

**Document Reference 2.6S**

**Town and Country Planning Act 1990**

**Acquisition of Land Act 1981**

**Local Government (Miscellaneous Provisions) Act 1976**

**Inquiry into:**

**THE COUNCIL OF THE CITY OF COVENTRY (CITY CENTRE SOUTH) COMPULSORY  
PURCHASE ORDER 2022**

**and**

**Town and Country Planning Act**

**Stopping-up of public highway**

**Summary Proof of Evidence**

**of**

**Liam D’Onofrio**

**Principal Town Planner at Coventry City Council**

**29th December 2022**

## **1. INTRODUCTION, QUALIFICATIONS AND EXPERIENCE.**

- 1.1 I, Liam D'Onofrio, am a Principal Town Planner at Coventry City Council. I hold a Bachelor of Arts Honours Degree and Diploma in Town and Country Planning from the University of Central England (now Birmingham City University) and I am a corporate member of the Royal Town Planning Institute - MRTPI.
- 1.2 I have 19 years planning experience having previously worked within Development Management at Solihull Metropolitan Borough Council, Bromsgrove District Council and Warwick District Council dealing with a wide range of planning applications in both an urban and rural context.
- 1.3 I was the case officer that dealt with the pre-application process and the planning and listed building consent applications associated with the City Centre South redevelopment scheme (the "Scheme"). In my evidence I set out the background to and need for the Scheme.
- 1.4 The assessment of planning and listed building consent applications relating to the Scheme have also relied on the expertise and input from colleagues within other Council Teams, including Urban Design, Conservation, Archaeology, Environmental Protection and Highways.

## **2. SCOPE OF EVIDENCE**

- 2.1 The scope of evidence within my proof of evidence is as follows:
- 2.1.1 History of planning permissions within the City Centre South development area (the "Site").
- 2.2.2 The need for regeneration within City Centre South and how this fits into the wider strategy for the region.
- 2.2.3 How the Scheme adheres with the local and national planning policy framework.
- 2.2.4 A summary of the planning permission, conditions and S106 provisions for the scheme together with details of any further planning approvals / Reserved Matters that may be required.

### **3. HISTORY OF PLANNING PERMISSIONS**

- 3.1 In my proof of evidence I set out a summary of the historic planning permissions relating to the redevelopment of City Centre South, with specific reference to planning permissions relevant to the Site.

### **4. REGENERATION WITHIN CITY CENTRE SOUTH**

- 4.1 It is the Council's long-standing desire to comprehensively redevelop and regenerate the southern part of the Coventry City Centre Primary Shopping Area. The demolition of Coventry Point, a 14-storey tower block, in 2019/20 presented a significant step in removing a physical barrier and created an uninterrupted pedestrian throughfare into the area by opening up the north-south route via Market Way.
- 4.2 The key planning policies relevant to the Consented Scheme are Local Plan Policy R2: 'Coventry City Centre – Development Strategy' (DR3.9) and the City Centre Area Action Plan ("CCAAP") Policies CC1 and CC19 (DR3.10). These state that the city centre will continue to be developed and regenerated to ensure it is a truly world class city centre, leading in design, sustainability and culture. The masterplan linked to Policy CC19 for the Primary Shopping Area regeneration – South is included as Appendix LDO1 to my proof of evidence.
- 4.3 The Consented Scheme provides for a mixed-use development within a sequentially preferable and sustainable city centre location. The Scheme will secure the positive enhancement of the city centre's retail and leisure offer to strengthen the city's sub regional role and its position as a focus for the entire sub-region and as a national and international destination to live, work and play in accordance with the aims and objectives of Local Plan Policy R and CCAAP Policy CC1.

### **5. PLANNING POSITION**

- 5.1 The 2022 Permission (DR3.2(a)) is a hybrid planning permission split into Part A (full), B and C (outline). The Parameter Plans Document sets out land use, proposed development plots, maximum and minimum height zones, access and movement and demolition / retention boundaries. The Development Principles Document sets out the mandatory and recommended development principles.
- 5.2 The impacts of the Consented Scheme upon designated and non-designated heritage assets formed an important part in determining the hybrid application. The Local Planning Authority identified through the planning process both substantial harm and less than substantial harm to certain designated heritage assets. The substantial harm was found to be necessary to achieve the substantial public benefits proposed by the Consented Scheme. These benefits were considered sufficient to outweigh the identified harm to designated heritage assets in accordance with NPPF (DR3.8). Additionally, the benefits delivered by the Consented

Scheme were considered to outweigh the potential harm to identified non-designated heritage assets in accordance with the NPPF.

- 5.3 The Consented Scheme was accompanied by Listed Building Consent applications LB/2020/2857 (DR 3.4) for the Coventry Market works and LB/2020/2860 (DR 3.5) for the removal and relocation of the Three Tuns Mural. These decisions were issued by the Secretary of State and conditions are reflected in the 2022 Permission (DR 3.2(a)).
- 5.4 The 2022 Permission was granted subject to conditions (relating to demolition/construction management, environmental protection, heritage protection, ecology, drainage and highway safety) and an associated section 106 agreement (DR3.2(b)).

## **6. DESIGN EVOLUTION**

- 6.1 SPRL and HRL were selected as a developer/funding partner for the Scheme. Work subsequently commenced on a review of the Consented Scheme to optimise the development and ensure the commercially viable delivery of a comprehensive regeneration scheme for the Site.
- 6.2 The Council's Planning and Urban Design Officers have worked with SPRL and HRL to assist in guiding the evolution of the Scheme. The proposed changes to the Consented Scheme will seek to retain the HMV Empire building (originally proposed for demolition) and alter elements of the bulk and massing set within the horizontal and vertical parameters plans to reflect the proposed changes to the quanta of development.
- 6.3 Like the Consented Scheme, the revised parameters proposed by the Refined Scheme maintain a mixed-use scheme with a large residential component and the changes in quanta are acceptable in principle.
- 6.4 An application for a non-material amendment pursuant to Section 96A of the TCPA was submitted to and approved by the Local Planning Authority prior to submission of the S73 Application. The S73 Application was submitted to the Local Planning Authority on 7 November 2022 and validated on 11 November 2022. A decision is pending at the time of writing this proof of evidence.
- 6.5 The S73 Application will be determined in accordance with the current development plan and other material considerations. That assessment has yet to be carried out and my evidence does not seek to pre-determine the outcome of that assessment. However, with those caveats it is considered that the S73 Application will be in overall accordance with the Development Plan, including the regeneration aims for the City Centre South area and the

changes will not diminish the broad scale of economic, social and environmental benefits generated by the Consented Scheme.

- 6.6 Given this position, together with the fact that the Development Plan has not materially changed since approval of the 2022 Permission, I consider that there should not be any impediment to the S73 Application being approved in due course.

## **7. STOPPING UP OF HIGHWAYS**

- 7.1 Section 10 'Stopping-Up of Highways' of Mr Russell Vaughan's Proof of Evidence (DR2.7) identifies the areas to be stopped up and associated plans in further detail

- 7.2 The Council as both Local Planning Authority and Local Highway Authority are content that the stopping-up of public highway is necessary for the Scheme to be implemented and agree that the orders should be confirmed.

## **8. CONCLUSION**

- 8.1 My proof sets out the long-term ambitions of the Council to regenerate the Southern part of the Coventry City Centre Primary Shopping Area, which is within an area where it is recognised that the existing townscape has buildings of a generally low-quality design set within a low-quality public realm.

- 8.2 It is recognised that:

8.2.1 It is essential that areas such as City Centre South shift from retail focussed activities to more dynamic, mixed-use developments with greater employment opportunities and a strong residential heart.

8.2.2 The existing predominantly low-rise post-war buildings present limited opportunity to adapt to these changes.

- 8.3 It is considered that the 2022 Permission presents an up-to-date redevelopment proposal that reflects the changes in shopping and working patterns that have evolved since the 2012 Permission.

- 8.4 The successful selection of Hill Residential Ltd in addition to Shearer Property Regen Ltd as a developer/funding partner for the City Centre South regeneration scheme has seen further advancement and optimisation of the Scheme, currently being considered via the S73 Application.

- 8.5 I consider that the public benefits generated by the S73 Application Scheme will be the same as the 2022 Permission in that it will contribute substantially to the economic, social and environmental wellbeing of the area. Together with the fact that the Development Plan has

not materially changed since approval of the 2022 Permission, I consider that there should not be any impediment to the S73 Application being approved in due course.