained where possible and have been incorporated into an extensive soft landscaping scheme to enhance their setting. Opportunities within the proposal have been taken to improve the existing footpath running through the southern portion of the site and to create a new pedestrian crossing point on De Montfort Way so that the scheme enhances connectivity. The massing of the student building (and new car park),

which increases to a maximum height in the centre of the site, has been designed to respond to the scale of the Cannon Park Shopping Centre opposite the application site and the surrounding dwellings, by stepping up from the lower storey height buildings.

Objections have been raised to be development by local residents regarding the scale of the development stating it is at odds with the character of the area and the height and massing is too large. It is accepted that the building is large, however it has been designed in order to step the scale of development into the centre of the site and keep the bulk at the edges to a minimum. The building design incorporates high quality design features and brick recesses with green walls for added relief. It is therefore considered that this development enhances the character of the area by providing a high quality designed building which demonstrates clever design which responds to the surrounding site characteristics.

The proposed development introduces a high-quality building in this important location within the Cannon Park Major District Centre and as detailed above has been designed to respect, preserve and enhance the site and surrounding area whilst also introducing a mix of uses which will help to revitalise the centre. The proposed development thereby complies with Local Plan Policy DE1.

### **Impact on residential amenity**

Policy H10 of the Local Plan states that purpose-built student accommodation and conversions of residential and non-residential properties to student accommodation will be encouraged where:

- a) It is directly accessible from the universities,
- b) Such development can play a part in the regeneration of the immediate neighbourhoods without disadvantage to local services,
- c) It will not materially harm the amenities of occupiers of nearby properties and
- d) It will reflect and support or enhance the appearance and character of the area.

Policy H10 further indicates that, to support the intended use of the proposals the specified tenure will be secured through a Section 106 agreement. This reflects the fact that should the development be occupied by other aspects of the city's population then it would be required to contribute towards affordable housing and potentially other Section 106 or CIL contributions.

The Housing and Policy Officer and Education Officer have indicated that the proposal is to develop the site for student housing so we would not normally require affordable accommodation. If, however, the site was developed for general needs accommodation then we would want an affordable housing contribution. It is for this reason the tenure of student accommodation shall be secured through a S106 agreement.

As discussed in the principal of development section above, it is considered the proposal complied with parts a) and b) of Policy H10.

With regards to parts c) and d), it is acknowledged that the built form of the scheme is larger than what is currently on site and that the bulk and massing will be significantly different from the existing situation. Objections have been raised regarding the harm that this increased height will have on residential amenity in terms of loss of light, visual intrusion and an overbearing impact on neighbouring properties, particularly those which bound the site along Squires Way.

The separation distances from the southernmost wall of the complex and the properties to the south is 43 metres to the rear facing wall of No.1 Squires Way, 44 metres to No.5 Squires Way, 32 metres to No. 9 Squires Way, 29 metres to No. 11 Squires Way. This southern facing wall is 3 stories in height and will measure an average of circa 47 metres high from the rear of properties along Squires Way.

The fourth, fifth and sixth storeys step back from the closest façade on Squires Way. The fourth storey will have a separation distance of circa 49 metres from the rear of properties along Squires Way, with the fifth storey having a separation distance of circa 57 metres and the sixth storey being circa 93 metres from the rear of properties along Squires Way.

Whilst it is acknowledged that the overall height of the building is 6 storeys, the height as described above, does step away from the closest residential properties in order to mitigate harm that could be caused through overbearing. Furthermore the proposed building is set to the north of properties along Squires Way, thus ensuring that no overshadowing would occur to these properties.

In respect of the neighbouring dwellings along Stare Green, the closest property is a bungalow, No. 25 Stare Green. There is a 36 metre separation distance from the edge of the proposed building in this location. The development is set to the north west of No.25, and therefore is considered to not cause harm through overshadowing as a result of its orientation.

Furthermore there is substantial trees and planting to be retained to the rear of properties along Squires Way and Stare Green. Whilst the plant screening will not completely screen the proposal from view it will assist in softening the urban form. The development will also benefit from a 'green wall' at key elevations along the southerly elevation of the building, which will further aid to soften the urban form of the building.

Objections have been received regarding the flat roofed areas on the student accommodation building and the potential for these to be used for parties and socialising. A condition has been recommended which prohibits flat roofed areas being used in this manner in order to avoid the increased risk of noise and disturbance that would result from utilising roofs as balconies to neighbouring residential properties.

There have been several objection to the scheme on the grounds that the proposal will cause an overbearing impact on neighbouring residential properties through overlooking and visual intrusion. It is accepted that there will be a change in outlook for the occupiers of nearby residential properties, however it is considered that there are sufficient separation distances, as well as the scaling back in height away from the closest properties and the green wall planting which all contribute to a reduction in the impact on nearby residential properties. It is considered that the proposal is acceptable in terms of the impact on residential properties and complies with parts c) and d) of Policy H10 and Policy DE1 of the Coventry Local Plan 2016.

### **Highway considerations**

Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should:

- a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes.
- b) Consider the transport and accessibility needs of everyone living, working or visiting the city.

- c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form.
- d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

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

The site currently occupies the secondary car park which serves Cannon Park Shopping Centre. This car park is short stay and managed by an ANPR system. Vehicular access from the site is provided via priority junction onto De Montfort Way, which comprises a single carriageway road with a 30 mph speed limit that is bound on both sides by footways. There are also existing footpath and cycle links from the site to the University of Warwick and surrounding area, and a bus stop adjacent to the site which serves buses from the City Centre to Tile Hill, Eastern Green, Arena Retail Park and the University of Warwick (services 18a, 43, 47 and 60/60A).

The application is supported by a Transport Assessment and addendum which provides a site overview, description of the current assess, how the development will impact upon the highway network and existing and proposed car parking provision on the site and for the Cannon Park Shopping Centre. Following the receipt of amended plans an addendum to the transport statement was also submitted.

A usage survey of all three car parks was undertaken on the following dates and time periods, with data being recorded every fifteen minutes. These days and times represent the maximum likely demand periods for the shopping centre, while also accounting for likely worst-case weekday commuter parking associated with JLR.

- Friday 12th May 2017 – 15:00-21.00; and
- Saturday 13th May 2017 – 10:00-16:00

The outcome of the results are as follows:

- Car Park 1 (main car park to the front of the shopping centre) – 372 spaces serves Cannon Park Shopping Centre and is accessed off Lynchgate Road.
- Car Park 2 – 242 spaces surface level car park provides additional parking for the Cannon Park Shopping Centre – accessed off De Montfort Way.
- Car Park 3 – 251 spaces – part of the existing car park but leased to Jaguar Land Rover, therefore not for the use of the customers of Cannon Park Shopping Centre. This car park is also accessed via De Montfort Way.

The car park usage survey results are as follows:

Car park	Total spaces	Friday		Saturday	
		Max Accumulation	Max Accumulation	Max Accumulation	Max Accumulation
Car Parks 1 & 2	614	441	72%	537	87%

Car Park 3	251	148	58%	12	5%
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On a Friday evening the utilisation in the shopping centre car parks is 72%, while the JLR car park is 58%. The results indicate there is spare capacity in both car parks.

On a Saturday afternoon the results show the car parks are utilised up to 87%, while the JLR car park is only at 5%. This shows that there is capacity within the shopping centre car parks and significant capacity in the JLR car park at weekends due to their offices not being open.

The proposed 422 space multi-storey car park will replace the 494 space surface parking area to the east of De Montfort Way and the shopping centre. The existing 372 space surface car park associated with the shopping centre will remain unaltered as part of the proposals. It is understood that 268 of the current surface parking spaces which are being replaced by the multi-storey car park are let out to JLR for staff vehicle parking.

Total parking capacity on site will alter from 865 spaces to 794 spaces in total (excluding the student accommodation parking). This is an overall reduction on 71 spaces. On-site parking demand associated with the shopping centre and JLR staff vehicles is not anticipated to increase as part of the proposals.

It is therefore anticipated that the proposed parking provision is sufficient to accommodate maximum total parking demand on site, regardless of whether the agreement with JLR for parking staff vehicles continues post-implementation of the scheme or not (a decision which is at the applicant's discretion).

In terms of the SPD parking requirements for student accommodation outside of the City Centre, the current requirement is 202 spaces for a development of this size, however the site is very close to the University of Warwick campus and there is a dedicated pedestrian link into the university.

Evidence has been put forward in the supporting documentation which supports the Student parking provision which has utilised the TRICS database to provide a daily profile of vehicular trip rates associated with the student accommodation. From this daily trip profile, it is possible to provide a forecast parking accumulation profile for the proposed car park. The survey has demonstrated the parking provision is sufficient. Highways officers support this view and the methodology which has been used to assess the parking demand for student parking.

There will be a clause in the student tenancy agreement which will include no parking without prior arrangement and agreement. The available student car parking spaces will be strictly allocated at the commencement of each term, based on demand and needs assessment undertaken by the Management Team. Any student who is not allocated a space will be specifically prohibited from bringing a car to the site, within the terms of their occupation agreement and enforced by the on site management staff. This combined with the site's location being within easy walking distance from the University of Warwick, the ample shopping facilities adjacent to the site and the excellent access to bus services connecting to Coventry City Centre and Railway Station lend to the sustainability of the site and lead officers to conclude that the parking provision for below the required number for student developments has been justified in accordance with the requirements of Appendix 5 of the Local Plan 2016 and the proposal is in accordance with the Local Plan 2016.

An indicative phasing plan has been submitted with the proposal which provides details of how the car parking provision will be phased throughout the course of the development to ensure there is not a shortfall in provision during the construction phase. Highways Officers are satisfied that this proposal is acceptable. A condition is attached to the decision ensuring the finer details are approved prior to the work starting to ensure there is no shortfall in parking provision across the site during the construction phase.

In summary, the Highway Authority has reviewed all the submitted evidence, including the additional Technical Note, in relation to the highway impact of the development. In the Highway Authority's further auditing of the development it has been found that there is no unacceptable impact on highway safety, nor that the residual cumulative impacts on the road network are severe. However, the Highway Authority does acknowledge that in accordance within paragraphs 5.4.5 & 7.1.14 of the submitted Transport Assessment that there will be an increase of vehicles on Shultern Lane/Lynchgate Junction and therefore requests for S106 contributions for Junction Improvement measures to mitigate against this increase of £200k; It is also requested that these monies are provided prior to the commencement of any works.

A toucan crossing will be provided to De Montfort Way. Details securing the provision of this are secured by condition 3.

The Highway Authority is satisfied, by the evidence provided within the additional Technical Note, that the level of car parking proposed will be sufficient to meet with the needs of the development. The Local Highway Authority also welcomes the provision of a Toucan Crossing on De Montfort Way however it is considered that this may need to be reviewed at detailed design stage to ensure that the appropriate controlled crossing facility is implemented.

On the basis that the development does accord with aims of the NPPF the Highway Authority has no objections to the current proposal subject to the suggested conditions below along with the requested S106 contribution.

### **Flood Risk**

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

The application is supported by a Flood Risk Assessment and drainage strategy which considers the flood risk to the proposed development and the impact that the development will have in relation to flooding of adjacent areas and watercourses. It also considers any limits relating to flooding that are likely to be imposed, in order to allow the development to be undertaken; and recommends Sustainable Urban Drainage systems (SuDS) to control surface water runoff.

The development is indicated as being in Flood Zone 1 on the Environment Agency Flood map and therefore has a low risk of flooding. Drainage officers have reviewed the documents and conclude that the development is acceptable in terms of flood risk, subject to the recommended conditions. The proposal complies with Policies EM4 and EM5 of the Coventry local Plan 2016.

### **Noise**

There have been several objections relating to noise and disturbance from the proposed development owing to the nature of student accommodation being proposed. Whilst it is accepted that there will be an increase in people living and visiting the site as a result of the proposal; the proposal is located within the district centre whereby people movements are expected to be higher by this very nature.

Environmental Protection officers have raised no concerns regarding the impact of the development in terms of noise, on nearby residential properties. A condition requiring sound attenuation measures is included in the recommended conditions which ensures noise leakage from the internal building will be kept to a minimum. The proposal is considered to comply with Local Plan Policy H10 in this respect.

### **Contaminated land**

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

The application site is in an area where contamination may be present the standard ground contamination conditions have been requested to be attached to the decision. Environmental Protection officers are satisfied that the development complies with local plan policies regarding previously developed land and the proposal is acceptable in this respect.

### **Air quality**

Policy EM7 states that major development schemes should promote a shift to the use of sustainable low emission transport to minimise the impact of vehicle emissions on air quality.

The application seeks to introduce Electric Vehicle Charging Stations within the multi storey car park, which comply with the requirements of Policy EM7. These details are secured by condition.

### **Ecology, Biodiversity and Trees**

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

Policy GE4 states that trees make a valuable contribution to the city's green landscape. New developments should seek to retain existing trees and other landscape features, incorporating them into a high quality design and landscape proposals where possible. Should loss be unavoidable, compensatory provision of new trees should be proposed as part of a well-designed landscape scheme.

The site is furnished with a varied selection of tree species of varied age classes which includes; an ancient boundary hedgerow to the shared eastern boundary with Shultern Lane which is a sunken lane with ditch and bank landscape features. This hollow lane leads east to the Ivy Farm (Canley Hamlet) Conservation Area. The Canley Crematorium is located to the east of Shultern Lane's eastern boundary.

There are currently two Tree Preservation Orders in force to the site; City of Coventry (Shultern Lane No 1) TPO 2001 which protects trees to the east boundary, and City of Coventry (De Montfort Way No.1) TPO 1994, for trees to the southern boundary. Additional site trees of TPO quality include; T19 Oak, T105 Lime and woodland W1, T's 143-190 Birch group to the south west corner, and the eastern boundary trees.

With regards to the trees which are protected by a Tree Preservation Order, these are to be retained. There is some loss of trees to the site, however these are compensated for through replacement trees and enhanced landscaping within the development in accordance with Policy GE4 of the Coventry Local Plan 2016.

In terms of the loss of the spinney, it is acknowledged the spinney will suffer some tree removal as a result of this proposal. In order to protect the remaining trees and hedgerow to this area amended plans have been received which moved the built form of the building back from the spinney by 2.5 metres, thus affording more light to this area. Tree and Ecology Officers are now satisfied that the remaining trees to the spinney area will not be harmed by the development. A condition is required which seeks an Arboricultural Method Statement to be submitted to ensure tree protection methods are satisfactory in accordance with Policy GE4 of the Coventry Local Plan 2016.

### **Conservation and Heritage Assets**

Policy HE2 reflects NPPF policy and states that development proposals involving heritage assets in general and listed buildings in particular, should acknowledge the significance of the existing building and the area by means of their siting, massing, form, scale, materials and detail.

The scheme is within the broader context of the Ivy Farm Lane Conservation Area, with a collection of historic farm buildings retaining a very rural village feel, likely evolving from the medieval settlement of Canley. The site is however separated by the substantial open land of the cemetery, with the conservation area generally enclosed, and despite the upper floor being visible above treelines, it is contained within an area of existing built form including an existing shopping centre, the intensive residential setting around, and the university to the south. The scheme is therefore considered to have no additional impact on the wider context of the area in respect of conservation issues in accordance with Policy HE2 of the Coventry Local Plan 2016.

In terms of Archaeological issues, the application has been submitted with an archaeological desk-based assessment. This highlights that overall the archaeological potential for the site is low. While there was some prehistoric and early-medieval activity in the wider area, and the later medieval settlement of Canley is nearby, evidence points to this being largely agricultural land until the construction of the Cannon Park Shopping Centre to the west of the site, and a car park on the site itself, in the late 20th century. This low potential for archaeology, coupled with the impact caused by the construction of the car park to any possible archaeology, means that Archaeological Officers have no objection to this application, and do not recommend any conditions. The proposal is considered to accord with Policy HE2 of the Coventry Local plan, 2016.

### **Bin storage**

The bin storage area has been re-located in response to concerns raised by waste management. The storage area is located within the envelope of the building to the southern end of the site. There is a turning head provided adjacent to the building which allows for safe access to the bin storage area. Waste Management have advised that this is an acceptable arrangement and will allow for the bin storage requirements of the development to be enclosed within the building to avoid bins being stored in the open, a concern which has also been raised by residents. On the basis of the revised plans it is considered that the proposal complies with Policies DE1 of the Coventry Local Plan and the design of the

building within regards to bin storage is acceptable. A condition will also be added to the decision to ensure that bins are not stored in the open unless on bin collection days.

### **Developer Contributions**

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

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

- Highways - £200k towards highways improvements in the vicinity of the site
- NHS – contribution of £69,830.00 towards additional health care facilities to meet patient demand from the development.
- Student accommodation clause requiring that the accommodation shall only be occupied by students.

The developer has agreed to the requested contributions.

### **Other**

Objections have been received regarding the lack of early public engagement with the local community. Early pre application consultation was undertaken by the applicant in the form of a public exhibition which was held in Unit 11 of the Cannon Park Shopping Centre on 25 July 2018. This location presented an opportunity to discuss the proposals with local residents, business and visitors to the shopping centre. The project team acting on behalf of the applicant was in attendance to answer questions and discuss the proposals. The exhibition introduced the emerging scheme and its context, and invited feedback. The exhibition also included indicative imagery to show the applicant's emerging proposals for enhancements to the shopping centre itself. Presentation boards and plans were displayed at the exhibition along with a digital presentation. Feedback was sought via paper questionnaires, the result of which were submitted with the application documentation. The event was publicised on boards throughout the Cannon Park Shopping Centre in the lead up to the exhibition with invites also being sent via first class post to 1,025 residents and local businesses within the vicinity of the site. Approximately 300 people attended the public exhibition and 105 questionnaire responses were received.

It is therefore considered the applicants have undertaken adequate public engagement in accordance with Policy DS4 (part xvi) which states that all new masterplans should be informed by consultation with existing communities in adjoining areas. This should take place prior to the submission of a planning application to ensure feedback can influence the final proposals.

### **Equality implications**

The proposal has been reviewed and it is considered there are no known equality implications as a result of this proposal, in accordance with the Equality Act 2010.

### **Conclusion**

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, highway safety, ecology or infrastructure, subject to relevant conditions and contributions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies

DS1, DS3, DS4 (Part A), HW1, H3, H10, R1, R3, GE3, GE4, JE7, DE1, HE2, AC1, AC2, AC3, AC4, EM1, EM2, EM3, EM4, EM5, EM7, IM1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## CONDITIONS/REASON

1. The development hereby permitted shall begin no later than three years from the date of this permission.

**Reason:** *To comply with Section 91 of the Town and Country Planning Act 1990.*

2. The development hereby permitted shall be carried out in accordance with the following approved documents;  
U208 - P01 Site Location Plan;  
U208 - P02 Topographical Survey;  
U208 - P03 Existing Block Plan;  
U208 - P04 Existing Site Sections 01;  
U208 - P05 Existing Site Sections 02;  
U208 - P06\_B Proposed Site Plan;  
U208 - P07\_B Proposed Level 0 Plan;  
U208 - P08\_B Proposed Level 1 Plan;  
U208 - P09\_B Proposed Level 2 Plan;  
U208 - P10\_B Proposed Level 3 Plan;  
U208 - P11\_B Proposed Level 4 Plan;  
U208 - P12\_B Proposed Level 5 Plan;  
U208 - P13\_B Proposed Roof Plan;  
U208 P14 A - Proposed De Montfort Way Elevation;  
U208 P15 A - Proposed De Montfort Way Elevation in Context;  
U208 P16 A - Proposed Squires Way Elevation;  
U208 P17 A - Proposed Canley Garden Cemetery Elevation;  
U208 P18 A - Proposed St Joseph The Worker Elevation;  
U208 P19 A - Proposed Sectional Elevation 01;  
U208 P20 A - Proposed Sectional Elevation 02;  
U208 P21 A - Proposed Sectional Elevation 03;  
U208 P22 A - Proposed Sectional Elevation 04;  
U208 - P31 Proposed Site Plan - Construction Phasing;  
U208 P32 A - Proposed Large Scale Details - De Montfort Way Elevation;  
U208 P33 - Proposed Large Scale Details - Details of Projecting Boxes;  
U208 P34 - Proposed Large Scale Details - Details of Brick Projections;  
U208 P35 A - Proposed Large Scale Details - Balcony Detail and ManSafe;  
Indicative Phasing Plan - Phase 1;  
Indicative Phasing Plan - Phase 2;  
Indicative Phasing Plan - Phase 3;  
6290-L-100 D - Proposed Landscape General Arrangement;  
6290-L-101 D - Tree Constraints Plan;  
6290-L-102 D - Landscape Planting Plan;  
6290-L-103 B - Landscape Section A - C;  
6290-L-104 A - General Arrangement Green Walls;  
Archaeological Desk Based Assessment, prepared by Allan Archaeology ref: AAL 2018089. dated Sept 2018;  
BIA calculation V2 and Biodiversity Impact Assessment V2.0 dated 15/11/2018;  
Response to planning consultation - letter dated 26/10/2018 from the Ecology

Consultancy from Ashley Martin;  
 Badger Monitoring Report, prepared by the ecology consultancy, dated 31/09/2018;  
 Design and Access Statement, prepared by Urban Innovations, dated 11/09/2018;  
 Drainage report V1.1 dated 15/10/2018, prepared by Iain Black Consulting;  
 Energy Statement, prepared by Caldwell dated 12/09/2018;  
 Environmental Noise Assessment 23/11/18, prepared by Adnitt acoustic, Ref. E18017/ENS/R1-B Revision B;  
 Express Preliminary UXO Risk Assessment, prepared by 1st Line Defence dated 07/09/2018;  
 Framework travel plan, prepared by WYG. Ref: A108552. Dated September 2018;  
 Ground Conditions Report, prepared by Iain Black consulting. dated - 13.09.18;  
 Landscape Management and Maintenance Plan, prepared by Park hood - 13.09.18;  
 Non-Residential Mining Report, prepared by the coal authority, ref; 51001919700001;  
 Planning Statement, prepared by Lichfields, dated September 2018;  
 Preliminary Ecological Appraisal v2 Dated 10/09/2018;  
 Soft landscape design statement ref 6290, prepared by Park Hood;  
 Student Management Plan prepared by McAleer and rushe, dated September 2018;  
 Transport Statement, prepared by WYG dated September 2018;  
 Addendum to Transport Assessment (Transport technical note) dated January 2019;  
 Tree Survey, prepared by Arbtech, dated 25/07/2018;  
 16339 - Cannon Park Amendment Letter from agent, dated 08.01.19 -;  
 Air Quality - Technical Note, prepared by Air Quality consultants;  
 Cannon Park Addendum to Design and Access Statement, prepared by urban innovations, Dec 18  
 Car park - car park statement, prepared by Hill Cannon;  
 Landscape Response to Tree Officer Comments, prepared by Park Hood, dated 20/12/18;  
 Updated Soft Landscape Design Statement, prepared by Park Hood;  
 55016\_Cannon Park\_Dry Riser Provisions Technical Note\_210119\_Rev.01.

**Reason:** *For the avoidance of doubt and in the interests of proper planning.*

3. Prior to commencement of the development, the following details shall be submitted for approval in writing by the Local Planning Authority and in conjunction with the Highway Authority;
  - a) Full engineering details of the proposed new controlled crossing on De Montfort Way as illustrated on Drawing SK01 as part of Appendix E of the Transport Assessment.
  - b) Full engineering details of the proposed new access off De Montfort Way as illustrated on Drawing SK01 as part of Appendix E of the Transport Assessment.
  - c) Full engineering details of the proposed improvements to the existing pedestrian route as illustrated on Drawing A108552-SK001 as part of Appendix E of the Transport Assessment.

**Reason:** *In the interests of highway safety and the free flow of traffic in accordance with Policies AC2, AC3, AC4 of the Coventry Local Plan 2016*

4. Prior to occupation of the development all the approved detailed highway infrastructure works within condition 3 shall be fully implemented, completed and

brought into use to the satisfaction of the Highway Authority

**Reason:** *In the interests of highway safety and the free flow of traffic in accordance with Policies AC2, AC3, AC4 of the Coventry Local Plan 2016*

5. Details of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority and prior to occupation the approved cycle storage shall be implemented, retained therein after and kept available for this use at all times.

**Reason:** *In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies AC4 of the Coventry Local Plan 2016*

6. Prior to occupation of the proposed development hereby approved the car parking areas shall be provided in accordance with the approved plans and the car parking areas shall thereafter not be used for any other purpose than the parking of vehicles

**Reason:** *In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway in accordance with Policies AC2, AC3, AC4 of the Coventry Local Plan 2016.*

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
  - i) the parking of vehicles of site operatives and visitors;
  - ii) loading and unloading of plant and materials;
  - iii) storage of plant and materials used in constructing the development;
  - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - v) wheel washing facilities;
  - vi) measures to control the emission of dust and dirt during construction;
  - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
  - viii) Provisions must be made for the drainage of the site to ensure there are no temporary increases in flood risk, on or off site, during the construction phase.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

**Reason:** *In the interests of highway safety and the amenities of the occupiers of nearby properties in accordance with Policies EM7 and AC1 of the Coventry Local Plan 2016.*

8. Prior to the closure of any existing car park(s) on the site, a car parking availability schedule and phasing plan shall be submitted to and approved in writing the local planning authority. The plan shall include details of the provision and location of temporary car parks; detail the phasing of the temporary car parks and construction of the Multi Storey Car Park and; any related traffic management, to demonstrate there will be no loss of car parking provision across the site at any time. The development shall be carried out in strict accordance with the approved details.

**Reason:** *In the interests of highway safety and the free flow of traffic in accordance with*

*Policies AC2 and AC3 of the Coventry Local Plan 2016.*

9. Notwithstanding the Student Management Plan submitted with the application, prior to the occupation of the building, a Student Management Plan detailing how the arrival and departure of students will be managed shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter take place in strict accordance with the approved report

**Reason:** *In order to minimise the disruption of parking the free flow of traffic on de Montfort Way in accordance with Policy AC2 and AC3, of the Coventry Local plan, 2016.*

10. Within 3 months of the development being occupied the Framework Travel Plan shall be formed into a Full Travel Plan and shall be submitted and approved in writing by the Local Planning Authority and shall thereafter be implemented in strict accordance with the approved details.

**Reason:** *In the interests of encouraging sustainable modes of travel and In the interests of highway safety and the free flow of traffic in accordance with Policies AC3 and AC4 of the Coventry Local Plan 2016*

11. The development shall be carried out only in full accordance with sample details of the facing, glazing and roofing materials, which shall include fixing details of any cladding or other panels, of the student accommodation, and multi storey car park which have been submitted to and approved in writing by the local planning authority.

**Reason:** *To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy DE1 of the Coventry Local Plan, 2016*

12. The flat roofed areas on the student accommodation building hereby permitted shall not be used as a balcony, roof garden or similar amenity area

**Reason:** *In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DE1 and H10 of the Coventry Local Plan 2016.*

13. The development hereby permitted (including ground clearance works) shall not commence unless and until a species method statement for badgers (to include re-commencement checks, ground clearance works, site construction practices for features such as foundations and pipework) has been submitted to and approved in writing by the Local Planning Authority. Such approved measures shall thereafter be implemented in full

**Reason:** *To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry local Plan, 2016 together with the NPPF*

14. No works shall commence on site, including site clearance, until a combined ecological and landscaping scheme has been submitted to and agreed approved in writing by the local planning authority. The scheme shall include details of the following; details of biodiversity enhancement features including native nectar-rich planting to attract wildlife and any bat and bird boxes to be installed within the development. The works and ecological enhancement shall thereafter be carried out in strict accordance with

the approved details.

**Reason:** *To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry local Plan, 2016 together with the NPPF.*

15. Prior to the installation of any street lighting or lighting affixed to external faces of the buildings hereby approved, an external lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate that light spill onto foraging corridors for bats has been minimised as far as is practicable and could include:
- a) Narrow spectrum lighting to avoid blue-white wavelength;
  - b) Lighting directed away from vegetated areas;
  - c) Lighting shielded to avoid spillage onto vegetated areas;
  - d) Brightness of lights kept as low as possible;
  - e) Timing of lighting to provide some dark periods; and;
  - f) Connections to areas important for foraging containing un-lit stretches.

This strategy shall be implemented in full as part of the installation of external lighting across the site, with the lighting thereafter subsequently maintained in accordance with the approved details.

**Reason:** *To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry local Plan, 2016 together with the NPPF*

16. Before any development commences 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 4.4 of BS 5837 : 2012 Trees in relation to design, demolition and construction - Recommendations;
  - c] tree constraints plan (5.1), arboricultural method statement (5.4), and a dimensioned tree protection plan (to include protection measures during and after construction and any construction exclusion zones) (in accordance with 5.5/ Table B.1 of British Standard BS5837 : 2012 - Trees in relation to design, demolition and construction - Recommendations) which shall also include any proposal for pruning or other preventative works.)

**Reason:** *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.*

17. The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works

shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the student accommodation hereby permitted; and all planting and soft landscaping shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation of the student accommodation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. 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.

**Reason:** *To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policy DE1 of the Coventry Local Plan 2016.*

18. A landscape management plan, including long term design objectives, long term management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the local planning authority before the first occupation of the development hereby permitted. The landscape management plan shall be implemented as soon as the approved landscaping is carried out and shall not be withdrawn or altered in any way without the prior written approval of the local planning authority.

**Reason:** *To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policy DE1 of the Coventry Local Plan 2016*

19. Prior to the first use of the Multi Storey Car Park hereby permitted, full details of the green walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a full planting schedule providing details of species and planting density, a regular maintenance schedule and details of a long term management plan, which shall include procedures for the identification and replacement of any dead or dying plants. Once approved the provision of the green walls and roofs shall be undertaken in strict accordance with the approved details in the first available planting season, and once provided the green walls and roofs shall be maintained only in strict accordance with the approved details, the approved maintenance schedule and the long term management plans.

**Reason:** *To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policy DE1 of the Coventry Local Plan 2016*

20. Prior to the commencement of development (excluding demolition and site clearance) the result of the Site sampling and chemical analysis of soil samples shall be submitted to and approved in writing by the local planning authority. The sampling shall be undertaken in accordance with the details in letter dated 12/11/18 reference

J18197A/MC/1 and as recommended in desk study report J18135 dated 12/09/18).

**Reason:** *To safeguard health, safety and the environment in accordance with Policy of the Coventry Local Plan 2001, together with the NPPF*

21. 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'

**Reason:** *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2001, together with the NPPF*

22. 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

**Reason:** *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2001, together with the NPPF*

23. 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, and is subject to the approval in writing of the Local Planning Authority.

**Reason:** *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2001, together with the NPPF*

24. 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 21, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 22, 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 23.

**Reason:** *To safeguard health, safety and the environment in accordance with Policy of the Coventry Local Plan 2001, together with the NPPF*

25. The development shall proceed in accordance with details for a package of measures to minimise the impact of the development upon local air quality have been submitted to and approved in writing by the local planning authority. Those measures shall have consideration of use of low NOx boilers (to have a maximum dry NOx emissions rate of <40mg/kWh). All details shall be carried out as approved and maintained in accordance with the manufacturer's instructions. Boilers shall thereafter remain in place at all times

**Reason:** *To mitigate the impacts of development on air quality in accordance with EM7 of the Coventry Local Plan 2016*

26. The multi storey car park hereby permitted shall provide for Electric Vehicle Recharging Stations for 10% of the total number of car parking spaces (42 car parking spaces), by 3 years from the date of this permission. This installation shall be phased in the following manner;
- a) 50% (21 stations) of the electric charging stations shall be installed and operational prior to the use of the Multi Storey Car Park commencing; and
  - b) The remaining 50% (21 Stations) of the Electric Recharging stations shall be installed and operational by no later than 3 years from the date of completion of the Multi Storey Car Park.
- The electric charging stations shall be installed in accordance with the above times scales and shall remain operational and available for use at all times

**Reason:** *To mitigate the impacts of development on air quality in accordance with Policy EM7 of the Coventry Local Plan 2016.*

27. Prior to the occupation of the student accommodation hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority which demonstrates the specification of the gas CHP plant equipment. The specification shall confirm that the standards detailed in the AQA and Appendices A4 and A5 will be met. The works shall be completed in full accordance with such approved details and thereafter shall not be removed or altered in any way.

**Reason:** *To mitigate the impacts of development on air quality in accordance with Policy EM7 of the Coventry Local Plan 2016*

28. Prior to the occupation of the student accommodation hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority which demonstrates the sound insulation measures have been installed in the building and are capable of achieving the internal noise levels as per table 9.15 set out in the Noise Assessment by Adnitt acoustics 23/11/18 Ref. E18017/ENS/R1-B Revision B. The works shall be completed in full accordance with such approved details and thereafter shall not be removed or altered in any way

**Reason:** *To protect the residential amenity of future occupiers of the development in accordance with Policy H10 and H3 of the Coventry Local Plan, 2016*

29. The development hereby permitted shall be carried out only in strict accordance with details of a scheme for the provision of surface water drainage incorporating infiltration SuDS or attenuation techniques. There must also be consideration of features such as green roof technology 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'

- i. A detailed strategy for the long-term maintenance of the SuDS and other surface water drainage systems on site.
- ii. Development discharge rates to be managed to Qbar greenfield rates minus 20% or 5.0 l/s, whichever is greater. The discharge rates for brownfield sites shall be considered as greenfield in accordance with the SFRA.
- iii. Evidence that receiving water bodies or sewers are capable of accepting the attenuated flows specified by the Lead Local Flood Authority and that this will not exacerbate the 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. This must be submitted to, and agreed by, the Local Planning Authority and Lead Local Flood Authority.
- iv. The development must be considered for the implementation of permeable paving or similar permeable material for the management of total surface water flows, and water filtering in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.
- v. The development shall not be occupied until such time as a scheme to install vehicular traffic pollution control measures within the car parking facilities, together with oil and petrol separators with high level alarm, has been submitted to, and approved by, the Local Planning Authority. This should be submitted along with a periodic maintenance plan.
- vi. Evidence to show the management of overland flow routes in the event of exceedance or blockage to the drainage system. Details should include demonstration of how the building will be protected in such an event.
- vii. Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway.
- viii. Where new or redevelopment site levels result in the severance, diversion or the reception of natural or engineered drainage flow, the developer shall maintain existing flow routes (where there are no flood risk or safety implications) or intercept these flows and discharge these by a method approved by the Local Planning Authority.
- ix. Foul drainage plans

**Reason:** To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies EM4 and HW1 and DS3 of the Coventry Local Plan 2016

30. The development hereby permitted shall not be occupied unless and until the bin storage area(s) have been laid out and provided in full accordance with the approved details and thereafter those facilities shall remain available for use at all times. All bins which serve the development within the red line site area must be stored within the approved bin storage area and not positioned on the public highway or in the open, unless on bin collection days.

**Reason:** In the interests of visual amenity and the amenities of the future occupants of the development in accordance with Policy DE1 of the Coventry local Plan, 2016.

31. No development shall take place unless and until a scheme for targeting and utilising local people for construction [and post construction] employment has been submitted to and approved in writing by the local planning authority. Thereafter, the scheme shall be implemented in full accordance with the approved details

**Reason:** In the interests of promoting employment opportunities for local people in accordance with Policy JE7 of the Coventry Local Plan 2016

32. The student accommodation hereby permitted shall not be occupied by more than 808 students at any time.

**Reason:** To ensure the development is carried out in accordance with the approved plans. Any increase in student numbers will require further assessment regarding the intensity of use.

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no further plant, machinery, condensers, extraction equipment, or telecommunications apparatus shall be installed, erected or replaced on the application site or building without the prior written approval of the local planning authority.

**Reason:** That having regard to the design, layout and general nature of the proposed development and proximity to nearby residential dwellings, it is important to ensure that no further development is carried out which would detract from the appearance of the area and affect the amenity of adjacent properties. Therefore, no additional development is to be carried out without the permission of the local planning authority in accordance with Policies H10 & DE1 of the Coventry Local Plan 2016.

34. The development shall be operated in strict accordance with the Student Management Plan prepared by McAleer and Rushe, dated September 2018.

**Reason:** To ensure that the development is compatible with nearby residential uses and so that it does not adversely impact upon the safe and free flow of traffic in the vicinity of the site in accordance with Policies DE1, H10, AM1 and AM22 of the Coventry Development Plan 2001.



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