

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

Application No. : **FUL/2020/1807**
Registered on : **10/08/2020**

Re Site at : **8 Ironmonger Row**

Description of Development: Refurbishment and redevelopment to provide up to 42 new apartments along with retail/restaurant/leisure/office space.

Delegated Decision on 03/12/2020

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

CONDITIONS

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.

To conform with Section 91 of the Town and Country Planning Act 1990 (as amended)

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan DWG:P-0100
Site Plan DWG:P-0110



Proposed Side Elevation DWG:P-2103
Proposed Rear Elevation DWG:P-2102
Proposed Side Elevation DWG:P-2101
Proposed Front Elevation DWG:P-2100
Proposed Ground Floor Plan DWG:P-2000
Proposed First Floor Plan DWG:P-2001
Proposed Second Floor PLAN DWG:P-2002
Proposed Third Floor Plan DWG:P-2003
Proposed Fourth Floor Plan DWG:P-2004
Proposed Fourth Floor DWG:P-2004-1
Proposed Fourth Floor Mezzanine DWG:P-2005-1
Proposed Fifth Floor Plan DWG:P-2005
Sustainability Report
Acoustic Report
Design and Access Statement

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

3. Prior to their incorporation into the development hereby permitted, sample details of all facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. These details shall be installed only in full accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.

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.

4. The development hereby permitted shall not be occupied unless and until cycle parking facilities and bin storage have been provided in full accordance with the approved details. Thereafter those facilities shall remain available for use at all times and shall not be removed or altered in any way.

In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city and in the interest of visual and residential amenity in accordance with Policies DE1, DS3, AC3 and AC4 of the Coventry Local 2016.

5. No development shall commence unless and until an environmental noise assessment has been submitted to and approved in writing by the Local Planning



Authority. The noise assessment must be carried out by a competent person and include recommendations for any necessary mitigation measures to comply with BS 8233:2014 "Sound Insulation and Noise Reduction in Buildings-code of practice" and "World Health Organisation Guidelines For Community noise". The mitigation measures shall be installed in full accordance with the recommendations of the approved report prior to first occupation of the development and thereafter maintained in full accordance with the approved details and shall not be removed or altered in any way. The noise assessment should have consideration of the following:-

- * Details of separating floor between ground floor commercial use and first floor flats

- * Details of additional insulation to party walls/glazing required given the proposed restaurant/leisure use* Confirmation if any existing external plant that requires assessment (for example rooftop plant at McDonalds)

- * Details of any proposed external plant serving the development either the ground floor commercial units or mechanical ventilation systems for the residential units

- * Consultant's comments (in line with the ANC/IOA COVID guidance) whether the monitored levels can be considered typical for the area give that the survey was undertaken during the lockdown period. It is unlikely that traffic noise, pedestrian footfall and the night time noise levels are as high as normal

Thereafter the development shall be carried out in full accordance with the approved details.

To protect the amenities of future occupiers from road traffic noise and general disturbance in accordance with Policy H3 of the Coventry Local Plan 2016.

6. The development shall be carried out in full accordance with air quality measures which shall first be submitted to and approved in writing by the local planning authority. These shall include the following:-

- * Full specification of the proposed mechanical ventilation with NO_x filtration system, including confirmation that it includes purge and cooling settings and positions of air intakes.

- * Any gas boilers should be ultra low NO_x with a dry NO_x emission rate of no more than 40mg/kWh.

The approved measures shall be in place prior to occupation and shall not be removed or altered in any way.

To mitigate the impacts of development on air quality in accordance with Policy DS3 of the Coventry Local Plan 2016 and the aims and the objectives of the NPPF.

7. Prior to their incorporation into the development, details of fume extraction and odour control equipment (including external ducting flues) shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be fully installed in its entirety in full accordance with the approved details and inspected by the Local Authority before the use hereby permitted commences. Any external ducting shall be colour coated in full accordance with the approved details within one month of its installation. The equipment shall thereafter be permanently maintained in full accordance with the manufacturer's instructions and be operated at all times when cooking is carried out.

To safeguard the amenities of the adjoining occupiers of the development in accordance with Policy DE1 of the Coventry Local Plan 2016.

8. Prior to the commencement of development, a method statement detailing the control of emissions into the air during the demolition/construction phase should be submitted to and approved in writing by the Local Planning Authority. The method statement should accord with the Best Practice Guidance - 'The control of dust and emissions from construction and demolition' and include:-

- a) proposed hours of work;
- b) map with nearest receptors and distances for dust and noise;
- c) noise impact on nearest neighbours and control measures as required;
- d) monitoring methods and measurement locations for dust and noise recording details;
- e) dust mitigation measures;
- f) contact details for responsible persons and site personnel training; and
- g) information provision and liaison with local residents.

The development shall only proceed in full accordance with the approved details.

To protect the amenity of the occupiers of the residential accommodation hereby approved in accordance with Policies DS3 and EM7 of the Coventry Local Plan 2016.

9. The development hereby permitted shall only proceed in strict accordance with a scheme for targeting and utilising local people for construction and employment, which shall be submitted to and approved in writing by the Local Planning Authority.

To secure local employment in accordance with the City Council jobs strategy and Policy JE7 of the Coventry Local Plan 2016.



10. Prior to commencement of development evidence that receiving sewers are capable of accepting the anticipated flows to be generated by the proposed development. This will require a confirmation from Severn Trent Water that the new flows will not overload the Foul or Combined sewer networks in this area. This evidence shall be submitted to and approved in writing by the local planning authority.

To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with policies EM1, EM4 and EM5 of the Coventry Local Plan 2016 and Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'

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 AC3: Demand Management
- Policy CC1: Coventry City Centre – Development Strategy
- Policy CC10 – Environmental Management
- Policy CC18: The Primary Shopping Area
- Policy DE1: Ensuring High Quality Design
- Policy DS3: Sustainable Development Policy
- Policy EM2: Building Standards
- Policy EM4: Flood Risk Management
- Policy H3: Provision of New Housing
- Policy H6: Affordable Housing
- Policy HE2: Conservation and Heritage Assets

INFORMATIVES

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Strategic Lead for Planning



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.

- **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>.

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 or **12 weeks** for a minor commercial application.

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

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 giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

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

- 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**

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Strategic Lead for Planning

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

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

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

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