



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

OUTLINE PLANNING APPLICATION

Application No. : **OUT/2020/2876**
Registered on : **26/11/2020**

Re Site at : **City Centre South**

Description of Development: Hybrid planning application for:
Full application:

A. Full Application for removal of bridge link between Coventry Market roof top car park and roof top parking over existing retail units on Market Way and associated reinstatement works to roof top car park surface and balustrade, removal of existing Coventry Market basement ramp from Rover Road and associated infilling and reinstatement works, works to retaining wall to north-east of Coventry Market, removal of existing pedestrian ramp into Coventry Market off Rover Road, creation of new Coventry Market basement ramp from Queen Victoria Road and associated works to Coventry Market basement, and removal and relocation of William Mitchell mural from front elevation of the former Three Tuns Public House building in Bull Yard;

Outline application:

B. For part of the site (Parameters Plans Document March 2021 Revision B) for the demolition of all existing buildings and redevelopment of the land for mixed uses, including details of the layout and scale of new development, with details of access, appearance and landscaping reserved; and

C. For part of the site for the demolition of all existing buildings and the redevelopment of the land for mixed use, with details of access, layout, scale, appearance and landscaping reserved. The scheme comprises a mixed use redevelopment of up to 1,300 residential units (Class C3), up to 150 hotel rooms (Class C1), up to 37,500 sqm of mixed-use non-residential floorspace including Class E Commercial, Business and Service uses, Class F.1 Learning and Non-Residential Institutions, and Sui Generis Pub or Drinking Establishment / Hot

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Food Takeaway / Cinema uses, hard and soft landscaping and new public open spaces including sustainable urban drainage systems, car parking provision and formation of new pedestrian and vehicular access and stopping up of existing highway.

Delegated decision on 27th January 2022, following decision of Planning Committee on 22/04/2021 to delegate to the Strategic Lead for Planning.

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

CONDITIONS

1. For the phased approval of Reserved Matters where appearance, access and landscaping are reserved, details of the following Reserved Matters for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase (save demolition or ground works) and the development shall be carried out in full accordance with those reserved matters as approved:

- a) Appearance of buildings;
- b) Means of access to the buildings and site;
- c) Landscaping of the site.

2. For the phased approval of Reserved Matters where appearance, access and landscaping are reserved, details of the following Reserved Matters for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase (save demolition or ground works) and the development shall be carried out in full accordance with those reserved matters as approved:

- a) Layout;
- b) Scale;
- c) Appearance of buildings;
- d) Means of access to the buildings and site;
- e) Landscaping of the site.

3. Application for approval of the Reserved Matters listed at condition 1 and condition 2 shall be made to the Local Planning Authority before the expiration of 10 years from the date of this permission.

4. The development hereby permitted shall begin within 10 years of the date of this permission or within 2 years of the final approval of the Reserved Matters, whichever is the later.

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5. The development subject to full planning permission hereby permitted shall begin not later than 10 years from the date of this decision.

6. Each reserved matters application to be submitted in accordance with condition 1 and condition 2 shall include a design brief for that phase shall be submitted to and approved in writing by the Local Planning Authority. The design brief shall:

- i) identify how the development phase accords with the approved Parameter Plans Document;
- ii) identify how the design of the development phase accords with the approved Development Principles Document through the completion of the 'Compliance Matrix' appended to the Development Principles Document; and
- iii) identify the public art strategy for the development phase, including relocation of existing public art assets within that phase and incorporation of new public art.

7. The reserved matters to be submitted in accordance with condition 1 and condition 2 shall include:-

a phasing programme for the demolition, construction and implementation of the development shall be submitted to and approved in writing by the Local Planning Authority, which shall include:

- (i) Details of the precise location and extent of individual development phases.
- (ii) The extent of development within each phase and a description of the intended timing of the development and completion of each phase.
- (iii) Permanent and temporary access arrangements to serve each phase of the development.
- (iv) Any interim surface or boundary details relating to each phase of the development.
- (v) Details of the access into each site, car and cycle parking areas, delivery van parking areas, bin storage and all associated manoeuvring space to be provided.
- (vi) Energy Assessment detailing energy efficiency, renewable energy generation and water conservation measures to be put in place in respect of those buildings.

All details shall be carried out as approved.

8. The reserved matters to be submitted in accordance with condition 1 and condition 2 shall include a Landscape and Ecological Management Plan (LEMP), which shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;

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- c) Aims and objectives of management, including mitigation and enhancement for species identified on site;
- d) Appropriate management option for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period);
- g) Details of the body or organisation responsible for implementation of the plan, along with funding mechanism(s) for that body or organisation;
- h) Ongoing monitoring and remedial measures, including where monitoring shows that conservation aims and objectives of the LEMP are not being met; and
- i) Details of bat and bird boxes.

The LEMP plan shall be implemented in strict accordance with the approved details within three months of the first occupation of the relevant phase of development and thereafter shall not be withdrawn or amended in any way.

9. The Reserved Matters to be submitted in accordance with condition 1 and condition 2 shall include details of a scheme for works to minimise the transmission of noise and vibration through the party wall(s) and ceiling(s) between residential and commercial properties (in accordance with British Standard 8233 - Sound Insulation and Noise Reduction for Buildings).

All details shall be carried out as approved.

10. Prior to the operation of any café/restaurant/hot food takeaway premises, details of extract ventilation and/or odour control equipment for that unit, including details of any noise attenuation and odour control measures shall be submitted to and approved in writing by the Local Planning Authority. The extract ventilation and/or odour control equipment shall be installed in strict accordance with the approved details prior to operation and thereafter retained/maintained.

11. No phase of development shall be occupied until a scheme for the provision of closed circuit television cameras and building access control systems, including the proposed location of the cameras, mounting columns, proposals for the use and management of the system and proposals for its installation has been submitted to and approved in writing by the Local Planning Authority.

12. No demolition or preparatory works for of any phase of the development shall take place unless and until a Demolition Management Plan (DMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The DMP shall include details of: - hours of work; - hours of deliveries to the site; - the parking of vehicles of site operatives and visitors during

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demolition; - the delivery access point; - the loading and unloading of plant and materials; - anticipated size and frequency of vehicles moving to/from the site; - the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; - wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; - measures to control the emission of dust and dirt during demolition; - measures to control the presence of asbestos; - measures to minimise noise disturbance to neighbouring properties during demolition; - details of any piling together with details of how any associated vibration will be monitored and controlled; and - a scheme for recycling / disposing of waste resulting from demolition works.

Thereafter, the approved details within the DMP shall be strictly adhered to throughout the demolition period.

13. No phase of the development (excluding any demolition or preparatory works) shall take place unless and until a Construction Management Plan (CMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of:

- hours of work;
- hours of deliveries to the site;
- the parking of vehicles of site operatives and visitors during the construction phase;
- the delivery access point;
- the loading and unloading of plant and materials;
- anticipated size and frequency of vehicles moving to/from the site;
- the storage of plant and materials used in constructing the development;
- the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate;
- wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway;
- measures to control the emission of dust and dirt during construction;
- measures to control the presence of asbestos;
- measures to minimise noise disturbance to neighbouring properties during construction;
- details of any piling together with details of how any associated vibration will be monitored and controlled; and
- a scheme for recycling / disposing of waste resulting from construction works.

Thereafter, the approved details within the CMP shall be strictly adhered to throughout the construction period.

Where the phase includes the construction of new buildings immediately adjacent to Coventry Retail Market, the Reform Club or Broadgate House, the

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Construction Management Plan will specifically address how those parts of new development adjacent to these buildings will be constructed.

In relation to Coventry Retail Market, this will specifically address how the continued operation of the Market shall be safeguarded during demolition and construction.

14. No development or any other works (including any demolition works) shall commence within any phase of development unless and until a written scheme of investigation for that phase, which shall detail a programme of historic building recording and analysis in accordance with Historic England's Guidance 'Understanding Historic Buildings; A Guide to Good Recording Practice (2016) or most recent publication, has been submitted to and approved in writing by the Local Planning Authority.

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

15. No demolition of Hertford House shall take place unless and until the applicant has submitted a written report to the Local Planning Authority, containing a Level 3 building recording of the William Mitchell mural currently located within Hertford House, with an assessment of feasibility for relocating the William Mitchell Mural and, unless removal is proven to be unfeasible, identifies details of any temporary and final re-siting and a method statement for the removal and reinstallation. All details shall be carried out as approved.

16. Prior to the commencement of development (including demolition and site preparation) each phase of development shall submit a site specific Arts, Heritage and Public Realm Strategy for those artworks contained geographically within that phase, this shall be submitted to and approved in writing by the Local Planning Authority, and will detail how the existing non-designated heritage assets & public art (detailed below) within that phase of development shall be relocated to appropriate site(s) within the corresponding phase of the CCS development; which preserve and enhance their significance and enable a visual relationship between the artworks and the post-war architectural elements of Coventry's townscape, such as Coventry Market and Broadgate House. The Arts, Heritage & Public Realm Strategy for that phase shall:

(i) Provide in situ Historic Building Record (HBR) of each artwork situated within that phase in accordance with Historic England's Guidance 'Understanding Historic Buildings'; A Guide to Good Recording Practice (2016) according to the required level set out below:

- Level 3 HBR: Fibreglass panels fronting Hertford Street (Non-designated heritage asset; HER reference MCT17146), Peeping Tom (Non-designated

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heritage asset; HER reference MCT16939), Sir Guy and the Dun Cow (Non-designated heritage asset; HER reference MCT16903).

- Level 2 HBR: The Phoenix (Non-designated heritage asset; HER reference MCT16923), Thread Through Time (Non-designated heritage asset).

Level 1 HBR: The 2-Tone Trail Plaque (Non-designated heritage asset), John Bailey Shelton plaque (Non-designated heritage asset).

(ii) Provide a relocation options appraisal and impact assessment for the removal and relocation of each piece of artwork within bounds of corresponding geographical phase.

Relocation of artworks within each phase shall be carried out in accordance with approved details.

17. No development (including demolition and site preparation) shall take place/commence within a phase of development unless and until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The WSI shall include an assessment of significance and research questions; and:

- (i) The programme and methodology of site investigation and recording.
- (ii) The programme for post investigation assessment.
- (iii) Provision to be made for analysis of the site investigation and recording.
- (iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- (v) Provision to be made for archive deposition of the analysis and records of the site investigation.
- (vi) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- (vii) Timescales for completion of fieldwork.

Development shall only be undertaken in accordance with the approved Written Scheme of Investigation. The results of this phase of archaeological evaluation is required before submission of any reserved matters application', with the results determining the need for further stages of archaeological investigation prior to or following the reserved matters application and shall feed into the design process, as warranted.

18. An investigation and risk assessment for each phase of development (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 relating to that phase; whether or not it originates on the site; and any report of the findings must be submitted to and approved in writing by the local planning authority prior to the commencement of development (including any demolition) of that phase of development. The report of the findings, to be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR

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11', must include; (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risk to; human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monument; (iii) an appraisal of remedial options, and proposal of the preferred option(s).

19. No development (excluding demolition and site preparation) shall take place within any phase of development until a detailed remediation scheme to bring the land within that phase of development 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, which shall be submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management 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.

20. The approved remediation scheme must be carried out within each phase in accordance with its terms prior to the commencement of development (excluding demolition and site preparation) within that phase other than that required to carry out the remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

21. Prior to occupation of the development within each phase hereby permitted and following completion of the measures identified within the remediation scheme approved under condition No.20, a verification report that demonstrates the effectiveness of the remediation carried out within that phase must be produced and submitted to the Local Planning Authority for approval in writing.

22. 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 18, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 19, which shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 20.

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23. No phase of the development (excluding any demolition or preparatory works) shall take place unless and until a drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include:

(i) A scheme for the provision of all surface water drainage incorporating infiltration SuDS or attenuation techniques. There must also be consideration of features such as green, brown and blue roof technology for the management of all surface water, peak and total flows, biodiversity and water filtering.

(ii) A detailed strategy for the long-term maintenance of the SuDS and other surface water drainage systems on site.

(iii) Development discharge rates to be managed to Q_{bar} greenfield rates or 5 l/s, whichever is greater. The discharge rates for brownfield sites shall be considered as greenfield in accordance with the SFRA.

(iv) 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 CMP must be prepared and accepted in writing prior to the commencement of any works on site.

(v) Prior to the commencement of development (including demolition works) relating to Blocks A1 and A2 and the service area to the north of Coventry Retail Market, a survey to determine the location of the existing River Sherbourne culvert, its relationship to the proposed development and whether it will be affected by the proposed development. Where an existing culvert will be affected by the proposed development, a detailed strategy shall be submitted prior to the commencement of development for the protection of the culvert.

(vi) A 5m way leave must be provided from the top bank of any ordinary watercourse to the building line, and at least 8m for main rivers. All opportunities to undertake river restoration and enhancement including de-culverting, removing unnecessary structures and reinstating a natural, sinuous watercourse will be encouraged.

(vii) All 'within building plot' drainage must be considered for the incorporation of water reuse systems/ water butts, such as grey water harvesting, and consideration must also be given to features such as green, brown and blue roof technology to manage down both peak and total rainfall runoff discharging to sewer systems, watercourses and groundwater.

(viii) The development must be considered for the implementation of permeable paving or similar permeable material for the partial reduction of flow and the improvement of water quality.

(ix) Evidence to show the management of overland flow routes in the event of exceedance or blockage of the drainage system. Details should include demonstration of how the building will be protected in such an event.

(x) Finished floor slab levels must be 300mm above the 1 in 100 year pluvial flood levels, and above the 1 in 1000 year fluvial flood levels.

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- (xi) Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway.
 - (xii) Consideration should be given to the use of flood resilience design and construction measures as outlined in the document 'Improving the flood performance of new buildings - Flood Resilient Construction 2007'.
 - (xiii) 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.
 - (xiv) CCTV survey results determining the existing site drainage regime including the point of discharge.
 - (xv) Detailed plans, and evidence of full approval from Severn Trent Water Ltd for the abandonment, diversion or creation of sewers and associated drainage infrastructure, where such is the case. Any abandoned sections of sewer should preferably be removed, or grouted.
- The scheme shall be implemented in full accordance with the approved details before each development phase is first brought into use.

24. The development shall be carried out in accordance with the submitted flood risk assessment (Document titled ""City Centre South Flood Risk Assessment Shearer Property Regen Limited"", revision P04, dated 19 March 2021) and the following mitigation measures it details:

- (i) In accordance with section 3.2.1 of FRA the finished floor levels must be set at 600mm above the 1 in 100 year plus climate change level for development with 'More Vulnerable' land uses on the ground floor
- (ii) In accordance with section 3.2.1.1 of the FRA floodplain compensation must be implemented on a level for level and volume for volume basis.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

25. There shall be (i) no infiltration of surface water drainage into the ground; and (ii) no piling or any other foundation designs using penetrative methods; unless and until details have been submitted to and approved in writing by the Local Planning Authority to demonstrate that there is no resultant unacceptable risk to controlled waters or groundwater. The development shall be carried out in full accordance with the approved details.

26. Prior to the construction of the new replacement basement ramp for Coventry Retail Market, details of flood protection barrier or alternative flood protection measure to be installed in relation to the new replacement basement

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ramp, including its operation, shall be submitted to and approved in writing by the local planning authority.

27. The demolition of the bridge link between Coventry Market and buildings on Market Way shall not commence unless and until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a) a contract that has been entered into for the demolition of the building on Market Way to which the bridge link is physically connected;
- b) a Level 3 building recording of the bridge link has been undertaken, in full accordance with Historic England's Guidance 'Understanding Historic Buildings; A Guide to Good Recording Practice (2016) or most recent publication;
- c) a detailed demolition works method statement to show how the bridge link will be physically separated from Coventry Market;
- d) large scale details of the replacement roof top balustrade to match existing and sample materials details and colour coating details for all elements of the works, including any making good; and
- (e) details of disabled car parking spaces to replace the five spaces lost by the works.

Thereafter the works shall only proceed in accordance with the approved details.

28. The existing vehicle access ramp into the basement of Coventry Market from Rover Road shall continue to remain accessible to vehicles unless and until either the proposed new ramped access to that basement from Queen Victoria Road has been fully completed and is operational or in consultation with the owner, operator and traders of Coventry Market details of any alternate viable means of servicing Coventry Market has been submitted to and approved by the local planning authority with all details carried out as approved thereafter.

29. Construction of the replacement ramp into Coventry Market basement shall not commence unless and until a method statement in respect of the re-configuration of the Coventry Market basement (to include large-scale working drawings detailing the structural alterations to be made) has been submitted to and agreed in writing by the Local Planning Authority. All details shall be carried out as approved.

30. Before the commencement of works relating to the pedestrian ramp, retaining wall and associated areas of masonry and other features to be demolished at Coventry Market, details of proposed development and reinstatement works (to include large scale working drawings detailing the structural alterations to be made) and a statement setting out the method of ensuring the safety and stability of the building fabric identified to be retained

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throughout the phases of demolition and reconstruction shall be submitted to and agreed in writing by the Local Planning Authority. The work shall be carried out fully in accordance with the approved details and statement.

31. The removal of the Three Tuns mural from its current location shall not commence unless and until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a) a contract that has been entered into for the demolition of the building to which the mural is physically connected;
- b) a Level 3 building recording of the mural has been undertaken, in full accordance with Historic England's Guidance 'Understanding Historic Buildings; A Guide to Good Recording Practice (2016) or most recent publication;
- c) a detailed removal works method statement for during and after the mural's removal from its current location, has been submitted to and approved in writing by the local planning authority; and
- d) a final location for the permanent re-siting of the mural to a position visible to the general public. The final location for the mural shall be selected in accordance with the relocation criteria provided in the approved Development Principles Document. Thereafter the works shall only proceed in accordance with the approved details.

32. Removal of the Three Tuns mural from its current location shall not commence unless and until a method statement in respect of any required temporary storage between its removal from its current location and its permanent re-siting, including details of storage location and method, has been submitted to and approved in writing by the Local Planning Authority. Thereafter storage of the mural shall only be undertaken in full accordance with the approved method statement.

33. The permanent re-siting of the Three Tuns mural shall not commence unless and until a method statement, which shall include details of its final location and method of installation, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the mural shall be re-sited in the agreed final location within three years of its removal from its current location. The permanent re-siting works shall only be undertaken in full accordance with the approved details.

34. Prior to the first occupation of each phase of development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable and methods of monitoring the performance of the Plan), to promote

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travel by sustainable modes, and shall be implemented in accordance with the details specified therein and shall not be withdrawn or amended in any way.

35. Any landscaping (other than the planting of trees and shrubs) including the erection of boundary treatment, and the installation of paving and footpaths referred to in condition one shall be completed in all respects, within twelve months of the first use of relevant phase of development and all tree(s) and shrub(s) shall be planted within the first planting season following the first use of that relevant phase of development. Any tree(s) or shrub(s) removed, dying, or becoming; in the opinion of the Local Planning Authority; seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of similar size and species to those originally required to be planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations.

36. The development shall only proceed in full accordance with Appendix F of the Cundall Preliminary Geo-environmental Risk Assessment and associated Unexploded Ordnance Assessment.

37. The development or phases of 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 an approved in writing by the Local Planning Authority.

38. Prior to the demolition of the existing Barracks car park, details of alternate Shopmobility facilities to those currently provided, either on-site or in another accessible city centre location shall be submitted to and approved in writing by the local planning authority and be fully operational. Thereafter such Shopmobility facility and any associated disabled car parking shall remain in place and be available for such use at all times.

39. The existing Taxi rank on Rover Road shall not be closed until a replacement Taxi rank has been provided in accordance with details submitted to and approved by the Local Planning Authority

40. Prior to the commencement of works to Blocks A1, A2 or public realm occupying the current area comprising the Coventry Retail Market service area and Rover Road, a servicing strategy shall be submitted to and approved by the local planning authority. The servicing strategy shall demonstrate how the Market will be adequately serviced during the operation of the approved

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development, including deliveries, pedestrian safety and waste management. All details shall be carried out as approved.

41. The existing extraction vent on the western elevation of Coventry Market shall not be decommissioned or removed until a suitable alternative means of extraction has been installed.

42. Prior to the removal of the existing boundary treatment to the south of the Lower Precinct Multi-Storey Car Park and the northern boundary of Block A1, full details of the height and specification of the interim boundary treatment shall be provided to and approved by the Local Planning Authority

43. Prior to commencement of the development for each phase of works a scheme of works to connect to the Coventry Heatline district energy scheme shall be submitted to and approved in writing by the Local Planning Authority, unless proven unviable. The approved scheme shall be implemented in full prior to occupation.

44. Prior to the construction of the new vehicular access basement ramp onto Queen Victoria Road the following details shall be submitted to and approved in writing by, the Local Planning Authority:

- (i) A road safety audit; and
- (ii) The provision of 2 metre by 2 metre visibility splays at the back of the footway on either side of the proposed access way.

All details shall be carried out as approved prior to the first use of the access and the visibility splays shall be retained thereafter with nothing in the visibility splay exceeding 600mm in height.

45. No phase of development (excluding any demolition or preparatory works) shall take place unless and until the following details for that phase have been submitted to and approved in writing by the Local Planning Authority:

- (i) a scheme of noise insulation to minimise the transmission of noise and vibration through the party wall(s) and ceiling(s) between residential and restaurant, bar and public house uses, including related outside activities associated with such uses.

- (ii) Details of all fixed plant and/or machinery to demonstrate that it will be operated in accordance with the established parameters set out within the approved Parameter Plans Document.

All details shall be carried out as approved and noise mitigation shall be retained thereafter.

46. The full component of the development hereby permitted shall be carried out in strict accordance with the following approved plans and documents: Drg

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No. 0451 Rev 00, 0900, 0901, 0902, 0903, 0904, 0905, 0906, 0907, 0908, 0909, 0910 and the Development Principles Document Revision B dated March 2021; and the outline component of the development hereby permitted shall be carried out in accordance with the following approved plans and documents: Development Principles Document March 2021 Revision B, Parameter Plans Document March 2021 Revision B, Parameter Plans - Land Use - Ground / First / Second Floors 0400 Rev 00, Parameter Plans - Land Use - Typical Upper Floor 0401 Rev 00, Parameter Plans - Proposed Development Plots - Ground Floor 0402 Rev 00, Parameter Plans - Proposed Development Plots - First Floor 0403 Rev 01, Parameter Plans - Proposed Development Plots - Second Floor 0404 Rev 00, Parameter Plans - Proposed Development Plots - Third Floor 0405 Rev 00, Parameter Plans - Proposed Development Plots - Typical Upper Floor 0406 Rev 01, Parameter Plans - Maximum Height Zones 0407 Rev 02, Parameter Plans - Minimum Height Zones 0408 Rev 02, Parameter Plans - Access and Movement 0409 Rev 00, Parameter Plans - Demolition/Retention Boundaries 0410 Rev 00, Application Boundary Areas Drg No.0451 Rev 00, Block A1 - Sections Sheet 1 0500 Rev 01, Block A2 - Sections Sheet 1 0501 Rev 01, Block B - Sections Sheet 1 0502 Rev 01, Block B - Sections Sheet 2 0503 Rev 01, Block B - Sections Sheet 3 0504 Rev 01, Block C - Sections Sheet 1 0505 Rev 02, Block D - Sections Sheet 1 0506 Rev 01, Block D - Sections Sheet 2 0507 Rev 01, Block A1 - Scale and Layout Elevations Sheet 1 of 2 0800 Rev 00, Block A1 - Scale and Layout Elevations Sheet 2 of 2 0801 Rev 00, Block A2 - Scale and Layout Elevations Sheet 1 of 2 0802 Rev 00, Block A2 - Scale and Layout Elevations Sheet 2 of 2 0803 Rev 00, Block B - Scale and Layout Elevations Sheet 1 of 2 0804 Rev 00, Block B - Scale and Layout Elevations Sheet 2 of 2 0805 Rev 00, Block C - Scale and Layout Elevations Sheet 1 of 2 0806 Rev 01, Block C - Scale and Layout Elevations Sheet 2 of 2 0807 Rev 01, Block A1 - Scale and Layout Plans 0810 Rev 00, Block A2 - Scale and Layout Plans 0811 Rev 00, Block B - Scale and Layout Plans Sheet 1 of 3 0812 Rev 00, Block B - Scale and Layout Plans Sheet 2 of 3 0813 Rev 00, Block B - Scale and Layout Plans Sheet 3 of 3 0814 Rev 00, Block C - Scale and Layout Plans Sheet 1 0815 Rev 01, Preliminary Geo-environmental Risk Assessment prepared by Cundall dated 09 November 2020 Revision B, Preliminary Ecological Appraisal and Preliminary Roost Assessment prepared by the Ecology Consultancy dated 11 November 2020 Version 1.0, Arboricultural Impact Assessment prepared by Arbeco dated 06 November 2020 Version 4.0, Archaeological Desk-Based Assessment prepared by RPS dated 15 November 2019 Rev 1, Archaeological Deposit Model prepared by RPS dated 27 October 2020 Rev 1, Archaeological Management Plan prepared by RPS dated 08 March 2021 Rev 1, Preliminary Ecological Appraisal and Preliminary Roost Assessment prepared by the Ecology Consultancy dated 11 November 2020 Version 1.0, Bat Surveys prepared by the Ecology Consultancy dated 11 November 2020 Version 1.0,

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City Centre South Transport Assessment prepared by Transport Planning Practice dated November 2020, Flood Risk Assessment prepared by Cundall dated 19 March 2021 Rev P04, Below Ground Drainage Strategy prepared by Cundall dated 19 March 2021 Rev P04, Pedestrian Level Wind Microclimate Assessment prepared by RWDI dated 13 November 2020 Rev B. The development hereby approved shall also be implemented in accordance with the conclusions and mitigation measures outlined in the Environmental Statement/Environmental Statement Supporting Documents submitted with planning application reference OUT/2020/2876 alongside the ES Volume IV Technical Appendices.

47. No development shall commence on any land which is Third Party Initially Unbound Land unless and until either in respect of any and all Relevant Interests in such Third Party Initially Unbound Land:

- a. such a Relevant Interest(s) is transferred to the Council, whereupon the Council shall enter into a Confirmatory Deed in respect of such Relevant Interest(s) (and whereupon such a Relevant Interest(s) in such land thereby becomes Council Owned Declared Bound Land); or
- b. a Confirmatory Deed is entered into by a person other than the Council in respect of such a Relevant Interest(s) in such Third Party Initially Unbound Land.

48. No development shall commence on any land which is Council Owned Declared Bound Land other than by or directly on behalf of the City Council as a developer unless and until a Confirmatory Deed is entered into by a successor in title to the Council in respect of all Relevant Interests in such City Council Owned Declared Bound Land.

49. No development shall commence on any land which is Unregistered Initially Unbound Land unless a Confirmatory Deed has been entered into in respect of all Relevant Interests in such Unregistered Initially Unbound Land.

REASONS FOR CONDITIONS

1. To conform with Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015)
2. To conform with Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015)
3. To conform with Section 92 of the Town and Country Planning Act 1990 (as amended)
4. To conform with Section 92 of the Town and Country Planning Act 1990 (as amended)

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5. To conform with Section 91 of the Town and Country Planning Act 1990 (as amended)
6. To ensure the development proceeds in accordance with the approved Parameters Plans and Development Principles Documents in accordance with Policies DE1 and HE2 of the Coventry Local Plan 2016, Policies CC1, CC2 and CC19 of the City Centre Area Action Plan 2017 and the aims and objectives of the NPPF.
7. To ensure a satisfactory standard of development within each phase and in the interests of visual and residential amenity in accordance with Policies DS3, DS4, DE1, AC1, AC2, AC4 and EM2 of the Coventry Local Plan 2016
8. In order to safeguard and enhance habitat on or adjacent to the site in order to secure an overall biodiversity gain in accordance with Policy GE3 of the Coventry Local Plan 2016
9. To protect the amenities of future occupiers from commercial noise and general disturbance in accordance with Policies DS3 and H3 of the Coventry Local Plan 2016.
10. To protect the amenities of future occupiers from commercial noise and general disturbance in accordance with Policies DS3 and H3 of the Coventry Local Plan 2016.
11. To ensure the safety and security of visitors, retail staff and future residents in accordance with Policies H3, DS3 and DE1 of the Coventry Local Plan 2016.
12. The agreement of a Demolition Management Plan prior to the commencement of each phase of development is fundamental to ensure a satisfactory level of environmental protection; to minimise disturbance to local residents and in the interests of highway safety during the construction process in accordance with Policies DS3, EM7, AC1 and AC2 of the Coventry Local Plan 2016.
13. The agreement of a Construction Management Plan prior to the commencement of each phase of development is fundamental to ensure a satisfactory level of environmental protection; to minimise disturbance to local residents and in the interests of highway safety during the construction process in accordance with Policies DS3, EM7, AC1 and AC2 of the Coventry Local Plan 2016.
14. The submission of these details prior to the commencement of development is fundamental to ensure that an appropriate record is made of the historic building fabric that may be affected by the development and to ensure that information regarding these heritage assets is preserved by record for this and future generations in accordance with Policy HE2 of the Coventry Local Plan 2016.
15. To ensure that all appropriate opportunities have been taken to ensure that the suitable re-siting of this non-designated heritage asset in accordance

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with Policy HE2 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.

16. To ensure the suitable re-siting of non-designated heritage asset public art within the development in accordance with Policy HE2 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.

17. The submission of these details prior to the commencement of development is fundamental to mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for this and future generations in accordance with Policy HE2 of the Coventry Local Plan 2016.

18. To safeguard health, safety and the environment and to ensure protection of Controlled Waters receptors, notably the groundwater present within the underlying made ground, alluvium and Keresley Member strata, as well as the River Sherbourne in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.

19. To safeguard health, safety and the environment and to ensure protection of Controlled Waters receptors, notably the groundwater present within the underlying made ground, alluvium and Keresley Member strata, as well as the River Sherbourne in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.

20. To safeguard health, safety and the environment and to ensure protection of Controlled Waters receptors, notably the groundwater present within the underlying made ground, alluvium and Keresley Member strata, as well as the River Sherbourne in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.

21. To safeguard health, safety and the environment and to ensure protection of Controlled Waters receptors, notably the groundwater present within the underlying made ground, alluvium and Keresley Member strata, as well as the River Sherbourne in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.

22. To safeguard health, safety and the environment and to ensure protection of Controlled Waters receptors, notably the groundwater present within the underlying made ground, alluvium and Keresley Member strata, as well as the River Sherbourne in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.

23. 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 the Water Framework Directive and Policies EM4 and EM5 of the Coventry Local Plan 2016 and the Supplementary Planning Document 'Delivering a More Sustainable City'.

24. 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 the Water Framework

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Directive and Policies EM4 and EM5 of the Coventry Local Plan 2016 and the Supplementary Planning Document 'Delivering a More Sustainable City'.

25. To safeguard the environment and to ensure protection of Controlled Waters receptors, notably the groundwater present within the underlying made ground, alluvium and Keresley Member strata, as well as the River Sherbourne in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.

26. To protect the Market basement from flooding and the safety of its users in accordance with Policies HE2 and DS3 of the Coventry Local Plan 2016.

27. The submission of these details prior to demolition is fundamental to ensure the bridge link is only removed in relation to the City Centre South redevelopment, that an appropriate record is made of the bridge link within its existing setting prior to removal and that appropriate balustrade and materials are secured in accordance with Policy HE2 of the Coventry Local Plan 2016, Policy CC2 of the City Centre Area Action Plan 2017 and the aims and objectives of the NPPF.

28. To ensure that a viable alternative servicing solution is agreed prior to the removal of the existing Coventry Market basement access ramp in accordance with Policy HE2 of the Coventry Local Plan 2016, Policy CC2 of the City Centre Area Action Plan 2017 and the aims and objectives of the NPPF.

29. To ensure the protection of this heritage asset in accordance with Policies DE1 and HE2 of the Coventry Local Plan 2016.

30. To ensure the protection of this heritage asset in accordance with Policies DE1 and HE2 of the Coventry Local Plan 2016.

31. The submission of these details prior to the commencement of development is fundamental to ensure certainty for relocation of the mural prior to removal, that an appropriate record is made of the mural within its existing and original context and that a prominent and fitting new location is agreed in accordance with Policy HE2 of the Coventry Local Plan 2016, Policy C2 and CC19 of the City Centre Area Action Plan 2017 and the aims and objectives of the NPPF.

32. To ensure the proper protection of the mural between its removal and its permanent re-siting in accordance with Policy HE2 of the Coventry Local Plan 2016, Policy CC2 and CC19 of the City Centre Area Action Plan 2017 and the aims and objectives of the NPPF.

33. To ensure the suitable re-siting of the mural within an appropriate timeframe in accordance with Policies DE1 and HE2 of the Coventry Local Plan 2016, Policy CC2 and CC19 of the City Centre Area Action Plan 2017 and the aims and objectives of the NPPF.

34. 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 DS3, AC3 and AC4 of the Coventry Local 2016.

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35. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GE1 and DE1 of the Coventry Local Plan 2016.
36. To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF
37. To secure local employment in accordance with the City Council jobs strategy and Policy JE7 of the Coventry Local Plan 2016.
38. To ensure the replacement and continued operation of this community facility prior to demolition of the existing site in accordance with Policy DS3 of the Coventry Local Plan 2016.
39. To ensure the replacement and continued operation of this facility prior to removal of the existing site in accordance with Policies AC1 and DS3 of the Coventry Local Plan 2016.
40. To facilitate the undisrupted operation of Coventry Market during development in accordance with Policies AC1 and DS3 of the Coventry Local Plan 2016.
41. To ensure the suitable replacement of this extraction vent in accordance with Policy DS3 of the Coventry Local Plan 2016.
42. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DE1 of the Coventry Local Plan 2016.
43. In the interests of sustainable development and renewable energy in accordance with Policy CC10 of the City Centre Area Action Plan and Policy EM7 of the Coventry Development Plan 2016.
44. In the interests of highway safety in accordance with the aims and objectives of Policies AC1 and AC2 of the Coventry Local Plan 2016.
45. To protect the amenities of future occupiers from commercial noise and general disturbance in accordance with Policies DS3 and H3 of the Coventry Local Plan 2016.
46. For the avoidance of doubt and in the interests of proper planning
47. To ensure development is carried out in accordance with the S106 Agreement.
48. To ensure development is carried out in accordance with the S106 Agreement, acknowledging that the Council has committed to compliance with the S.106 Agreement whilst it has (and to the extent it has) an interest in Council Owned Declared Bound Land.
49. To ensure development is carried out in accordance with the S106 Agreement.

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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 Development Plan set out below, and to all relevant material considerations, including the National Planning Policy Framework, the City Council's emerging Core Strategy 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 AC5: Bus and Rapid Transit
- 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 GB1: Green Belt and Local Green Space
- Policy GE1: Green Infrastructure
- Policy GE3: Biodiversity, Geological, Landscape and Archaeological-Conservation
- Policy GE4: Tree Protection
- Policy H1: Housing Land Requirements
- Policy H2: Housing Allocations
- Policy H3: Provision of New Housing
- Policy H4: Securing a Mix of Housing
- Policy H6: Affordable Housing
- Policy H9: Residential Density
- Policy IM1: Developer Contributions for Infrastructure
- Policy JE7: Accessibility to Employment Opportunities

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INFORMATIVES

- For the avoidance of doubt, this decision relates to the following drawings, letters or associated documentation that may have been submitted with the application.
- 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.

Requirement B5: Access and facilities for the fire service

Provisions covering access and facilities for the fire service are to safeguard the health and safety of people in and around the building. Their extent depends on the size and use of the building. Most firefighting is carried out within the building. In the Secretary of State's view, requirement B5 is met by achieving all of the following.

- a. External access enabling fire appliances to be used near the building.
- b. Access into and within the building for firefighting personnel to both:
 - i. search for and rescue people
 - ii. fight fire.
- c. Provision for internal fire facilities for firefighters to complete their tasks.

Vol 2 Buildings not fitted with fire mains

15.1 For small buildings (up to 2000m², with a top occupied storey that is a maximum of 11m above ground level), vehicle access for a pump appliance should be provided to whichever is the less onerous of the following.

- a. 15% of the perimeter.
- b. Within 45m of every point of the footprint of the building (see Diagram 15.1).

15.2 For all other buildings, provide vehicle access in accordance with Table 15.1.

Vol 2 Buildings fitted with fire mains

15.4 For buildings fitted with dry fire mains, both of the following apply.

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- a. Access should be provided for a pumping appliance to within 18m of each fire main inlet connection point. Inlets should be on the face of the building.
 - b. The fire main inlet connection point should be visible from the parking position of the appliance, and satisfy paragraph 16.10.
- Access routes and hardstandings should comply with the guidance in Table 15.2. Requirements can only apply to the site of the works.

Vol 1 Blocks of flats fitted with fire mains

13.5 For buildings fitted with dry fire mains, both of the following apply.

- a. Access should be provided for a pumping appliance to within 18m of each fire main inlet connection point. Inlets should be on the face of the building.
- b. The fire main inlet connection point should be visible from the parking position of the appliance, and satisfy paragraph 14.10.

13.6 For buildings fitted with wet fire mains, access for a pumping appliance should comply with both of the following.

- a. Within 18m, and within sight, of an entrance giving access to the fire main.
- b. Within sight of the inlet to replenish the suction tank for the fire main in an emergency.

Vol 1 Provision of fire mains

14.2 Buildings with firefighting shafts should have fire mains provided in both of the following.

- a. The firefighting stairs.
- b. Where necessary, in protected stairways.

The criteria for providing firefighting shafts and fire mains are given in Section 15.

Vol 1 14.3 Buildings without firefighting shafts should be provided with fire mains where fire service vehicle access is not provided in accordance with paragraph 13.2(a). In these cases, the fire mains should be located within the protected stairway enclosure, with a maximum hose distance of 45m from the fire main outlet to the furthest point inside each flat, measured on a route suitable for laying a hose.

Vol 1 Section 15: Access to buildings for firefighting personnel in flats. Provision of firefighting shafts

15.1 In low rise buildings without deep basements, access for firefighting personnel is typically achieved by providing measures for fire service vehicle access in Section 13 and means of escape.

15.2 A building with a storey more than 18m above the fire and rescue service

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vehicle access level should have one or more firefighting shafts, each containing a firefighting lift (Diagram 15.1). The number and location of firefighting shafts should comply with paragraphs 15.4 to 15.7. Firefighting shafts are not required to serve a basement that is not large or deep enough to need one (see paragraph 15.3 and Diagram 15.2).

15.3 A building with basement storeys should have firefighting shafts in accordance with the following.

- a. There is a basement more than 10m below the fire and rescue service vehicle access level. The firefighting shafts should contain firefighting lifts.
- b. There are two or more basement storeys, each with a minimum area of 900m². The firefighting shafts do not need to include firefighting lifts. The building's height and size determine whether firefighting shafts also serve upper storeys.

15.4 Firefighting shafts should serve all storeys through which they pass.

15.5 A minimum of two firefighting shafts should be provided to buildings with a storey that has both of the following.

- a. A floor area of 900m² or more.
- b. A floor level 18m or more above the fire and rescue service vehicle access level.

15.6 Firefighting shafts and protected stairways should be positioned such that every part of each storey more than 18m above the fire and rescue service vehicle access level complies with the maximum distances given in paragraph 15.7. Distances should be measured from the fire main outlet on a route suitable for laying a hose. NOTE: If the internal layout is not known, the distance should be measured at two-thirds of the direct distance.

15.7 In any building, the hose laying distance should meet all of the following conditions.

- a. A maximum of 60m from the fire main outlet in a firefighting shaft (see Diagram 15.3).
- b. Additionally, where sprinklers have not been provided in accordance with Appendix E, the hose laying distance should be a maximum of 45m from a fire main outlet in a protected stairway (although this does not imply that the protected stairway needs to be designed as a firefighting shaft (see Diagram 15.3)).

Wayfinding signage for the fire service

15.13 To assist the fire service to identify each floor in a block of flats with a top storey more than 11m above ground level (see Diagram D6), floor identification signs and flat indicator signs should be provided and meet all of the conditions.

Sprinklers

Where sprinklers in accordance with BS 9251:2014 or BS EN 12845:2015 are

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fitted throughout a house or block of flats;

a) the distance between a fire appliance and any point within the house (in houses having no floor more than 4.5m above ground level) may be up to the distance between the fire and rescue service pumping appliance and any point within the house or flat may be up to 75m (in houses or flats having one floor more than 4.5m above ground level) (BS 9991:2015 50.1.2);

Blocks of flats with a floor more than 30m above ground level should be fitted with a sprinkler system, throughout the building (ADB Vol 1, Section 7);

The approval of Building Control will be required to Part B of the Building Regulations 2010

Early liaison should be held with this Authority in relation to fixed firefighting facilities, early fire suppression and access;(ADB Vol 2, Section 7)

The external access provisions for a building should be planned to complement the internal access requirements for a fire attack plan. (CIBSE Guide E, Fire Safety Engineering 2010, p. 13-14)

Water supplies for firefighting should be in accordance with ADB Vol 2, Sec 16 and National Guidance Document on the Provision for Fire Fighting published by Local Government Association and WaterUK:

<https://www.water.org.uk/wp-content/uploads/2018/11/national-guidance-document-on-water-for-ffg-final.pdf>

For further information please contact the WMFS Water Office at the address given above or by email Water.Officer@wmfs.net

- **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 see <http://www.naturalengland.gov.uk>)

If evidence of protected species is found, work should stop immediately while Warwickshire Museum Ecology Unit (01926 418074) or Natural

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Coventry City Council

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

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

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

- **Appeal Rights: -**

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

The form to be used for an appeal is obtained from the Planning Inspectorate, Chartroom, Hawk Wing, Room 3/23 Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or you can access their website on **www.planning-inspectorate.gov.uk**

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

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

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Coventry City Council

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

- **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.

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

- **MINING INFORMATIVE**

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

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

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

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

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

Rob Back
Strategic Lead for Planning



Coventry City Council

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

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

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

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