



Coventry City Council

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

Application No. : **FUL/2018/2651**
Registered on : **19/09/2018**

Applicant : **ES Coventry Ltd**

Re Site at : **Land off De Montfort Way**

Description of Development: 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.

Decision of Planning Committee on 14/02/2019

Coventry City Council as Local Planning Authority **GRANT** permission for the development proposed in your application, subject to the following condition(s):

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CONDITIONS

1. The development hereby permitted shall begin no later than three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved documents;
U208 - P01 Site Location Plan;

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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;



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- 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
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;

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- 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.
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.
 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.
 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.
 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.
 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.
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
 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.
 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.
 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.
 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.
 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.
 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.

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).
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.

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.
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.
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).
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'

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

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.

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.

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
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.
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.
28. Prior to the occupation of the student accommodation hereby permitted, evidence shall be submitted to and approved in writing by the Local Planning Authority which demonstrates that sound insulation measures have been installed in the building such that the internal noise levels comply with the requirements of BS 8233:2014 as clarified by Figure 2 of the Professional Practice Guidance on Planning and Noise (ProPG, May 2017). The works shall be completed in full accordance with such approved details and thereafter shall not be removed or altered in any way.



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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



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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

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.
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.
32. The student accommodation hereby permitted shall not be occupied by more than 808 students at any time.
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.
34. The development shall be operated in strict accordance with the Student Management Plan prepared by McAleer and Rushe, dated September 2018.
35. Prior to the first use of the multi storey car park hereby approved, details of a supermarket trolley management scheme shall be submitted to and approved in writing by the local planning authority. Details shall include the location of trolley collection points. Once approved the scheme shall be implemented in full and remain in place and available for use at all times.

REASONS FOR CONDITIONS

1. To comply with Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. 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.

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4. 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. 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. 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. 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. 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. 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. 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. 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. 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. 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. 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. 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. 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. 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. 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



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19. 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. To safeguard health, safety and the environment in accordance with the NPPF
21. To safeguard health, safety and the environment in accordance with the NPPF
22. To safeguard health, safety and the environment in accordance with the NPPF
23. To safeguard health, safety and the environment in accordance with the NPPF.
24. To safeguard health, safety and the environment in accordance with the NPPF.
25. To mitigate the impacts of development on air quality in accordance with Policy EM7 of the Coventry Local Plan 2016
26. To mitigate the impacts of development on air quality in accordance with Policy EM7 of the Coventry Local Plan 2016.
27. To mitigate the impacts of development on air quality in accordance with Policy EM7 of the Coventry Local Plan 2016
28. 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. 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 DS3 of the Coventry Local Plan 2016
30. 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. In the interests of promoting employment opportunities for local people in accordance with Policy JE7 of the Coventry Local Plan 2016
32. 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. That having regard to the design, layout and general nature of the proposed development 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 H9 & DE1 of the Coventry Local Plan 2016.
34. To ensure that the development is compatible with nearby residential uses and so that it does not adversely impact upon the safe and free



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flow of traffic in the vicinity of the site in accordance with Policies DE1, H10, AC1 and AC2 of the Coventry Local Plan 2016.

35. To ensure there is an adequate collection point for trolleys within the multi storey car park in the interests of highway and pedestrian safety and the free flow of traffic in accordance with Policies AC2, and AC3 of the Coventry Local Plan, 2016 together with the NPPF.

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 2016 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.

Policy AC1: Accessible Transport Network

Policy AC2: Road Network

Policy AC3: Demand Management

Policy AC4: Walking and Cycling

Policy DE1: Ensuring High Quality Design

Policy DS1: Overall Development Needs

Policy DS3: Sustainable Development Policy

Policy DS4 (Part A) – General Masterplan principles

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 GE3: Biodiversity, Geological, Landscape and Archaeological-Conservation

Policy GE4: Tree Protection

Policy H10: Student Accommodation

Policy H3: Provision of New Housing

Policy HE2: Conservation and Heritage Assets

Policy IM1: Developer Contributions for Infrastructure

Policy JE7: Accessibility to Employment Opportunities

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Policy R1: Delivering Retail Growth

Policy R3: The Network of Centres

SPG : Extending Your Home - A Design Guide

SPG : Design Guidance for New Residential Development

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.

* In granting permission the City Council gives no warranty that the land is free of contamination. You are advised that the responsibility for the safe/secure occupancy of the land rests with the developer.

* Some/all of the hedges to be retained as part of the development will remain the responsibility of the future householder and they should be advised of their responsibility to ensure the highway is not obstructed.

* You should contact Severn Trent Water as soon as possible to discuss their detailed requirements concerning connections to existing sewers etc.

Bat and Nesting Bird combined note

If it is essential to fell or lop any trees or part of the hedgerows, it should be ensured that in accordance with Policy GE3 of the Coventry Local Plan 2016 this work does not disturb nesting birds, with work ideally being conducted outside the main breeding season (March-September). All nesting birds are protected from disturbance or injury under the 1981 Wildlife and Countryside Act. In addition, if mature trees with suitable cracks, rot holes and fissures are likely to be affected by the development, (e.g. by felling or lopping work), it is important to survey these trees for the presence of bats, prior to work commencing. Bats and their roost sites are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act, and are also deemed a European Protected Species. Local Authorities are bound by

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Regulation 3(4) of the Conservation (Natural Habitats, &c.) Regulations 1994 to have regard to the Habitats Directive when exercising their functions.

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

Protected Species

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 visit <http://www.naturalengland.gov.uk>.

Bat Lighting Note

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

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

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- **Protected species**

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If evidence of protected species is found, work should stop immediately while Natural England (01453 764450) is 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 the Planning Department at Coventry City Council on ecology@coventry.gov.uk 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 (Development Management Procedure) (England) Order 2010 (as amended) 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 conditions, you can appeal to 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.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

Tracy Miller
Head of Planning



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If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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

If permission to develop land is granted subject to conditions, whether by the City Council or an appeal by the Secretary of State, the owner of the land may claim that the land has become incapable of 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.

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a referral of the application to the Secretary of State. 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.

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



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- 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.

• **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.



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

Tracy Miller
Head of Planning