

Alternate Market Servicing Strategy– Planning Note on behalf of SPRL

Introduction

1. This brief planning note has been prepared further to the RPS Note included at Appendix AP1 to the Rebuttal Proof of Alec Philpott which discusses the revised Market servicing scheme described in the evidence of Mr Vaughan and Mr Maxwell for SPRL.
2. This revised Market servicing scheme takes the form of a surface level service area to the west of the Market building situated beneath Block A1, together with a potential new ground floor goods access into the market from the service area (Figure 6.4, page 21 of the proof of evidence of Mr Vaughan includes a plan illustrating the revised Market servicing scheme).
3. The revised parameters for Block A1 approved as part of the recent Section 73 permission (S73/2022/3160) have been designed to be able to accommodate this servicing area or the approved basement ramp.
4. It would be the intention that if such a revised Market servicing scheme was provided, it would update the arrangements specified in the Section 73 permission (and the previous 2022 permission).

Background Information

5. The Description of Development provided as part of the Section 73 permission includes the following detailed component, which refers to the creation of a new Market basement ramp and associated works to the basement (shown in **bold** for ease of reference):

*“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 northeast 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.”*

6. The above part of the Description of Development is identical to the 2022 permission (OUT/2020/2876) in this regard. These works to the Market have also been approved by the Secretary of State through the issue of Listed Building Consent (“LBC”) (LB/2020/2857).
7. In addition, Condition No. 46 to the Section 73 permission requires that the development be carried out in strict accordance with the approved plans and documents as listed; these include various detailed plans showing the proposed basement ramp. A similar condition is also attached to the LBC (Condition 2).

8. Condition 28 of the Section 73 permission, which replicates the corresponding condition attached to the 2022 permission, confirms however that a different Market servicing solution to the proposed basement ramp could be provided. The condition is worded as follows (reference to the acceptability of a viable alternate Market servicing solution is shown highlighted **bold** for ease of reference):

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

9. This condition is also replicated in Condition 4 attached to the LBC for the Market. The details approved through the LBC for the Market mirror the detailed (full) part of the Section 73 planning permission as relates to the works to the Market.
10. The Section 73 permission and LBC therefore contemplates that an alternative solution to the basement ramp may be appropriate, notwithstanding its inclusion in the Description of Development and conditions requiring compliance with approved drawings. This aspect of the development would not be provided if an alternate viable means of servicing the Market, such as the SPRL revised Market servicing scheme, was agreed.

Conclusion

11. The potential revised Market servicing scheme has not yet been formally agreed by RL. As such, the Section 73 application did not seek at that time to remove reference in the Description of Development to the basement ramp arrangements approved as part of the 2022 permission and associated LBC.
12. As per Condition 28, the Council, as local planning authority and highways authority, would not object to not providing the basement ramp subject to an appropriate alternative servicing solution being agreed with the Council.
13. Should the revised Market servicing scheme be taken forward as an alternative to the basement ramp, this would require detailed consent to be approved through reserved matters. Any works needed to the market itself, such as required for the creation of a new ground floor goods access into the market from the service area, would require listed building consent and full planning permission. These would be sought in parallel to the reserved matters approval for Block A1. Given Condition 28, it is considered that such an approach would accord, and not conflict, with the Section 73 permission. Such works would also be less intrusive into the market structure than the already approved basement ramp works and it is considered that the Council and Historic England are likely to support or have no objection to such works on that basis.



Richard Brown, CBRE (16th January 2023)



Liam D'Onofrio, Coventry City Council (16th January 2023)