

Mr Gary Cardin
DRIVERS JONAS DELOITTE
4 BRINDLEYPLACE
BIRMINGHAM
B1 2HZ

**TOWN & COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT
PROCEDURE) ORDER 1995**

OUTLINE PLANNING APPLICATION

Application No. : **OUT/2012/0575**
Registered on : **27/03/2012**

Applicant : **COVENTRY CITY COUNCIL AND AVIVA INVESTOR
PENSIONS LIMITED**

Re Site at : **Coventry City Centre South, comprising land at Market
Way, Shelton Square, Bull Yard, Hertford Street, City
Arcade, Rover Road, Queen Victoria Road, Greyfriars Road
& Warwick Road**

Description of Development: Comprehensive redevelopment of Coventry City Centre South area, comprising demolition and alteration of buildings and structures and construction of anchor retail store and units accommodating shops, financial and professional services, cafes/ restaurants, public houses and hot food takeaways (use classes A1, A2, A3, A4, A5), hotel (use class C1), residential dwellings (use class C3), leisure uses (use class D2), new multi storey car park, servicing arrangements, public realm and engineering operations and other associated works and facilities and stopping up of public highway (outline application with all matters reserved).

Decision of Planning Committee on 31/05/2012

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



Coventry City Council

CONDITIONS

1. 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 before any part of that phase of the development (other than demolition or ground works) is commenced:-

- a) the layout of the phase and its relationship with existing adjoining development;
- b) the scale of the buildings;
- c) the appearance of the buildings;
- d) the means of access to the buildings and site;
- e) the landscaping of the site.

2. Application for approval of the matters referred to in Condition 1 above must be made within 5 years of the date of this permission.

3. The development to which this permission relates shall begin within 5 years of the date of permission or within 2 years of the final approval of the reserved matters, whichever is the later.

4. Prior to the commencement of development, details regarding the phasing of the development shall be submitted to and approved in writing by the local planning authority and such details shall include:

- a) a plan(s) showing the boundaries of each phase;
- b) temporary access arrangements for vehicles and pedestrians in respect of each phase;
- c) car parking arrangements in respect of each phase;
- d) bus stop provision in each phase; and
- d) any interim surface, boundary treatment, external lighting or landscaping measures.

Once approved the development of each phase shall be carried out in full accordance with such approved details or any subsequently approved amendments.

5. In respect of the Reserved Matters to be submitted in accordance with Condition 1 the floorspace of each use within each development block, the footprint for each block and the building heights within each block shall be within the minimum and maximum limits set down in Parameters Plans 4, 5 and 6 and Parameters Sections AA, BB, CC, DD, EE, FF, GG and HH forming part of the approved application documentation.

6. Prior to the submission of any Reserved Matters in respect of the development hereby permitted a master plan and design brief shall be submitted to and approved in writing by the local planning authority. These shall:

- a) Accord with Parameters Plans 1-6 and Parameters Sections AA, BB, CC, DD, EE, FF, GG and HH forming part of the approved application documentation;
- b) Define character areas within the development and principles regarding



Coventry City Council

building design, materials, elevational detailing and public realm hard/soft landscaping in respect of each character area;

c) Provide for widening of the ramped section of the pedestrian footway on Hertford Street, if following further investigation this is deemed feasible.

d) Incorporate grassed areas within the new square to be created at the southern end of Market Way;

e) Identify those trees to be retained or removed as part of the development and the number and location of new trees to be provided as compensation; and

f) Identify those existing public art features to be retained and the locations within the development to which those features will be relocated.

Any subsequent Reserved Matters applications shall accord with the approved master plan and design brief or any amendments to these subsequently approved in writing by the local planning authority.

7. The reserved matters to be submitted in accordance with Condition 1 for each phase shall include details of all earthworks, mounding and the finished floor levels of all buildings, together with details of existing and proposed site levels in that phase and the relationship with adjacent land and buildings.

8. The reserved matters to be submitted in accordance with Condition 1 for each phase shall include sample details of facing, roofing and hard surfacing materials for that phase, such details to include information on the recycled/reclaimed content of such materials. Thereafter the development shall be constructed in full accordance with such approved details or any amendment of these subsequently approved in writing by the local planning authority.

9. Any soft landscaping referred to in condition 1 in respect of each phase shall be completed in all respects within 6 months of the substantial completion of development in that phase. Any such landscaping removed, dying or becoming seriously damaged, defective or diseased within 5 years from the substantial completion of development in that phase shall be replaced within the next planting season with landscaping of a similar size and species to that which they replace. Any replacement hedging, trees or shrubs shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations.

10. Any demolition and construction works in respect of this Permission shall be undertaken in accordance with a Tree Protection Plan, Arboricultural Method Statement and Arboricultural Implications Assessment, in respect of those existing trees earmarked for retention under Condition 6 above, submitted to and approved in writing by the local planning authority.

11. The demolition/tree removal works hereby permitted in each phase shall be undertaken in the presence of a qualified bat worker and ecologist appointed by the applicant. All roofing material from buildings/structures to be demolished identified by the qualified bat worker as having greater than negligible potential for bats shall be removed by hand and any buildings/trees to be removed shall be inspected for nesting birds. Should evidence of bats



Coventry City Council

be found during such operations then demolition work shall cease immediately while Natural England and the local planning authority are consulted for further advice. Any subsequent recommendations or remedial works shall be implemented within the timescales agreed between the qualified bat worker and the local planning authority in consultation with Natural England. Notwithstanding any requirement for remedial works or otherwise, within one month of demolition works being undertaken in respect of that phase of development the qualified bat worker shall submit to the local planning authority a report of their findings. Should evidence of nesting birds be found during such operations then no buildings/trees occupied by such nesting birds shall be removed until after the young of those nesting birds shall have fledged unless otherwise agreed in writing by the local planning authority.

12. No development shall commence in respect of Block K, as identified on Parameters Plan 6 forming part of the approved application documentation, unless and until a reptile survey has been undertaken by a suitably qualified ecologist in respect of the site to be occupied by that block and the findings of that survey together with details of any mitigation measures considered necessary submitted to approved in writing by the local planning authority.

Thereafter any works in respect of the development of that Block shall be undertaken in full accordance with any approved reptile mitigation measures.

13. Any reserved matters to be submitted in accordance with Condition 1 containing details in respect of residential units (Use Class C3) with 2 or more bedrooms shall include a scheme for the provision of educational infrastructure to meet the needs of such development. Thereafter, following the implementation of that Reserved Matters approval educational infrastructure shall be provided for in full accordance with the approved scheme.

14. The reserved matters to be submitted in accordance with Condition 1 in respect of the new multi-storey car park shall include details in respect of:

- a) Accommodation and disabled car parking for the shop mobility service, unless an alternative location has been agreed in writing by the local planning authority in respect of such accommodation and car parking in accordance with Condition no.26;
- b) Disabled parking for visitors not utilising the shop mobility service;
- c) Motorcycle parking;
- d) Car parking for the proposed apartments;
- e) Electric vehicle charging points; and
- f) Ramped access to the basement of Coventry Retail Market.

Thereafter the multi-storey car park shall be constructed and operated at all times in full accordance with the details approved by the local planning authority.

15. No new floorspace within Blocks C,D,G, I or J as identified on Parameters Plan 6 forming part of the approved application documentation shall be occupied unless and until the multi-storey car park forming part of the approved scheme is operational. Thereafter this car park shall remain



Coventry City Council

operational at all times.

16. The multi-storey car park hereby permitted shall not be operational unless and until highway mitigation measures/works in respect of Ring Road Junctions 6 and 7, the junction of Greyfriars Road/Warwick Road and the access to that multi-storey car park from Greyfriars Road have been implemented and directional signage (which shall include Variable Message Signage relating to car parking space availability) has been installed in full accordance with details submitted to and approved in writing by the local planning authority, such details to be accompanied by a further Transport Assessment in respect of the detailed development proposals for the site. Such highway mitigation measures/works and signage shall remain in place at all times thereafter.

17. No more than 1228 car parking spaces shall be provided at any time within the multi-storey car park hereby permitted.

18. Use of the existing ramp to the basement of Coventry Retail Market from Rover Road shall not cease unless and until the new ramped access to that basement from the multi-storey car park has been constructed and is operational.

19. No new floorspace in respect of any phase of the development hereby permitted shall be occupied unless and until covered cycle parking has been provided in connection with that phase in full accordance with details submitted to and approved in writing by the local planning authority. Thereafter such cycle parking shall remain in place at all times.

20. The reserved matters to be submitted in accordance with Condition 1 in respect of any single unit exceeding 1000 square metres gross floorspace shall provide for showering and changing facilities for employees in respect of that unit. Thereafter such approved facilities shall be provided for in the construction of that unit and following the first occupation of that unit those facilities shall remain in place and be available for use by persons employed in that unit at all times.

21. The multi-storey car park hereby permitted shall not be operational unless and until provision has been made for cyclists on Greyfriars Road, Queen Victoria Road and Corporation Street between Warwick Road and Spon Street in accordance with details submitted to and approved in writing by the local planning authority. Thereafter the approved provision shall remain in place at all times.

22. The Reserved Matters to be submitted in accordance with Condition 1 shall define those public realm areas within the development which shall be pedestrianised and shall include details on how access to those areas for emergency vehicles and servicing will be controlled. Thereafter such pedestrianised areas shall be constructed in full accordance with those approved details.

23. Prior to the substantial completion of construction works in respect of the first new or refurbished building hereby approved a Travel Plan Co-ordinator shall be appointed and thereafter that person shall implement in full, in respect of the development, the Travel Plan forming part of the approved application documentation, or such other Travel Plan as may be approved in writing by the local planning authority. Such implementation shall include

Group manager Planning and
Building Control



Coventry City Council

annual monitoring of the Travel Plan with the results of such monitoring being used to inform priorities in respect of Travel Plan measures for the year ahead. The appointment of the Travel Plan Co-ordinator or operation of the approved Travel Plan shall not be terminated or suspended without the prior written approval of the local planning authority.

24. No building erected under this Permission shall be occupied unless and until servicing arrangements in respect of that building have been provided in full accordance with Reserved Matters details previously submitted to and approved in writing by the local planning authority. Any servicing arrangements in respect of development in Blocks A-E as identified on Parameters Plan 6 forming part of the approved application documentation, shall include measures to ensure that conflict is minimised between inbound and outbound articulated vehicles on Barracks Way. Thereafter such servicing arrangements shall remain in place and be available for use by the occupiers of that building at all times.

25. The existing taxi rank in Rover Road shall not be closed unless and until a replacement taxi rank has been provided in accordance with details submitted to and approved in writing by the local planning authority. Thereafter that replacement taxi rank shall remain in place at all times.

26. The shopmobility accommodation and associated disabled car parking currently provided at ground floor level within the Barracks multi-storey car park shall remain in place and available for such use unless and until temporary provision has been made for shopmobility accommodation and associated disabled car parking during construction works in accordance with details submitted to and approved in writing by the local planning authority. Within 3 months of the substantial completion of construction works in respect of redevelopment of the existing Barracks multi-storey car park site and the new multi-storey car hereby permitted, permanent provision shall be made for shopmobility accommodation and associated disabled car parking in the new multi-storey car park in accordance with condition 14 or in another City Centre location in accordance with details submitted to and approved in writing by the local planning authority and thereafter such shopmobility accommodation and associated disabled car parking shall remain in place and be available for such use at all times.

27. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site and any report of the findings must be submitted to and approved in writing by the local planning authority prior to first occupation. 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 11', must include;

- a) a survey of the extent, scale and nature of contamination;
- b) an assessment of the potential risk to; human health, property (existing or proposed) including buildings, service lines and pipes, adjoining land, groundwaters and surface waters; and
- c) an appraisal of remedial options, and proposal of the preferred option(s).

28. The development shall be undertaken in accordance with a detailed



Coventry City Council

remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment which shall have been 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.

29. The local planning authority must be given two weeks written notification of the developer's intention to commence work on the approved remediation scheme. Following completion of the approved scheme, a verification report which confirms the effectiveness of the remediation works carried out must be prepared and submitted to the local planning authority. No part of the development shall be occupied unless and until the verification report has been submitted to and approved in writing by the local planning authority.

30. 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 no.27 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition no.28, 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 no.29.

31. Piling or any other foundation designs using penetrative methods, shall not be used unless it is demonstrated by a piling risk assessment or other approved method that the foundations proposed would not pose an unacceptable risk to groundwater. In the event that a risk assessment is required in accordance with this condition, this shall be submitted to and approved in writing by the local planning before any piling works or other foundation works which rely on penetrative methods are undertaken. The development shall thereafter be carried out in accordance with the approved details unless modifications are agreed in writing by the local planning authority.

32. Prior to the commencement of any phase of the development a risk assessment/survey in respect of unexploded ordnance within the part of the site covered by that phase shall be undertaken and submitted in writing to the local planning authority for approval. Thereafter construction works shall be undertaken in that phase in full accordance with the recommendations of the approved risk assessment/survey.

33. Fume extraction and odour control equipment (including external ducting flues) associated with any catering operation shall be properly installed in its entirety in accordance with details first submitted to and approved in writing by the local planning authority and such installation shall



Coventry City Council

have been inspected by the City Council before that catering operation commences. Any external ducting shall be colour coated in accordance with the approved details within one month of its installation and any replacement or modification shall be colour coated to match within one month of its installation. The equipment shall be permanently operated and maintained in accordance with the manufacturer's specifications.

34. Prior to the commencement of development, including demolition works, a Site Waste Management Plan covering both the construction and operational phases of the development shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be constructed and operated in full accordance with the approved Site Waste Management Plan or any amendments to it subsequently approved in writing by the local planning authority.

35. The reserved matters to be submitted in accordance with Condition 1 in respect of any residential dwellings shall include details on how the interior of those dwellings will be insulated against noise pollution from the external environment and adjacent commercial units so that they achieve the 'good' standard as set down in BS8233 (1999) 'Sound Insulation and Noise Reduction for Buildings - Code of Practice'. Thereafter those dwellings shall be constructed in a manner which incorporates fully the approved mitigation measures and such measures shall remain in place at all times.

36. Any internal or external plant or machinery shall be installed and operated only in full accordance with details submitted to and approved in writing by the local planning authority. Such details shall include a Noise Assessment undertaken in accordance with BS4142 'Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas' which shall demonstrate that noise from the plant or machinery would be at least 10dB below existing (LA90) noise levels at all times, taking account of any corrections for tonal noise, at a distance of 1 metre from the façade of the nearest residential accommodation falling within Use Class C3 of the Town & Country Planning (Use Classes) Order 1987 as amended. This Noise Assessment shall also include details, where necessary, of any noise attenuation measures required to achieve the above standard.

37. Unless otherwise approved in writing by the local planning authority, any amplified music, speech or other sound played within the curtilage of any new build or refurbished unit falling within Use Classes A1, A2, A3, A4, A5 or D2 of the Town & Country Planning (Use Classes) Order 1987 as amended shall be in full accordance with details submitted to and approved in writing by the local planning authority. Such details shall include a Noise Assessment in respect of such amplified music, speech or sound which examines likely maximum noise levels and low frequency noise and assesses these against existing background noise levels. The Assessment shall also, where necessary, include details of any noise attenuation measures and/or a noise management plan.

38. Prior to the commencement of development a Construction Environment Management Plan (CEMP) which shall cover at least those matters referred to in paragraph 6.58 of the Environmental Statement forming



Coventry City Council

part of the approved application documentation, shall be submitted to and approved in writing by the local planning authority. Thereafter the approved CEMP shall be implemented in full for the duration of construction works within the application site.

39. The development hereby approved shall not commence until details for the disposal of foul sewage and details of a surface water drainage scheme for the site, based on sustainable drainage principles where appropriate and an assessment of the hydrological and hydrogeological context of the development, have been submitted to and approved in writing by the local planning authority. Unless otherwise approved in writing by the local planning authority such details shall be in accordance with the Flood Risk Assessment forming part of the approved application documentation and in this regard shall limit surface water run-off in respect of the development to a maximum of 80% of current run-off rates across a range of storms. The approved details shall subsequently be implemented before the development is first brought into use.

40. Development in respect of any new building within that part of the application site lying in Flood Zone 2, as identified on the Environment Agency's flood maps, shall proceed in accordance with flood mitigation measures submitted to and approved in writing by the local planning authority which shall include details in respect of how finished floor levels and unit access points will be designed to minimise flood risk threats. Thereafter such mitigation measures shall remain in place at all times.

41. The Reserved Matters to be submitted in accordance with Condition 1 for each phase shall include details of external lighting and external CCTV camera provision to buildings and public realm areas within that phase. The approved external lighting and external CCTV infrastructure shall be installed prior to the first use of any new or refurbished buildings or substantially completed public realm areas in that phase and thereafter shall remain in place at all times.

42. No lighting or illumination of any external part of any building or the site shall be installed or operated unless and until details of such lighting/illumination have been submitted to and approved in writing by the local planning authority and such works, and use of that lighting/illumination, shall be carried out and operated only in full accordance with those approved details or any amendments subsequently approved in writing by the local planning authority.

43. Before the building(s) hereby approved is/are first occupied provision for disabled people to gain access in and throughout that building shall have been made in accordance with details submitted to and approved in writing by the local planning authority. No alterations to such access arrangements shall thereafter be made without the prior approval of the local planning authority and any equipment forming part of such arrangement shall be kept available for use by disabled people.

44. Any reserved matters submitted in accordance with condition 1 relating to the erection of buildings shall include an Energy Assessment detailing energy efficiency, renewable energy generation and water conservation measures to be put in place in respect of those buildings. Development of



Coventry City Council

those buildings shall incorporate in full the approved measures and such measures shall remain in place at all times thereafter.

45. The Reserved Matters to be submitted in accordance with Condition 1 for each phase shall include details regarding the mix of unit sizes and uses within Use Classes A1-A5 of the Town & Country Planning (Use Classes) Order 1987 as amended, to be provided within each development block in that phase as defined on Parameters Plan 6 forming part of the approved application documentation. Development within that phase shall thereafter be undertaken in full accordance with such approved details or any amendments subsequently approved in writing by the local planning authority.

46. No development other than demolition works (but excluding the removal of any foundations or sub structures) in any phase shall take place unless and until a programme of archaeological works and investigations has been undertaken for that phase in accordance with a written scheme of investigation (which shall include details in respect of the recording, post excavation analysis, publication and depositing of the archive arising from such works and investigations) submitted to and approved in writing by the local planning authority.

47. Following completion of the archaeological works and investigations undertaken in accordance with Condition no.46 in respect of any phase of the development and prior to the commencement of development other than demolition works (but excluding the removal of any foundations or sub structures) in that phase details shall be submitted to and approved in writing by the local planning authority regarding the manner in which any archaeological remains are to be preserved insitu. Thereafter development in that phase shall be undertaken in strict accordance with such approved details.

48. Within 12 months of the completion of the archaeological works and investigations undertaken in accordance with Condition no.46 in any phase of the development, or such other timescales as may be agreed in writing by the local planning authority, the post excavation analysis, publication and depositing of the archive arising from those works and investigations in that phase shall have been undertaken in full accordance with the details approved under that condition and the documentation provided in respect of the final phase of development shall include a summary of post excavation analysis undertaken in respect of the application site as a whole.

49. No development (including any demolition works) shall take place within any phase of the development unless and until a programme of historic building recording in respect of that phase has been undertaken in accordance with details submitted to and approved in writing by the local planning authority.

50. Construction works in respect of Blocks F or G, as shown on approved Parameters Plan 6, shall not commence unless and until Reserved Matters have been submitted to and approved in writing by the local planning authority in accordance with Condition 1 in respect of both these blocks. Those approved details shall provide for the re-configuration of residential accommodation within Block F and/or the detailed design of Block G so that



Coventry City Council

the daylight received at the centre of any upper floor south elevation window serving a habitable room within the approved scheme for Block F shall, with Block G fully constructed, comply with the requirements set down in Building Research Establishment Report 209 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' unless otherwise approved in writing by the local planning authority. Thereafter construction of Blocks F and G shall be undertaken in full accordance with such approved details or any amendments subsequently approved in writing by the local planning authority.

51. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no windows or openings shall be formed in the south west facing rear elevation of Block I, as shown on approved Parameters Plan 6, without the written approval of the local planning authority and if any windows are subsequently approved they shall only be glazed or re-glazed in accordance with such approved details and any opening part of any window shall be at least 1.7 metres above the floor of any room in which the window is installed.

REASONS FOR CONDITIONS

1. To comply with Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.
2. To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
3. To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
4. To ensure that, in the event of the development being carried out on a phased basis, satisfactory access and interim environmental treatment is incorporated within each phase, in the interests of public safety and visual amenity in accordance with Policies AM22 and BE2 of the Coventry Development Plan 2001
5. To define the permission hereby granted and to ensure that the application site is not developed in an overly intensive manner harmful to highway safety and visual amenity contrary to Policies BE2 and AM22 of the Coventry Development Plan 2001.
6. In the interests of visual amenity in accordance with Policies BE2, BE18 and GE14 of the Coventry Development Plan 2001.
7. To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policy BE2 of the Coventry Development Plan 2001.
8. To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area and in the interests of promoting sustainable development in accordance with Policies BE2 and OS4 of the Coventry Development Plan 2001
9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE2 & BE20 of the Coventry Development Plan 2001.

Application reference: OUT/2012/0575
Dispatched on: 31/05/2012
DNOAPP JUL2011

Group manager Planning and
Building Control



Coventry City Council

10. To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy GE14 of the Coventry Development Plan 2001.
11. To safeguard protected species in accordance with Policy GE15 of the Coventry Development Plan 2001.
12. To safeguard protected species in accordance with Policy GE15 of the Coventry Development Plan 2001.
13. To ensure that educational infrastructure impacts arising from the development are addressed in accordance with Policy OS10 of the Coventry Development Plan 2001.
14. In the interests of disabled access, sustainable transport and highway safety in accordance with Policies OS4, OS9 and AM22 of the Coventry Development Plan 2001.
15. In the interests of highway safety in accordance with Policy AM22 of the Coventry Development Plan 2001.
16. In the interests of highway safety in accordance with Policies CC10 and AM22 of the Coventry Development Plan 2001.
17. In the interests of highway safety in accordance with Policies CC10 and AM22 of the Coventry Development Plan 2001.
18. In the interests of highway safety in accordance with Policy AM22 of the Coventry Development Plan 2001.
19. To promote sustainable transport choices in accordance with Policies AM1 and AM12 of the Coventry Development Plan 2001.
20. To promote sustainable transport choices in accordance with Policies AM1 and AM12 of the Coventry Development Plan 2001.
21. To promote sustainable transport choices and in the interests of highway safety in accordance with Policies AM1, AM12 and AM22 of the Coventry Development Plan 2001.
22. In the interests of pedestrian and highway safety in accordance with Policy AM22 of the Coventry Development Plan 2001.
23. To promote sustainable transport choices in accordance with Policy AM1 of the Coventry Development Plan 2001.
24. In the interests of highway safety in accordance with Policy AM22 of the Coventry Development Plan 2001.
25. To ensure the safeguarding of existing taxi ranking facilities in accordance with Policy AM1 of the Coventry Development Plan 2001.
26. In the interests of access for disabled persons in accordance with Policy OS9 of the Coventry Development Plan 2001.
27. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Development Plan 2001.
28. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development



Coventry City Council

can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Development Plan 2001.

29. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Development Plan 2001.

30. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Development Plan 2001.

31. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Development Plan 2001.

32. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Development Plan 2001.

33. To ensure that the premises are not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties in accordance with Policy EM5 of the Coventry Development Plan 2001.

34. In the interests of visual amenity and public health in accordance with Policies BE2 and EM5 of the Coventry Development Plan 2001.

35. In the interests of residential amenity in accordance with Policy EM5 of the Coventry Development Plan 2001.

36. In the interests of residential amenity in accordance with Policy EM5 of the Coventry Development Plan 2001.

37. In the interests of residential amenity in accordance with Policy EM5 of the Coventry Development Plan 2001.

38. In the interests of highway and public safety in accordance with Policies AM22 and EM5 of the Coventry Development Plan 2001.

39. To minimise the risk of flooding and to provide for satisfactory drainage arrangements in accordance with Policy EM4 of the Coventry Development Plan 2001.

40. To mitigate harm in respect of flooding in accordance with Policy EM4 of the Coventry Development Plan 2001.


41. In the interests of visual amenity and community safety in accordance with Policies BE2 and BE21 of the Coventry Development Plan 2001.

42. In the interests of amenity in accordance with Policy EM8 of the

Application reference: OUT/2012/0575

Dispatched on: 31/05/2012

DNOAPP JUL2011


Group manager Planning and
Building Control



Coventry City Council

Coventry Development Plan 2001.

43. In order to secure the satisfactory provision of facilities and access for disabled persons in accordance with Policy OS9 of the Coventry Development Plan 2001.

44. To promote sustainable development in accordance with Policy OS4 of the Coventry Development Plan 2001.

45. To ensure that adequate provision is made within the development for small traders and to ensure that the majority of new development within the scheme is shopping floorspace in the interests of promoting the vitality and viability of Coventry City Centre in accordance with Policies S1 and CC13 of the Coventry Development Plan 2001.

46. In order to ensure any remains of archaeological importance, which help to increase our understanding of the City's historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy BE15 of the Coventry Development Plan 2001.

47. In order to ensure any remains of archaeological importance, which help to increase our understanding of the City's historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy BE15 of the Coventry Development Plan 2001.

48. In order to ensure any remains of archaeological importance, which help to increase our understanding of the City's historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy BE15 of the Coventry Development Plan 2001.

49. To ensure the appropriate recording of features or buildings before development commences that are important to the understanding of the City's historical development in accordance with Policy BE14 & BE15 of the Coventry Development Plan 2001.

50. To ensure the amenities of adjoining residential occupiers are not detrimentally affected through loss of daylight in accordance with Policy BE2 of the Coventry Development Plan 2001.

51. To ensure the amenities of adjoining residential occupiers are not detrimentally affected through overlooking or loss of privacy in accordance with Policy BE2 of the Coventry Development Plan 2001.

The decision to grant planning permission has been taken having regard, in particular to the policies and proposals in the Regional Spatial Strategy, Coventry Development Plan 2001 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:

AM1 - AN INTEGRATED, ACCESSIBLE AND SUSTAINABLE TRANSPORT STRATEGY

AM12 - CYCLING IN NEW DEVELOPMENTS

Application reference: OUT/2012/0575

Dispatched on: 31/05/2012

DNOAPP JUL2011

Group manager Planning and
Building Control



Coventry City Council

AM22 ROAD SAFETY IN NEW DEVELOPMENTS
AM3 BUS PROVISION IN MAJOR NEW DEVELOPMENTS
AM9 PEDESTRIANS IN NEW DEVELOPMENTS
BE1 OVERALL BUILT ENVIRONMENT STRATEGY
BE11 ALTERATION OR EXTENSION OF LISTED BUILDINGS
BE13 : DEMOLITION OF LISTED BUILDINGS
BE15 : ARCHAEOLOGICAL SITES
BE18 PUBLIC ART
BE2 : THE PRINCIPLES OF URBAN DESIGN
BE20 LANDSCAPE DESIGN AND DEVELOPMENT
BE21 SAFETY AND SECURITY
BE9 DEVELOPMENT IN CONSERVATION AREAS
CC1 CITY CENTRE STRATEGY
CC10 PUBLIC CAR PARKING
CC11 SPARKLING THROUGH GOOD QUALITY DESIGN AND
MANAGEMENT
CC12 DISTINCTIVE AREAS
CC13 THE CENTRAL SHOPPING AREA
CC16 BARRACKS DEVELOPMENT
CC2 A VIBRANT AND ENTERTAINING MARKET PLACE
CC3 A LIVING HEART
CC6 WARM AND WELCOMING PUBLIC SPACES
CC8 ACCESSIBLE TO ALL
E4 HOTELS, CONFERENCE AND TRAINING ACCOMMODATION
E8 : REDEVELOPMENT OF EXISTING EMPLOYMENT SITES
EM2 AIR QUALITY
EM4 FLOOD RISK AND DEVELOPMENT
EM5 POLLUTION PROTECTION STRATEGY
EM6 CONTAMINATED LAND
EM8 LIGHT POLLUTION
GE14 PROTECTION OF LANDSCAPE FEATURES
GE15 DESIGNING NEW DEVELOPMENT TO ACCOMMODATE WILDLIFE
H12 DESIGN AND DENSITY OF HOUSING DEVELOPMENT
H9 WINDFALL ADDITIONS TO HOUSING LAND SUPPLY
Planning Obligations
OS4 : CREATING A MORE SUSTAINABLE CITY
OS5 : ACHIEVING A HIGH QUALITY CITY
OS7 : MIXED LAND USE
OS9 : ACCESS BY DISABLED PEOPLE
RSS-CF1 Housing within Major Urban Areas
RSS-EN1 Energy Generation
RSS-PA1 Prosperity for All
RSS-PA11 The network of Town and City Centres
RSS-QE1 Conserving and Enhancing the Environment
RSS-QE3 Creating a high quality built environment for all
RSS-QE5 Protection and Enhancement of the Historic Environment
RSS-QE9 The Water Environment
RSS-T2 Reducing the need to travel

Application reference: OUT/2012/0575
Dispatched on: 31/05/2012
DNOAPP JUL2011

Group manager Planning and
Building Control



Coventry City Council

RSS-T3 Walking and Cycling

RSS-T4 Promoting Travel Awareness

RSS-T7 Car Parking Standards and Management

RSS-UR1 Implementing the Urban Renaissance- hte MUAs

RSS-UR3 Enhancing the Role of City, Town and District Centres

S1 : SHOPPING STRATEGY

S10 : CATERING OUTLETS

SCL14 : RE-USE OR REDEVELOPMENT OF FACILITIES

SCL2 : LARGE SOCIAL, COMMUNITY, LEISURE AND INDOOR SPORTS FACILITIES

Delivering a More Sustainable City (January 2009))

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.

Covering Letter dated 27/03/2012;

Planning Application Form;

Ownership Certificate C/Agricultural Holdings Certificate;

Notice Under Article 11 & Planning Application Notification Schedule;

3926/BNY-20-01 Rev A00 - Site Location Plan;

Amended Parameters Document incorporating

3968/BNY-MA-20-001 Rev A00 - Parameters Plan 1 Demolition And Retention

3968/BNY-MA-20-001 Rev A00 - Parameters Plan 2 Key Pedestrian Routes

3968/BNY-MA-20-001 Rev A00 - Parameters Plan 3 Means of Vehicular Access

3968/BNY-MA-20-001 Rev A01 - Parameters Plan 4 Vertical Limits of Deviation;

3968/BNY-MA-20-001 Rev A00 - Parameters Plan 5 Horizontal Limits of Deviation;

3968/BNY-MA-20-001 Rev A01 - Parameters Plan 6 Land Use Plan

3968/BNY-MA-22-AL01 Rev A01 - Parameters Sections AA, BB, CC & DD

3968/BNY-MA-22-AL01 Rev A01 - Parameters Sections EE, FF, GG & HH;

3968/BNY-20-01 Rev A00 - Illustrative Masterplan Ground Floor;

3968/BNY-20-02 Rev A00 - Illustrative Masterplan First Floor;

3968/BNY-20-03 Rev A00 - Illustrative Masterplan Second Floor;

3968/BNY-20-04 Rev A00 - Illustrative Masterplan Third-Fourth Floors;

3968/BNY-20-05 Rev A00 - Illustrative Masterplan Fifth Floor;

Amended Design & Access Statement;

Environmental Statement Volume 1;

Environmental Statement Volume 2 (Appendices excluding FRA);

Tracy Daule

Application reference: OUT/2012/0575

Dispatched on: 31/05/2012

DNOAPP JUL2011

Group manager Planning and
Building Control



Coventry City Council

Environmental Statement Volume 3 - Transport Assessment & Framework Travel Plan;

Environmental Statement - Non Technical Summary;

Supporting Planning Statement;

Statement of Consultation & Engagement;

Sustainability Statement;

Arboricultural Assessment;

Revised Flood Risk Assessment April 2012 with Appendices;

Stopping Up Plan;

Letter from Agent 29/05/12;

Daylight/sunlight Addendum Letter 30/05/12;

Updated VSC Table Beauchamp Ho;

Updated VSC Table Vicroft Court.

- 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.

The applicant is requested to ensure that provision is made within the scheme for public toilets at detailed design stage.

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

* You are advised that the responsibility for the safe/secure occupancy of the land rests with the developer and that the City Council gives no warranty that the site will not in the future be the subject of flood risk.

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

- **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>)

Group manager Planning and
Building Control



Coventry City Council

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

- 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



Coventry City Council

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: -

Planning Control (CC4 2.01),
City Development Directorate,
Civic Centre 4,
Much Park Street,
Coventry CV1 2PY

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

Group manager Planning and
Building Control



Coventry City Council

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.

Application reference: OUT/2012/0575
Dispatched on: 31/05/2012
DNOAPP JUL2011

Group manager Planning and
Building Control



Coventry City Council

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

OUT/2012/0575

Group manager Planning and
Building Control