

Planning Committee Report	
Planning Ref:	OUT/2020/2876, LB/2020/2875, LB/2020/2860
Site:	City Centre South
Ward:	St Michaels
Proposal:	<p>OUT/2020/2876 - Hybrid planning application for:</p> <p>Full application:</p> <p>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;</p> <p>Outline application:</p> <p>B. For part of the site (as defined within the Application Boundary Area plan) 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</p> <p>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 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.</p> <p>LB/2020/2857 - Listed Building Consent 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</p>

	<p>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.</p> <p>LB/2020/2860 – Listed Building Consent for: Removal and relocation of the Grade II listed William Mitchell Mural from the front elevation to a new location to be agreed in writing with Coventry City Council in consultation with Historic England.</p>
Case Officer:	Liam D’Onofrio

SUMMARY

The scheme proposes a comprehensive, new mixed-use regeneration scheme within Coventry City Centre, introducing a greater variety of uses to reinforce the existing city centre retail and leisure offer, as well as create a distinctive new piece of city in which to live, work and play.

The hybrid planning application is split into a Full and Outline planning application. The Full element relates to works proposed to Listed Buildings (Grade II Listed Coventry Market and Three Tuns Mural), which require full planning permission (as well as separate Listed Building Consent applications). The Outline element encompasses the wider application site and seeks to establish the principle of re-development within a truly flexible permission to enable future developers to submit a Reserved Matters planning application for each of the different development blocks within the agreed parameters of this Outline permission, as set out in the proposed Parameter Plans Document and Development Principles Document.

The works to the Grade II Listed Coventry Market and Three Tuns Mural require separate Listed Building Consent and all three applications have all been included within one report. There are objections from the Twentieth Century Society and therefore the Listed Building Consent applications need to be referred to the Secretary of State to consider whether or not they wish to intervene.

BACKGROUND

It has long been the ambition of Coventry City Council to regenerate the Southern part of the Primary Shopping Area. These principles were set out in the Jerde Master plan prepared for the City Council in 2008/2009.

Following preparation of the Jerde Master plan a full options appraisal looking at locations for the first phase of City Centre regeneration was undertaken by Council Officers. The appraisal identified the southern area of the pedestrianised precinct as the optimum location in this regard. The options appraisal findings were endorsed by Cabinet in September 2009.

In March 2012 Outline planning application OUT/2012/0575 was submitted for the comprehensive redevelopment of Coventry City Centre South area. This application was granted at Planning Committee on 31st May 2012. The scheme was primarily comprised

of retail uses built around a large anchor department store and only a small number of residential units proposed, up to 40 one and two-bedroom units. As the role and function of town centres changed nationally and the demand for retail space in city centres declined this development did not progress further.

The 2012 scheme also proposed the removal of the bridge link between Coventry Market roof top car park and roof top car parking over existing units on Market Way, and reinstatement works to roof top car park surface and balustrade, which was granted Listed Building Consent (reference: LB/2012/0571) by the Secretary of State on 18th June 2012.

The 2012 scheme also proposed the removal and relocation of the Grade II Listed Three Tuns Mural within Bull Yard, which was granted Listed Building Consent (reference: LB/2012/0572) by the Secretary of State on 18th March 2013.

Nevertheless the area has continued to be identified as a focus for holistic redevelopment and Policy CC19 of the Council's City Centre Area Action Plan (CCAAP), adopted in December 2017, stated that the regeneration of the Southern part of the Primary Shopping Area (the City Centre South site) will be promoted, encouraged and supported. The City Council proceeded with the demolition of the Coventry Point office block in 2020, to enable an uninterrupted pedestrian thoroughfare from Market Way into the City Centre South site and the Nationwide building was also removed from beneath Broadgate House improving pedestrian linkages between Hertford Street and Broadgate Square.

The current proposals brought forward by the Shearer Property Regen Limited (SPRL) in partnership with Coventry City Council provide a much greater ratio of residential space to retail space, alongside other mixed town centre uses comprising hotel, office, leisure and commercial uses. The provision of up to 1300 residential units (Class C3) will reintroduce a community into the area where there is currently an absence of conventional residential dwellings. The retail element focusses upon quality not quantity, with smaller units that will allow future adaptability. The existing Grade II listed Coventry Market and proposed Pavilion building will become the new 'anchors' at the heart of the scheme.

KEY FACTS

Reason for report to committee:	More than five letters of objection have been received
Current use of site:	Primarily retail, with other mixed town centre uses comprising office, leisure, commercial and car parking.
Proposed use of site:	Mixed-use including up to 1300 residential units (Class C3), a hotel with up to 150 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 Food Takeaway / Cinema uses and 90-300 car parking spaces.

RECOMMENDATION

Planning committee are recommended to delegate the granting of planning permission OUT/2020/2876 and the associated applications for Listed Building Consent reference LB/2020/2875 and LB/2020/2860 to the Strategic Lead for Planning, subject to the conditions listed in the report and the completion of a S106 Legal Agreement to secure the review of contributions and obligations at subsequent Reserved Matters stage, as identified within the report and subject to the Secretary of State not wishing to intervene regarding determination of the application(s).

Planning Committee are recommended to approve the application for Listed Building Consent, reference LB/2020/2857 relating to works to Coventry Market, subject to conditions and the Secretary of State not wishing to intervene regarding determination of the application.

Planning Committee are recommended to approve the application for Listed Building Consent, reference LB/2020/2860 relating to the Three Tuns Mural, subject to conditions and the Secretary of State not wishing to intervene regarding determination of the application.

REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon Ecology.
- The proposal will not adversely impact upon Highway safety.
- The impact upon the amenity of neighbours is assessed as acceptable.
- The proposal is considered to provide substantial public benefits that will outweigh the identified substantial and less than substantial harm to heritage assets.
- The proposal accords with Policies: DE1, HE2, H3, H5, DS1, DS3, JE1, JE6, JE7, GE1, GE2, GE3, GE4, AC1, AC2, AC3, AC4, AC5, CO1, R1, R2, R6, HW1, EM1, EM2, EM3, EM4, EM5, EM6, EM7 of the Coventry Local Plan 2016, Policies CC1, CC2, CC10, CC19 of the City Centre Area Action Plan 2017 and the aims of the NPPF.

APPLICATION PROPOSAL

The hybrid planning application seeks planning permission for 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 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.

The elements to this hybrid planning application comprise:

The Full application:

A. For the physical works required to the Grade II listed Coventry Market and Grade II listed Three Tuns Mural. As these are listed buildings, full details are required for assessment and this cannot therefore be considered as part of the outline 'in principle' application. The works to the listed buildings consist of:

- (i) The removal of the 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.
- (ii) The removal of existing Coventry Market basement ramp from Rover Road and associated infilling and reinstatement works.
- (iii) Works to the retaining wall to the north-east of Coventry Market.
- (iv) Removal of the existing pedestrian ramp into Coventry Market from Rover Road.
- (v) The creation of a new basement ramp into Coventry Market from Queen Victoria Road and associated access works within the Coventry Market basement.
- (vi) The removal and relocation of William Mitchell mural from front elevation of the former Three Tuns Public House building in Bull Yard.

These works are also considered under the concurrent Listed Building Consent applications LB/2020/2857 for the Coventry Market works and LB/2020/2860 for the Three Tuns Mural removal and relocation.

The Outline application:

B. For part of the site 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. This relates to the fixed matters as set out in the Parameters Plans Document; 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 where greater flexibility can be allowed.

The outline elements of the scheme seek to establish the principle of development within a truly flexible permission to enable future developers to submit subsequent Reserved Matters planning applications for each of the different development blocks within the agreed parameters of this Outline permission, as set out in the proposed Parameter Plans Document and Development Principles Document. These supporting documents are to be read together and are explained in greater detail below:

Parameter Plans Document

The Parameter Plans Document sets out land use, proposed development plots, maximum and minimum height zones, access and movement and demolition / retention boundaries.

Land use

The application seeks approval for a total maximum quantum of development; however, given the flexible nature of the development blocks a minimum development quantum is also set. The total quantum of each land use is defined in the description of development and is defined on a site wide basis, not on a block-by-block basis, to allow for flexibility.

Land Use	Minimum Development Quantum	Maximum Development Quantum

Class C3 Residential (units)	900	1300
Class C1 Hotel	0 rooms	150 rooms
Class E Commercial, Business and Service, Class F.1 Learning & Non-Residential Institutions and Sui Generis (Pub or Drinking Establishment / Hot Food and Takeaway / Cinema) (GIA, sqm)	22,000 sqm	37,500 sqm
Car Parking (Spaces)	90	300

The land use parameter plans seek to control the location of the land uses proposed for all development blocks, identifying which uses can be located in the ground, first, second and upper storeys.

Proposed Development Plots

This specifies the minimum and maximum limits of horizontal deviation from a building line for each of the development plot's building footprint. The limits of deviation allow for architectural expression and accommodation of end user requirements in detailed design, to be submitted in subsequent Reserved Matters applications.

The flexible internal development 'zones' on Blocks B and D allow for buildings to be arranged within the development plot so that there are internal routes and building frontages within the block. The block typology must accord with the guidance provided in the Development Principles Document.

The 'layout' is fixed (i.e. there is no horizontal deviation) for all of Block A1 and parts of Block A2, Block B and Block C where located adjacent to listed buildings.

Minimum and Maximum Height Zones

The minimum and maximum height zones parameter plans represent the minimum and maximum heights for each of the development plots. The heights do not relate to a specific number of storeys, rather they allow flexibility for rationalised floor-to-floor ceiling heights and different residential and non-residential uses at detailed design stage, to be brought forward in Reserved Matters applications. These parameter plans control the total amount of development to be brought forward in tandem with the maximum and minimum quantum of uses.

The building height is fixed (i.e. there is no vertical deviation) for Blocks A1, A2 and parts of Block B and Block C where the development plots are located adjacent to listed buildings/within spire view cones.

Access and Movement

The Access and Movement Parameter Plan defines the proposed vehicular and pedestrian/cycle access points into the application site. The Parameter Plan also

identifies areas of the site which are pedestrian priority area, service / vehicle priority areas and areas of active frontage.

Demolition/Retention Boundaries

The Parameter Plan presents the extent of existing buildings within the application site to be demolished and those to be retained (Coventry Market, Lower Precinct Multi-Storey Car Park). The Grade II listed Three Tuns Mural by William Mitchell is proposed to be removed from its current location, temporarily stored and relocated within the development. The demolition of existing buildings will be subject to phasing.

Development Principles Document

The Development Principles Document sets out the mandatory and recommended development principles on a site wide and block-specific basis. It is intended that future Reserved Matters applications will be accompanied by a statement setting out how the detailed design accords with the mandatory and recommended development principles, using a 'comply or justify' approach. Unless justified, mandatory development principles must be followed at detailed design stage. Recommended development principles comprise design guidance which should be followed unless it can be demonstrated that there are satisfactory reasons not to comply with the guidance.

The site wide development principles include architectural diversity and forms, active frontages, mix of uses, scale, height and roofscape, materials, elevational character, public realm, green infrastructure, access strategy and public art strategy.

The block specific development principles consider the surrounding urban context of the development plot and applies additional control to horizontal and vertical massing to protect the setting of adjacent buildings, to ensure appropriate height transitions and to protect the amenities of existing and future occupiers. Control is also applied to Block B and D 'zones', requiring a mandatory central space or courtyard.

Both the Parameter Plans Document and Development Principles Document have been developed with careful consideration of the following key matters:

- The heights of buildings around the application site's perimeter;
- The height and mass in relation to the city centre's topography;
- The improvement of the setting of the Grade II Listed Coventry Market, as well as other designated heritage assets including Grade II Listed former Woolworths, former BHS Building and Broadgate House;
- The desire and need to maintain and enhance the setting of other designated and non-designated heritage assets and, taking into account other important features of the city centre such as Broadgate, the Precincts and the original Gibson Plan for the post-war reconstruction of the city centre;
- Respect for key urban design principles, including the need to retain views of the 'Three Spires' (Christ Church, Holy Trinity Church and St. Michaels);
- The need to restore permeability and connectivity by creating legible and attractive north-south and east-west pedestrian routes across the Site;
- The need to ensure the adjacent commercial properties and Coventry Market can continue to be efficiently serviced, alongside the servicing needs arising from the Development; and
- Seeking to safeguard the amenity of neighbouring occupiers in the context of urban design, deliverability and other considerations

Development Plots

The City Centre South application site is split into six distinct development blocks, which are as follows:

Block A1 is located on a vacant plot fronting Queen Victoria Road and adjoining Lower Precinct multi-storey car park to the north and the Grade II listed Coventry Market to the east. This block will include a new basement ramp access into Coventry Market from Queen Victoria Road and has fixed vertical and horizontal parameters.

Block A2 is located adjacent to the eastern elevation of Grade II listed Coventry Market and south of the former Grade II listed Woolworths building. This block has fixed vertical parameters and horizontal parameters; however, the southern end of the building has flexible horizontal parameters.

Block B will span from Market Way to Hertford Street and is described as a development 'Zone' within the parameter plans, as a number of different building arrangements can be accommodated around a mandatory central open space. The northern end of the building has fixed horizontal and vertical parameters where adjacent to the Grade II listed former BHS and Broadgate House buildings.

Block C will front Warwick Row adjoining the Grade II listed Reform Club and project to a similar depth as the Beauchamp House apartment building to the southwest. The southeast section of the block has fixed horizontal and vertical parameters including fenestration and roof detail to ensure the established building line on Warwick Row is followed and massing is appropriate adjoining to the Grade II listed Reform Club building and wider listed building group.

Block D is located immediately south of Coventry Market and will front Queen Victoria Road extending southwards to Greyfriars Road. Block D is described as a development 'Zone' within the parameter plans, as a number of different building arrangements can be accommodated around a mandatory central open space. The flexibility in building heights is controlled by a mandatory requirement for a gradual transition of three steps from the taller northern element of Block D to the lower element of Block D on Greyfriars Road.

The Pavilion is a detached two-storey building sitting between Block B and C, which will front onto two public squares.

The supporting Design and Access Statement highlights the key objectives of the redevelopment to include:

- Creating a 21st century regional 'destination' capable of attracting new visitors and tourists from a wide catchment area;
- Developing a 'whole-place' approach to urban design, acknowledging the aspirations of the Government's High Streets Task Force;
- Bringing together a range of uses for a new city centre community (for live, work and play) collectively creating a 'lifestyle', promoting footfall and the evening economy;
- Revitalising retail in the city centre, as well as providing a 'point of difference' by complementing existing offers;
- Developing a series of new urban blocks with improved legibility and permeability;

- Tailoring the massing to respect existing and potentially new view corridors (especially to Coventry's three historic spires) as well as Listed buildings and heritage assets within or adjacent to the application site;
- Developing a range of new character areas, with associated public realm;
- Developing strategies for servicing, parking, safety, security, and vehicular access;
- Preparing a series of Parameter Plans and Development Principles Document to describe the above principles.

Environmental Impact Assessment (EIA) has been carried out in accordance with the Town and Country Planning (EIA) Regulations 2017 (as amended) ('the EIA Regulations 2017'). The proposed development is of a type set out in Schedule 2, Category 10(b) urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas.

The proposed development site does not lie within a sensitive area, as defined in the EIA Regulations 2017; however, it does exceed all the relevant thresholds for category 10(b) projects, as it comprises more than 1 hectare of 'non-dwelling-house' urban development; more than 150 dwellings; and has an overall site area greater than 5 hectares. As such, the proposals fall within the scope of the EIA Regulations 2017, with EIA being required where the development is "likely to have significant effects on the environment by virtue of factors such as its nature, size or location".

The Applicant volunteered an Environmental Statement (ES) and the scope of the supporting ES was confirmed by the Local Planning Authority in its ES Scoping Opinion issued on 08 September 2020 (reference: SCO/2020/1537). It was agreed that the following topics would be 'scoped in': Socio-Economics; Townscape, Heritage and Visual; Transport; Noise and Vibration; Air Quality; Archaeology; Water Resources and Flood Risk; Daylight, Sunlight and Overshadowing; Wind Microclimate, Human Health; Risk of Major Accidents and Disasters; and, Climate Change. The following topics were 'scoped out' and, where relevant, covered in other supporting technical documents: Ground Conditions; Biodiversity; Land; and, Waste Management.

The supporting ES consists of the following documents:

- Volume I: Non-Technical Summary (NTS), which provides a concise, accessible overview of the information contained in Volumes II and III to make it readily comprehensible to non-specialists.
- Volume II: Main Volume of the ES, which describes the proposals, the alternative options considered, the baseline environmental conditions, the likely significant effects of the proposed development alone and in combination with the identified cumulative schemes, the proposed mitigation measures and the residual environmental effects.
- Volume III: Townscape, Heritage and Visual Impact Assessment.
- Volume IV: Technical Appendices containing technical reports that have informed the assessments contained in Volume II, as well as assessments of topics not considered to require a stand-alone chapter within Volume II.

SITE DESCRIPTION

The City Centre South application site relates to the southern part of the City Centre's Primary Shopping Area comprising some 6.36 hectares and predominantly occupied by 1950's and 1960's buildings that formed part of Coventry's post-war reconstruction.

To the north the application site bounds the Lower Precinct Shopping Centre, the former Woolworths building (Grade II listed), the former BHS building (Grade II listed), the south link building within Upper Precinct (Grade II listed) and Broadgate House (Grade II listed). This group of adjoining listed buildings all form part of Donald Gibson's post-war redevelopment of Coventry City Centre and were listed by Historic England in 2018 (Broadgate House was listed in 2013).

The eastern boundary of the application site is formed by Hertford Street. Its broad northern square links directly into Broadgate Square via pedestrian routes beneath Broadgate House. Historic buildings falling within the High Street Conservation Area, including the Grade II listed NatWest Bank building adjoin the eastern boundary. Hertford Street falls towards the south, with changes in level accommodated by a series of steps and ramps. Buildings on the eastern side of Hertford Street either fall outside the application site or are proposed to be retained and enhanced. Buildings on the western side of Hertford Street are proposed to be demolished, including the vacant 6-storey Hertford House office block and Barracks Way multi-storey car park to the rear.

Hertford Street leads down to Bull Yard, which is a public square within the application site formed by two-storey post war development on three sides with the south eastern end open to the junction of Hertford Street, New Union Street and Warwick Row. The Litten Tree Public House is a four-storey building occupying the corner of Bull Yard and fronting Warwick Row. The Litten Tree adjoins The Reform Club (No.5 Warwick Row) which is a Grade II listed building (within a run of historic listed buildings on Warwick Row) that falls outside of the application site boundary. The western side of Bull Yard includes the Grade II Listed William Mitchell mural which forms the concrete façade of raised 'Aztec style' symbols to the former Three Tuns Public House, which will be removed and relocated as part of the City Centre South redevelopment and is also considered under Listed Building Consent LB/2020/2860.

The western end of Bull Yard also provides a pedestrian route through beneath a six-storey commercial/office building into Shelton Square. Market Way is located to the north of Shelton Square formed by two/three -storey commercial buildings with roof top parking. City Arcade, incorporating Argos, is located to the south of Shelton Square and is also formed by two/three-storey buildings with roof top parking accessed from Greyfriars Road, which forms the southern extremity of the application site boundary. Beauchamp House residential apartments are located outside the application site to the southeast.

The western boundary of the application site adjoins Queen Victoria Road and is formed by the City Arcade, the Iceland store, a vacant plot adjoining Coventry Market and the Lower Precinct multi-storey car park, which is proposed to be retained. The Iceland store and vacant plot in this section of Queen Victoria Road are within Flood Zone 2/3. Residential apartments and the former IKEA building are located on the opposite side of the road.

Set between Iceland and the vacant plot is Rover Road, which has a taxi rank and provides pedestrian and vehicular access to the Grade II Listed Coventry Market and its service yard/basement ramp. The rotunda design of Coventry Market provides several pedestrian entrances into the building, from Rover Road and the service yard and into Sherbourne Arcade/Lower Precinct. There are pedestrian links from the service yard

beneath buildings back into Shelton Square and Market Way. Coventry Market's roof top car park, one of the features of its design also recognised as being one of the first examples of roof-top parking in the country, will remain accessible via the Lower Precinct multi-storey car park. The works proposed to the market building are also considered under Listed Building Consent LB/2020/2857.

The existing uses within the City Centre South application site are mainly characterised by retail uses at the ground floor and first floor levels, but also includes mixed city centre uses including:

- Office uses at upper levels;
- public multi-storey car parks including City Arcade and Barracks MSCPs;
- Servicing areas adjacent to Coventry Market, City Arcade and Barracks MSCPs;
- Mixed community uses including social enterprises and the Shop Front Theatre;
- Food and drink establishments; and
- The Shopmobility unit within Barracks MSCP.

PLANNING HISTORY

There are numerous historic planning applications relating to individual properties within the City Centre South site. The following are the most recent/relevant:

Application Number	Description of Development	Decision and Date
OUT/2012/0575	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).	Granted 31/05/2012
LB/2012/0571	Removal of bridge link between Coventry Retail Market roof top car park and roof top car parking over existing units on Market Way, and reinstatement works to roof top car park surface and balustrade.	Granted 18/06/2012 (Secretary of State decision)

LB/2012/0572	Removal and relocation of grade II listed William Mitchell Mural from the front elevation of the former Three Tuns Public House building in Bull Yard, to a new location to be agreed in writing with Coventry City Council (The Local Planning Authority) in consultation with English Heritage	Granted 18/03/2013 (Secretary of State decision)
DEM/2018/1263	Application for Prior Notification of Proposed Demolition of Coventry Point	Granted 20/06/18
R/2006/2500	Construction of multi storey building with retail unit on ground floor and residential apartments above with associated car parking (14-storey building relating to Block A1 site)	Granted March 2007 (unimplemented)

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The new NPPF increases the focus on achieving high quality design and states that it is "fundamental to what the planning and development process should achieve".

The National Planning Practice Guidance (NPPG) 2014, this adds further context to the NPPF and it is intended that the two documents are read together.

Local Policy Guidance

The current local policy is provided within the Coventry Local Plan 2016, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application is:

Policy DS1: Overall Development Needs
Policy DS3: Sustainable Development Policy
Policy DS4: (Part A) – General Masterplan Principles
Policy H1: Housing Land Requirements
Policy H3: Provision of New Housing
Policy H4: Securing a Mix of Housing
Policy H6: Affordable Housing
Policy H9: Residential Density
Policy H10 Student Accommodation
Policy H11 Homes in Multiple Occupation (HiMO's)
Policy HW1: Health Impact Assessments
Policy R1 Delivering Retail growth
Policy R2 Coventry City Centre – Development Strategy
Policy R3 The Network of Centres
Policy R6 Restaurants, bars and Hot Food Takeaways

Policy GE1 Green Infrastructure
Policy GE2: Green Space
Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
Policy GE4: Tree Protection
Policy JE1 Overall Economy and Employment Strategy
Policy JE6 Tourism/Visitor Related Development
Policy JE7: Accessibility to Employment Opportunities
Policy DE1 Ensuring High Quality Design
Policy HE2: Conservation and Heritage Assets
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 CO1: New or improved social community and leisure premises
Policy CO2: Re-Use of or redevelopment of facilities
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 EM6 Contaminated Land
Policy EM7 Air Quality
Policy IM1: Developer Contributions for Infrastructure

City Centre Area Action Plan (CCAAP) December 2017

Policy CC1: Coventry City Centre – Development Strategy
Policy CC2: Enhancement of Heritage Assets
Policy CC3: Building Design
Policy CC4: Public Art
Policy CC5: Lighting
Policy CC7: Tall Buildings
Policy CC8: Green and Blue Infrastructure
Policy CC10: Environmental Management
Policy CC11: Accessibility
Policy CC18: The Primary Shopping Area
Policy CC19: Primary Shopping Area regeneration – South
Policy CC22: Primary and Secondary Retail Frontages

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development
SPD Delivering a More Sustainable City
SPD: Coventry Connected
Appendix 5 - Car Parking and Cycle Parking Standards
Highways Design Guidance
Draft Air Quality SPD.

CONSULTATION

No Objections received from:

- West Midlands Fire Service

- West Midland's Police
- Streetscene and Green Space
- Coventry Public Health
- National Air Traffic Services (NATS)
- Cadent (Gas)
- Health and Safety Executive
- Highways England
- Planning Policy
- CCC Street Lighting
- CCC Sustainability

No objections subject to conditions/contributions have been received from:

- Environment Agency: No objection, subject to conditions
- Historic England: No objection, subject to conditions/public benefits
- CCC Conservation: No objection, subject to conditions/public benefits
- CCC Urban Design: No objection, subject to conditions.
- CCC Conservation: No objection, subject to conditions/public benefits
- CCC Environmental Protection, subject to conditions
- CCC Highways: No objection, subject to conditions
- CCC Tree Officer: No objection, subject to conditions
- CCC Ecology: No objection, subject to conditions
- CCC Economic Development: No objection, subject to conditions
- CCC Archaeology: No objection, subject to conditions
- CCC Lead Local Flood Authority: No objection, subject to conditions
- CCC Education: No objection, contribution requested
- CCC Housing: No objection, affordable housing requested
- Coventry and Rugby CCG: No objection, contribution requested
- NHS University Hospital Coventry and Warwickshire: No objection, contribution requested

Objections have been received from:

- The 20th Century Society
- Ancient Monuments Society

At the time of writing the report comments have not been received from:

- Transport for West Midlands
- Western Power
- Central Networks
- Severn Trent Water
- Coventry Airport (safeguarding)

Immediate neighbours and local councillors have been notified; a site notice was posted on 27/11/20 for the planning application and 07/01/21 for the Listed Building Consent applications. A press notice was displayed in the Coventry Telegraph on 03/12/20 for the planning application and 07/01/21 for the Listed Building Consents.

Six letters of objection have been received in relation to the planning application, raising the following material planning considerations:

- a) Suitable public cycle stands are needed within the development where it is less likely that cycles will be stolen and cycling through the development should be allowed.
- b) The proposed development is of poor quality and will give the city centre the feel of an out of town retail park. There is insufficient cover, which will discourage visitors on rainy days. The development bears no relationship to either the pre-war city centre or the much acclaimed 1950s precinct, it is "cheap and nasty" and does nothing to make we want to shop in the city centre.
- c) Objection to the proposed removal and relocation of the Grade II Listed concrete Three Tuns Mural and other non-designated public art.
- d) The scheme undermines cultural and architectural heritage of the city, should there be a focus on repair?
- e) Severe disregard of the city's post-war heritage, the proposed architecture is highly generic. In favour of redevelopment but done in a way which does not demolish the post-war architecture.
- f) It doesn't improve the city centre. Leave the Bull Yard as is. The City Arcade should be kept for the small shops and the office blocks on Hertford Street and Shelton Square should be demolished.

Five letters of support have been received in relation to the planning application, raising the following material planning considerations:

- g) Generally supportive, but concern raised of disruption during the construction phases.
- h) One representation made in support of the scheme but contending that the application does not go far enough in making effective use of Block A1, which is brownfield land located in the city centre and suggesting that the circa 6-storey block proposed on this plot should be at least 14-storeys.
- i) The scheme seems like it will improve the aesthetic of the site, providing new jobs, green space and better connections. This scheme also appears to respect the heritage in Coventry to an acceptable level and should elevate Coventry's status.
- j) One generally supportive representation with the note that affordable housing should be provided, there are many levels of buildings providing too much concrete and restricting disabled access and there needs to be more greenery.
- k) The removal of surplus car parking capacity and the end of the City Arcade and Barracks car parks are welcome steps

Two letters not objecting have been received in relation to the planning application, raising the following material planning considerations:

- l) Coventry should address its car culture, prioritising non-motorists, getting cars out of cities and improving air quality.
- m) Affordable housing in the development to the requirements of the local plan is essential.
- n) Provision needs to be made to accommodate current and future independent retailers in premises that are affordable and access provision for people with reduced mobility.
- o) The permitted building heights on Queen Victoria Road are out of character with surrounding buildings and need to be significantly reduced.

Within the letters received in relation to the planning application the following non-material planning considerations were raised, these cannot be given due consideration in the planning process:

- p) One representation has been received raising concern regarding the removal of the ramped access into Coventry Market (adjacent to Rover Road) and the assumed

closure of this entrance. The ramp is being removed to allow for regrading of land and will be replaced with a level threshold access to be provided into the Market.

Royal London Mutual Insurance Society Limited ('Royal London') have land ownership interest in part of the application site and are long leaseholders of Coventry Retail Market and the surrounding service yards. Development blocks and areas of public realm are therefore proposed on land in Royal London's control. Royal London have objected to the planning application, as they consider that it is unacceptable for Shearer Property Regen Limited to promote development on land in Royal London's interest without reaching agreement. Royal London also have concerns about the implications of the application proposals upon the servicing of both the Retail Market and the Lower Precinct Shopping Centre and consider that there still remain a number of issues which require further clarification with a clear need for the applicant to engage further with Royal London.

The applicant has confirmed that they are continuing to engage with Royal London on these matters with specific servicing arrangements to be agreed and secured at Reserved Matters stage. The applicant notes that land ownership is not a material planning consideration, as the appropriate landownership certificates and notices have been satisfactorily served by the applicant.

Two letters of objection have been received in relation to the Listed Building Consent LB/2020/2860 for the Mural, raising the following material planning considerations:

- (a) The removal of the mural should be resisted. It is far preferable to retain it in place than being removed to a so far undisclosed destination.
- (b) This quirky concrete relief structure is a valued and important landmark. It should be retained in-situ, as the context in the 1960's City Centre is all important.

One supporting comment has been received in relation to the Listed Building Consent LB/2020/2860 for the Mural, raising the following material planning considerations:

- (c) This is something worth supporting; however, the Mitchell mural in Hertford House must also be saved along with the panelling down Hertford Street.

No representations have been made in relation to the Listed Building Consent LB/2020/2857 relating to Coventry Market.

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are the principle of development, urban design/the impact upon visual amenity, heritage character of the area and heritage assets (including an assessment of the public benefits and planning balance), archaeology, the impact upon residential amenity, highway considerations, flood risk, contaminated land, air quality, ecology and green infrastructure, equality and developer contributions and obligations.

Principle of development

Local Plan Policy R2: 'Coventry City Centre – Development Strategy' reflects the City Centre AAP Policy CC1 and states 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. This will be achieved by:

- a) Enhancement of its position as a focus for the entire sub-region and as a national and international destination to live, work and play;
- b) Enhancement of its retail and leisure offer to strengthen the city's sub regional role;
- c) Provision of high-quality office space;
- d) Becoming a hub for education;
- e) Including a variety of places to live which cater for different needs;
- f) Preserving or enhancing the character and setting of the historic built landscape and the archaeological environment;
- g) A connected public realm including public squares and green spaces, easily accessible through the creation of desirable and legible pedestrian routes;
- h) Accessible for all;
- i) Providing an attractive and safe environment for pedestrians, cyclists and motorists;
- j) Provide a high-quality public transport system that benefits from seamless integration and is well connected to existing and new infrastructure
- k) High quality sustainable built design;
- l) Continuing to develop a vibrant and attractive night-time economy;
- m) Providing opportunities to improve health and wellbeing;
- n) Continuing to support greater integration of the university within the wider city centre in accordance with the policies in the Area Action Plan;
- o) Recognising and preserving key views to the iconic three spires of St Michaels, Holy Trinity and Christchurch; and
- p) Supporting the reintroduction of green and blue infrastructure throughout the city centre, including opportunities for de-culverting wherever possible.

Policy CC19 'Primary Shopping Area regeneration – South' is a policy specific to the application site and states that the regeneration of the Southern part of the Primary Shopping Area for predominantly comparison shopping will be promoted, encouraged and supported. This will provide for:

- An increase of at least 10,000 sq. m gross retail floor space;
- A range of shop sizes that reflect market requirements;
- High quality entrances from the Precinct, Queen Victoria Road and Bull Yard;
- The redevelopment of the Barracks car park and the relocation of the parking spaces as part of a new multi storey car park incorporated within the development;
- The relocation of the listed mural situated in Bull Yard to a new and prominent site situated within the new development;
- The retention of the listed market building, with improvements made to its setting and connectivity to Queen Victoria Road and Market Way;
- Associated residential provision of at least 40 homes as part of upper floors above retail uses; and
- Complimentary leisure, office and hotel uses as part of upper floors above retail uses.

Policy JE6 'Tourism/Visitor Related Development' states that proposals for development within Coventry City Centre, which would contribute towards the city's role as a tourist destination will be supported, subject to compatibility with other Plan Policies.

NPPF Paragraph 85 states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

A mixed-use development is appropriate within this sequentially preferable, sustainable City Centre location and the principle of comprehensive redevelopment has been established previously by outline planning permission reference OUT/2012/0575 and associated Listed Building Consents. Specific uses are considered in greater detail below:

Retail, Community & Leisure

Policies R2 and CC1 identify that the regeneration of the city centre will be achieved by enhancing its retail and leisure offer to strengthen the city's sub-regional role. Policy CC19 seeks to deliver approximately 10,000sq.m of additional retail floor space.

As part of the overall maximum parameter of up to 37,500sq.m of non-residential mixed uses, the proposed development will include a variety of uses falling within Use Class E, which can include retail shops, services, restaurants and cafes, commercial workspace and community uses.

The 2012 City Centre South scheme was a retail-led development with the proposed levels of retail, financial and professional services and food and beverage floorspace uses (Use Classes A1 to A5) between 46,310 sqm and 57,521 sqm. Policy CC19 was informed by evidence in the Coventry City Wide Shopping and Centres Study 2014; however, the degree of structural change that has taken place in town centres in the intervening period is highlighted in the House of Commons - Housing, Communities and Local Government Committee report 'High Streets and Town Centres in 2030' February 2019, which states:

'An enormous change has taken place in retail in recent years. The traditional pattern of making purchases in physical stores, both in and out-of-town, has been profoundly disrupted by the growth of online shopping. The impact of this on our high streets and town centres in the form of store closures, persistently empty shops and declining footfall is clear for all to see'.

The report does however envisage a positive future for the role of town centres and the summary conclusion states:

'We firmly believe that our high streets and town centres can have a better and more balanced future ahead of them if our recommendations are followed. This will require a shift from the retail focused activities of high streets and town centres today to new uses and purposes which foster greater social interaction, community spirit and local identity and characteristics. With a properly planned strategic intervention led by the local authority, with the backing of local stakeholders and the wider community, we can redefine our high streets and town centres and ensure their long-term sustainability for future generations to come'.

This is reflected in the proposed development with flexible uses and a mixed-use approach in order to create a sustainable new piece of city that is attractive to visitors with a broader range of food and beverage and leisure uses, as well as bringing a substantial number of new residents into the city centre, to support the vitality and vibrancy of the retail.

In terms of the flexible uses proposed, The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 recently amended the Town and Country Planning (Use Classes) Order 1987 (as amended), revoking the formerly distinct Use Classes A1 - Retail, A2 – Financial and Professional, A3 – Food and Drink, A4 – Drinking Establishments, A5 – Hot Food Takeaways, Class B1 – Business and part of Class D1 – Non-residential institutions and D2 – Assembly and Leisure; merging a number of these retail, commercial and leisure uses into a new Use Class E - Commercial, Business and Service. The Government has made clear that Class E has been introduced to: *‘...better reflect the diversity of uses found on high streets and in town centres and to provide the flexibility for businesses to adapt and diversify to meet changing demands.’*

Use Class E includes retail, food and drink, financial services, professional services, indoor sport and recreation, medical or health services, creches, day nurseries or day centres, office/research and development facilities and industrial processes (light industry with no noise/smell/fumes etc.).

The flexibility afforded by Class E will enable a variety of appropriate city centre uses to be brought forward, responding to the requirements of future phases. Retail remains an essential component of the scheme and the Parameter Plans identify active frontages at ground floor to ensure shopfronts or similar onto the street which create interest and activity.

In terms of the former Use Class B1 - Business uses now incorporated into Class E, the applicant notes that: *‘workspace can be provided in a variety of sizes and formats, which will be able to meet the diverse requirements of businesses, including small-scale start-ups. The provision of high quality, flexible workspace in an attractive mixed-use setting as part of City Centre South will support the creation of new, high quality jobs in Coventry and contribute to a vibrant city centre’.*

As part of the overall maximum parameter of up to 37,500sqm of non-residential mixed uses includes Use Class F.1 to accommodate public non-residential institutions such as art galleries, museums, exhibition spaces or library and education-type uses, should the opportunity arise.

As part of the overall maximum parameter of up to 37,500sqm of non-residential mixed uses, the development will include the ability to provide a cinema, bars and public houses and hot food takeaways. These are ‘Sui Generis’ uses with no use class specified in the Use Class Order. These uses will contribute to an enhanced leisure and evening economy offer in the city centre, providing leisure opportunities outside of working and normal shopping hours.

Although the 10,000sq.m increase in retail floor space sought by Policy CC19 will not be met Officers recognise the current structural shift from retail focused activities and also the benefits of a broader mix of uses that will add flexibility and future adaptability into the City Centre South scheme. The scheme will still achieve the mixed-use regeneration of the area in accordance with the aims of Policy CC19.

Officers note that the adjoining Upper Precinct area of the city centre also forms a key part of Coventry’s shopping offer and is currently undergoing significant upgrading, removing unsympathetic additions, improving pedestrian flows, enhancing the post-war

listed building group and also the customer experience. The demolition of the Coventry Point office block has also been completed to enable an uninterrupted pedestrian thoroughfare along Market Way between Upper Precinct and the City Centre South site.

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 R2, CCAAP Policy CC1 and the NPPF.

Residential

Policy H3 'Provision of New Housing' states that new residential development must provide a high-quality residential environment, which assists in delivering urban regeneration or contributes to creating sustainable communities and which overall enhances the built environment. A suitable residential environment will be within a sustainable location and will include safe and appropriate access, have adequate amenity space and parking provision and be safe from environmental pollutants such as land contamination, excessive noise and air quality issues.

Policy H4 of the Local Plan requires proposals for residential development to include a mix of market housing which contributes towards a balance of house types and sizes across the city.

NPPF Paragraph 59 highlights the Government's objective of significantly boosting the supply of homes and states the importance of a sufficient amount and variety of land being able to come forward where it is needed.

The supporting Planning Statement recognises that, compared with other cities, Coventry has a relatively low level of city centre living, and therefore misses out on the vibrancy generated by a city centre residential population, as well as the benefits of capturing residents' local spending. It is understood that within the whole of the City Centre South application site there is currently no residential development. The scheme proposes up to 1300 new homes within Use Class C3.

The application site is located within a highly sustainable city centre location, with excellent access to shops, services and public transport options. It is considered that the proposed residential use can be made compatible with the proposed mix of commercial uses to ensure that future occupiers' amenity is protected. Although the scheme is in Outline form, the proposed 'Development Principles Document' shows that the scheme has significant potential to provide a high-quality residential environment, including the creation of private communal courtyard spaces, that are safe from any environmental pollution issues. As set out in the Development Principles Document, a series of external private communal amenity spaces are proposed to provide sociable amenity spaces for the occupants of the Development. Future residents will also benefit from the proposed public realm, including the two proposed public squares.

The residential dwellings may be brought forward as a combination of open market sale and Build to Rent accommodation; this will be established at Reserved Matters stage for each development block. The housing size mix will also be established at Reserved Matters stage. Although the applicant advises that this is likely to be predominantly one

and two-bedroom dwellings, reflecting the likely market demand for smaller units in a city centre location, given the flexibility offered by the scheme the size configuration of residential units may evolve at Reserved Matters stage if there is a demand for larger family units.

The scheme does not propose any purpose-built student accommodation. It is noted that up to six residents could occupy a single property as a house in multiple occupation (C4 Use Class); however over six residents would require separate planning permission for a large-scale (sui generis) house in multiple occupation.

The residential element of the scheme is therefore considered to be acceptable in principle and accords with the aims and objectives of Local Plan Policies H3 and DE1 and the aims and objectives of the NPPF.

Hotel

Hotels are a main town centre use (as identified in the NPPF) and will be acceptably located within the city centre providing a sustainably located facility with excellent access to the city centre's shops, services and public transport links in accordance with Local Plan Policies R2, JE6 and City Centre AAP Policy CC19.

The development will deliver hotel uses of up to 150 bedrooms. Flexibility in the location of the potential hotel has been sought, with several potential locations proposed in the Land Use Parameter Plans.

The hotel use accords with Policy R2 and CC1. If a hotel is not brought forward in the Development Blocks identified, a residential (Class C3) use is permitted instead.

Open Space and Public Realm

The spaces created between the development blocks are highly important and Policy R2 seeks to secure a connected public realm including public squares and green spaces, easily accessible through the creation of desirable and legible pedestrian routes. Policy DE1 seeks to provide attractive, safe, uncluttered, active and easily identifiable, high-quality public spaces, make places that inter-connect and are easy to move through and ensure places are easily understood by users, with clear routes and distinct physical features.

Substantial areas of paved and landscaped open spaces are proposed within the site. As the horizontal parameters of development blocks are flexible the Parameter Plans Document sets minimum and maximum street widths to achieve new pedestrian priority boulevards through the site with space to accommodate tables and chairs and support the café culture. The total amount of proposed publicly accessible open space comprises of approximately two hectares and includes a new public square to the frontage of Coventry Market and south of Market Way and a new public square to the south-east of the Site, adjacent to the public realm improvements already undertaken to the west of the Wave.

The open space and public realm proposed accords with Policy R2, DE1 and CC1. Specific hard and soft landscaping details, as well as public art provision would be secured at Reserved Matter stage by condition.

Loss of existing community uses

Policy CO2 'Re-Use of or Redevelopment of Facilities' states that the re-use or redevelopment of community premises for a use outside the scope of this policy will not be supported if:

- a) There is an outstanding local need which could reasonably be met at that location;
- b) The site remains viable for existing uses or could be made viable through appropriate diversification of use;
- c) the proposal is not compatible with nearby uses.

There are a broad range of existing and established businesses, community uses and social enterprises within the application site including several shops serving specific community groups, specialist independent shops, a Martial Arts Academy, food and drink establishments, The Fab Lab, the Shop Front Theatre and the Shopmobility unit within Barracks MSCP that are all important services supporting the diversity of offer within the City Centre.

Policy CC19 seeks to deliver a major transformation and regeneration of this part of the city centre. The re-development and regeneration of the application site may allow existing and new community uses to be re-established within the new development blocks in the future.

In the interim period between demolition and redevelopment the City Council put significant weight upon the protection of existing businesses and facilities and the Council's Property and Development Team are providing separate advice and support to businesses to assist them through this process and secure their potential long-term relocation. The Shopmobility facility in particular will not be able to be removed until a new location has been identified and made operational. This will be secured by condition.

Demolition

The demolition of buildings identified within the Parameters Plan is acceptable in principle, subject to a phasing condition. The buildings to be demolished are non-designated heritage assets with a clear value as part of Coventry's pioneering post-war townscape. The scheme also requires the removal and relocation of the Grade II Listed Three Tuns mural and affects the setting of adjacent listed buildings.

The impact upon heritage assets and the planning balance of weighing impact on designated and non-designated heritage impacts against public benefits is considered in detail within the Heritage Assets section of this report.

Urban Design/Impact on visual amenity

Policy DE1 of the Local Plan seeks to ensure high quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area. Policy R2 reflects CCAAP Policy CC1 and seeks to secure a high-quality sustainable built design.

The National Planning Policy Framework, paragraph 127 states that "Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The Outline element of the planning application seeks to enable a flexible scheme where future applicants can submit a Reserved Matters planning application providing full design details that will sit within the agreed height and mass Parameters Plan Document and Development Principles Document that form part of this scheme. Officers consider that the information provided in these documents form a positive base on which architectural designs can evolve in an appropriate manner. Site wide and development block specific considerations are identified below:

Architectural Diversity

It is considered important that architectural diversity is delivered through the scheme in order to ensure a richness to the environment and allow for creative architectural expression to promote the best design outcomes. The Development Principles Document has a mandatory requirement that proposed buildings *must* incorporate diversity in their form, roofscape, and create legible blocks to ensure visual interest and richness in townscape as detailed applications are submitted.

Active Frontages

There has been positive consideration within the Development Principles Document to address the need to provide active frontages in prominent pedestrian locations across the site with a mandatory provision being indicated for buildings fronting Market Way and Hertford Street, the two proposed new public squares and the Pavilion building. This provision is beneficial in providing a positive relationship between the buildings and public realm creating dynamism and animation to the blocks with improved passive surveillance capacity and would therefore be supported through Policy CC3.

Mix of Uses

It is positive that a mix of uses has formed part of the Development Principles Document, as this is key in the creation of successful, sustainable places, especially at a time when the demand for built space within city centres are in a period of substantial change. The document has a mandatory requirement that development must consist of a mix of uses to create a sustainable community and to achieve active frontage at the base of buildings.

Scale, Height, Roofscape

There is a mandatory requirement that the visibility of rooftop plant must be screened from street-level view, using setbacks and well-considered screening. This is important for minimising massing impact of such elements and also protecting the appreciation of important viewpoints through the city.

Materials

There is a mandatory requirement for building material selection to exhibit weight, permanence and solidity with material colours and tones required to contribute to variety in the appearance of individual and groups of buildings. It is a recommendation that brick should be considered as the default material, in a variety of tones and colours, alongside stone, metal (painted, corten, steel, profiled sheeting, copper and bronze) and limited areas of render.

Although building materials will not be considered until Reserved Matters stage for each phase of development, these mandatory and recommended requirements will assist in providing a variety and interest to the streetscene through a varied tonal pallet either as individual plots or as groups of buildings.

Site-wide Elevational Character

Elevational character within the Development Principles Document delivers aspirations of the designing of street rhythm, promoting clear divisions in the facade to create verticality and variety and also 'tripartite' design principles for buildings with a distinct base, middle and cap.

Public Realm

Quality of public realm is key to the successful delivery of the proposals and as such a number of mandatory principles within the Development Principles Document are established that form a sound base on which Reserved Matters proposals will come forward. These include requiring high-quality, well-designed public realm spaces that are accessible to all and well connecting to adjacent areas, with prioritisation of pedestrian movement, but with allowance for service and emergency vehicle access on a controlled basis.

Located between the existing Coventry Market and the proposed 'Pavilion' will be public square No.1, which is an important nodal point in the scheme and one which formally marks a transition between periods of development of the city. The mandatory design principle requiring accessibility for all needs to be considered carefully at Reserved Matters stage for this important space given the level changes around Coventry Market.

Public square No.2 forms a key arrival point into the city centre on approach from the railway station and Greyfriars Green area. Several mandatory principles are included in the development principles document which seek to ensure flexibility of use and management of pedestrian flows which are welcomed.

Accessibility

Positive principles of accessibility are welcomed in the Development Principles Document. A notable challenge in level change in the scheme is that of Hertford Street. Given this challenge and the primacy of the route toward Broadgate the document has been updated making a previously recommended principle mandatory: *Particular attention should be paid to mitigate existing steep gradients on Hertford Street within the*

constraints of existing retained shop frontages and the Barracks Way service tunnel access.

Green Infrastructure

Green infrastructure principles have been considered in the public realm to provide positive outcomes. As proposals move to detailed design stages this opportunity should be promoted using elements such as green and brown roofs and living walls to improve visual amenity and also promote biodiversity gain. It is noted the inclusion of green and brown roofs is a recommended principle in the Development Principles Document and therefore justification will need to be provided for not accommodating these elements at the Reserved Matters detailed design stage.

Public Art Strategy

Policy CC4 states that established public art shall be retained in redevelopment proposals unless the benefits of its removal outweigh the harm of its loss. Where public art is lost replacement works shall be incorporated into new development unless robust justification is provided highlighting that this it is not viable.

The Development Principles Document recognises the important pieces of non-designated public art within the application site and set the following requirements for the relocation of these public art pieces:

The Phoenix sculpture by George Wagstaffe: The asset **must** be relocated to a prominent location in the public realm within or immediately adjacent to the CCS site, in order to maintain or enhance the significance of the asset. The applicant has identified a potential location for The Phoenix within Public Square No.2 close to its existing location.

Sir Guy and the Dun Cow Relief: The asset should be relocated to a prominent location within the CCS site.

Thread Through Time sculpture by Robert Conybear and Uta Molling: The asset **must** be relocated to a prominent location in the public realm within or immediately adjacent to the CCS site, in order to maintain or enhance the significance of the asset. The applicant has identified a potential location for the 'Thread through Time' sculpture within Public Square No.1 between the proposed Pavilion and Coventry Market.

Peeping Tom Wood Carving: The asset should be relocated to a prominent location within the CCS site.

Consideration should be given to the relocation of the Two Tone and Shelton Square plaques in closest possible proximity to the geographic location from which they originate.

The incorporation of a sample of the following existing architectural elements in the proposed development **must** be considered: (i) William Mitchell fibreglass decorative panels on Hertford Street; and (ii) concrete panels to rear of 26-48 Hertford Street.

There is another non-designated William Mitchell mural located within Hertford House, which is scheduled for demolition. Although this is not a public art piece, as it is located within a private space, it is still intended to secure the careful removal of this valued mural prior to demolition of the building, so that it can be suitably relocated.

It should be noted that the Three Tuns Mural by William Mitchell is a Grade II listed designated heritage asset and its removal and relocated is considered as part of the Full element of this application in the Heritage Assets section of this report.

Block A1:

Block A1 will have a fixed footprint and height. The majority of the height is also focussed to the west and south of the plot, which allows for a positive response to be formed in relation to the adjoining Coventry Market. The south-eastern part of Block A1 has an angled design to draw users into the Market's southwest entrance.

The height provides further benefits in responding to the existing context with a scale that is comparable to the adjoining Lower Precinct Car Park to the north, while still providing a stepping up to address the larger massing of Block D to the south and giving the building the appropriate status of a key gateway into the CCS site.

The proposed fixed height of approximately 20 meters will protect spire views from The Butts in accordance with Policy CC7 of the CCAAP.

Block A2:

Block A2 will have a fixed height and part fixed horizontal footprint due to being sited adjacent to the Grade II listed Former Woolworths building to the North and Grade II listed Coventry Market to the West. The parameters of this block also provide benefits to re-establishing the market entrance as a legible element in the public realm with the entrance now directly opening into Public Square 1.

The western lower portion of the block will provide a positive reflection of the Market's curvature. The upper levels, when viewed in conjunction with blocks A1 and D, provide a sense of enclosure to the Market.

The proposed fixed height on the southern part of Block A2, adjacent to Coventry Market and proposed Public Square 1 will be approximately 30 meters. Block A2 would therefore intersect the St Michaels spire view cone from The Butts by approximately 7.5 meters.

Block B:

The Block B development 'Zone' allows for a number of different building arrangements around a mandatory publicly accessible central space; however, where adjacent to the Grade II listed former BHS building and Broadgate House the footprint and height of Block B have been fixed to respect the setting of these adjacent listed buildings. Block B steps up in height to the south responding appropriately to Hertford Street and the proposed Pavilion.

The central part of Block B to the north proposes a tower with a minimum height of approximately 37 meters and a maximum of approximately 47 meters, directly adjacent to the rear (east) of the former BHS building and south of Upper Precinct, which would significantly intersect the spire view cone viewed from The Butts.

Block C:

Block C will have a part fixed horizontal footprint and height to respect the adjoining Grade II listed Reform Club building and wider Warwick Row listed building group. The

Development Principles Document also set out appropriate design criteria to ensure an appropriate transition from the listed building into the new development, including principles for its elevational treatment.

The rest of the building provides an appropriate scale following the reduction in height to the northeast section of the Block C, which has provided more comfortable massing stepping back from the streetscene when viewed from along Warwick Row and also removing encroachment into the Christchurch spire view cone when viewed from The Butts.

Block D:

The Block D development 'Zone' allows for a number of different building arrangements to be accommodated around a mandatory publicly accessible central space. The flexible building heights set within the Parameters Plan Document have a mandatory requirement for a gradual transition of three steps from the taller northern element of Block D to the lower element of Block D on Greyfriars Road.

The north western part of Block D, adjacent to Queen Victoria Road proposes a tower with a minimum height of approximately 50 metres, which would significantly intersect the St Michaels spire view cone viewed from sections of The Butts (due to the curvature of this road).

Pavilion:

There is a mandatory principle within the Development Principles Document requiring that the Pavilion must be no more than two floors (i.e. ground floor + first floor) with a pitched roof or other appropriate form, apart from a flat roof. This principle will control the design alongside the horizontal and vertical deviation allowed in the Parameters Plans Document.

The Three Spires View cones

The Grade I Listed spires of St. Michael's Cathedral, Holy Trinity Church, and the Grade II* Listed Christchurch spire have for centuries stood as defining landmarks of the Coventry skyline. The Spires are experienced from many viewpoints across the city and whilst the proposed development block positions and building heights set within the Parameters Plans Document have been carefully considered they seek to replace existing, generally low-rise buildings and will inevitably have a greater degree of harm upon view cones. Officers have sought to provide an appropriate balance in protecting spire views and enabling higher status buildings more representative of their central location that are able to accommodate mixed-uses and residential accommodation within the upper floors.

The Council's Conservation Consultant notes that, as existing, the Three Spires are encountered when travelling along The Butts within an "unfolding" sequence of views that periodically reveal and conceal each spire at different points. The effect is a dynamic experience of the Spires' striking architecture and prominent form. The proposed development will conceal each of the Spires from view at different points. The degree of concealment is variable, from partial concealment up to, and including, the total loss of a spire from view. Cumulatively, the changes result in a noted reduction in the extent to which the Spires are visible, and a marked diminishment of their landmark status within The Butts view corridor.

As explained in the Heritage section below, it is considered the impact upon the views of the Grade I listed spires of St. Michael's Cathedral and Holy Trinity Church and the Grade II* listed Christchurch spire is considered to be 'less than substantial' and the impact identified must therefore be balanced against the public benefits of the scheme.

Officers also note that the townscape and visual impact assessment is based on the current visibility of the spires following the demolition of the Coventry Point office building, which previously obscured these views from The Butts. The demolition of Coventry Point forms part of the pedestrian linkage improvements between Market Way and the City Centre South site.

In summary, it is considered that at present the public realm within the application site is of a low quality. Key deficiencies include the lack of distinctive arrival points to draw people into the area, poor linkages between spaces, the poor setting to the Grade II Listed Coventry Market, which is currently surrounded by service areas and the backs of existing shops. Many of the buildings within the application site are also of a generally poor design quality and although the buildings have a clear heritage value as a post-war building group none have been listed by Historic England 'due to their lesser architectural quality and level of subsequent alteration.'

The proposed building positions and heights set within the Parameters Plans Document are considered to provide acceptable separation distances between buildings, a good enclosure of the streets and public squares within the scheme and respecting neighbouring buildings. The Council's Urban Design officer has raised no objections to the scheme, subject to conditions.

Although at Outline stage, the detailed Parameter Plans Document and Development Principles Document, as documents for approval, set robust and positive principles to ensure that a high-quality development is brought forward at Reserved Matters stage in accordance with Local Plan Policy DE1, CCAAP Policy CC1 and the aims and objectives of the NPPF.

Heritage character of the area and Heritage Assets

Section 72 of the Planning (Listed Buildings and Conservation Areas) 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area. Section 66 of the same Act imposes a duty to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

NPPF Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

NPPF Paragraph 195 advises that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

NPPF Paragraph 196 indicates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

NPPF Paragraph 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Local Plan Policy HE2 reflects NPPF policy and states that development proposals involving heritage assets in general and listed buildings in particular, should acknowledge the significance of the existing building and the area by means of their siting, massing, form, scale, materials and detail.

The CCAAP Policy CC2 'Enhancement of Heritage Assets' states, amongst other things, that all development relating to heritage assets shall be undertaken sympathetically and seek to preserve or enhance their setting.

The National Amenity Societies responses

The 20th Century Society strongly object to the proposed demolition of the buildings in the Bull Yard due to the loss of non-designated heritage assets and subsequent harm caused to the significance of the Grade II listed market and mural.

The Society notes that the Bull Yard is an important example of the re-planning and building of Coventry in the post-war period, home to a number of low-rise retail blocks with connected roof top car parks. They consider that such buildings could be sympathetically refurbished and reused as part of an effort to improve and invest in the area.

The Society has welcomed the proposal to retain the listed Three Tuns mural, but expressed concern about its proposed removal and relocation, noting how the current position both inside and outside the retail unit evokes the sense of it being carved from the building material rather than applied. The Society considers repositioning the mural in a freestanding location would likely compromise the mural's significance and could also damage it and they therefore believe its removal and relocation would cause substantial harm to the listed structure.

The Society believes the proposed alterations to the Grade II Listed Coventry Market in response to the demolition of its neighbouring buildings, including the removal of the roof top bridge connecting the carpark to others, would have a detrimental impact on the building's significance.

The Society is also concerned about the future of the public artworks on the site and urge that plans are made for the sculptures to be appropriately removed and restored then placed in secure, suitable locations within the proposed new development. The Development Principles Document has been updated to provide mandatory requirements for relocating key pieces of public art within the development. The Society has been reconsulted on the changes and any response will be updated within the late representations.

The Ancient Monuments Society has also objected to the demolition of the unlisted structures within the City Centre South site. They consider that the loss of these buildings, their interconnectivity, and the progression and hierarchy of the various public spaces is highly damaging to city centre, as well as to the setting and significance of the Market Building and its role within the city centre. Further, the Grade II Listed sculpture by William Mitchell was designed for its particular location within the Bull Yard. Its removal and relocation, which would place it out of context, would be harmful to its heritage significance.

Historic England's response

Demolition:

In terms of demolitions relating to designated heritage assets, Historic England has commented that the proposal would result in alterations to the Grade II listed circular Market Hall, which is an elegant and innovative building, with roof-top car parking. It has seen some unsympathetic external alteration and there is an opportunity to restore the buildings light appearance and ensure it continues to be well used. The proposal would also result in the removal and relocation of the Grade II listed Three Tuns mural, a concrete cast sculpture by William Mitchell - the building to which the mural is attached is excluded from the listing description.

In terms of the demolition of non-designated heritage assets and other buildings in the application site Historic England considers the loss of the City Arcade, which has some architectural merit, to be regrettable; however, they accept that the demolition of the majority of the non-designated post-war buildings within the application site would help to unlock other benefits for the area.

As part of the Heritage Action Zone work undertaken by Historic England the area proposed for redevelopment has been assessed for listing. No other buildings in this area have been listed, due to their lesser architectural quality and level of subsequent alteration. The area has not been designated as a conservation area by Coventry City Council.

Notwithstanding this, Historic England note that the post war period is of interest, as part of the story of Coventry and links to the other parts of the City Centre which are listed (such as the precinct), so it will be important to maintain those connections in any new development.

Historic England also highlight pieces of public art in the redevelopment area which have not been considered for listing, but are worth considering for retention and re-use:

- The Mitchell panels on Hertford Street;

- The sculpture of Sir Guy and the Dun Cow by Alma Ramsey (originally at Broadgate House then moved to Shelton Square); and
- The Phoenix sculpture by George Wagstaff on Hertford Street.
- The Thread Through Time Sculpture dates from the 1990s but is also a notable feature of Bull Yard.

General impact:

In considering the general impact upon the area Historic England advises that this is a significant redevelopment proposal for the city centre involving the demolition of the majority of the un-designated post-war buildings in the area. The redevelopment seeks to address concerns about the physical condition and economic viability of the area, which has been in decline with increased vacancy and a dwindling footfall.

The post war development removed sight lines and through routes, creating a maze of spaces to navigate. This is seen as being a cause for the areas decline, in the context of a very different retail market which cannot sustain the large post-war retail offer created in the city centre. The proposal also seeks to reinstate Hertford Street and Market Way as linear through routes.

As such, the redevelopment seeks to take the opportunity presented to address the long-term sustainability of this part of the city centre by creating a mixed-use scheme of retail, leisure and residential with blocks of various heights and scale.

Impact upon designated Heritage assets:

In terms of the impact upon designated heritage assets Historic England notes that the space around the Grade II Listed Coventry Market Hall would be opened up and would allow for the reinstatement of the original elegant exterior treatment; it is anticipated that this will help with the longer-term viability of its continuing use as a well-loved and used Market Hall. The new Pavilion building would create a focal point within new areas of public space. The scheme seeks to bring homes into the city centre and create an attractive environment with the aspiration of assisting in the overall social and economic vitality of the historic centre.

Historic England further indicate it is apparent that discussion with Coventry City Council has been fruitful in allowing for the scheme to be refined particularly on the massing and placement of the taller elements of the proposed scheme. On the basis of the visual assessments provided the taller elements of the scheme would not appear to have a harmful impact on other historic landmark buildings in the City Centre or important views.

Similarly, the images provided indicate a sensitive response in terms of scale and materials where new blocks would adjoin the Grade II Listed former Woolworths building, Grade II listed former British Homes Stores building and Carphone Warehouse, and Grade II Listed Broadgate House to the north of the application site, and the Grade II Listed Reform Club on Warwick Row to the south east of the application site.

In response to the planning application and LB/2020/2857 Historic England have no objection in principle to the proposed works to Coventry Market as part of the wider aspirations for the City Centre South development. Their principal issue is the removal of the ramp at roof level which provides access to the roof top car park. This is a fairly substantial element of demolition which needs justification in NPPF terms. Historic

England note that it is not clear from the information submitted as to what may or may not be intended inside the building. Officers note that the physical works required to create a new basement access into the building will need to be controlled through condition.

In response to the planning application and LB/2020/2860, Historic England agree that the principle of relocating the Three Tuns Mural (in the context of a comprehensive redevelopment scheme for this part of Coventry City Centre) has previously been established via the 2013 Listed Building Consent issued and that the Local Planning Authority will need to remain convinced that the public benefits associated with the redevelopment now proposed continue to outweigh any harm associated with relocation of the mural. Historic England advise that their preferred option would be the inclusion of the mural as part of a building, as originally intended, as indicated in Options 1 and 3 of the updated Development Principles Document.

Historic England note the LPA's intention to apply comprehensive conditions, (reflecting the 2013 Secretary of State decision) to ensure that the relocation of the mural was handled in a timely manner and with a new location clearly established. Historic England have suggested that a major development scheme such as this may require ongoing viability assessments in terms of its phasing and it is not clear how this would link with any triggers relating to the mural's removal, storage and relocation within a set of conditions. They suggest that it may be appropriate to deal with the mechanisms to achieve this through a legal agreement rather than condition. Officers will therefore ensure that a mechanism to secure the mural's removal, storage and relocation is also secured via a Section 106 Legal Agreement to provide additional certainty.

Historic England consider that the development overall will lead to 'less than substantial harm', requiring great weight to be given to the asset's conservation, irrespective of the level of harm. Any harm or loss requires clear and convincing justification and such harm should only be permitted if it would be outweighed by public benefit.

Assessment

The Council's Conservation Consultant has provided extensive comments that carefully assess the harm to individual designated heritage assets. Some of the harm is identified as substantial and some of the harm is identified as less than substantial and the application is therefore to be assessed against both NPPF Paragraphs 195 and 196.

Substantial harm is identified to the Three Tuns Mural (Grade II Listed). The identified adverse impacts seriously affect key elements of the asset's special architectural and historic interest. Specifically, the total loss of its original designed context and its existing relationships to the post-war modernist townscape. The applicant has sought to provide four potential locations for the replacement of the mural in the new development within the updated Development Principles Document to add certainty as to the viability and design of the artwork's reintegration into the new scheme.

Substantial harm is identified to the Upper Precinct, North and South Links Blocks and Piazza, Broadgate House, Former British Home Stores Building and Carphone Warehouse, Marks and Spencer and 4-10 Smithford Way, The former Woolworth Building, Upper Precinct' (all Grade II Listed buildings forming a post-war building group).

The identified adverse impacts seriously affect the key element of the assets' special architectural and historic interest, as derived from their settings. Specifically, diminishing the ability to appreciate the assets' pivotal role as the architectural templates and catalysts for Coventry's pioneering post-war redevelopment through demolition of large swathes of the modernist townscape. The proposed development does offer minor enhancements to the experience of the assets' immediate setting through improved public realm works along Market Way and Hertford Street; however, this is not considered sufficient mitigation to provide substantive mitigations to the identified harm. Balancing all factors, it is therefore determined that the high test for substantial harm has been met.

Less than substantial harm is identified to Coventry Market, the listed buildings fronting Warwick Row, including The Reform Club adjoining The Litten Tree PH, the Library (former Locarno) and Mercia House (former Leofric Hotel) forming the other part of the post war (Donald Gibson) building group. Less than substantial harm is also identified for the Greyfriars Green Conservation Area.

Less than substantial harm is also identified to the three spires. The Conservation Consultant notes that a key element of the heritage assets' significance derives from their setting. The proposed development presents adverse impacts to views experienced within publicly accessible spaces and from the highly frequented vehicular route into the city centre (The Butts). This is a recognised view cone within Policy CC7 - Tall Buildings.

The mitigating factors are noted as: The views of the spires from The Butts are of a modern provenance; although all three of the Spires are encountered along The Butts, the "unfolding" dynamic of views limits viewpoints where all three spires are visible in unison; a limited number of glimpsed views will remain of each spire, or parts of each spire from The Butts, albeit to a much diminished degree than existing; and there are variable degrees of concealment to each of the three spires with St Michael's Cathedral affected to the greatest degree.

Positive weight is given to Christ Church Steeple where the opportunities to improve the design of the public realm adjacent to the heritage asset are recognised to have enhanced the experience of its architectural interest from within its immediate setting.

Non-designated heritage assets are not subject to the tests established by NPPF in respect of 'substantial harm' and 'less than substantial harm'. Nevertheless, NPPF Paragraph 197 is clear that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The scheme will involve the total loss of non-designated heritage assets, which include: Bull Yard, City Arcade, Market Way, Shelton Square, Hertford House, 26-48 Hertford Street, Hertford Street north, west side, Hertford Street shops east side, Barracks Car Park and The Litten Tree public house. As previously noted, Historic England has determined that these buildings are not suitable for Listing due to their lesser architectural quality and level of alteration.

The Conservation Consultant considers that, balancing all factors, both positive and negative, the proposed development presents a major net loss of heritage significance within Coventry City Centre, with the cumulative negative weight of adverse impacts far exceeding the *heritage* benefits. It is, however, acknowledged that the scheme is one of

very few presented since the area's post-war reconstruction of such scale and ambition. In turn, it is recognised that there is potential for widespread and long-lasting public benefits that may be sufficient to outweigh the harm to heritage assets. The Conservation Consultant states that it is for this reason alone that an objection to the application has not been submitted.

Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, as noted local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. In the case of less than substantial harm, this harm should be weighed against the public benefits of the proposal.

In the case of substantial harm, the proposed development must be shown to be necessary to realise substantial public benefits. The public benefits presented by the applicant must also be considered sufficient to outweigh the identified harmful impacts to designated heritage assets. There must be "great weight" and "special regard" applied to the preservation and enhancement of designated heritage assets in enacting the balance, irrespective of the level of harm. The impacts to non-designated heritage assets must also be considered. The public benefits are considered in greater detail below.

Public Benefits

Assessment of the degrees of public benefits presented by a scheme require careful consideration of the diverse economic, social and environmental elements of the three overarching objectives of sustainable development, which are set out in NPPF Paragraph 8 as:

- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Given the identified harm to heritage assets it is essential, to be Policy compliant, that clear and convincing public benefits are identified. The Local Planning Authority are compelled to refuse the application if it is not considered that the public benefits are sufficient to outweigh the harm. Officers have therefore asked the applicant for additional information to evidence and quantify public benefits. These are identified below:

Economic Benefits

Shorter-term job creation during construction. It is estimated that the construction of the Development will support up to 508 gross full-time equivalent jobs, creating accessible employment opportunities and supply chain benefits in the short-term.

Inward investment and job creation during operation. The existing site is characterised by a high level of vacancy in the retail and office units representing a lost opportunity to support economic activity and jobs. At the time of site visit in March 2020, the estimated vacancy rate was 26%. Given the on-going structural changes which have been exacerbated by the COVID pandemic, it is likely that this level of vacancy is higher and existing jobs supported is lower than the Socio-Economics chapter of the ES assumes. It is estimated that the Development will support up to 2,000 full-time equivalent jobs during operation.

The Development seeks to create new retail, office, leisure and hotel accommodation which will support a broader range of employment opportunities than currently supported by the existing site, which predominantly comprises low-quality retail and office floorspace, which does not meet modern occupier requirements.

The creation of high-quality office accommodation aimed at smaller office typologies such as co-working space will support inward investment and high employment opportunities accessible to the local population will be created, particularly in retail, leisure and hotel uses.

The weight to be afforded to supporting sustainable job creation should be considered in the context of average economic activity amongst the working-age population being significantly lower at the local neighbourhood (52.8%) and local authority (72.4%) than the national average of 76.8% (2011 Census).

Social Benefits

*Provision of new high-quality homes in a sustainable city centre location
The site currently provides no housing and the wider city centre's housing offer predominantly comprises purpose-built student accommodation.*

The Development will deliver up to 1,300 new high-quality homes as part of a sustainable mixed-use neighbourhood. If this maximum parameter of residential development was delivered, it would enable Coventry to meet over 5% of its minimum housing target defined in Local Plan Policy DS1.

The current MHCLG Standard Method to calculating Local Housing Need is also substantially higher than the Local Plan Policy DS1 requirement of 1,230 homes per annum, at 1,722 homes per annum. Therefore, the Development will contribute substantially to Coventry's ability to increase its housing delivery above its current three-year average of 1,154 homes per annum and contribute to addressing its substantially higher quantum of unmet need.

The delivery of this number of new homes is significant in both the city-wide and city centre context. The development will increase the variety of provision in the local housing market.

Improved pedestrian environment and public safety. The environmental benefits also identify an improvement in quality and quantity of the public realm more generally, whilst the text below focusses on the benefits to pedestrians travelling through the site and wider city centre.

The Development significantly improves the permeability of the site, by reinstating the two historic north-south routes along Market Way and Hertford Street and creating new east-west linkages across the site, to overcome the fragmented and illegible urban design of the existing site.

As secured by the Parameter Plans Document and Development Principles Document for approval, the Development will improve passive surveillance through the removal of inactive frontages and ill-defined servicing areas and through the introduction of a new residential population on-site, thereby benefitting public safety.

Environmental Benefits

Provision of new high-quality homes in a sustainable city centre location. City Centre Area Action Plan Policy CC19 envisaged the site would be redeveloped as a retail-led scheme with a more limited range of residential and leisure uses, with a minimum of 40 homes.

As the Development will deliver up to 1,300 new high-quality homes as part of a sustainable mixed-use neighbourhood, this maximises the use of previously-developed brownfield land within the existing urban area of Coventry, thereby minimising the requirement to deliver an equivalent number of homes on greenfield land, with its associated loss of biodiversity and amenity value.

Creation of a larger amount and better quality of public space. The site's current layout hinders pedestrian connectivity through the site and into Coventry City Centre, with an illegible mixture of servicing areas, pedestrian precincts and lower-quality public spaces. It is currently estimated that the total area of publicly accessible space totals 1.6 hectares, including the service areas associated with the Market.

A comprehensive approach to the redevelopment of the Site will enable the delivery of a legible and attractive public realm, including soft landscaped areas and planting with their associated biodiversity and amenity benefits. As well as the significant qualitative improvement in public realm, the Development will increase the area of public realm by circa. 40% to a total of 2 hectares.

This public realm will be well-defined and well-designed as a place to pass through and a place to dwell, centred on two new public squares. The layout of public realm within the Development has sought to maximise the benefits of recent or on-going public realm improvements immediately adjacent to the site, such as the new childrens' play area and water feature adjacent to the Wave and Christchurch Spire.

Alongside the biodiversity and amenity benefits, the combined qualitative and quantitative improvement in public realm will likely support health and wellbeing benefits for existing local residents and future residents of the Development, given the improved opportunities for walking and socialising.

Potential for net biodiversity gain. Whilst landscaping is a reserved matter for the majority of the Development, an indicative Net Biodiversity Gain Assessment produced to inform the application has assessed the likely biodiversity net gain that could be achieved on-site, based on the illustrative landscape masterplan and potential green and brown roof areas.

This Assessment demonstrated the potential to achieve a net biodiversity gain of circa. 67% compared to the existing site characteristics, which significantly exceeds the 10% improvement enshrined in the draft Environment Bill.

The Development Principles Document for approval, alongside the Preliminary Environmental Assessment and Net Biodiversity Gain Assessment, provides recommendations in relation to green and brown roof areas and soft landscape design, which will be incorporated in the detailed design of landscape proposals to be submitted at reserved matters stage.

Positive townscape effects.

- Beneficial townscape effects of major-to-moderate significance within the Coventry Central Retail townscape character area, with the re-introduction of historic north-south routes across the site (Market Way and Hertford Street) and creation of new east-west routes, improving the permeability and legibility of pedestrian circulation;*
- Beneficial townscape effects of moderate-to-minor significance on the adjacent Greyfriars Green townscape character area, with the introduction of varied rooflines and façade treatment and use of high-quality materials;*
- Beneficial effects of minor significance in the Coventry West and Coventry South Mixed Use townscape character area south and west of the site, with the removal of the inactive frontage associated with City Arcade and its multi-storey car park and replacement with high-quality buildings with active street frontages set within a high-quality public realm.*

Enhancement of setting of designated heritage assets. At present, the Grade II Listed Coventry Retail Market is relatively obscured from public view situated to the rear of the primary pedestrian thoroughfare along Market Way and is surrounded by vehicle parking and servicing areas, in a poor-quality setting. The Development will enhance the situation of the Market relative to the retail circuit and public realm; the southern Market frontage will face onto one of the two new public squares highlighting the prominence of the Market as a retail destination and enabling its architectural and communal values as a designated heritage asset to be experienced in a more open manner.

The Council's Conservation Consultant has also identified the following heritage benefits as emerging from the proposed development:

- Enhancements to the experience of the heritage significance of the Grade II Listed NatWest Bank on Hertford Street through improved public realm within its immediate setting.
- Enhancements to the experience of the heritage significance of non-designated Methodist Central Hall through improved public realm within its immediate setting.
- Securing the optimum viable use of the Grade II listed Coventry Retail Market through development within its immediate setting that will likely improve its viability as a commercial marketplace. The Conservation Consultant makes a distinction that it is the improved commercial viability of the Market by improving its setting/footfall that is a

heritage benefit and *not* improvements to its setting. This is because of the loss of the Market's post-war setting results in an overall net adverse effect to its significance. By definition, the proposed development cannot therefore be considered to qualify for the criteria for heritage benefit of "...sustaining or enhancing the significance of the heritage asset and the contribution of its setting", as outlined NPPG 18a-020.

Planning Balance

The proposed development will result in substantial and less than substantial harm to designated heritage assets and the total loss of non-designated post-war heritage assets proposed for demolition. It is therefore essential that there is confidence that the identified public benefits will outweigh this identified harm. As previously stated, the Local Planning Authority are compelled to refuse the application if it is not considered that the public benefits are sufficient to outweigh the harm.

The City Centre South redevelopment area is supported by City Centre AAP Policy CC19 and will accord to Local Plan Policy R2 'Coventry City Centre – Development Strategy' and the aims of the NPPF section 7 by 'supporting the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation'. The retail-led scheme originally envisaged and approved under OUT/2012/0575 has been rightly adapted into a more robust, futureproof mixed-use scheme with a significantly higher proportion of residential units.

Officers are also mindful of the significant changes that have taken place upon retail sector in recent years. These were evident prior to the pandemic; however, lockdown restrictions may have accelerated the change in shopping habits increasing the growth of online shopping. As detailed within the 'Principle for Development' section of this report 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 residential heart. The existing predominantly low-rise post-war buildings present limited opportunity to adapt to these changes.

There remains significant potential to draw new retail companies that are currently absent from the city centre into the new development, where high-quality buildings and desirable retail spaces will be provided, set round new public squares that will significantly improve the visitor experience and remove the current poor linkages between spaces in this part of the city.

The Developer Contributions section of this report advises in greater detail that the development's current financial viability cannot support financial contributions. This is the current situation, at this time; however, the associated Section 106 legal agreement will require contributions to be re-viewed at later stages of the development. Affordable housing cannot therefore be included as a public benefit; although Officers still give weight to the significant boost in new housing within the local housing market.

The applicant has sought to mitigate harm by ensuring that the Three Tuns Mural and also non-designated public art is relocated within the new scheme.

Overall, the scale and ambition of the scheme is considered to provide substantial widespread and long-lasting public benefits to Coventry's citizens at a multi-generational level. It is concluded, on balance, that these substantial public benefits, including heritage

benefits, achieved as a result of the proposed development, will outweigh the substantial harm and less than substantial harm identified, in accordance with NPPF paragraphs 195 and 196.

Additionally, having considered the significance of the non-designated heritage assets and the scale of harm identified, it is concluded, on balance, the benefits delivered by the proposed development will outweigh the potential harm to the identified non-designated heritage assets in accordance with NPPF Paragraph 197.

NPPF Paragraph 198 advises that Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. Conditions will be imposed to control phasing of the development and restrict demolition until Reserved Matters applications have been submitted that demonstrate a high-quality replacement scheme.

Archaeology

In terms of archaeology the Council's Archaeologist has raised no objection to the scheme, subject to a condition to secure a programme of archaeological works.

A building recording condition will also be required for all relevant buildings, prior to their demolition.

Impact on residential amenity

In terms of the amenities of future occupiers within the proposed new blocks, the scheme is considered to provide potential for a high-quality residential environment. The Development Principles Document has added mandatory principles regarding (i) a minimum of 18 metres separation distance **must** be maintained between two sets of windows to habitable rooms of separate residential dwellings; and (ii) where the separation distance between the windows to habitable rooms of separate residential dwellings falls below 21 metres, mitigation measures **must** be incorporated in the design to minimise excessive overlooking.

The 'Design Guidelines for New Residential Development' SPG seeks to achieve a separation distance of 20 metres between habitable windows; however, a more compact form of development is acceptable within a high-density, central urban area with the proposed separation being reflective of other existing developments in the locality. Officers are therefore satisfied that the separation distances set within the mandatory principles will enable buildings to come forward at Reserved Matters design stage that will provide an acceptable level of light, outlook and privacy to future occupiers.

In terms of the proposed mix of uses and busy city centre location, Environmental Protection have suggested conditions to secure in-building noise mitigation and odour controls at Reserved Matters stage to ensure that the amenities of future occupiers are protected from noise and disturbance.

The existing residential properties adjoining the site include student accommodation within the upper floors of the former Woolworths building on Market Way, residential accommodation on Hertford Street and Warwick Row, Beauchamp Court apartment buildings on Greyfriars Road and Vicroft Court apartment buildings on Queen Victoria Road and terraced properties on Starley Road to the west.

The scheme is supported by a Daylight and Sunlight Assessment, that assesses in detail the potential impact of the new development upon existing occupiers that surround the development. The impact upon sunlight and daylight to the majority of properties is *negligible* and therefore in accordance with the Building Research Establishment (BRE) Guidelines.

The scheme originally proposed greater height to the southern end of Block D where there are a greater number of adjacent residential properties on Queen Victoria Road and Greyfriars Road. The parameters of Block D have been redesigned to relocate the taller elements in the north of the development zone rather than in the south. The assessment notes that these design changes are considered to have reduced the potential effects on the identified sensitive receptors.

The assessment identifies several residential properties on Starley Way where the impact upon daylight and sunlight is *minor adverse*. The impact upon Beauchamp House off Greyfriars Road is *moderate adverse* for daylight but *negligible* for sunlight. The impact upon Vicroft Court off Queen Victoria Road for both sunlight and daylight is *moderate adverse*. The impact upon No.54-57 Hertford Street is also *moderate adverse*.

Student accommodation is located within the former Woolworths Building with windows in the southern elevation facing Block A2. To safeguard privacy between existing and future occupiers the Development Principles Document sets mandatory principles that the façade of the residential component of Block A2 facing the Former Woolworths Building must not contain windows into habitable rooms. The Daylight and Sunlight Assessment indicated that the impact upon these windows is *negligible*.

Officers note that given the generally low-rise nature of the existing buildings within the application site neighbouring windows experience high levels of sunlight and daylight, that are above average for a dense urban city centre such as Coventry. A higher density of development is both appropriate within the city centre and also necessary for securing the intended vision for City Centre South and its associated wide-ranging benefits. There are a small number of residential windows overall that are affected to a *minor adverse* or *moderate adverse* impact; however, the level of outlook, light and privacy is considered to be generally consistent with the more compact form of development expected within a high-density city centre. The impact upon existing residents is not therefore considered to be so significant as to warrant refusal of the scheme.

Highway considerations

Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city. c) Support the delivery of new and improved high-quality local transport networks which are closely integrated into the built form. d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

Policy AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for

pedestrians, reduce visibility at junctions and impact negatively on the street scene. The car parking standards set out in Appendix 5 to the Local Plan indicate that the provision of private car parking will not generally be promoted within the City Centre as it is highly accessible by a range of transport modes and there is already an adequate supply of publicly available car parking.

City Centre AAP Policy CC11(e) encourages proposals for the redevelopment of the Barracks Multi Storey Car Park ("MSCP") and City Arcade MSCP as part of the wider regeneration of the city centre. Policy CC11 requires that any change in the provision of public car parking spaces must be clearly justified as part of an on-going review process and be shown to have an acceptable impact on the performance and accessibility of the city centre and overall car parking provision.

The Local Plan Appendix 5 'Car and Cycle Parking Standards for New Development' sets requirements for cycle parking provision only for new development within the city centre. The document notes that the provision of private car parking will not generally be promoted within city centre as it is highly accessible by a range of transport modes and there is already an adequate supply of publicly available car parking. However, it is recognised that in some cases a small allocation may be appropriate. The justification of any provision should be set out in the accompanying Transport Assessment or Statement as appropriate. In cases where private car parking is provided, opportunities should be sought to provide parking as part of the building, underground, or as a multi storey arrangement to maximise the density of development.

The enhancement of the permeability of the site and its pedestrian linkages with the surrounding area is a core principle of the development. The Access and Movement Parameter Plan defines the proposed vehicular and pedestrian/cycle access points into the application site.

The Parameter Plan identifies areas of the site which will prioritise pedestrian movement in the public realm, with limited access for service vehicles during off-peak hours, and allowing for emergency vehicle access, as necessary. It is envisaged that the majority of the pedestrian priority space will encompass public realm. In the case of the existing service yard to the north of Coventry Market, this area will remain a service yard, meeting the needs of Coventry Market, Lower Precinct and City Centre South.

The applicant confirms that details of short-stay cycle parking for visitors and long-stay cycle parking for residents of the development will be provided in subsequent Reserved Matters applications, but these will be in accordance with the relevant policy requirements.

In terms of car parking it is proposed that a minimum of 90 and maximum of 300 car parking spaces are delivered for future residential development. There will also be the opportunity for future residents to purchase season tickets for parking spaces within the city centre's public car parks. With the loss of the Barracks MSCP and City Arcade MSCP there will be an overall reduction in car parking spaces available for public use. Nevertheless, the new Salt Lane MSCP has recently opened, and it is considered that there will still be plenty of capacity for public car parking within the city centre. Careful consideration will also need to be given to disabled parking and parking for delivery

vehicles for the residential properties. These requirements will be developed at Reserved Matters stage for each phase.

In terms of the Outline element of the planning application the Highway Authority has raised no objection to the scheme, providing the following comments:

Transport Assessment

The Highway Authority agrees with the trip generation, distribution and mode share methodology and calculations as set out in the Transport Assessment. It is noted that the overall assessment for the outline application is based upon an illustrative masterplan, and therefore these parameters may be required to be amended along with any assessment if the masterplan was to differ significantly; however, this would be required to be discussed with the Highway Authority at Reserved Matters stage.

Access

Vehicular access will be from existing accesses from Barrack St, City Arcade existing car park access and the existing service access to the north of Coventry Market off Queen Victoria Rd. These will be retained for service and operational vehicles only with some provision for car park spaces. It is appreciated that this is outline stage and the layout is to be determined. At Reserved Matters stage, the applicant is required to provide further details on access in terms of the type of vehicles anticipated to use each and provide vehicle tracking evidence to ensure that there is adequate space for service vehicles to turn around safely to exit in a forward gear whilst not impacting on any customer parking provided.

Pedestrian/cycle access is proposed to be via existing routes through the site such as Market Way, Hertford St and Warwick Rd/New Union St. It is also proposed to amend Rover Way (via Queen Victoria Rd) to allow for pedestrian/cycle access only. Highways agree to the principle of a relocated pedestrian crossing configured into the proposed signalised Queen Victoria Rd/Croft Rd/Rover Rd junction; however, with final details yet to be confirmed it is considered that this matter is best dealt with by way of a planning condition.

Car and cycle parking

It is proposed that no public parking within the boundary of the site will be replaced as part of the proposals, and this is supported by the Highway Authority. Given the results of the car parking surveys and through consultation with the CCC Parking Manager it is accepted that there is adequate provision of public car parking nearby to compensate. The applicant is however required to fully justify acceptability of this through the provision of a detailed site Travel Plan.

Cycle parking is required to be in accordance with the Coventry Local Plan: Appendix 5 (Car and Cycle Parking Standards), which can be secured by condition.

Travel Plan

A detailed Travel Plan will be required at Reserved Matters stage to outline implementation of sustainable travel measures (through S106 contributions or direct) and a detailed action plan of delivery.

A construction travel plan will also be required to be submitted to detail construction traffic demands, routes, mitigation etc. These will be conditioned as part of the outline planning permission.

Assessment and Mitigation

Junction capacity assessments have been undertaken at the following locations;

- New Union Street/Little Park Street
- New Union Street/Greyfriars Lane
- Greyfriars Road/Warwick Road
- Greyfriars Road/City Arcade Car Park
- Queen Victoria Road/Croft Road/Rover Road
- Queen Victoria Road/Lower Precinct Car Park
- Upper Well Street/Corporation Street
- Corporation Street/West Orchard Car Park
- Corporation Street/The Burges/Hales Street/Bishop Street

The assessments show that in 2037 with the introduction of the proposed development the junctions at New Union St/Greyfriars Lane, Greyfriars Rd/Warwick Rd and Queen Victoria Rd/Croft Rd/Rover Rd will operate over capacity.

Mitigation has been put forward by the applicant in the form of signalisation of the Queen Victoria Road/Croft Road/Rover Road junction and widening of Greyfriars Lane. Certainly, the signalisation of the Queen Victoria Road/Croft Road/Rover Road junction will potentially be a requirement given the capacity constraints at this location and new features being implemented as part of the proposals. Highways recognise the further discussions are required as the scheme develops to ascertain the necessary highway mitigation.

Potential off-site financial contributions have been indicated by the Highway Authority; however, there is limited detail to justify why these contributions are necessary to make the development acceptable in planning terms or how they are directly related to the scheme and they have not therefore been requested. Members will be updated at Committee if there are any Highway contributions. These will then be subject to the same review mechanism at reserved matters stage detailed in the 'Developer Contributions and Obligations' section of the report.

In terms of the full element of the application and in particular the new vehicular basement access into Coventry Market from Queen Victoria Road, the Highway Authority have asked for some additional detailing, including: the expected demand for the Market basement ramp, how it will link to the signalised Queen Victoria Road/Croft Road junction, and further plan details to show pedestrian visibility splays and physical features to ensure vehicle speeds are at a minimum. The Highway Authority's final response will be updated within the late representations prior to the committee meeting.

Flood Risk

Policy EM4 states that all major developments must be assessed in respect of the level of flood risk from all sources. If development in areas at risk of flooding is the only option following the application of the sequential test, it will only be permitted where the criteria set out in Policy EM4 are met.

City Centre AAP Policy CC9 'Drainage & Flood Risk' states that development shall be designed and located to minimise the risk of flooding and if permitted development, development should be resilient to flooding.

The majority of the application site is within Flood Zone 1; however, part of Block A1 and Block D adjacent to Queen Victoria Road and Rover Road are within Flood Zone 2. The scheme is supported by a Flood Risk Assessment and includes, through consultation with the Environment Agency, a flood attenuation scheme that will both protect future occupiers of the buildings without increasing flood risk elsewhere. The Environment Agency have raised no objections to the scheme, subject to conditions to secure agreed flood attenuation.

The LLFA are satisfied that the proposed flood mitigation measures identified within the application are acceptable and have raised no objection to the scheme, subject to a condition to secure final details and implementation of such measures.

Contaminated land

Policy EM6 seeks to ensure that redevelopment of previously developed land does not have a negative impact on water quality, either directly through pollution of surface or ground water or indirectly through the treatment of wastewater by whatever means.

Environmental Protection note that due to the location and site history there is an increased risk of unexploded ordnance being found within the site; however, the recommendations within the supporting unexploded ordnance (UXO) assessment are agreed and will be conditioned accordingly.

The standard land contamination conditions and associated remediation requirements will be applied to safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016.

Air quality

Policy EM7 states that major development schemes should promote a shift to the use of sustainable low emission transport to minimise the impact of vehicle emissions on air quality.

Environmental Protection have advised that the application should align to the Council's Air Quality Plan, Policy EM7 of the Local Plan and the emerging Air Quality SPD, by clearly identify a range of mitigating options including: support access to low emissions vehicles infrastructure, designing in clear access and preference for sustainable and active travel options including public transport and commitments to building design and standards that will create a high quality, energy efficient development. Such measures would help address air quality issues both for this application and the city as a whole.

Environmental Protection agree that air quality mitigation measures should be determined once the final site layout is known at Reserved Matters stage to support the aims of Policy and avoid any negative air quality impacts. A condition is suggested to secure these measures for each phase at Reserved Matters Stage.

The development is located within a highly sustainable location where future residents will have excellent access to shops and services and public transport options. A condition

is suggested to require the provision of electric vehicle charging points and a condition to ensure a maximum dry NOx emissions rate of 40mg/kWh for (low emission) gas boilers.

Ecology and Green Infrastructure

Policy GE3 of the Local Plan states that proposals for development will be expected to ensure that they lead to a net gain of biodiversity, protect or enhance biodiversity assets and secure their long term management and maintenance, avoid negative impacts on existing biodiversity, and preserve species which are legally protected, in decline, are rare within Coventry.

Policy GE4 'Tree Protection' notes that trees make a valuable contribution to the city's green landscape. New developments should seek to retain existing trees and other landscape features, incorporating them into a high-quality design and landscape proposals where possible.

City Centre AAP Policy CC8 'Green and Blue Infrastructure' states that new development will be expected to maintain the quantity, quality and functionality of existing green and blue infrastructure and that development proposals should enhance blue and green infrastructure and create and improve linkages between the areas.

The Council's Ecologist advises that the proposal would not impact on any statutory or non-statutory wildlife sites and there are no records of notable wildlife from the area. Bats (Pipistrelles) are recorded generally within the city centre and Peregrine Falcon nests within the centre. The existing site is largely buildings and hardstanding with relatively low biodiversity value, although the site does include an undeveloped plot (Block A1) which has established as ruderal, urban habitat and has value within the urban centre.

The Council's Ecologist notes that the supporting indicative Biodiversity Net Gain Assessment suggests that the development could lead to a net gain in biodiversity, which is accepted. The net gain depends upon the delivery of significant areas of green and brown roofs, which will be confirmed. No objection is raised, subject to conditions to secure details of soft landscaping, green and brown roofs, tree planting and bio-diversity features, such as bat and bird boxes, at Reserved Matters stage.

In order to accord with the above policies, the Development Principles Document sets out mandatory requirements for Green Infrastructure, as follows:

- Green infrastructure must be incorporated in the development, including consideration of the following objectives in green infrastructure design;
- Improvements to existing pedestrian and cycling routes;
- The enhancement of existing public spaces;
- The provision of new public spaces and pedestrian routes;
- To increase the overall quantum of green space within the city centre, including the retention of existing trees where possible and providing new tree planting to enhance the creation of new streets and public space.

The Council's Tree Officer has suggested that new trees should be planted within traditional tree pits large enough to provide sufficient root volume for future growth, as the species should provide large canopies for shade and in line with guidance on climate change mitigation, such as London Plane. The new trees should be of nursery stock Super-Semi mature (45-60 girth) and include details of tree pits, a water maintenance

programme and warrantee. These specific planting details would be secured at Reserved Matters stage for each phase of development.

Equality implications

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

The Development Principles Document secures positive accessibility principles, including the mandatory principle to mitigate existing steep gradients on Hertford Street.

A condition will be imposed to require the Shopmobility facility in Barracks Car Park to be replaced to a suitable location within the city centre prior to the demolition of this building to ensure that the Shopmobility service is not disrupted.

The applicant notes that any works to be undertaken to Coventry Market will be phased to ensure that there is continuous pedestrian and servicing access into Coventry Market. This and phasing of the wider development will also be secured by condition.

The Council's Property Team are liaising separately with existing businesses within the CCS site to ensure that they are fully supported through the transition period.

There are no known equality implications arising directly from this development.

Developer Contributions/Obligations

Policy IM1 'Developer Contributions for Infrastructure' states that development will be expected to provide, or contribute towards provision of: a) Measures to directly mitigate its impact and make it acceptable in planning terms; and b) Physical, social and green infrastructure to support the needs associated with the development.

Contribution and obligation requests:

Housing advise that the scheme triggers the requirement for 25% affordable housing in accordance with Policy H6. The affordable housing should be delivered as a combination of Social Rent (15%) and Intermediate Tenure, including Shared Ownership (10%).

The NHS (University Hospital Coventry and Warwickshire) have requested a contribution of £2,110,699.00 for acute care interventions.

The Coventry and Rugby Clinical Commissioning Group (CCG) have requested a contribution of £862,778.00 for improvements to off-site primary medical care and healthcare facilities.

CCC Education Department have asked for a total contribution amount of £11,661.598. This is broken down into the following provision stages:

Provision stage	Number of children generated	Provision	Contribution requested
Early Years / Primary School	236	Towards increasing provision at Hearsall Academy, Earlsdon and Spon Gate.	£3,398,872
Primary SEN	9	Towards increasing provision at Woodfield Special School, Sherbourne Fields Special School or Baginton Special School.	£591,651
Secondary	300	Towards increasing provision at Finham Park, Barrs Hill, Sidney Stringer and Cardinal Newman.	£5,616,600
Post 16	52	Towards increasing provision at Finham Park, Barrs Hill, Sidney Stringer and Cardinal Newman.	£1,265,607
Secondary and Post 16 SEN	12	Towards increasing provision at Woodfield Special School or Sherbourne Fields Special School.	£788,868

The supporting text of Policy IM1 recognises that: *there may be specific circumstances which mean the planning obligations and policies make a development, which otherwise positively contributes to the delivery of the Local Plan, unviable. In these cases, applicants will be expected to demonstrate how planning obligations and policies result in the development being unviable by preparing a Viability Assessment.*

The Assessment has been independently assessed by the City Council's assessor, who concludes that the proposed development cannot viably meet the on-site affordable housing requirement or support off-site financial contributions, including those requested by the Local Education Authority, NHS University Hospital Coventry and Warwickshire and the CCG, without impacting adversely on development viability and deliverability.

Officers recognise that the proposed development positively contributes to the delivery of the comprehensive redevelopment of a part of the city centre, which is identified and supported by in Policy CC19, including a range of substantial economic, social and environmental benefits.

It is important to note that the viability assessment has been undertaken at a time when both the UK economy and the high street are facing unprecedented challenges. This is therefore a 'snapshot' of the scheme's viability at this time.

The viability position may well change when the reserved matters come forward and a review mechanism is therefore proposed to be incorporated in a Section 106 Legal Agreement, which will require a Financial Viability Assessment to be submitted on a phased basis, in order that the applicant and Local Planning Authority can re-assess viability. This provides the Local Planning Authority with the ability to secure affordable housing / financial contributions in the future, should scheme viability allow.

The officer recommendation to Members is delegate the granting of planning permission and the respective applications for Listed Building Consent to the Strategic Lead for Planning, subject to the conditions listed in the report and the completion of this S106 Legal Agreement to secure the review of contributions and obligations at subsequent Reserved Matters stages and subject to the Secretary of State not wishing to intervene in the determination of the applications.

Conclusion

The proposed development is considered acceptable in principle and will not result in any significant impact upon visual amenity, neighbouring amenity or highway safety. In relation to heritage, in conducting the planning balance, the Council starts from the position that 'considerable importance and weight' should be given to the desirability of preserving and enhancing designated heritage assets. Heritage consultees have identified both substantial and less than substantial harm to designated and non-designated buildings and structures within the site. Both Historic England and the Council's Conservation Consultant conclude that harm can be weighed against public benefit. The reason for Coventry City Council granting planning permission and granting Listed Building Consent(s) is because the development is in accordance with: DE1, HE2, H3, H5, DS1, DS3, JE1, JE6, JE7, GE1, GE2, GE3, GE4, AC1, AC2, AC3, AC4, AC5, CO1, R1, R2, R6, HW1, EM1, EM2, EM3, EM4, EM5, EM6, EM7 of the Coventry Local Plan 2016, Policies CC1, CC2, CC10, CC19 of the City Centre Area Action Plan 2017 and the aims and objectives of the National Planning Policy Framework (NPPF).

CONDITIONS:/REASON

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.

Reason: *To conform with Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015)*

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.

Reason: *To conform with Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015)*

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.

Reason: *To conform with Section 92 of the Town and Country Planning Act 1990 (as amended)*

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.

Reason: *To conform with Section 92 of the Town and Country Planning Act 1990 (as amended)*

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

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

6. Each reserved matters application to be submitted in accordance with Conditions 1 and 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.

Reason: *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. The reserved matters to be submitted in accordance with Conditions 1 and 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.

Reason: *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. The reserved matters to be submitted in accordance with Conditions 1 and 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;
 - 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.

Reason: *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. The Reserved Matters to be submitted in accordance with Conditions 1 and 2 shall include details of:
- (i) 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).
 - (ii) A bespoke scheme for works 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 and associated outside activities.
 - (iii) 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 (reference TBC) document. The noise attenuation, mitigation and odour controlled measures shall be installed in strict accordance with the approved details prior to first occupation of the development and thereafter retained/maintained and shall not be removed or altered in any way.

Reason: *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. 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.

Reason: *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. 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.

Reason: *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. 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 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.

Reason: *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. 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 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.

Reason: *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. 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.

Reason: *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. 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.

Reason: *To ensure that all appropriate opportunities have been taken to ensure that the suitable re-siting of this non-designated heritage asset in accordance with Policy HE2 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

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 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.

Reason: *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. 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 and the fieldwork completed prior to the reserved matters application. 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.

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.

Reason: *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. 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 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).

Reason: *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. No development 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.

Reason: *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. The approved remediation scheme must be carried out within each phase in accordance with its terms prior to the commencement of development 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.

Reason: *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. 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.19, 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.

Reason: *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. 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.

Reason: *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. 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 Qbar 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.

(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.

Reason: 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. 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.

Reason: 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'.

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.

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

Reason: *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 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; and
 - 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. Thereafter the works shall only proceed in accordance with the approved details.

Reason: *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. The infilling of the existing vehicle access ramp into the basement of Coventry Market from Rover Road shall not commence unless and until either the proposed new ramped access to that basement from Queen Victoria Road has been fully

completed and is operational or 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.

Reason: *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. 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.

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

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 throughout the phases of demolition and reconstruction shall 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.

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

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.

Reason: *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. 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.

Reason: *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. 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.

Reason: *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. 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 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.

Reason: *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.*

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.

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

Reason: *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. 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.

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

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.

Reason: *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. 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

Reason: *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. 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 development, including deliveries and waste management. All details shall be carried out as approved.

Reason: *To facilitate the uninterrupted operation of Coventry Market during*

development in accordance with Policies AC1 and DS3 of the Coventry Local Plan 2016.

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

Reason: *To ensure the suitable replacement of this extraction vent in accordance with Policy DS3 of the Coventry Local Plan 2016.*

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

Reason: *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. 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.

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

Reason: *For the avoidance of doubt and in the interests of proper planning*