

City Centre South

Planning and Affordable Housing Statement including Statement of Community Involvement



Shearer Property Regen Ltd.

November 2022

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Section 1: Introduction

Background

1. This Planning and Affordable Housing Statement has been produced by CBRE Ltd. ('CBRE') on behalf of Shearer Property Regen Ltd. ('SPRL' or 'the Applicant') to support a Section 73 planning application made under the Town and Country Planning Act 1990 (as described below) ('the Application') to support the redevelopment of City Centre South ('Site').
2. The Site comprises one of the most significant regeneration opportunities in Coventry and the West Midlands as a whole. It is a well-established target site for regeneration, having been promoted since 2012 for mixed-use comprehensive redevelopment.
3. Hybrid planning permission (part full, part outline – 'the Hybrid Consent') was granted by Coventry City Council ('CCC') as local planning authority ('LPA') on 27 January 2022, following the decision of the LPA's Planning Committee on 22 April 2021 to approve the application to develop the Site in accordance with a section 106 agreement and conditions.
4. The approved description of development was as follows:

"Hybrid planning application for:

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

Outline application:

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

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

5. As EIA Development, the Hybrid Consent was supported by an Environmental Statement ('the Approved ES') dated November 2020 and other standalone reports/assessments.

6. The Hybrid Consent, as granted in January 2022, is subject to 49 no. planning conditions and a s106 agreement. Planning conditions defining the approved plans and documents to which development must accord, are summarised below:
 - Parameter Plans Document March 2021 Revision B (which reserved matters must comply with) – Condition no. 6(i);
 - Development Principles Document Revision B dated March 2021 (which reserved matters must comply with or where there is a conflict, to suitably justify such conflict) – Condition no. 6(ii);
 - Flood Risk Assessment prepared by Cundall dated 19 March 2021 Rev P04 (which development must accord with) – Condition no. 24;
 - Preliminary Geo-environmental Risk Assessment prepared by Cundall dated 09 November 2020 and associated unexploded ordnance assessment (which development must accord with) – Condition no. 36; and
 - Approved detailed drawings and the Environmental Statement / Environmental Statement documents (development to be implemented in accordance with details / ES conclusions and mitigation measures) – Condition no. 46.
7. Following the Planning Committee’s resolution to grant in April 2021 SPRL working with the Council held a competitive process to select a development partner to deliver the Consented Scheme. Hill Residential Limited (‘HRL’), a major residential and commercial mixed-use developer, was subsequently selected in July 2022 to work with Shearer Property Group and become part of SPRL.
8. Following the selection of HRL, work formally commenced on a review of the Hybrid Consent to ensure that it optimised the development opportunity to deliver a comprehensive regeneration scheme for the Site.
9. This has included an application made under section 96A of the Town and Country Planning Act 1990 (as amended) (‘the NMA’) to make certain non-material changes to the Hybrid Consent. The LPA issued its decision on 11 October 2022, approving revisions to the description of development, variations to existing conditions and the addition of two new additional planning conditions relating to the Hybrid Consent (ref: NMA/2022/2523). This comprises the Consented Scheme referred to in this Statement. The amended and additional conditions are described in detail in Section 2.
10. The scheme review process has culminated in the Proposed Development, which has involved an iterative and collaborative design process with the LPA, involving Allies and Morrison as the architect and CBRE as the Planning and Environmental Impact Assessment advisor alongside other technical specialists.
11. The Application seeks a minor material amendment pursuant to section 73 of the Town and Country Planning Act 1990 (as amended) in order to accommodate changes to the Consented Scheme design, as defined by the Parameter Plans Document, Development Principles Document and the Approved ES. The scope of the Application can be summarised as follows:

“Minor material amendment for variation of Condition Nos. 1, 2, 46, 50 and 51 attached to hybrid planning permission reference OUT/2020/2876 (as amended) to allow for alterations to approved Parameter Plans Document, Development Principles Document and associated drawings.”
12. Condition 1 (as varied via NMA/2022/2523) requires submission of reserved matters details of appearance, access, landscaping and scale where layout is reserved, but in accordance with the superseded Parameter Plans Document Rev B March 2021, which is proposed to be revised in this Application. It is proposed that reference is

made instead to the revised Application Boundary Areas Parameter Plan, which identifies the areas where the layout is to be approved by the Parameter Plans.

13. Condition 2 requires submission of details of appearance, access, landscaping, layout and scale. It is proposed that reference is made instead to the revised Application Boundary Areas Parameter Plan, which identifies the areas where these matters are reserved.
14. Condition 46 lists the approved plans, drawings and documents with which the full and outline planning components of the Consented Scheme must comply. A number of drawings, plans and documents are proposed to be replaced or added to accommodate changes proposed in this Application.
15. Condition 50 sets out the maximum development quanta parameters for each land use. The maximum residential quantum is proposed to be increased from 1,300No. to 1,500No. units and the maximum non-residential (excluding Class C1 hotel parameter) reduced from 37,500sqm to 20,000sqm.
16. Condition 51 approves the parameter plan defining the extent of buildings to be demolished and retained on-site. The parameter plan is proposed to be revised in this Application, including to reflect that the HMV Empire building at 22 Hertford Street is now proposed for retention in this Application.
17. The Application is supported by an ES Addendum and associated technical appendices, to be read alongside the Approved ES.
18. The commercial and design rationale for the Proposed Development is summarised in Sections 4 and 6 of this Statement and the accompanying Design and Access Statement ('DAS').

Structure of the Planning Statement

19. The subsequent sections of this Planning Statement are structured as follows:

- Section 2: Planning History
- Section 3: Site Location and Description
- Section 4: Proposed Development
- Section 5: Statement of Community Involvement
- Section 6: Planning Policy Framework and Other Material Considerations
- Section 7: Affordable Housing Statement, s106 Heads of Terms and Draft Planning Conditions
- Section 8: The Planning Balance

20. This Statement is also supported by the following appendices:

- Appendix 1: Schedule of Plans, Drawings and Documents
- Appendix 2: Consented Scheme Decision Notices (ref: OUT/2020/2876, LB/2020/2857 and LB/2020/2860)
- Appendix 3: s96a Approval (ref: NMA/2022/2523)

21. This Statement should also be read in conjunction with other updated documents prepared in connection with the s73 application, including the revised Parameter Plans Document, Development Principles Document and ES Addendum.

Section 2: Planning History

The Consented City Centre South Scheme

22. As summarised in Section 1 of this Statement, the Hybrid Consent was granted, following the completion of the associated s106 Agreement, on 27 January 2022 (reference: OUT/2020/2876). Together with the NMA, the Consented Scheme comprises the following main structural application components:
- Detailed (full) elements in relation to works proposed in relation to listed buildings within the Site, namely works relating to the Coventry Market building and the relocation of the William Mitchell mural, both of which are Grade II listed;
 - Outline elements where access, appearance and landscaping are reserved but where scale and layout are 'fixed' (i.e. approved). These generally relate to locations on the edges of the Site which are adjacent to listed buildings outside of the Site; and
 - Outline elements where all matters are reserved, which relates to the majority of the proposed development.
23. By virtue of planning conditions, reserved matters applications made pursuant to the Hybrid Consent Scheme must accord with the defined parameter plans and be within defined quantitative minimum and maximum ranges [both included within a Parameter Plans Document ('PPD')], and also comply with the provisions of a Development Principles Document ('DPD').
24. The parameter plans cover the following matters:
- Land use;
 - Building plots, including lateral limits of deviation;
 - Minimum and maximum building heights;
 - Access and movement; and
 - Extent of demolition.

25. The following minimum and maximum quantitative parameters are also defined, as set out in the PPD;

LAND USE	HYBRID CONSENT MINIMUM PARAMETER	HYBRID CONSENT MAXIMUM PARAMETER
Car Parking	90 spaces	300 spaces
Residential (Class C3) units	900 units	1,300 units
Hotel (Class C1) keys/rooms	0	150
Use Class E Commercial, Business and Service / Use Class F.1 Non-Residential Institutions / Sui Generis (Cinema / Pub or Drinking Establishment / Hot Food Takeaway Uses)	22,000sqm GIA	37,500sqm GIA

26. The DPD provides further detail on the design principles to be applied to future development. In particular, the DPD sets out mandatory and recommended principles covering a range of design details and considerations to be reflected in future RMAs.
27. The Hybrid Consent was also accompanied by two parallel Listed Building Consents ('LBCs'), which sought approval for works relating to Coventry Market and the relocation of the William Mitchell Three Tuns Mural in Bull Yard, mirroring the detailed (full) part of the Consented Scheme. These LBCs were granted by the Secretary of State on 24 June 2021 (references LB/2020/2857 and LB/2020/2860 respectively).

Section 96A Non-Material Amendment

28. Subsequent to the granting of the Hybrid Consent in January 2022, a non-material amendment to the Consented Scheme was sought pursuant to section 96A of the Town and Country Planning Act 1990 (as amended) ('the NMA') in order to make the following amendments to the extant permission:

- Amendments to description of development to read as follows (new text is shown as blue, text deleted shown as ~~Strikethrough~~).

Full application:

A. Full Application for removal of bridge link between Coventry Market roof top car park and roof top parking over existing retail units on Market Way and associated reinstatement works to roof top car park surface and balustrade, removal of existing Coventry Market basement ramp from Rover Road and associated infilling and reinstatement works, works to retaining wall to 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;

Outline application:

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

C. For part of the site for the demolition of ~~all~~ existing buildings and the redevelopment of the land for mixed use, with details of access, layout, scale, appearance and landscaping reserved. The scheme comprises a mixed use redevelopment ~~for~~ ~~of up to 1,300~~ residential units (Class C3), ~~up to 150 hotel rooms~~ ~~a hotel~~ (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.

- Variation of existing Condition No.1 to make reference to the Parameter Plans Document moved from the description of development and to require matters of 'Scale' to be submitted at a later stage.
- New maximum quantitative parameters condition (No. 50) to include information moved from description of development – i.e. up to 1,300 residential units, up to 150 hotel rooms, up to 37,500sqm of mixed-use non-residential floorspace including Class E, Class F.1 and Sui Generis Pub or Drinking Establishment / Hot Food Takeaway / Cinema uses.
- New demolition condition (No. 51) to clarify the extent of demolition in reference to the Demolition/Retention Boundaries Parameter Plan.

- Variation of existing Condition No. 7 to remove reference to energy assessment.
- New energy assessment condition to replace detail removed from Condition No. 7 (No. 52).
- Variation to existing Condition No. 9 to alter submission trigger for noise and vibration scheme details from concurrent with reserved matters applications submitted pursuant to Conditions 1 and 2 to requiring these details for approval prior to commencement.

29. The NMA was approved on 11 October 2022. Other Notable Planning History

The 2012 City Centre South Scheme

30. In March 2012 outline planning application OUT/2012/0575 was submitted for the comprehensive redevelopment of Coventry City Centre South area. This application was submitted by the Council and was approved at Planning Committee on 31st May 2012. Based on the town centre retail market that existed at that time, the scheme primarily comprised of larger format retail uses built around a large anchor department store (providing up to 57,500sqm of new and refurbished retail floorspace) and with only a small number of residential units proposed, comprising up to 40 one and two-bedroom units. Two listed building consents were also approved for works to Coventry Market (reference: LB/2012/0571) and the relocation of the Three Tuns Mural (reference: LB/2012/0572), approved by the Secretary of State on 18 June 2012 and 18 March 2013 respectively.

Coventry Point

31. An application for prior notification of the proposed demolition of Coventry Point, a complex comprising two 14-storey office blocks situated on top of Market Way, adjacent to the former BHS and Woolworths buildings, was granted on 20 June 2018 (reference: DEMN/2018/1263). In 2020, the Council proceeded with the demolition of the Coventry Point office block. Its removal has connected the southern half of Market Way with Lower Precinct, where sight-lines were previously severed by the base of the office complex.

Public Realm Works

32. Public realm works to the east of Bull Yard [south of Methodist Central Hall and west of “the Wave” (a recently constructed indoor leisure waterpark)], were completed by the Council in 2020. These public realm works, which adjoin the Consented Scheme site, include water features, children’s play facilities and green landscaping areas. Public realm works to the north of the Site, within Lower Precinct and the northern section of Market Way, were completed by the Council in 2021.

22 Hertford Street (‘HMV Empire’)

33. At the time of submission of the Consented Scheme, 22 Hertford Street was a vacant retail unit. Full planning permission was granted for a change of use from former Class A1 (retail) to former Class D2 (events space) use on 13 January 2021 (ref: FUL/2020/0542). The permission has been implemented and the building is now occupied by HMV Empire, a 900-person capacity live music venue with ancillary bar use.

Developments in the Wider City Centre

34. There are several unimplemented / active larger schemes near the Site, within the wider city centre; these cumulative schemes which have been agreed with the LPA, have been assessed in the Environmental Statement ('ES') Addendum where relevant.
35. These are summarised in **Table 2.1** below.

Table 2.1 – Overview of Schemes in the Surrounding Area

SCHEME	KEY DEVELOPMENT COMPONENTS	STATUS
Plot C06 Friar-gate Coventry CV1 2GN (Hotel Indigo) FUL/2019/2433	Erection of a new boutique style hotel of around 100 guestrooms over 5 storeys, with accompanying restaurant and bar at ground floor level. Partial stopping up of highway.	Under construction
Former Gala Bingo, Fairfax Street, Coventry, CV1 5GA (ref: FUL/2020/1421)	Erection of co-living accommodation (student and non-student) ancillary facilities and amenity (sui generis use) and 693sqm of commercial use (Use Class E (a), (b), (c) and sui generis hot food takeaway, drinking establishment or mixed use drinking establishment and restaurant/café) on ground floor together with associated parking and servicing infrastructure and landscaping.	Under construction
Land at the corner of Queens Road, York Street and Butts (ref: FUL/2020/3165)	Erection of a building up to 19 storeys for Purpose Built Student Accommodation (PBSA) and stopping up of a section of public highway on York Street. (Resubmission of FUL/2020/1148)	Not implemented
Land off Abbots Lane and Upper Hill Street Coventry (ref: OUT/2021/3576)	Full planning application for 213 dwellings (Class C3) served via access from Abbots Lane and Upper Hill Street; strategic landscaping and earthworks; temporary car parking; surface water drainage and all other ancillary and enabling works. Outline planning application for new residential development up to 477 units (Class C3); ancillary Class E development up to 950sqm of floorspace; strategic landscaping and earth works; surface water drainage and all other ancillary infrastructure and enabling site works with means of access to be taken from the connections from Abbots Lane and Upper Hill Street (part of the full application) for consideration; all other matters (layout, appearance, scale and landscaping) reserved for subsequent approval.	Not implemented
Sandy Lane Industrial Estate, Sandy Lane Coventry, CV1 4EX (ref: OUT/2021/1807)	Outline planning permission for the demolition of the existing buildings (except the Daimler Powerhouse); erection of up to 480no. dwellings (Use Class C3) and up to 1,220 sqm of commercial / service / live work / community space (use class E) with associated works, parking, landscaping and ancillary works. All matters reserved except access.	Not implemented

SCHEME	KEY DEVELOPMENT COMPONENTS	STATUS
Friargate, Land Bounded by Railway, Grosvenor Road, Manor Road and Including Greyfriars Green Station Square (ref: OUT/2011/0036 plus subsequent RMA submissions)	Application for outline planning permission for master plan principles of a redevelopment scheme involving the demolition of existing buildings (except Coventry Railway Station and Railway Multi Storey Car Park) and erection of buildings in mixed use scheme predominantly office-led (use class B1) and including shops (use class A1), financial and professional services (use class A2), restaurants and cafes (use class A3), drinking establishments (use class A4), hot food takeaways (use class A5), hotels (use class C1), residential institutions (use class C2), residential (use class C3), non-residential institutions (use class D1), assembly and leisure (use class D2), student housing, vehicular showrooms, highway and pedestrian alterations and enhancements including new transport interchange facilities, car parking, increased open space provision and associated landscaping and closure of public rights of way.	Partially under construction

36. It should be noted that a number of schemes near the Site which were identified as being unimplemented / partially implemented at the time of submitting the planning application for the Hybrid Consent are now complete. Where relevant, completed schemes are noted as forming part of the baseline conditions as part of updated assessments undertaken as part of the ES Addendum.

Section 3: Site Location and Description

Introduction

37. This Section provides a description of the Site's location and heritage context, together with a more detailed description of the key character areas within the Site. Save for certain limited changes, such as the occupation of 22 Hertford Street for the HMV Empire, the general site context and characteristics remain similar to that existing at the time of the Consented Scheme.

Site Location and Heritage Context

38. The Site comprises a total site area of 6.36 hectares. It relates to the southern part of Coventry city centre's defined Primary Shopping Area and is predominantly occupied by 1950s and 1960s buildings that formed part of Coventry's post-war reconstruction.
39. The ground and first floors of the buildings are mainly in retail use or are vacant. There are a number of other town centre uses within the Site including: offices, mainly at upper levels of the buildings, 1,233 public car parking spaces, servicing areas, food and drink establishments, the HMV Empire live music venue at 22 Hertford Street and mixed community uses including social enterprises. It is noted that 22 Hertford Street was vacant at the time of the Consented Scheme being submitted. The Site also includes a Shopmobility facility (on the ground floor of the Barracks Multi-Storey Car Park), servicing areas, and areas of public realm.
40. The Site is circa 600 metres north of Coventry mainline railway station. It forms an area that is generally bordered by Upper Precinct and Broadgate to the north, Hertford Street to the east, Warwick Row and Greyfriars Road to the south and Queen Victoria Road to the west.
41. In relation to its heritage context, a number of Grade II listed buildings are situated adjacent to the Site, notably the former Woolworths and BHS buildings fronting Market Way, the south link building (also known as the NatWest Bank building) within Upper Precinct, Broadgate House, and 5 Warwick Row (also known as the Reform Club). The Site also lies adjacent to two conservation areas (the Greyfriars Green Conservation Area and the High Street Conservation Area).
42. The Site itself includes the following 2No. Grade II listed buildings:
- The Coventry Market; and
 - The William Mitchell Mural which forms part of the former Three Tuns Public House in Bull Yard.
43. In addition, the Site accommodates several non-designated pieces of artwork.
44. The route of the former medieval city wall also runs beneath site, notably in the vicinity of Bull Yard and Shelton Square.
45. More widely, the Site sits within the context of the city centre's "Three Spires" of St Michaels, Holy Trinity and Christchurch. The local planning policy objective is to recognise and preserve key views of these spires.

Site Description

46. The Site can be characterised as comprising the following four principal areas which are described further below:

- **Character Area A:** Hertford Street;
- **Character Area B:** Bull Yard;
- **Character Area C:** Shelton Square, Market Way and City Arcade; and
- **Character Area D:** The Coventry Market and its Environs.

Character Area A: Hertford Street

47. Hertford Street rises in level from south-west to north-east. Changes in level within the public realm area of Hertford Street are accommodated by a series of steps and ramps. A roof structure (canopy) also spans the middle section of Hertford Street.
48. Buildings on the eastern side of Hertford Street either fall outside the application site or are proposed to be retained and adapted by virtue of removal of the existing canopy roof structure. A key change since undertaking the baseline noise surveys in 2019, which formed the evidence base for the 2020 Environmental Statement, is that it is now understood that a bar/nightclub use at 66 Hertford Street has been in operation since circa. September 2020, which was previously in use as a café. This use appears to be operating without requisite planning permission, which is addressed further in Section 6 of this Statement.
49. Buildings on the western side of Hertford Street are mainly two storey retail-type units, although heights generally increase within the northern part of Hertford Street. This includes Hertford House, a six storey (vacant) office block, which is located on top of units on the western side of Hertford Street, and the HMV Empire (22 Hertford Street), which is a live music venue also on the west side of Hertford Street. This live music venue was not operational during determination of the Hybrid Consent.
50. At the north-eastern end of Hertford Street is Hertford Square, which is enclosed on three sides. Broadgate House (Grade II listed) forms the northern termination point of Hertford Street and provides a pedestrian link through to the Broadgate area to the north (a former Nationwide Bank building was removed from beneath Broadgate House in 2018 to improve the pedestrian linkage and permeability between Broadgate Square and Hertford Square). Properties on the eastern side of Hertford Square are situated within the north-western part of the High Street Conservation Area.
51. To the rear of buildings on the western side of Hertford Street is the Barracks MSCP, which is surrounded by circulation and servicing space to the rear of adjacent commercial properties. Part of the ground floor of the Barracks MSCP also accommodates a Shopmobility facility.
52. Vehicular access to the Barracks MSCP and service area is achieved via the Barracks Way tunnel, which runs beneath Hertford Street and connects to Greyfriars Lane to the east. A pedestrian link also exists between this car park and the Upper Precinct area of the city centre (which is outside of the Site).

Character Area B: Bull Yard

53. The eastern side of Bull Yard is open to the junction of Hertford Street, New Union Streets and Warwick Row. It lies to the west of public realm works completed by the Council in 2020. These public realm works, which are

located to the south of Methodist Central Hall (Christchurch Spire) and west of “the Wave” (a recently constructed indoor waterpark), include water features, children’s play area and green landscaping. The other three sides of Bull Yard are predominantly enclosed by two storey blocks, where the first floor overhangs the ground floor to form a canopy surrounding a public square

54. The western side of Bull Yard includes the Grade II listed William Mitchell mural which forms the façade to the former Three Tuns Public House. This mural is constructed of pre-cast concrete and is in an ‘Aztec-style’ with raised symbols. Bull Yard also contains existing (non-designated) public art including the Thread Through Time Sculpture, the Phoenix Sculpture and the Dun Cow Relief. The western side of Bull Yard provides a pedestrian route beneath a six-storey commercial / office building into Shelton Square. The north-western point of Bull Yard provides a pedestrian route through to the Barracks MSCP.
55. Immediately to the south of Bull Yard is the four storey brick-built building occupied by the four-storey Litten Tree Public House. Adjacent to the Litten Tree building (outside of the Site) is the Grade II listed 5 Warwick Row (‘the Reform Club’), together with a number of other listed buildings along Warwick Row located with part of the Greyfriars Green Conservation Area.

Character Area C: Shelton Square, Market Way and City Arcade

56. The eastern side of Shelton Square, which links through to Bull Yard, comprises a ground floor and first floor retail frontage, with a further four storeys of office space above. The first floor retail frontage is accessed via a walkway which is accessed by stairs from ground floor level.
57. Properties on the western side of Shelton Square are predominantly two storeys in height. A similar building form extends northwards from Shelton Square on the western side of Market Way, which also includes a ground-level pedestrian link towards Coventry Retail Market. These properties include a roof-top car park which links to car parking over the Coventry Retail Market to the west and the City Arcade rooftop MSCP car park to the south. Properties north of Shelton Square on the eastern side of Market Way are similarly treated, with a rooftop car park (part of the Barracks MSCP) projecting out over the ground and first floor retail frontage, forming a canopy for this retail frontage.
58. Previously, a 14 storey office building (Coventry Point) was sited on Market Way adjacent to the Grade II listed former Woolworths and BHS buildings. This building was demolished by the Council in 2020 to improve legibility, pedestrian permeability facilitate and assist in the future delivery of the City Centre South development.
59. City Arcade, which includes a variety of retail units including an Argos store, is mostly enclosed by a vaulted double-height ceiling, on top of which the City Arcade rooftop MSCP car park accessed from Greyfriars Road (and also links to roof-top car parking over units on the eastern side of Market Way).
60. City Arcade opens out onto Queen Victoria Road. To the north of this entrance, there is further retail frontage onto Queen Victoria Road in the Albert Buildings (currently occupied by Iceland Foods). An existing service area is located to the southern of City Arcade, beyond which is Beauchamp House, which are residential apartments and located outside the application site on the northern side of Greyfriars Road.

Character Area D: Coventry Market and its Surroundings

61. Coventry Market was designed as a rotunda to maximise the circulation within the building and to enable several entrances to be provided. Entrances include a ramped access to the south-west, which leads onto Rover Road

and Queen Victoria Road, accessed onto the service yard south of the Market, and access to the north-east which provide pedestrian access from Market Way.

62. The Market is Grade II listed and recognised as being important due to its level of originality and completeness, whilst also being one of the few remaining post-war markets in the country to survive relatively unaltered. The roof-top car park, one of the features of its design, is also recognised within the Listing Description as being one of the first examples of roof-top parking in the country.
63. Access to the rooftop car park is obtained off Corporation Street as part of the Lower Precinct MSCP to the north-west of the market building (this access will not be affected by the development and hence, the rooftop car park over the Market will be able to remain in operational use).
64. There is an existing bridge linking the rooftop car parking on top of the Market to rooftop car parking located on top of existing units on the western side of Market Way (this bridge link, together with the adjoining units on Market Way, is proposed to be removed as part of the development).
65. There is a vacant plot to the south-east of the Coventry Market (south of the Lower Precinct MSCP and north of Rover Road) which has been derelict for several years and is now overgrown in appearance, following the demolition of the former Victoria Buildings.
66. Vehicular access to the Market basement is currently obtained via a ramp located within the service area to the south of the Market, which is accessed via Rover Road, which connects to Queen Victoria Road. Rover Road also currently accommodates a taxi rank.
67. Properties on the western side of Queen Victoria Road (outside of the Site) include a former IKEA store (proposed for re-use as a national arts and culture facility) and residential apartments, known as Vicroft Court.

Section 4: The Proposed Development

Overview

68. As per the Consented Scheme, the Proposed Development will deliver a comprehensive new mixed-use regeneration scheme within Coventry city centre, introducing a greater variety of uses to enhance 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 Proposed Development will deliver improved north-south and east-west connectivity through the Site, including 2No. new public squares within the western and eastern areas of the centre of the Site.

Delivery of the Proposed Development represents a direct investment of approximately £450 million in Coventry, which will comprehensively regenerate the site and deliver transformational benefits for the wider area.

69. The Proposed Development relates to the entire Site, but only proposes amendments to certain aspects of the outline planning component, which is specified in the revised PPD and DPD for approval.

70. The scope of the Application can be summarised as follows:

“Minor material amendment for variation of Condition Nos. 1, 2, 46, 50 and 51 attached to hybrid planning permission reference OUT/2020/2876 to allow for alterations to approved Parameter Plans Document, Development Principles Document and associated drawings.”

71. No changes are proposed to the full component of the Consented Development, or the associated Listed Building Consents (references: LB/2020/2857 and LB/2020/2860).

Outline Planning Component - Overview of Revisions to Approved Development Quanta

72. The associated DAS describes the proposed changes to the Consented Scheme’s massing parameters, as proposed in the PPD. As per the Consented Scheme, flexibility is sought in terms of locations of these uses within the Site. Flexibility is provided for location within the Land Use Parameter Plans at Ground and Typical Upper Floor Levels, with a defined minimum extent of active frontage to ensure activation of the public spaces within and adjacent to the Site.
73. The environmental effects of the Proposed Development, as compared with the Consented Scheme, have been assessed in the ES Addendum. A summary of those environmental effects compared with the Consented Scheme are provided in **Section 6** of this Statement.
74. Changes are proposed to the quantum of development approved in respect of Class C3 Residential and Class E Commercial, Business and Service, Class F.1 Learning and Non-Residential Institutions and Sui Generis (Pub or Drinking Establishment / Hot Food and Takeaway / Cinema) uses, as shown in **Table 4.1** below.
75. No changes are proposed to the quantum of Class C1 Hotel (keys) or Car Parking (spaces).

Table 4.1 – Consented Scheme vs. Proposed Development Parameter – Quantum of Proposed Floorspace by Use

LAND USE	CONSENTED SCHEME MINIMUM / MAXIMUM PARAMETER	PROPOSED DEVELOPMENT MINIMUM / MAXIMUM PARAMETER
Class C3 Residential (Units)	900 – 1,300	900 – 1,500 (c. 15% increase on Consented Scheme maximum, no change in respect of minimum)
Class C1 Hotel (Keys)	0 - 150	0 – 150 (no change)
Class E Commercial, Business and Service, Class F.1 Learning and Non-Residential Institutions and Sui Generis (Pub or Drinking Establishment / Hot Food and Takeaway / Cinema) (GIA, sqm)	22,000 – 37,500	13,275 – 20,000 (c. 41% reduction on Consented Scheme minimum / 47% reduction on Consented Scheme maximum)
Car Parking (Spaces)	90 – 300	90 – 300 (no change)

Residential (Class C3)

76. As per the Consented Scheme, the residential dwellings may be brought forward as a combination of open market sale and Build to Rent ('BtR') accommodation, which will be defined at RMA stage. The continued growth in demand for city centre living, including in the Build to Rent sector, has influenced the increase in the maximum quantitative residential parameter in order to optimise scheme deliverability.
77. The Applicant has also worked with Registered Providers to seek to secure a quantum of on-site affordable housing provision, as a mixture of affordable sale and affordable/social rented homes. Previously, zero on-site affordable housing provision had been proposed, subject to future financial viability reviews. Permitting a greater number of residential units will enable the cross-subsidy of the on-site affordable housing by market housing.

Hotel (Class C1) and Car Parking

78. The Proposed Development does not include any changes to the minimum or maximum parameters for hotel (Class C1) or car parking uses.

Commercial, Business and Service Uses (Class E), Learning and Non-Residential Institutions (Class F.1) and Cinema / Bar and Drinking Establishments / Hot Food and Takeaway Uses (Sui Generis)

79. On-going market restructuring, including extent of demand and need for different types of spaces, has been on-going since the submission of the Consented Scheme in November 2020, subsequent resolution to grant planning permission by CCC's Planning Committee in April 2021 and has continued since the approval of the Consented Scheme at the start of 2022.
80. The Applicant has been engaging proactively with prospective retail, leisure, commercial, social infrastructure use operators since grant of the Consented Scheme. Whilst there is still strong market demand for new leisure and competitive socialising uses, and a degree of retail provision, the continued consolidation of high street retail in face of post-pandemic spending trends, including accelerated shift towards online competitors, has impacted on the size and type of space in town centres demanded by occupiers.
81. This is substantiated by retail / commercial market evidence provided in **Section 6** of this Statement.

82. The Land Use Parameter Plans nevertheless secure a similar minimum extent of active frontage at ground floor as per the Consented Scheme, and will still introduce an enhanced retail, leisure, service and evening economy offer.
83. As set out in **Section 6**, the Proposed Development will still deliver on the Applicant's original vision for a new mixed-use city centre neighbourhood and Development Plan's vision for the comprehensive regeneration of the southern part of the Primary Shopping Area.

Outline Planning Component - Overview of Revisions to Approved Land Uses

84. Minor amendments are proposed for the distribution of permitted land uses within each of the Development Plots compared with the Land Uses Parameter Plan, which are summarised in **Table 4.2** below. Amendments (i.e. new text) are highlighted in red. The approved PPD had set out that Cinema uses would be permissible within Blocks B and C, but the Land Uses Parameter Plan did not include Cinema uses in its legend.
85. The approved PPD previously identified land uses at 'Ground/First/Second Floor' and 'Typical Upper Floor'. In order to account for the revised design intent around the height of ground floor mixed-use units and to simplify the PPD, this is amended to 'Ground Floor' and 'Typical Upper Floor'. The intent is still to provide non-residential uses on lower floors and control at RMA stage will ensure compatibility of residential and non-residential uses.

Table 4.2 – Consented Scheme vs. Proposed Development Land Use Parameters

DEVELOPMENT PLOT	PROPOSED DEVELOPMENT GROUND FLOOR	PROPOSED DEVELOPMENT TYPICAL UPPER FLOORS
Block A1	Class C1 Hotel Class C3 Residential Class E Commercial, Business and Service Class F1 Learning and Non-Residential Institutions Sui Generis (Pub or Drinking Establishment / Hot Food and Takeaway)	Class C1 Hotel Class C3 Residential Class E Commercial, Business and Service Class F1 Learning and Non-Residential Institutions
Block A2	Class C1 Hotel Class C3 Residential Class E Commercial, Business and Service Class F1 Learning and Non-Residential Institutions Sui Generis (Pub or Drinking Establishment / Hot Food and Takeaway)	Class C1 Hotel Class C3 Residential Class E Commercial, Business and Service Class F1 Learning and Non-Residential Institutions
Block B	Class C1 Hotel Class C3 Residential Class E Commercial, Business and Service Class F1 Learning and Non-Residential Institutions Sui Generis (Pub or Drinking Establishment / Hot Food and Takeaway / Cinema Uses)	Class C1 Hotel Class C3 Residential Class E Commercial, Business and Service Class F1 Learning and Non-Residential Institutions Sui Generis (Pub or Drinking Establishment / Hot Food and Takeaway / Cinema Uses)
Block C	Class C1 Hotel Class C3 Residential Class E Commercial, Business and Service Class F1 Learning and Non-Residential Institutions Sui Generis (Pub or Drinking Establishment / Hot	Class C1 Hotel Class C3 Residential Class E Commercial, Business and Service Class F1 Learning and Non-Residential Institutions Sui Generis (Pub or Drinking Establishment / Hot

DEVELOPMENT PLOT	PROPOSED DEVELOPMENT GROUND FLOOR	PROPOSED DEVELOPMENT TYPICAL UPPER FLOORS
	Food and Takeaway / Cinema Uses)	Food and Takeaway / Cinema Uses)
Block D	Class C1 Hotel	Class C1 Hotel
	Class C3 Residential	Class C3 Residential
	Class E Commercial, Business and Service	Class E Commercial, Business and Service
	Class F1 Learning and Non-Residential Institutions	Class F1 Learning and Non-Residential Institutions
	Sui Generis (Pub or Drinking Establishment / Hot Food and Takeaway)	Sui Generis (Pub or Drinking Establishment / Hot Food and Takeaway)
Block E (Pavilion)	Class E Commercial, Business and Service	Class E Commercial, Business and Service
	Class F1 Learning and Non-Residential Institutions	Class F1 Learning and Non-Residential Institutions
	Sui Generis (Pub or Drinking Establishment / Hot Food and Takeaway / Cinema)	Sui Generis (Pub or Drinking Establishment / Hot Food and Takeaway)

Outline Planning Component - Overview of Revisions to Approved Spatial Parameters

86. The Design and Access Statement (DAS) provides a detailed overview of the changes proposed to the Consented Scheme PPD, including design rationale.
87. In overall terms, the main changes being proposed to the Consented Scheme parameters, in terms of height and layout, can be broadly summarised as follows:
- Introduction of vertical deviation of circa. 2m on Blocks A1, A2 and parts of B and C where building heights were previously fixed but where details of scale are now reserved;
 - Increase in height to portions of Blocks D, B, & C (*shown as XX + on Figure 4.1 where XX represents the potential number of additional storeys equivalent compared to the Consented Scheme*);
 - Alterations to the extent of existing height zones in Block A2 and parts of Block B;
 - Reduction in height to Block E and the north of Block B (*shown as XX - on Figure 4.1 where XX represents the potential reduction in the number of storeys equivalent compared to the Consented Scheme*);
 - Increase in footprint of Block B and C (shown by the direction of arrows on Figure 4,2) and commensurate reduction in footprint of Block E; and
 - Small changes in footprint of Blocks A1 and A2.
88. The following figures illustrate the main changes being proposed to scheme heights and layout. Further description of the degree of lateral and vertical changes to development plots, together with other changes to the scheme, is also included in this Section.

Figure 4.1 – Overview of Proposed Amendments to Scale Parameters of Consented Scheme

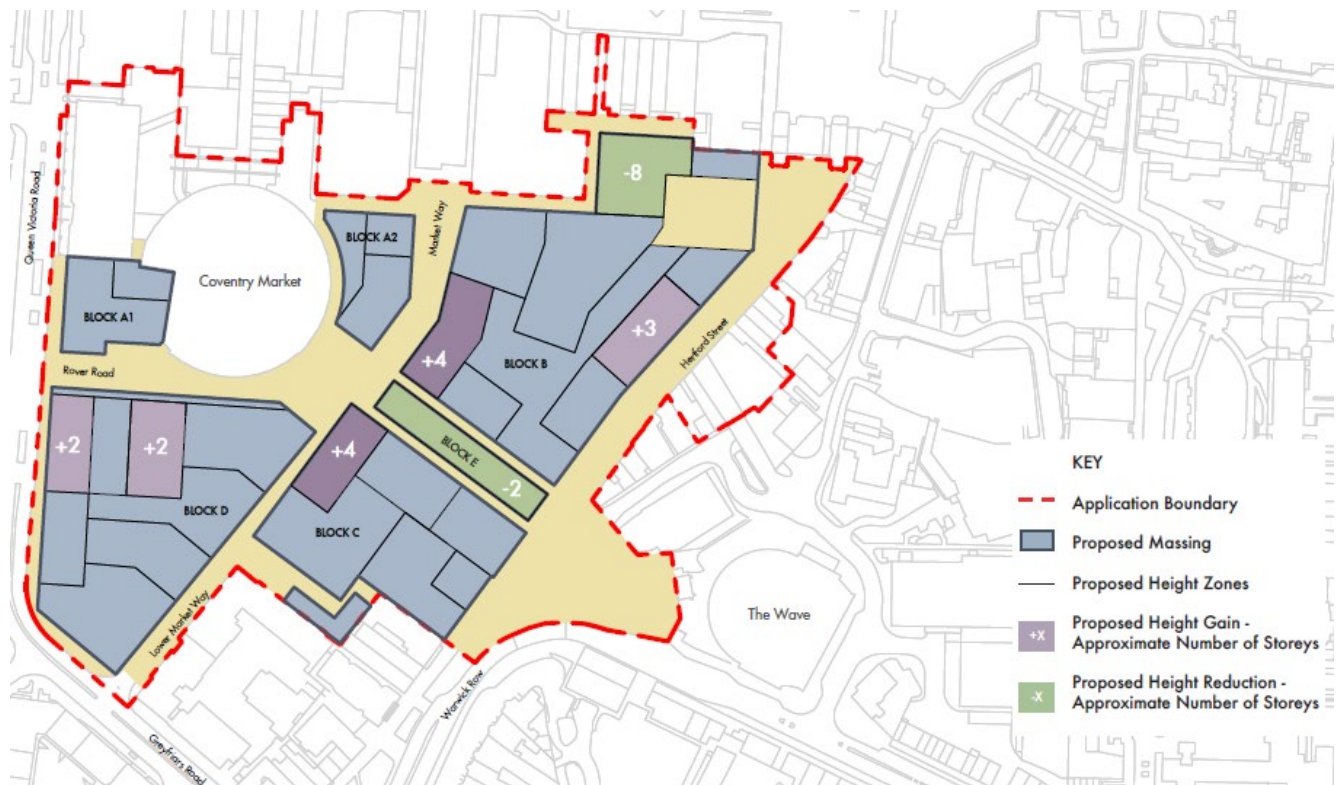


Figure 4.2 – Overview of Proposed Amendments to Layout Parameters of Consented Scheme



89. Key information regarding degree of lateral and vertical changes is summarised below.

Building Heights and Development Plots

Block A1

90. The NMA (ref: NMA/2022/2523) amended the Consented Scheme's description of development to allow for 'Scale' to be a reserved matter, introducing limited flexibility with a maximum and minimum building height to be detailed at RMA stage.
91. The Consented Scheme permitted fixed ('Scale' not reserved) heights of +103.7m AOD for the main L-shaped building, with +87.9m AOD on the Rover Road and Coventry Market elevations.
92. Subsequent to detailed design review and in order to enhance the buildability of the scheme, the Applicant seeks a small limit of deviation to provide sufficient flexibility to accommodate detailed design development, including consideration of rooftop plant requirements and roof details. A small limit of deviation (2m) to provide sufficient flexibility for detailed design development, proposing a minimum building height of +101.7m AOD for main building element and retaining +87.90m AOD for the Coventry Market adjacent element and maximum building heights of 103.7m and +87.90m AOD respectively. A note has been added to the Parameter Plan to clarify that minimum height zones apply to the primary building perimeter lines only and do not preclude allowance for podiums and breaks in massing where AOD would be lower than the minimum height set. The retention of a fixed +87.90m height adjacent to the Grade II listed Coventry Market ensures that the scheme maintains the sensitive transition of building heights of the Consented Scheme.
93. The southern boundary of the Development Plot has been pulled back from Block D to increase the visibility of the Coventry Market entrance on Rover Road and improve building line alignment.
94. The Consented Scheme fixed the Block A1 layout entirely. The Proposed Development retains fixed building lines along the northern elevation (adjacent to Lower Precinct MSCP) and eastern elevation (adjacent to Coventry Market). A degree of flexibility along the western elevation (Queen Victoria Road) of 3m and flexibility between 3m and 8.475m is proposed along the southern elevation (Rover Road).

Block A2

95. The Consented Scheme permitted a fixed ('Scale' not reserved) height of +89.4m, +104.5m, +108.2m and +111.0m AOD, stepping down from taller element on Public Square 1 and transitioning down to lower height of 104.5m AOD adjacent to the Former Woolworths Building.
96. As per Block A1, the Applicant seeks a small limit of deviation (2m) to provide sufficient flexibility for detailed design development. The Proposed Development allows for a minimum building heights of +109.00 AOD facing Public Square 1 and +102.50m AOD adjacent to the Former Woolworths Building and maximum building height of +104.5m AOD.
97. The proposed minimum height in the eastern building component adjacent to Coventry Market allows for no building form to be developed; allowing for ground floor level amenity space.
98. In terms of layout, the Consented Scheme fixed Block A2, save for limited lateral deviation on the southern elevation facing onto Public Square 1, allowing for 6m limit of deviation.

99. The Proposed Development allows for flexibility for layout for the entire block, introducing a 3m limit of deviation on the eastern (Market Way) and northern elevations (former Woolworths) and limit of deviation on the western elevation (Coventry Market). The southern elevation limit of deviation remains as per Consented Scheme.

Block B

100. The Consented Scheme fixed the layout along the northern and north-western elevations adjacent to the former BHS Building (now occupied by 'Flannels') and along the north-eastern elevation adjacent to Broadgate House. The remainder of Block B allowed for a lateral limit of deviation, generally 6m excluding the allowance for a chamfered block facing Public Square 2.
101. The Proposed Development continues to fix layout on the north-eastern elevation adjacent to Broadgate House. It does however introduce limited flexibility of 3m limit of deviation along the northern elevation adjacent to former BHS Building, and 6m on the north-western elevation facing onto Market Way. The setback between the north of Block B and former BHS Building has been increased by circa. 3m, enabling the southern shopfront return and elevation of the former BHS Building (now 'Flannels') to be visible from Market Way.
102. The previously proposed flexibility for a chamfered building form facing Public Square 2, on its south-eastern elevation, has been replaced by an orthogonal building form with a smaller limit of deviation, in line with the 6m across the majority of the remainder of Block B.
103. The majority of Block B has a minimum permitted height of +105.6m AOD, with lower building heights adjacent to former BHS Building and Broadgate House of +99.3m AOD and +94.6m AOD respectively, and a taller element of +117m AOD.
104. The Proposed Development minimum height parameters have been rationalised, with +105.6m across the majority of the block, increasing by circa. 6.3m AOD along the northern boundary. The height of the taller element has been reduced to allow for a lower-rise development to the rear of 21-25a Hertford Street, which were previously not retained.
105. The Consented Scheme maximum heights have been increased in the southern component of Block B, ranging from:
- from +116.6m AOD to 130.7m AOD facing Public Square 1 and +117.65 – 121.25m AOD facing Block E and Public Square 2;
 - from +116.6m AOD on Hertford Street to a varied height profile of +119.21m AOD adjacent to 21-25A Hertford Street, rising to 125.51m AOD and lowering to +121.25m AOD towards Public Square 2.
106. However, the tallest element of the Consented Scheme, in the northern part of Block B to the rear of the Upper Precinct, has decreased from +127.8m AOD to +102.45m AOD, providing a more gradual transition from the lower rise character of Upper Precinct.

Block C

107. The Consented Scheme fixed the layout of Block C along its south-eastern Warwick Row elevation, with lateral and vertical limits of deviation providing flexibility in the entirety of Block C.

108. Owing to the reduced development plot footprint of Block E (Pavilion) and its subsequent repositioning towards Block B, the extent of the Block C footprint has been extended into the area previously part-occupied by Block E, towards Block B.
109. The Proposed Development continues to maintain the minimum street width parameter of 7m (marked as 'A' on the Proposed Development Plots Parameters Plans) between Blocks C and E, and between Blocks C and D.
110. The Proposed Development retains the fixed extent of Warwick Row elevation on Block C. The lateral limit of deviation on Lower Market Way has been reduced from 8m to 6m.
111. The Proposed Development reduces minimum height by 2m along the Warwick Row / Public Square 2 frontage. The majority of Block C remains as +105.3m AOD as per approach of Consented Scheme, with +89.10m AOD facing towards the rear of the Reform Club (5 Warwick Row).
112. The Proposed Development introduces taller maximum building heights fronting Public Squares 1 and 2, to enable delivery of marker corner buildings to define the public realm and accommodate the loss of developable area within Block B:
 - increasing from +116.6m AOD to 131.10m AOD facing Public Square 1
 - increasing from +106.5 / 116.6m AOD facing Blocks E and Public Square 2 to +116.6m / 118.50m.

Block D

113. The Proposed Development does not change the previously consented Development Plot footprint, other than increasing the lateral limit of deviation on Queen Victoria Road from 3m to 5m to accommodate detailed highways design requirements.
114. The proposed minimum height parameters simplify the massing steps along Queen Victoria Road and Lower Market Way, removing the intermediate step of +115.2m AOD between +125.3m and +105.1m AOD on Queen Victoria Road.
115. A similar approach has been taken for the maximum height parameters in these locations, with a minor increase in the maximum heights as follows:
 - Along Queen Victoria Road, increasing from +103.1m, +119.7m, +130.3m and +136.6m AOD to +104.56m, +127.06m and 142.55m AOD;
 - Along Rover Road, increasing from +125.5-+136.6m AOD to +126.8m, +133.10m, +126.8m and +142.55m AOD.
 - Along Lower Market Way, increasing from +103.1m, +112.7m, +118.8m and +125.5m AOD to +104.56m, +114.46m, +118.80m and +126.80m.

Block E

116. The Consented Scheme provided for a larger Pavilion building, which had a large degree of lateral flexibility totalling 8m.
117. Subsequent to detailed design review and consideration of the market requirements of the target occupiers (smaller-scale / independent retail, leisure and F&B), the Proposed Scheme has reduced the development plot

size, as well as adding a requirement in the DPD to require the detailed design to enable ease of movement between the active frontages of Blocks B and C.

118. The layout has been shifted towards Block B, creating a clear axial relationship between Rover Way, Public Squares 1 and 2 and the Christchurch Spire.

119. The proposed minimum and maximum building heights have been reduced to reflect a smaller-scaled Block E:

- Maximum height parameter reduced from +99.4m AOD to +92.60m AOD.
- Minimum height parameter reduced from +90.6m AOD to +85.15m AOD.

Open Space and Public Realm

120. The Proposed Development continues to deliver two new principal public open spaces; Public Square 1 east of Coventry Market and south of Market Way, and Public Square 2, within the south-east of the Site adjacent to Block C and the Wave. Improved north-south and east-west connections continue to be proposed.

121. The following amendments have been made to the Development Plot Parameter Plans, affecting open space and public realm:

- In order to introduce variety and interest in the scale of public spaces, the east-west connections between Public Spaces 1 and 2 alongside on either side of Block E (Pavilion) have been reduced and re-aligned to enhance views between Coventry Market and Christchurch Spire.
- Minimum distances between potential residential windows have been maintained, whilst Block C has been extended northwards towards Block B, to compensate for the reduction in space within Block E (Pavilion).

Extent of Demolition and Retention

122. The Proposed Development maintains the retention of Coventry Market and Lower Precinct Car Park.

123. In addition, a revised Demolition and Retention Boundaries Parameter Plan is proposed which also seeks to retain:

- 21-25A Hertford Street, which contains the 'HMV Empire' live music venue and other ground floor uses, is no longer proposed to be demolished and redeveloped. All Parameters Plans have been updated to reflect this.
- Flexibility introduced to either redevelop 18-20 Hertford Street, situated between 21-25A Hertford Street and Broadgate House, in accordance with heights and land uses permitted in the Parameter Plans, or to retain the buildings.

124. The Proposed Development requires the demolition of all other existing built structures within the Site.

125. Chapter 5 of the ES Addendum provides an overview of the demolition and construction strategy for the Proposed Development. The ES Addendum is informed by the revised Indicative Phasing Plan (drawing ref: CCCS-AAM-ZZ-ZZ-D-A-07032), which indicates the Site would be brought forward in three main phases:

- Phase 0 – Wholesale demolition and clearance of existing structures save for Coventry Market, Lower Precinct Car Park, 21-25A Hertford Street and potentially 18-20 Hertford Street.

- Phase 1 – Delivery of Development Plots A1, A2, B, C and E and sitewide Public Realm Works.
- Phase 2 – Delivery of Development Plot D.

126. As per the Consented Scheme, it is proposed that details of the phasing and methodology of demolition and construction shall be submitted to and approved by the Local Planning Authority prior to commencement of development phase, in the form of a Phasing Programme for the Demolition, Construction and Implementation of Development of an RMA Phase (extant Condition 7), Demolition and Management Plan (extant Condition 12) and Construction Management Plan (extant Condition 13).

127. The discharge of these pre-commencement conditions will provide details as to how the Site would be prepared for development and how the Proposed Scheme would be constructed.

Access, Car and Cycle Parking

128. The Access and Movement Parameter Plan has been amended to accommodate the turning head at the end of Warwick Lane, adjacent to the Methodist Central Hall, now showing as a service/vehicle priority area and allowing for exceptional service vehicle access into Public Square 2.

129. No changes are proposed in respect of the approach to car or cycle parking strategy. The Transport Assessment Addendum (ES Appendix 8A.1) read alongside the 2020 ES Technical Appendix 8.1 provides a detailed overview of the active travel and vehicular access and servicing strategies.

Planning Conditions to Be Amended

130. This s73 Application seeks to amend the following planning conditions attached to ref: OUT/2020/2876:

Condition 1

131. The approved NMA varied Condition 1 wording, approved wording in grey. The Proposed Development seeks approval for the revised DPD, to reflect the revised parameters described above, with amended wording in **red**.

For the phased approval of Reserved Matters where scale, appearance, access and landscaping are reserved, (for those locations shown **in on the ~~Parameters Plans Document March 2021 Revision B CCCS-AAM-ZZ-ZZ-D-A-07031 Application Boundary Areas Plan P1~~**), 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) Scale;
- b) Appearance of buildings;
- c) Means of access to the buildings and site;
- d) Landscaping of the site.

Condition 2

For the phased approval of Reserved Matters where layout, scale, appearance, access and landscaping are reserved, **(for those locations shown on the CCCS-AAM-ZZ-ZZ-D-A-07031 Application Boundary Areas Plan P1)**, 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.

Condition 46

132. This condition defines the list of approved plans and drawings; approved wording shown in grey. Rewording is proposed to capture changes to drawings and documents for approval. Amended wording is shown in red.

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~~ CCCS-AAM-ZZ-ZZ-D-A-07031 Application Boundary Areas Plan P1, 0900, 0901, 0902, 0903, 0904, 0905, 0906, 0907, 0908, 0909, 0910 and the Development Principles Document ~~Revision B~~ dated ~~March November 2021~~ 2022.

The outline component of the development hereby permitted shall be carried out in accordance with the following approved plans and documents: Development Principles Document ~~Revision B~~ dated ~~March November 2021~~ 2022, Parameter Plans Document ~~March November 2021~~ 2022 ~~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, Land Use – Ground Floor Parameter Drawings CCCS-AAM-ZZ-00-D-A-07020 Rev P1, Land Use – Typical Upper Floor Parameter Drawings CCCS-AAM-ZZ-ZZ-D-A-07021 Rev P1, Proposed Development Plots – Ground Floor Parameter Drawings CCCS-AAM-ZZ-00-D-A-07022 Rev P1, Proposed Development Plots – Typical Upper Floor Parameter Drawings CCCS-AAM-ZZ-ZZ-D-07023 Rev P1, Maximum Height Zones Parameter Drawings CCCS-AAM-ZZ-ZZ-D-A-07024 Rev P1, Minimum Height Zones Parameter Drawings CCCS-AAM-ZZ-ZZ-D-A-07025 Rev P1, Access and Movement Parameter Drawings CCCS-AAM-ZZ-ZZ-D-A-07026 Rev P1, Demolition/Retention Boundaries Parameter Drawings CCCS-AAM-ZZ-ZZ-D-A-07027 Rev P1. Preliminary Geoenvironmental 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, Preliminary Ecological Appraisal and Preliminary Roost Assessment prepared by Temple dated 29 September 2022 Version 1.0, Arboricultural Impact Assessment prepared by Arbeco dated 06 November 2020 Version 4.0 Temple dated 02 November 2022, Archaeological Desk-Based Assessment prepared by RPS dated ~~15 November 2019~~ Rev 1 04 September 2022, 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~~ Temple dated September 2022 Rev 1.0, ~~Bat Surveys prepared by the Ecology Consultancy dated 11 November 2020 Version 1.0~~ Bat Survey Report prepared by Temple dated 29 September 2022 Rev 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 **including the ES Volume IV Technical Appendices** submitted with planning application reference OUT/2020/2876 **and 2022 Environmental Statement Addendum including the ES Volume IVA Technical Appendices alongside the ES Volume IV Technical Appendices.**

Condition 50

133. The approved NMA added Condition 50, which defines the maximum development quanta parameters (as previously included in the Description of Development); approved wording shown in grey. The Proposed Development seeks approval for amending the maximum development quanta, to reflect the revised parameters described above, with amended wording in **red**.

The Development shall not exceed the following maximum quantitative parameters for the uses defined:

- a) More than ~~1,300~~ **1,500** residential units.
- b) More than 150 hotel rooms.
- c) More than ~~37,500sqm~~ **20,000sqm** 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.

Condition 51

134. The approved NMA added Condition 51, which defines the extent of demolition and retention; approved wording shown in grey. The Proposed Development seeks approval for amending the maximum development quanta, to reflect the revised parameters described above, with amended wording in **red**.

Demolition within the areas subject to the outline components of this permission can only take place within the extents shown on ~~Parameter Plans – Demolition/Retention Boundaries 0410 Rev 00~~ **Demolition/Retention Boundaries Parameter Drawings CCCS-AAM-ZZ-ZZ-D-A-07027 Revision P1.**

Section 5: Statement of Community Involvement

Planning Policy Framework

135. LP Policy DS4 (Part A) part (iii) requires major development proposals to be planned in a comprehensive and integrated manner reflecting partnership working with relevant stakeholders.

Engagement on Consented Scheme

136. As set out in the 2020 Statement of Community Involvement ('SCI'), the Consented Scheme was extensively consulted upon with the LPA, CCC functions, local businesses and residents and civic stakeholders including Coventry Society, Historic Coventry Trust and Coventry City of Culture Trust.

137. An online consultation portal during June-July 2020 and scheme updates regarding the Proposed Development were publicised in print and digital version of Coventry Telegraph and Birmingham Mail, CCS social media accounts and additionally publicised by CCC.

138. Some 2,700 people visited the CCS website between June – November 2020, which provided access to the consultation portal as well as updates on scheme development.

139. Two public webinars were facilitated by the Applicant and its design team during July 2020, alongside specific consultation workshops with Historic England, Coventry Market Traders, Coventry Society, Coventry City of Culture Trust, Historic Coventry Trust, The Twentieth Century Society, the West Midlands Combined Authority including its Cycling and Walking Commissioner, Lower Precinct, Royal London and Laing O'Rourke.

Subsequent Engagement

140. Since the resolution to grant in April 2021, the Applicant has continued to engage with key stakeholders, including CCC and the WMCA, to inform the design and delivery of the Proposed Development.

141. It should be noted that the Proposed Development is a refinement of the already approved scheme, which was subject to extensive engagement and consultation.

142. That said and to ensure engagement on the current proposals, the Applicant has carried out the following consultation and engagement:

143. It should be noted that the Proposed Development is a refinement of the already approved scheme, which was subject to extensive engagement and consultation. That said and to ensure engagement on the current proposals, the Applicant has carried out the following consultation and engagement:

- Pre-application meetings with the LPA to present the emerging changes to the scheme
- Meetings with Coventry Retail Market, local businesses and stakeholder groups such as the Coventry Civic Society.

- Held a number of public events to exhibit the Proposed Development changes including:
 - An exhibition to local businesses within the red line boundary of the scheme. This was held at Methodist Central Hall on Wednesday 2nd November (4.30 pm to 8.00 pm).
 - Two public exhibitions about the S.73 held in Shelton Square in Coventry on Thursday November 3rd (12.00 pm to 6.00pm) and Saturday November 5th (10.00 am to 3.00pm)
 - A separate consultation event for traders within Coventry Retail Market held on Saturday 5th November (8.00 am to 12.00pm).

144. Invitations were sent by post to around 4,000 local addresses covering the site and surrounding area. We also sent direct invitations to local organisations and stakeholder groups with an interest, such as Coventry University, advertised the event in the Coventry Telegraph, via the council's social media and via posters in the town centre.

145. We have also put together a website to support the above events - www.coventrycitycentresouth.co.uk. This went live at midday on Thursday 3rd November.

146. As at Friday 4th November, around 150 members of the public have engaged with the proposals either in-person at our exhibitions or online and we have received around 30 pieces of individual feedback.

Section 6: Planning Policy Framework and Other Considerations

Planning Policy Framework

147. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) require that planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise.
148. The National Planning Policy Framework ('NPPF') (published July 2021) reconfirms the statutory requirement set out in Section 38(6) relating to the determination of planning applications and also confirms that the NPPF must be taken into account as a material planning consideration in planning decisions (paragraphs 2 and 212).

National Planning Policy Framework (2021)

149. The presumption in favour of sustainable development is at the heart of the NPPF. Paragraph 8 sets out the economic, social and environmental objectives of sustainable development, which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across the objectives. The NPPF states that:
- "...decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area."*
150. NPPF Paragraph 11 sets out that local planning authorities should approve development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless any adverse benefits of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

Delivering a Sufficient Supply of Homes

151. NPPF Paragraph 60 identifies that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed, and that land with permission is developed without unnecessary delay.
152. NPPF Paragraph 73 goes on to note that the supply of large numbers of new homes can often be best achieved through "planning for larger scale development, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes)".
153. NPPF Paragraph 74 requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing

requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

Building a Strong, Competitive Economy

154. NPPF Paragraph 81 states that planning decisions should help create the conditions in which businesses can invest, expand and adapt; significant weight should be placed on the need to support economic growth and productivity, accounting for both local business needs and wider opportunities for development.

Ensuring the Vitality of Town Centres

155. NPPF Paragraph 86 states that planning decisions should support the role that town centres play at the heart of their communities and take a positive approach to their growth and adaptation, including the promotion of their vitality and viability, allowing them to diversify in a way that can respond to rapid changes in the retail and leisure industries, allowing for a suitable mix of uses, including housing. Planning decisions should recognise the role of residential development in ensuring the vitality of centres and encourage residential development on appropriate sites.

Promoting Healthy and Safe Communities

156. NPPF Paragraph 92 requires planning decisions to aim to achieve healthy, inclusive and safe places, which promote social interaction, including mixed-use developments. Places should be safe and accessible, with clear and legible pedestrian routes and high quality public spaces.

Promoting Sustainable Transport

157. NPPF Paragraph 104 requires transport issues to be considered in development proposals, so that opportunities from existing or proposed infrastructure can be realised in the scale, location and density of development that can be accommodated. Opportunities to promote walking, cycling and public transport use should be pursued, with patterns of movement, streets, parking and other considerations being integral to scheme design.

158. NPPF Paragraph 111 states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

159. NPPF Paragraph 112 requires that developments should give priority to pedestrian and cycle movements, within the scheme and with surrounding areas; address the needs of people with reduced mobility; create places that are safe, secure and attractive; allow for the efficient delivery of goods and access by service and emergency vehicles; and be design to enable charging of ultra-low emission vehicles.

Making Efficient Use of Land

160. NPPF Paragraph 119 requires that decisions promote an effective use of land in meeting the need for homes and other uses, making as much use as possible of previously-developed or brownfield land, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

161. The NPPF is particularly supportive of urban regeneration. Paragraph 120 requires that planning decisions give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support opportunities to develop underutilised land and buildings, particularly if this would help to meet identified needs for housing where land supply is constrained.

162. NPPF Paragraph 124 sets out how planning decisions should support development that makes efficient use of land, taking into account the availability and capacity of both existing and proposed infrastructure, including the potential for further improvement and the scope to promote sustainable travel modes that limit future car use.

Achieving Well-Designed Places

163. NPPF Paragraph 130 requires planning decisions to ensure that developments will function well and add to the quality of the local area over the lifetime of the development; are visually attractive as a result of good architecture, layout and landscaping; are sympathetic to local character and history while not preventing appropriate change; establish a strong sense of place; optimise the potential of the site to accommodate an appropriate amount and mix of development; and, create places that are safe, inclusive and accessible, promoting health and wellbeing.
164. NPPF Paragraph 134 requires that great weight should be given to proposals which help raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings.

Meeting the Challenge of Climate Change, Flooding and Coastal Change

165. NPPF Paragraph 155 sets out that new development should be expected to comply with any development plan policies on local requirements for decentralised energy supply, unless it can be demonstrated that this is not feasible or viable.
166. NPPF Paragraph 159 states that development should be directed away from areas at highest risk of flooding.
167. NPPF Paragraph 167 requires that flood risk is not increased elsewhere, as demonstrated in a site-specific flood risk assessment. Paragraph 169 requires major developments to incorporate sustainable drainage systems unless there is clear evidence this would be inappropriate.

Conserving and Enhancing the Historic Environment

168. NPPF Paragraph 199 requires great weight to be given to the conservation of designated heritage assets, when considering the impact of a proposed development on the significance of the asset; the more important the asset, the greater the weight should be.
169. NPPF Paragraph 201 requires local planning authorities to refuse consent where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, unless it can be demonstrated that substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
170. NPPF Paragraph 202 states 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.
171. NPPF Paragraph 203 requires effects on the significance of non-designated heritage assets to be taken into account, with a balanced judgement required having regard to the scale of any harm of loss and the significance of the heritage asset.

National Planning Policy Guidance

172. The Government has also published National Planning Policy Guidance ('NPPG') notes to support the NPPF, providing high level guidance on specific planning issues and processes. NPPG notes are referenced where applicable in this Statement.

The Development Plan

173. Section 38(3) of the Planning and Compulsory Purchase Act 2004 (as amended) defines the Development Plan as:

- the Development Plan documents (taken as a whole) which have been adopted or approved in relation to that area; and
- b) the neighbourhood development plans which have been made in relation to that area.

174. Although not part of the statutory Development Plan, the NPPF sets out Government policy and should be considered in the determination of this Application.

175. In this instance, the current adopted Development Plan for the Site comprises:

- Coventry City Council Local Plan adopted December 2017 ('the Local Plan'); and,
- Coventry City Council City Centre Area Action Plan adopted December 2017 ('the CCAAP').

176. There are no emerging local plan documents to be considered.

Coventry City Council Local Plan ('Local Plan')

177. The Local Plan provides the overarching policy context for Coventry as a whole, as well as providing detailed policies and standards against which planning applications will be assessed.

Coventry City Council City Centre Area Action Plan ('CCAAP')

178. The CCAAP provides a framework for the future growth and regeneration of Coventry city centre.

Other Material Policy Considerations

179. There are a number of adopted Supplementary Planning Guidance ('SPG') and Supplementary Planning Documents ('SPD') which are material policy considerations in the determination of the Development:

- Affordable Housing SPD adopted March 2022;
- Air Quality SPD adopted Aug 2019;
- Coventry Connected (Transport and Accessibility) SPD adopted Jan 2019;
- Delivering a More Sustainable City SPD adopted Jan 2009;
- Design Guidance for New Residential Development SPG adopted Jan 1991;

- Energy SPD adopted March 2022;
- Green Space Strategy 2019-2024 SPD;
- Open Space SPD adopted March 2022; and,
- Health Impact Assessment SPD.

180. Whilst not carrying the same weight as an adopted SPD, the Coventry View Management Framework forms part of the Development Plan evidence base and is therefore a material consideration, specifically informing Development Plan policies in relation to key views across the city centre of the Three Spires of St Michael, Christ Church and Holy Trinity.

181. This Planning Statement focusses on assessment of the proposed amendments to the Consented Scheme, rather than the full policy assessment undertaken in the 2020 Planning Statement.

Principle of Proposed Development and Land Uses

182. The Development Plan has not changed since CCC's consideration of the Hybrid Consent and therefore the justification provided in the 2020 Planning Statement remains valid. This section focusses on principles and land use matters of the Proposed Development which differ from the Hybrid Consent.

Changing Market Conditions

183. Coventry City Centre's current retail offer continues to be affected by weaknesses in terms of its lacking representation of quality retailers, with a very limited representation of operators from the upper middle/quality end of the spectrum. A 2022 survey of the 200 largest towns/cities undertaken by Property Market Analysis LLP ('PROMIS'), continues to characterise Coventry as a 'Sub Regional Weak Town' on the basis of its retail spending volume and quality. There has been substantial investment in the quality of public realm in the Precinct during 2020/21, however, Coventry city centre still struggles with negative perceptions of its visitor offer and needs to compete with leakage of spend to out-of-town centres as well as the competing centres of Leamington Spa, Solihull and Birmingham.

184. The on-going restructuring of the high street and rationalisation of retail floorspace has continued since the submission (and approval) of the Consented Scheme. Based on a review of market information provided by PROMIS, a comparison of reports on Coventry city centre's market conditions from 2019 and October 2022 is provided below:

- City centre wide retail unit vacancy has increased from 14% in Q4 2019 to 18% in Q2 2022, with a net take-up of -1.9% of units in Q2 2022. This is in line with the retail PROMIS average comprising 200 of the largest retail centres, reflecting structural change.
- Online retail spend in Coventry has increased as a proportion of total spend in line with the national trend of diversion from bricks and mortar stores, increasing from an estimated 19.1% in 2020 to 29.2% in 2021 (national averages of 20% and 29.9% respectively).
- Owing to the demise of key anchor tenants such as Debenhams and TJ Hughes in 2021, vacancy rates within the prime shopping core of the city centre, representing the city's prime retail core, increased from 16.7% in Q4 2020 to 22.2% in Q4 2021.

- PROMIS' agent sources suggest there has been a decline of 53.6% in the top achievable prime rents in Coventry between Q4 2017 and Q4 2021, exceeding the PROMIS average reduction of 34.9% over the same period.
- Coventry continues to have a significantly below average volume and quality of retail provision relative to the size and affluence of its retail catchment, which can imply a shortfall in the provision of modern (i.e. quality) retail floorspace.

185. This post-pandemic trend towards accelerated diversion of retail sales online has had a particularly acute impact on high street retailers with legacy store portfolios and unsustainable debt levels, manifesting itself in a larger scale of store closures resulting from corporate failure and store rationalisation programmes.

186. In spite of the challenges outlined above, Coventry city centre performs above-average relative to comparable centres in terms of its food and beverage offer, improving its PROMIS score between 2020 and 2021. Also, Coventry has a large and growing catchment area, with the potential for new catchments' and demographics' spend to be captured to support new retail and leisure space, as well as through the delivery of significant residential development as part of the development.

187. There has also been a shift in the demand and subsequent need for new housing, particularly in terms of quality city centre living across a range of market sale, rental and affordable housing. This demand has continued to increase since the approval of the Hybrid Consent Scheme. This is reflected particularly in the growth of the UK's Build to Rent ('BtR') sector; a record £1.3 billion was invested into the sector in Q2 2022, 59% higher than Q1 2021, particularly in regional cities¹. The supply of residential in Coventry city centre, particularly, BtR, is limited and this position supports further the strong opportunity to deliver this (and other) forms of housing product within the Proposed Development.

Comprehensive Approach to Regeneration and Reduced Quantum of Non-Residential Mixed Uses

188. CCAAP Policy CC19 specifically allocated the Site, known as 'Primary Shopping Area regeneration – South' for:

- An increase of at least 10,000sqm gross retail floorspace;
- A range of shop sizes that reflect market requirements;
- High quality entrances from the Precinct, Queen Victoria Road and Bull Yard; [...]
- The retention of the listed market building, with improvements made to its setting and connectivity to Queen Victoria Road and Market Way; [...]
- Complementary leisure, office and hotel uses as part of upper floors above retail uses.

189. CCAAP Policy CC19 requires that the regeneration of the Site be delivered in accordance with the retail-led scheme originally envisaged and approved under OUT/2012/0575. This retail-led consent proposed 46,310-57,521sqm of retail (then Class A1-A5 floorspace), primarily for comparison retail uses.

190. The Hybrid Consent has established the principle of residential-led, mixed-use development aligning with Policy CC19, recognising that CCC accepted that the Hybrid Consent did not achieve that 10,000sqm uplift in retail floorspace required by Policy CC19. The 2021 Committee Report recognised that the Hybrid Consent would

¹ CBRE (2022) Residential Investment Figures Q2 2022

however improve the quality of retail provision and reinforce the offer by other main town centre uses, thereby contributing to meeting the policy objective of securing the successful regeneration of the southern part of Coventry's Primary Shopping Area, assisting in its adaptation and ensuring the retail and leisure offer can improve relative to competing centres.

Adapting to Changing Market Conditions

191. The Proposed Development constitutes an adaptation of the Consented Scheme, retaining its mixed use character whilst adjusting the balance of uses to adapt to the rapid changes in market context since the submission of the Consented Scheme in November 2020. This accords with the spirit of the NPPF, which requires:
 - Planning policies to be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices and to enable a rapid response to changes in economic circumstances (NPPF para 82 part d)).
 - Planning policies and decisions to support the role that town centres play, by taking a positive approach to their growth, management and adaptation, including allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries and allows a suitable mix of uses (including housing) and reflects their distinctive characters (NPPF para 86 part a)).
192. The reduction of the non-residential mixed use floorspace parameters is informed by engagement with prospective retail and leisure tenants, who now generally require smaller, flexible, single-storey ground floor units in most locations. The previous parameters for Blocks A1, A2, B, C and D were predicated on two-storey commercial units across the majority of the Site, and therefore a higher total quantum of non-residential floorspace was proposed. Similarly, the scale of Block E has been tailored to likely market requirements, reducing overall development plot footprint whilst maintaining the principle of an independent retail/leisure/F&B hub at the centre of the Site.
193. Policy CC1 sets the overall development strategy for the city centre, focusing on its continued development and regeneration to ensure it is a truly world class city centre leading in design, sustainability and culture. The following aims are particularly relevant to the Proposed Development in terms of its land uses and development principles:
 - *Enhancement of its position as a focus for the entire sub-region and as a national and international destination to live, work and play;*
 - *Enhancement of its retail and leisure offer to strengthen the city's sub-regional role;*
 - *A connected public realm including public square and green spaces, easily accessible through the creation of desirable and legible pedestrian routes;*
 - *Continuing to develop a vibrant and attractive night time economy.*
194. By adapting the masterplan to the changing market conditions identified above, the Proposed Development will continue to deliver a new mixed use neighbourhood within the city centre and contribute to the realisation of regeneration objectives identified in Policies CC1 and CC19:
 - Delivering new floorspace suited to the requirements of new mixed uses, attracting a more diverse and higher quality retail offer to address the city centre's weakness in retail uses;

- Continuing to accommodate the previously proposed range of town centre uses, including potential for a hotel up to 150 keys and Sui Generis uses such as a cinema, diversifying the city centre and introducing new activity nodes;
- Introducing a range of leisure and F&B uses to attract new visitors and support vibrancy and footfall throughout the week and towards the evening, and retaining existing night-time uses located within 21-25a Hertford Street by retaining rather than demolishing these buildings as previously proposed in the Consented Scheme. This supports the development of a vibrant and attractive night time economy by complementing the cluster of F&B uses to the north of the Site at Cathedral Lanes and the Precinct;
- Creating a series of quality public spaces and enhancing north-south / east-west linkages to better connect the core shopping area to the north, Coventry Market to the west and Coventry station to the south, improving the perception and functioning of the city centre and its existing uses; and,
- Retaining the mixed use character of the Consented Scheme by delivering a similar amount of active frontage to activate public spaces within the Site, as secured in the revised Access and Movement Parameter Plan which proposes circa. 79% active frontage on development plots compared with 74% in the Consented Scheme.

195. In overall terms, the Proposed Development performs positively against the policy objective and requirements of CC19, in a similar manner to the Consented Scheme. The Proposed Development also performs in an overall similarly highly positive way to the Consented Scheme in respect of these City Centre Strategy Development Plan policies (CC1 and R2) and their associated objectives.

Increased Residential (Class C3) Quantum

196. The Proposed Scheme would deliver up to an additional 200No. residential units, making a greater contribution towards meeting Coventry's housing needs.

197. LP Policy H1 states that provision must be made for a minimum of 24,600 additional homes between 2011-2031, equating to an average delivery rate of 1,230 dwellings over the Plan period.

198. Given that Coventry Local Plan was adopted on 06 December 2017 and will be more than five years old on 07 December 2022, NPPF para 74 will be engaged during the determination of this Application. NPPF para 74 requires the housing requirement to be assessed against local housing need where strategic policies (i.e. LP Policy H1) are more than five years old.

199. The DLUHC Standard Method for calculating Local Housing Need identifies 2,325No. homes as the current annualised housing need figure for Coventry. This is substantially higher than the Local Housing Need identified at the time of determination of the Consented Scheme, which was circa. 1,722No. homes p.a. in 2020/21.

200. Following the introduction of the urban centres uplift of 35% for calculating LHN for the largest English towns and cities in December 2020, the PPG clearly supports a brownfield-first approach:

"In considering how need is met in the first instance, brownfield and other under-utilised urban sites should be prioritised and on these sites density should be optimized to promote the most efficient use of land. This is to

ensure that homes are built in the right places, to make the most of existing infrastructure, and to allow people to live nearby the services they rely on, making travel patterns more sustainable.²

201. The Proposed Development would increase on-site housing delivery by circa. 15% in the maximum parameter scenario, contributing over 6% towards the delivery of the Plan period housing target identified in Policy H1 and support the Council in meeting a higher housing target if using the Standard Method, optimising the use of an underutilised brownfield site. This is a material change in planning policy compared with the determination of the Consented Scheme, which the Proposed Development responds to.

202. The rationalisation of the total quantum of non-residential mixed uses in response to continued structural change in the retail and leisure landscape and engagement with prospective occupier requirements, and reallocation of overall developable floorspace towards residential (Class C3) development, will therefore optimise the deliverability of the long-planned regeneration of the Site in overall accordance with the Development Plan.

Affordable Housing Delivery

203. The rationale for the increased maximum residential unit parameter is to optimise scheme delivery and facilitate the cross-subsidy of affordable housing. The Proposed Development is committed to delivering 20% on-site affordable housing, whereas the Consented Scheme could not viably deliver any affordable housing.

204. Policy H6 requires new residential schemes of 25+ dwellings to provide 25% of all dwellings as affordable homes, unless for reasons of viability, robust evidence is presented to justify a reduced or alternative form of provision. The original planning application for the Hybrid Consent was supported by a financial viability assessment, which demonstrated that Scheme could not support any on-site affordable housing or off-site financial contribution and this position was accepted by CCC.

205. As set out in the Affordable Housing Statement in Section 7 of this Statement, this Application is supported by a financial viability assessment which identifies that the Proposed Development may deliver 20% on-site affordable housing. This is discussed in more detail in Section 7.

206. The inclusion of a substantial quantum of affordable housing, ranging from 180 – 300 No. affordable homes based on the proposed minimum and maximum parameters, represents a significant additional positive social benefit of the Proposed Scheme. This is evident in that this benefit could not be attributed to the Consented Scheme, as stated in the 2021 Committee Report:

“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 development. Affordable housing cannot therefore be included as a public benefit, although Officers still given weight to the significant boost in new housing within the local housing market.”

207. The inclusion of affordable housing in the Proposed Scheme is particularly significant given the historical undersupply of affordable housing against the Development Plan targets. The LP confirms a minimum average level of affordable housing provision of 348 No. units annually over the Plan period. Up to 2021, the Council’s most recent Annual Monitoring Report confirms that an average of only 236 No. affordable dwellings per year have been delivered since 2011. Delivery rates as a percentage of total delivery have not met the 25% affordable housing target since 2014/15, averaging 13% in 2020/21. As there are 10 years remaining in the Plan period, some

² DLUHC (2020) Planning Practice Guidance: Housing and Economic Development Needs Assessments, Reference ID: 2a-033-20201216

460No. affordable homes would need to be delivered each year up to 2031 to meet the Plan requirement. This would require significant intervention, to increase from the current annualised rate of some 236No. affordable homes per annum.

208. The Proposed Development could deliver between 2.6 – 4.3% of Coventry’s total affordable housing requirement for 2011-2031 and support increased delivery to meet the identified need by the end of the Plan period.
209. The Proposed Development would not however meet the LP Policy H6 requirement of 25% on-site provision and therefore, as required by LP Policy H6 Part 5, an up-to-date Financial Viability Assessment (‘FVA’) is provided demonstrating that the Proposed Development would not be deliverable with a policy-compliant level of on-site affordable housing and requested off-site financial contributions towards social infrastructure. The Application therefore accords with the requirements of LP Policy H6. Although the Proposed Development does not deliver 25% affordable housing, the 20% affordable housing that is committed to nevertheless represents a substantial benefit that was not able to be considered as part of the Hybrid Consent.
210. Further discussion of the proposed approach to on-site affordable housing and draft s106 heads of terms is provided in Section 7.

Placemaking

211. As described in Section 4, the Proposed Development has amended scale and layout parameters in the PPD and DPD. The revisions still represent a masterplanned, comprehensive approach as required by Policies DS4 (Part A) and Policy CC19, continuing to realise the opportunities to deliver high quality entrances from the Precinct, Queen Victoria Road and Bull Yard, as well as enhancing the setting of the Grade II listed Coventry Market and improving connectivity to Queen Victoria Road and Market Way.
212. The principles established in terms of layout and public open space remain as per the Consented Scheme, with a comparable level of public open space to be delivered, focused on the new public squares adjacent to the Market (Public Square 1) and between Warwick Row and Hertford Street (Public Space 2).
213. The revised PPD and DPD are intended as approved documents, which will provide a framework for the design of future RMAs, ensuring individual development plots respond to their local context and ensure the creation of a well-designed neighbourhood with a distinctive character.
214. The Proposed Development therefore continues to accord with Policies DS4, CC3, CC6, CC8 and CC19.

Environmental Statement Addendum – Comparison with Consented Scheme

215. The purpose of this s73 application is not to consider the principle of the Consented Development which is established. It is also relevant to note that the Hybrid Consent was granted relatively recently in January 2022 and the Development Plan basis has not materially altered since that time. Rather the current proposals are to vary certain aspects of an already committed scheme which has been recognised by the Council as representing a high-quality development that will have a transformational impact on the regeneration of Coventry city centre.
216. The Environmental Statement Addendum (‘ES Addendum’) has been produced to enable consideration of environmental effects of the Proposed Development and to establish likely effects, compared with the

Consented Scheme. Due to the nature of the proposed changes, the areas where re-assessment has been most focused relate to Archaeology and Built Heritage, Noise and Vibration, Socio-Economics, Transport and Townscape and Visual Impact.

Archaeology and Built Heritage

Archaeology

217. An ES Addendum has been produced by RPS, which assesses that the Proposed Development would not give rise to any new potentially significant archaeological effects compared with the assessment of the Consented Scheme in the 2020 ES.
218. The previously proposed mitigation and enhancement measures remain unchanged, other than the Proposed Development potentially having less scope for preservation in situ of the Medieval City Wall (a Designated Heritage Asset) than the Consented Scheme.
219. This is due to the repositioning of the Block C development plot in the revised PPD. Previously, Block E, was the development primarily located atop the Medieval City Wall alignment, with a maximum building height of circa. 2-3 storeys (+99.4m AOD). The relatively low-rise height of Block E provided greater scope for foundation design to potentially preserve the Wall in situ, as embedded mitigation.
220. The Proposed Development shifts Block E northwards, with Block C primarily located atop of the Medieval City Wall alignment, with a proposed maximum building height of circa. G+8 – G+13 storeys (+116.60m - +131.10m). The taller building height will necessitate more intrusive foundation design to support the buildings and therefore reduce scope to maintain the Wall in situ. The ES Addendum therefore assesses a greater degree of post-mitigation impact, increasing from negligible beneficial to minor adverse. This does not constitute a new significant adverse environmental effect and is considered to constitute a “less than substantial harm” overall, alongside other assessed effects on archaeology.
221. A summary of archaeological mitigation measures is provided below, against the requirements of Policy CC2:

b) All development relating to or in close proximity to heritage assets [...] shall be undertaken sympathetically to those heritage assets and seek to preserve or enhance their setting.
222. At detailed design stage, as per the Consented Development, the Proposed Development will preserve elements of the Medieval boundaries in situ as far as feasible. The previously approved Archaeological Mitigation Plan has been updated (ES Addendum Technical Appendix 7A.3), and a programme of archaeological work will be approved by the LPA prior to commencement of development phases as per extant Condition 17, to be carried over into the new s73 consent.

c) New development which include or take place adjacent to the remaining sections of the medieval City Wall must enhance the setting of the wall and to incorporate it into the landscape design [...] Archaeological investigations must be undertaken where development is proposed on the former site of the City Wall. Opportunities to reflect the line of the medieval Wall should also be incorporated into such developments.

d) New developments must retain or where possible re-instate the street plan of the medieval city where it can contribute to accessibility, local character and distinctiveness.
223. As per the Consented Scheme, the Development Principle 2.18C of the proposed DPD requires the detailed landscaping proposals to be brought forward at RMA stage to reflect the alignment of the former City Wall and

its historical significance in the design of soft and hard landscaping. The Illustrative Landscape Masterplan indicates how this can be achieved within the revised development plot parameters, installing visible hard and soft landscaping features and interpretative material in Public Square 1 between Coventry Market and Blocks C/E to promote public understanding of the archaeological remains, along with demarcating the former Greyfriars gate adjacent to Public Square 1 in front of Block C / Warwick Row. This approach is consistent with the Consented Scheme.

224. The less than substantial harm arising to Designated Heritage Assets will, as per the Consented Scheme, need to be weighed against the public benefits of the Proposed Development, as required by NPPF para 202. This is substantiated in this Statement and associated Public Benefits Statement.

Built Heritage

225. An ES Addendum has been produced by RPS, which assesses that no additional Major Adverse effects will arise from the Proposed Development compared with the 2020 ES: the same effects are assessed in relation to the Grade II listed Three Tuns Mural and History of Coventry Mural (non-designated heritage asset).

Three Tuns Mural and Market Works

226. The Proposed Development does not propose any alterations to the full planning component of the Consented Scheme, in respect of the works to Coventry Market or the Three Tuns Mural ('the Mural'). No changes are proposed to the parallel Listed Building Consents (references: LB/2020/0857 and LB/2020/0860).

227. Owing to the retention of 21-25a Hertford Street, it is no longer feasible to propose that the Mural can be relocated to the Hertford Street elevation of Block B, as shown in the approved DPD, as no new building is proposed in this location. Consequently, a new option is proposed on the Block B façade adjacent to Market Way (referred to in revised DPD as Option 3). This alternate location satisfies key criteria set out in Principle 2.22B, namely:

- Providing a location enabling visual relationship between the Mural and post-war architectural elements of Coventry's townscape: adjacent to the former BHS and Woolworths Buildings.
- Enabling the Mural to be experienced from the public realm: prominent location on Market Way.
- Providing a location which can be suitably sheltered to protect the long-term integrity of the Mural.

228. Options 1 [Warwick Row elevation of Block C] and 2 [location within Public Square 1] remain as per the Consented Scheme.

229. The previously proposed relocation strategy, as amended through introducing a potential location at Market Way or alternative location fitting the criteria set out in the Development Principles Document, is assessed to result in a residual effect as minor adverse (not significant). The ES Addendum therefore assesses that the previously assessed level of substantial harm would remain to the Mural.

Other Listed Buildings and Conservation Areas

230. The ES Addendum identifies areas where harm arising to built heritage assets from the Proposed Development would be higher compared with the Consented Scheme.

231. These effects are assessed to still constitute less than substantial harm to the other Designated Heritage Assets, consistent with the overall assessment of harm of the 2020 ES and 2021 Committee Report.

Policy Tests in Respect of ‘Less Than Substantial Harm’ and ‘Substantial Harm’

232. The 2021 Committee Report assessed that the Consented Development would deliver substantial public benefits, including heritage benefits, that outweighed the substantial and less than substantial harm arising from the Consented Development.

233. As with the Consented Development, the Proposed Development continues to be assessed as resulting in substantial harm to the Mural. As required by NPPF para 201, this substantial harm is necessary to achieve the substantial economic, social and environmental benefits arising from the Proposed Development and these substantial public benefits outweigh that harm.

234. Planning Practice Guidance advises that: *“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the NPPF [...] They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.”*³

235. The substantial public benefits are summarised in the Public Benefits Statement.

236. The Proposed Development will continue to result in “less than substantial harm” to other Designated Heritage Assets. As required by NPPF para 202, the public benefits of the proposal need to be weighed against this identified level of harm.

237. The accompanying Public Benefits Statement identifies three additional benefits realised by the Proposed Development, which were not delivered by Hybrid Consent and therefore not considered in the 2021 Committee Report:

- Delivery of 20% on-site affordable homes on-site totalling up to 300No. homes, addressing Coventry’s shortfall in affordable housing delivery during the first of the 2011 – 2031 Plan period. This is facilitated by increased overall housing delivery by up to 200No. additional homes, by increasing the maximum residential parameter from 1,300 to 1,500 units.
- Reduction in adverse air quality impact on the future residential occupiers in north western façade of Block D from Major Adverse to Negligible Adverse, removing the requirement for mitigation through mechanical ventilation for future dwellings in this location.
- The retention of 21-25a Hertford Street rather than demolishing these buildings as was previously proposed in the Consented Scheme. This supports the development of a vibrant and attractive cultural and leisure offer within this part of the city centre.

238. These additional public benefits, alongside the previously realised benefits identified in determination of the Hybrid Consent, weigh in favour of the Proposed Development and adding to the substantial public benefits created by the Proposed Development.

239. Given that the Application is an application for a minor material amendment to the Hybrid Consent, the exercise of balancing the substantial harm caused by the Proposed Development must regard the previous 2021 Committee Report assessment and conclusions as a material planning consideration. There is considered to be no overall change to the previously assessed position that the proposals would result in an element of

³ DLUHC (2019) Planning Practice Guidance, Reference ID: 18a-020-20190723

substantial harm, particularly to the Three Tuns Mural. The principle of the substantial harm being necessary in order to achieve substantial public benefits has been established through the grant of the Hybrid Consent.

240.

Noise and Vibration

241. Sandy Brown has reviewed the 2020 ES chapter on Noise and Vibration effects and produced a 2022 ES Addendum for the Proposed Development, particularly to consider revised baseline noise conditions and the revised PPD, which now allow for the retention of the building at 21-25a Hertford Street which includes the HMV Empire rather than demolishing these buildings as previously proposed in the Consented Scheme.

Construction Noise

242. The assessment of construction noise effects has been updated to account for the longer construction programme, anticipated to complete in 2034 rather than 2027.

243. There are no new significant construction noise effects arising from the Proposed Development.

Operational Noise - New Entertainment Noise Sources

244. The Ensafé noise surveys undertaken in September 2019 has been supplemented by additional noise survey information undertaken in October 2022, and to account for the following changes proposed since the 2020 ES:

- **Retention of 21-25a Hertford Street:** previously assumed to be demolished, therefore an existing bar/nightclub use in 25A Hertford Street ('Catch 22') was not assumed to be operational in the Consented Scheme. 'The Empire' live music venue at 22 Hertford Street was not in use at the time and opened in Summer 2021, was therefore not assessed.
- **Operation of bar/nightclub use and associated outdoor smoking area at 66 Hertford Street:** this premises was not in operation at the time of the September 2019 surveys and was therefore previously not assessed. Based on a planning history search, this use is operating without requisite planning permission but was previously in lawful use as a café.

245. The Site Suitability Report ('SSR', ES Technical Appendix 10A.5) surveyed these entertainment noise sources in October 2022 to account for the operation of these uses.

246. In order to accommodate new entertainment noise sources, a mitigation scheme is proposed in the SSR to control noise from each of the identified sources and also mitigate impacts through the design of new adjacent buildings within the Proposed Development to achieve compliance with the relevant internal noise criteria. In summary, these mitigation measures include:

- **Proposed Development façade sound insulation performance requirements for bedrooms and living rooms:** SSR Table 8 sets out recommended façade sound insulation performance. This will be considered in detail at RMA stage, when the layout of residential dwellings within the development plots is understood and differing noise exposure within development plots is assessed.
- **Limiting hours of delivery:** implementation of a suitable noise management plan during 07:00-23:00 to control noise arising from deliveries during night-time for residential receptors.

- **Noise management for 22 Hertford Street ('the HMV Empire'):** use of outdoor screening, façade enhancements, installation of internal noise mitigation measures within the venue including works to doors, plant and wall/ceiling linings.
- **Noise management for 25a Hertford Street ('Catch 22'):** if retained, use of outdoor screening, replacing access doors with acoustically enhanced doorsets, façade enhancements and waste management plan to ensure emptying of bottle bins during daytime hours.

247. In terms of the existing bar/nightclub use at 66 Hertford Street, the SSR identifies that mitigation measures would be required to the design of the existing building to control noise egress to prevent impact of existing student accommodation to the north of the building, and to the residential units consented by the Hybrid Consent / proposed in the Proposed Development. It is understood that the current bar/nightclub use has been in operation in September 2020 and therefore not operated long enough to be granted immunity from legal action to require the use to cease. Retrospective planning permission for change of use, including a scheme of noise mitigation and management, would be required in order to regularise this entertainment noise source.

248. Full details of the proposed mitigation required to ensure adequate noise conditions for current and future residents in the vicinity are provided in Section 10 of the SSR.

249. The proposed approach to operational noise mitigation accords with NPPF para 187, which requires new development to be integrated effectively with existing businesses including pubs and music venues.

Socio-Economics

250. CBRE EIA has reviewed the 2020 ES chapter on Socio-Economic effects and produced a 2022 ES Addendum for the Proposed Development, particularly to consider the proposed 200 No. homes uplift in maximum residential development parameter and reduction in minimum and maximum non-residential parameters. The ES Addendum has also updated changes in certain baseline conditions since 2020 such as school rolls.

Consideration of Revised Residential (Class C3) Parameters

251. Based on the increased residential parameter, the Proposed Development is estimated to be able to accommodate circa. 460 more residents. This increase in population is assessed to increase demand for education and healthcare facilities.

252. A larger residential population will also require a larger amount of on-site and off-site open space and play space provision.

253. As per the Consented Scheme, the Proposed Development incorporates large areas of open space within the revised development plot parameters, as indicated by the Illustrative Landscape Masterplan, and will be able to accommodate sufficient private and communal open spaces within the development plots, which will be detailed at RMA stage. As well as the significant qualitative improvement in public realm, the Proposed Development will increase the area of open space by circa. 50% from circa. 1.6 hectares to a total of approximately 2.4 hectares. This accords with Policies DS4, CC3, CC6, CC8 and CC19.

254. Policy IM1, which expects development to provide or contribute towards the provision of measures to directly mitigate its impact and make it acceptable in planning terms, including social infrastructure. Policy IM1 Part 5 requires proposals that are unable to comply with Development Plan policies to be accompanied by a detailed financial viability assessment, where site specific issues generate viability concerns. The Application's financial viability assessment, details how the Proposed Development would not be able to support off-site financial

contributions such as towards off-site education and healthcare provision. This position is consistent with the Hybrid Consent and was previously accepted by the Council, subject to a phased viability review. The Hybrid Consent s106 requires phased viability review as development is brought forward, to determine whether there will be development surplus to support an off-site contribution towards identified requests for education and healthcare contributions.

255. As per the Consented Scheme, the Land Use Parameter Plan makes provision for Class E and F.1 floorspace, which could accommodate social infrastructure uses such as healthcare or childcare facilities.

256. Based on the current scheme viability and proposed increase in residential population compared with the Consented Scheme, the Socio-Economics ES Addendum therefore identifies new significant adverse effects on existing secondary school and healthcare provision. This needs to be balanced against the substantial economic, social and environmental benefits delivered by the Proposed Development, summarised in Section 8. These benefits can only be realised by a viable development, as permitted by the Consented Scheme and proposed in this Application.

Consideration of Revised Mixed-Use (Classes E / F.1 / Sui Generis) Parameters

257. The Consented Scheme was estimated to support circa. 1,225-2,000 gross FTE jobs during operation. Owing to the reduction in directly employment-generating mixed use floorspace, the Proposed Development is estimated to support 762–1,090 gross FTE during operation. By using the estimated 26% vacancy rate within the Site at the time of Summer 2020, i.e. prior to CCC engaging in land assembly and not taking into account from the date the continuing impacts of COVID on town centres, the Proposed Development is estimated to result in a slight overall reduction in employment supported on-site, by circa. -10 - -96 gross FTE jobs during operation. This is based on a worst-case scenario, using conservative assumptions regarding the level of on-site employment supported by current uses on-site. In reality, it is likely that the level of vacancy at the Site itself will have increased since 2020 and as a result, the amount of existing employment currently supported decreased. The introduction of an increased population will also generate indirect employment opportunities outside of the Site boundary through the demand for increased goods and services.

258. Since the resolution to grant for the Consented Development in April 2021, CCC has proactively engaged with current occupiers to ensure that businesses affected by the redevelopment of City Centre South are kept informed of scheme progress and seeking to relocate affected businesses within the wider city centre, including within City Centre South once completed.

259. The latest PROMIS report for Coventry estimates the 2022 Q2 vacancy rate in Coventry city centre (as a whole) to stand at 18.0% of retail stock. Therefore, whilst the 2020 ES and 2022 ES Addendum use the conservative assumption that existing activities within the Site will cease and associated employment is not supported in alternative premises within Coventry and its city centre, it is reasonable to assume that the estimated net loss in employment will not be borne out entirely, given the robust business relocation strategy that is in place. The strategy will ensure, in part, that existing employment-generating uses within the Site find suitable alternative premises elsewhere in the city centre as far as feasible; which can be facilitated given the high rate of vacancy within the city centre.

Transport

260. TPP has reviewed the 2020 ES chapter on Transport effects and produced a 2022 ES Addendum for the Proposed Development, particularly to consider the proposed 200 No. homes uplift in maximum residential development parameter and reduction in minimum and maximum non-residential parameters, and revised development plots layout. The ES Addendum has revised the opening year assessment from 2027 to 2034, in

order to reflect the revised construction programme. This is supported by a revised Transport Assessment (ES Addendum Technical Appendix 8A.1).

261. There have been no changes of relevance to the existing baseline conditions for key receptors since the 2020 ES. No new access or transport design interventions have been introduced as a result of the Proposed Development.
262. CCC Highways confirmed on 06 July 2022 that the traffic surveys undertaken in November 2019 would continue to be valid and no additional traffic surveys would be required to support this Application.
263. The underlying servicing strategy remains as per the Consented Scheme. The only amendment to the Access and Movement Parameter Plan is the accommodation of the turning head at the end of Warwick Lane, adjacent to the Methodist Central Hall, now showing as a service/vehicle priority area and allowing for exceptional service vehicle access into Public Square 2.
264. Owing to the reduction in non-residential land uses, the Proposed Development is assessed to generate marginally less traffic when compared with the Consented Scheme, resulting in reduced impacts on traffic and subsequently on air quality and noise.
265. No new significant transport effects arise from the Proposed Development; therefore the findings of the 2020 ES chapter remain valid and the Proposed Development accords with Policies AC1, AC2, AC3, AC4, AC5, DS4, H3 and CC11. The divergence from the Policy CC19 requirement to provide an on-site MSCP to replace the Barracks Way MSCP car parking spaces was accepted by the Council in principle in the determination of the Hybrid Consent.

Townscape and Visual Impact ('TVIA')

266. Townscape Visual Ltd. Has reviewed the 2020 ES chapter on TVIA and produced a 2022 ES Addendum for the Proposed Development to consider any impacts arising from revised massing and development plot locations, including minor amendments to the cumulative assessment due to the completion of planned developments (at time of 2020 ES) and new planning applications.
267. There are no overall changes to the significance of townscape and visual effects compared with the Consented Scheme. Due to adjustments to both the heights of maximum building height parameters (both increases and decreases in height) and revised location of taller elements, there have been minor adjustments to extent and scale of effects, but no new significant townscape or visual effects arise.
268. No significant adverse townscape or visual effects have been identified. As per the Consented Scheme, all townscape effects have been assessed as neutral or beneficial, with the greatest degree of townscape change still being experienced from the viewpoints to the west and southwest of the Site on the Greyfriars Green and Butts Road approaches. By retaining the previous focus on delivery of two new public squares and improved north-south and east-west permeability, the Proposed Development would continue to deliver significant improvements to permeability and legibility, with very large improvements to the quality of built environment and public spaces.
269. Therefore the Proposed Development accords with Policies CC2, CC7 DE1 and H2 and the Tall Buildings SPD.

Other Considerations

Air Quality

270. RSK has revised the 2020 ES chapter on Air Quality (prepared by Ensafé) and produced a 2022 ES Addendum for the Proposed Development to update the Air Quality Assessment to reflect the operational phase traffic emission exposure impact assessment based on the updated Transport Assessment and new local air quality monitoring data.
271. The primary change compared with the Consented Scheme is that the revised operational phase assessment indicates that annual mean concentrations of NO₂, PM₁₀ and PM_{2.5} are predicted to be below the relevant objectives, and therefore specific mitigation measures previously proposed will no longer be required. This change arises from the predicted reduction in traffic associated with the Proposed Development, combined with the later opening date of 2034, where air quality is predicted to gradually improve as a result of the renewal of the motor vehicle fleet and increasing proportion of electric vehicles. This is an improvement in the Consented Scheme, reducing effects from Major Adverse to Negligible Adverse for all units located at the ground floor level to the north of the western façade of Block D, which previously required mechanical ventilation to ensure the supply of clean air. This mitigation measure is no longer assessed to be necessary.
272. Otherwise, the results of the construction phase and operational phase assessment for existing receptors in the 2020 ES remain valid and no new mitigation or enhancement measures are proposed. Therefore the Proposed Development accords with Policy EM7 and the Air Quality SPD.

Daylight, Sunlight and Overshadowing ('DSO')

273. Hollis has reviewed the 2020 ES chapter on DSO effects and produced a 2022 ES Addendum for the Proposed Development to consider guidance and policy changes, and the revised massing of the Proposed Development.
274. In particular, the ES Addendum reflects the revised BRE Guideline: *Site Layout Planning for Daylight and Sunlight 2022, A Guide to Good Practice, Third Edition (2022)*. It should be noted that when using the Guidelines in a more urban context such as Coventry city centre, it is often not feasible or desirable for a site to be redeveloped in strict adherence to the guideline figures. The Guidance does not constitute planning policy, as clarified by para 1.6 of the Guidance:
- "The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning authority may wish to use different target values...in an area with modern high rise buildings, a higher degree of obstruction maybe unavoidable if new developments are to match the height and proportions of existing building"*
275. In urban locations, properties tend to be taller and denser than the suburban environment the criteria and methodologies are predicated upon. As such, a technical BRE transgression may not realistically illustrate an unacceptable change in light condition to the neighbouring properties. As a result, a degree of interpretation is necessary, and a flexible approach should be considered, and has been within the ES Addendum, as suggested within the BRE Guidelines (paragraph 1.6).
276. The ES Addendum assesses that the Proposed Development would not give rise to any new potentially significant DSO effects compared with the assessment of the Consented Scheme in the 2020 ES.
277. A full discussion of the policy context is provided in the 2020 Planning Statement. As per the Consented Scheme, the Proposed Development should be considered in light of Policy H9 and the NPPF, which promotes urban regeneration and requires new residential development to promote the most efficient and effective use of land, whilst remaining compatible with the quality, character and amenity of the surrounding area. The Proposed

Development will still deliver high quality homes as part of a new city centre neighbourhood, based on robust urban design principles, on a site that has long been allocated for comprehensive redevelopment by Policy CC19. The economic, social and environmental benefits of the Development and alignment with Development Plan policies and the NPPF should therefore be balanced against any residual daylight and sunlight impacts based on BRE Guidance.

278. As per the Consented Scheme, the Proposed Development ensures adequate daylight and sunlight availability, thereby delivering high quality living and amenity space for future occupants, and neighbouring properties, in accordance with Policies H3 and H9.

Drainage and Flood Risk

279. Meinhardt has reviewed the 2020 ES chapter on Water Resources, Flood Risk and Drainage undertaken by Cundall, which assessed the Consented Development. Whilst policy updates have been undertaken in respect of the NPPF and associated Planning Practice Guidance on FRA Climate Change Allowances and Flood Risk Guidance, these do not alter the previously approved drainage strategy or FRA. Similarly, the increase in the maximum residential development parameter by 200 No. units is not considered to affect the scope or outcome of the 2020 ES.

280. Therefore, the conclusions and proposed mitigation measures in the 2020 ES remain valid for the Proposed Development, as well as the approved Flood Risk Assessment dated 19 March 2021 Rev P04 and Below Ground Drainage Strategy dated 19 March 2022 Rev P04. This includes the identified discharge rates and the surface water management strategy for the Site including SuDs.

281. For completeness, these assessments are re-submitted in support of this Application for approval but remain unchanged from that approved under the Consented Scheme.

282. Therefore the Proposed Development accords with Policies EM1, EM2, EM4, EM5, GE1 and CC9.

Ecology and Trees

283. An updated Preliminary Ecological Appraisal ('PEA') and Roost Assessment ('PRA') was produced in September 2022 to update upon the PEA and PRA Survey dated 11 November 2020. The following changes have arisen:

- **Building B1:** continues to be considered as having moderate suitability for transitional bat roosts.
- **Building B2:** previously assessed as having low roosting potential, now reassessed as having moderate potential due to expansion of hole in building roof.
- **Building B6:** previously assessed as having negligible roosting potential, now reassessed as having moderate roosting potential due to degradation of building in meantime with new holes in brickwork and gaps in wooden panelling.

284. A Bat Survey Report comprising dusk emergence and dawn re-entry surveys was produced in September 2022 in respect of Buildings B1, B2 and B6. There was no evidence of roosting bats in these buildings, with very low numbers of foraging and commuting common pipistrelles and noctules using flightlines near these buildings.

285. The Report makes recommendations for mitigation in terms of installation of bat roosting opportunities, planting and lighting design, which will be secured by planning condition.

286. An updated Arboricultural Impact Assessment was produced by Temple in November 2022. The Assessment identifies 27 No. trees to be removed to facilitate the redevelopment of the Site, comprising 18 No. Category B and 9 No. Category C trees. This comprises 3 No. additional trees in total to be removed than the Consented Scheme; 1 No. tree (T59) has been removed since the 2020 Survey and the Proposed Development proposes to remove 5 No. existing trees to the west of Block D on Queen Victoria Road, which are now proposed for removal owing to the future need to undertake works within the highway up to the boundary of Block D (T32, T33, T34, T35, T36). These will be replaced with suitable specimens once the works have been undertaken.

287. The Assessment confirms that no trees surveyed within the Site are subject to Tree Protection Orders.

288. The Assessment sets out preliminary recommendations for mitigation during the construction phase of the Development; detailed measures such as a Tree Protection Plan will be provided as part of subsequent discharge of planning conditions. The Assessment sets out that a soft landscaping scheme to mitigate the potential loss of visual public amenity and improve biodiversity value should be provided; this will be provided at RMA stage, to provide replacement planting in accordance with Policy CC8.

Land Contamination and Remediation

289. The Proposed Development does not introduce different land uses or materially different development extents than those assessed in the approved Preliminary Geo-environmental Risk Assessment prepared by Cundall dated 09 November 2020 Revision B, including the associated Unexploded Ordnance Assessment.

290. For completeness, these assessments are re-submitted in support of this Application for approval but remain unchanged from that approved under the Consented Scheme.

Sustainable Design

291. The Proposed Development does not propose any changes to the Energy and Sustainability Statement produced by Cundall dated 13 November 2020 and will accord with the previously proposed approach to sustainability.

292. Whilst not an approved document, for completeness, this document is re-submitted in support of this Application for information but remains unchanged from that considered under the Consented Scheme.

Wind Microclimate

293. RWDI has reviewed the 2020 ES chapter on Wind Microclimate and produced a 2022 ES Addendum for the Proposed Development. RWDI has undertaken revised CFD ('computational fluid dynamics') modelling of the revised building height and development plot parameters proposed in the revised PPD.

294. As per the Consented Scheme, the assessment identifies significant adverse effects limited to on-site locations and primarily at roof level. These effects are consistent with the effects reported in the 2020 ES and the Proposed Development is not considered to result in worsening of previously assessed wind microclimate conditions.

295. Mitigation measures for the maximum parameter massing scenario are identified in Table A.7.1 of the 2022 ES Addendum, relating to:

- Potential building entrances on north-western and southern elevations of Block A1 and north-western and south-western corners of Block D;

- Parts of ground level amenity areas around development plots; and,
- Potential rooftop level amenity areas on development plots.

296.A planning condition is proposed requiring detailed wind assessment of detailed design to be provided at RMA stage, confirming the effectiveness of proposed mitigation measures including potential for recessed building entrances and use of hard and soft landscaping and balustrades to mitigate any adverse effects arising.

Section 7: Affordable Housing Statement, s106 Heads of Terms and Draft Planning Conditions

Community Infrastructure Levy ('CIL')

297.CCC has not adopted a Community Infrastructure Levy charging schedule, therefore CIL is not chargeable on the Development.

Provisional Draft Section 106 Heads of Terms

298.The Consented Scheme is subject to an extant s106 Agreement. Minor amendments are proposed through a Deed of Variation ('DoV'), in order to reflect the revised indicative locations of the Mural and revised affordable housing offer.

Financial Viability Assessment ('FVA')

299.An FVA was produced in November 2020 by Montagu Evans to support the Consented Scheme. This Application is submitted with a revised FVA to account for the following scheme amendments and provide up-to-date assessment on other relevant inputs into the FVA:

- **Changes to proposed development quanta:** increase in maximum residential (Class C3) parameter and reduced minimum and maximum non-residential parameters.
- **Affordable housing offer:** commitment to incorporating 20% on-site affordable housing as well as policy-compliant and zero affordable housing scenarios.
- **Revised requests for off-site financial obligations** arising from re-consultation and mitigation arising from revised development quanta.
- **Revised market conditions** such as in respect of build costs and development values.

Affordable Housing

300. LP Policy H6 requires that any new residential scheme of 25 dwellings or more will be expected to provide 25% of all dwellings as affordable homes. Where the specified level of affordable housing cannot be provided, robust evidence must be presented to justify a reduced or alternative form of contribution.

301. In May 2021, the Government introduced a requirement for 25% of all on-site affordable housing provision to comprise First Homes. These are defined as intermediate affordable homes which are set at 30% of market rate in perpetuity, with a maximum starting price of £250,000 and available only for eligible first time buyers with a maximum annual household income of £80,000.

302. The Council's Affordable Housing SPD (adopted March 2022) states that the Council will seek to maintain the affordable rent (social rent) provision as stipulated in Policy H6 and will accept an intermediate mix that

establishes 25% of overall affordable provision as First Homes, ensuring that other intermediate products remain available so that opportunity of choice is maintained.

303. As set out in Section 6 of this Statement and in further detail in the Financial Viability Assessment, at present, the Proposed Development can viably support 20% on-site affordable housing provision. This remains below the policy requirement of 25% and therefore is justified through an up-to-date FVA to justify reduced provision, as required by LP Policy H6.

304. In accordance with the Local Plan's overarching housing strategy, the Applicant has sought to optimise opportunities for increasing new affordable housing supply through discussions with CCC and its partners, including the WMCA and local registered providers.

305. LP Figure 4.1 identifies the Site as being situated within an area of existing medium concentration of affordable housing. Policy H6 Part 3 requires proposals in this area to target an affordable housing mix of 50% social/affordable rental provision and 50% intermediate provision.

306. Based on engagement with local providers and the Council's list of current affordable housing requirements, the current strategy is to deliver affordable housing in a 60% social/affordable rental provision and 40% intermediate provision. This approach does not accord with LP Policy H6 Part 3, but does accord with Part 7 which requires developers to ensure that affordable housing contributions comprise dwellings of the right size, type, affordability and tenure to meet local needs, through engagement with the Council, Registered Providers and the Strategic Housing Market Assessment recommendations.

307. The Council's Affordable Housing SPD (adopted March 2022) advises on the Written Ministerial Statement requirement to include First Homes set out above, clarifying at para 3.9 that LP Policy H6 should be interpreted as follows:

"Whilst it [Policy H6] provides a basis in how developers and applicants should approach on-site affordable housing provision, it is expected that proposals should reflect the requirements and need of the city at the time of the application's submission. This should take into account the strategic obligations as explained in the policy, as well as other material considerations such as evidence base documentation, the National Planning Policy Framework and Planning Policy Guidance."

308. The transition arrangements for First Homes ended on 28th March 2022 following its introduction in a Written Ministerial Statement in May 2021 and is a material consideration in the decision-making process. It is considered however that First Homes would not be a less conducive product to meet the affordable housing needs of the Coventry and the development has focussed on prioritising social rented and shared ownership homes in accordance with LP Policy H6. This reflects the requirements and need of Coventry at the time of the application's submission, according with the approach set out in the Affordable Housing SPD.

309. As per the Consented Scheme, the Proposed Development seeks to agree that details of housing size and tenure mix are agreed in subsequent RMA submissions.

310. The DoV will therefore seek to amend the extant s106 to account for the revised FVA and proposed on-site affordable housing provision.

311. The DoV proposes to retain this approach to phased review of the Proposed Development's viability, as it is brought forward.

Relocation of The Three Tuns Mural

312. Schedule 3 of the extant s106 outlines the alternative locations where the Three Tuns Mural could be located within the Consented Scheme. As explained in Section 6, it will be necessary to vary the information in Schedule

3 to reflect the removal of the previously approved alternative location on the Hertford Street elevation in the north of Block B to the Market Way elevation of Block B, to reflect the revised DPD.

313. No other amendments are proposed to Schedule 3 of the s106.

Off-Site Financial Contributions

314. Policy IM1 requires that applicants should discuss site-specific viability concerns with CCC at the earliest possible stage in the development process, and requires proposals that are unable to comply with Development Plan policies on viability grounds must be accompanied by a detailed Financial Viability Assessment.

315. Explanatory text supporting Policy IM1 further clarifies:

“However, there may be 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 Viability Assessment should be undertaken in accordance with the RICS Guidance Note on ‘Financial Viability in Planning’ or any updates of this guidance.”

316. The Development will deliver significant public benefits, including new homes, public realm, employment opportunities and a dramatically enhanced city centre environment for Coventry. The plan-led nature of the comprehensive redevelopment supports the delivery of both the Local Plan and CCAAP, which specifically allocates the Site for regeneration in Policy CC19.

317. Due to the complexities of regenerating a brownfield site and ensuring high quality architectural and landscape design means that at present, the Development cannot meet the level of off-site financial contributions requested by statutory consultees other than the Local Planning Authority. However, as noted above in relation to affordable housing, the Applicant is proposing to retain the review mechanism to allow for the re-assessment of development viability as part of the delivery different phases of the development. This provides the opportunity re-assess the ability to make off-site contributions to other items of requested social infrastructure in addition to affordable housing.

318. Detailed evidence has been provided in the accompanying Financial Viability Assessment, which has been prepared in accordance with the latest RICS Guidance on ‘Financial viability in planning: conduct and reporting’ published in 2019, as well as the standardised requirements set out in the Planning Practice Guidance on Viability.

319. The National Planning Policy Framework (‘NPPF’) (published July 2021) reconfirms the statutory requirement set out in Section 38(6) relating to the determination of planning applications and also confirms that the NPPF must be taken into account as a material planning consideration in planning decisions (paragraphs 2 and 212).

Draft Planning Conditions

320. The Applicant proposes to carry over the planning conditions attached to the Proposed Development consent, reflecting the amendments to Conditions 1, 7, 9 and 46, and the introduction of new Conditions 50, 51 and 52, approved under s96A application ref: NMA/2022/2523.

321. This ensures that mitigation previously secured by condition, including the PPD, DPD and 2020 ES will continue to be secured in the Proposed Development, notwithstanding amendments made to approved documents and proposed in the 2022 ES Addendum.

⁴ CCC Local Plan 2017, p176

322. The following additional planning conditions are also proposed as part of this s73 application to address mitigation measures required in the 2022 ES Addendum:

Table 7.1 – Overview of Proposed Additional Conditions for ES Addendum Mitigation

ES TOPIC	PROPOSED WORDING
Wind Microclimate	<p>Proposed Condition 53</p> <p><i>“No development in any phase, excluding demolition and enabling works, shall take place until a detailed scheme of wind mitigation has been submitted to and approved by the Local Planning Authority for that phase of development. The scheme shall reflect the recommendations made in Table 13A.7.1 of Environmental Statement Addendum Chapter 13A Wind Microclimate dated November 2020.”</i></p>
Noise and Vibration	<p>Proposed Condition 54</p> <p><i>“Prior to the occupation of dwellings within a phase of development, a scheme of noise insulation required for that phase shall be submitted to and agreed in writing by the Local Planning Authority to include details of acoustic glazing ventilation to habitable rooms.”</i></p>
Noise and Vibration	<p>Proposed Condition 55</p> <p><i>“No development, excluding demolition and enabling works, shall take place within a phase situated within Block B as defined in the Parameter Plans Document Rev C November 2022 until a scheme of entertainment noise insulation for 22 and 25a Hertford Street has been submitted to and agreed in writing by the Local Planning Authority.”</i></p>

Section 8: The Planning Balance

Overview of Minor Material Amendment

323. This Planning and Affordable Housing Statement supports a Section 73 application to vary Condition Nos. 1, 46, 50 and 51 attached to hybrid planning permission reference OUT/2020/2876 (as amended by the NMA decision issued on 11 October 2022) for comprehensive mixed-use redevelopment at City Centre South in Coventry city centre.
324. The Applicant seeks a minor material amendment to the current Hybrid Consent in order to accommodate amendments to the approved parameters, as defined in the PPD and DPD, to optimise the development opportunity of the Site. These amendments broadly comprise:
- Increasing the maximum residential (Class C3) parameter by 200 No. homes to respond to increased market demand for a range of housing in a well-connected city centre location, as well as the commitment to incorporate 20% on-site affordable housing to contribute towards Coventry's shortfall in affordable housing delivery;
 - Reducing the minimum and maximum non-residential mixed use (Class E / F.1 / Sui Generis) parameters by 41% and 47% respectively to 13,275 – 20,000sqm, reflecting rationalisation of commercial unit typology to best match the spatial and market requirements of prospective retail, leisure, commercial, social infrastructure and night-time economy use operators. This optimises deliverability in the face of post-pandemic spending trends, including accelerated shift towards online competitors.
 - Revising the parameters defining maximum and minimum limits of deviation to be able to accommodate detailed design development arising from the above changes in land uses and urban design considerations, including alterations to building heights and development plots.
 - Revising the extents of demolition to reflect the Applicant's intent to retain rather than demolish 21-25a Hertford Street, enabling reuse of building fabric and accommodating existing night-time economy uses and ground floor commercial units.
325. This Application is supported by an ES Addendum, which includes re-appraisal of the 2020 ES assessments on the basis of the revised parameters, providing a robust and up-to-date assessment of environmental effects.
326. No amendments are proposed to the full planning permission component of the Consented Scheme; the previously proposed works to relocate the Three Tuns Mural and works to Coventry Retail Market remain unchanged.

Development Plan and Material Considerations

327. The principle of comprehensive mixed-use development of the Site has been firmly established by Policy CC19 and the Consented Scheme (ref: OUT/2020/2876), which have already been justified in the 2020 Planning Statement and subsequent 2021 Committee Report. The principle of non-compliance with parts of Policy CC19, namely not achieving the 10,000sqm uplift in retail floorspace and non-replacement of the Barracks Multi-Storey Car Park, has already been accepted through the grant of planning permission for the Consented Scheme.

328. The Proposed Development would increase the residential (Class C3) component and reduce the proportion of non-residential mixed uses. However, the original masterplan vision for a vibrant new mixed-use neighbourhood in Coventry city centre, contributing to the diversification of uses including commercial, retail, leisure, social infrastructure, hotel and F&B still remains. There are material considerations, including the thrust of the NPPF to support the adaptation and repurposing of city centre, the efficient use of land and meeting the urban uplift in Local Housing Need through a brownfield-first approach and further restructuring of the retail sector since grant of the Consented Scheme, to justify the changes to the Consented Scheme now being sought.

329. The Proposed Development optimises the delivery of this comprehensive regeneration scheme, which will support the realisation of the following strategic policy objectives:

- Supporting the regeneration of the city centre to ensure Coventry is truly a world class city centre, enhancing its position as a focus for the entire sub-region and as a national and international destination to live, work and play (Policies R2 and CC1).
- Regenerating the southern part of the Primary Shopping Area, albeit including more residential and non-retail uses than that envisaged in the 2012 Masterplan associated with lapsed outline planning consent reference OUT/0572/2012. The Proposed Development incorporates the key urban design moves proposed in the 2012 and Consented Schemes, including the enhancement of public realm through the Site, improving permeability and improvement of the Market's setting, (Policy CC19).
- Optimising use of underutilised land to deliver homes in the city centre comprising 3.7 – 6% of overall housing requirements for the Plan period (Policy H1).
- The additional substantial public benefit of delivering between 180 – 300 No. affordable homes, making a significant contribution to realising Coventry's shortfall in affordable housing delivery (Policy DS1).

330. The proposed amendments to land use and massing parameters have been designed in order to minimise adverse environmental effects and where possible, achieve betterment compared with the Consented Scheme. The ES Addendum has assessed that, compared with the Consented Development and updated baselines (as relevant), the Proposed Development results in no change in significant environmental effects in terms of the following matters: air quality, archaeology, built heritage, daylight/sunlight/overshadowing, drainage and flood risk, transport, townscape and visual impact or wind microclimate.

331. The reduction in non-residential mixed-use floorspace has resulted in a minor reduction in the economic benefits of the Proposed Development, as assessed in the ES Addendum chapter on Socio-Economics. The effect has been downgraded from minor/moderate beneficial to minor adverse, given the reduction in gross number of direct FTE supported decreasing from 1,225 - 2,000 to 762 – 1,090 FTE.

332. Based on the current scheme viability and proposed increase in residential population compared with the Consented Scheme, the Socio-Economics ES Addendum identifies new significant adverse effects on existing secondary school and healthcare provision. This needs to be balanced against the substantial economic, social and environmental benefits delivered by the Proposed Development, identified in this Section. These benefits can only be realised by a viable development, as permitted by the Consented Scheme and proposed in this Application.

333. As explained in Section 6, whilst the 2020 ES and 2022 ES Addendum use the conservative assumption that existing activities within the Site will cease and associated employment is not supported in alternative premises within Coventry and its city centre, it is reasonable to assume that the estimated net loss in employment will not be borne out entirely, given the robust business relocation strategy that is in place. The strategy will ensure, in

part, that existing employment-generating uses within the Site find suitable alternative premises elsewhere in the city centre as far as feasible; which can be facilitated given the high rate of vacancy within the city centre. Also, to ensure a worst-case assessment, the level of occupancy within the Site as assessed at 2020 has also been assumed for the ES Addendum. It is also likely however that the level of occupation currently within the Site, and hence the level of employment currently supported, will now be less.

334. The retention of 21-25a Hertford Street and associated night-time economy uses has resulted in the need to implement a range of mitigation measures to be incorporated in proposed residential building design and the entertainment noise generating uses at 22 and 25a Hertford Street including the HMV Empire, in order to mitigate the potential for significant adverse noise and vibration effects on future residents of the Proposed Development. Subject to the implementation of the mitigation measures outlined in ES Technical Appendix 10A.5: Site Suitability Report, the internal noise criteria and external noise criteria should be met and therefore the Site will be suitable for the proposed uses.
335. The Proposed Development demonstrates betterment on the Consented Scheme in terms of reducing in air quality impact on the future residential occupiers in north of western façade of Block D, from Major Adverse to Negligible Adverse, removing the requirement for mitigation through mechanical ventilation for future dwellings in this location.
336. The 2021 Committee Report considered that the Hybrid Consent resulted in substantial harm to listed heritage assets. The Built Heritage chapter of the ES Addendum also concludes this level of harm, solely in relation to the Grade II listed Three Tuns Mural. Therefore, as per the Hybrid Consent, NPPF para 201 is engaged, which requires evidence demonstrating that the substantial harm to the Mural is necessary to achieve substantial public benefits that outweigh that harm.
337. Delivery of the Proposed Development represents a direct investment of approximately £450 million in Coventry, which will comprehensively regenerate the site and deliver transformational benefits for the wider area. As per the Hybrid Consent, the relocation of the Three Tuns Mural is necessary in order to realise the following substantial public (economic, social and environmental) benefits arising from the comprehensive, masterplanned redevelopment of City Centre South.

Economic benefits

- Delivering new floorspace suited to the requirements of new mixed uses, attracting a more diverse and higher quality retail offer to address the city centre's weakness in retail uses;
- Continuing to accommodate the previously proposed range of town centre uses, including potential for a hotel up to 150 keys and Sui Generis uses such as a cinema, diversifying the city centre and introducing new activity nodes;
- Introducing a range of leisure and F&B uses to attract new visitors and support vibrancy and footfall throughout the week and towards the evening;
- Retaining the mixed use character of the Consented Scheme by delivering a similar amount of active frontage to activate public spaces within the Site, as secured in the revised Access and Movement Parameter Plan which proposes circa. 79% active frontage on development plots compared with 74% in the Consented Scheme.
- Up to 180 gross full time equivalent jobs supported during the construction period, over a longer period of time compared with the Consented Scheme (estimated 118 months rather than 44 months) a proportion of which will support employment in Coventry including apprenticeship and other training and skills development opportunities;

- Up to 1,090 gross full time equivalent jobs to be supported by uses within City Centre South;
- Diversification of the city centre's offer to attract increased footfall throughout the daytime and into the evening, supporting the viability of businesses within City Centre South and the wider city centre; and
- Improved perception of Coventry and its city centre, attracting new residents, visitors and investment and enhancing its role as a sub-regional and national destination.

Social benefits

- Delivery of a larger area of public realm of a higher quality, providing circa. two hectares of public open space for residents and visitors to socialise, relax and dwell in, supporting improved health and wellbeing;
- Creating a series of quality public spaces and enhancing north-south / east-west linkages to better connect the core shopping area to the north, Coventry Market to the west and Coventry station to the south, improving the perception and functioning of the city centre and its existing uses; and,
- Creation of a mix of new market and affordable homes, increasing housing choice within the city centre and supporting the needs and aspirations of Coventry residents;
- Enhancing the offer of the city centre with a range of new retail, leisure and community facilities;
- Improving the external perception of Coventry as a place to live, work and visit by creating new high quality public realm and creating a more attractive townscape, and introducing a more diverse range of uses, supporting vibrancy and footfall.
- New additional substantial benefit of delivering up to 200 No. more homes overall compared to the Consented Scheme, contributing towards meeting Coventry's unmet housing need as measured against Local Housing Need using the Standard Method. This accords with the PPG's preference for a brownfield-first approach to accommodating the 35% urban uplift in Local Housing Need applied to the 20 largest English urban areas;
- New additional substantial benefit of delivering 180 – 300 No. affordable homes to make a significant contribution to Coventry's shortfall in affordable housing delivery and create a more mixed and balanced community at City Centre South.

Environmental (and heritage) benefits

- Effective sustainable use of previously developed land, bringing underutilised land in a city centre location back into productive use, maximising the use of brownfield land in a way which will enhance the quality of the built environment to the benefit of existing and new residents in Coventry. The Scheme will minimise the requirement to deliver an equivalent number of homes and other uses on greenfield land, with its associated loss of biodiversity and amenity value.
- Significant improvements to the permeability and legibility of the Site within the city centre, enhancing historically important north-south connectivity along Hertford Street and Market Way, as well as creating new east-west connectivity;
- 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;
- Very large improvements to the quality of the built environment in the Site, through the removal of poor quality buildings and the replacement of the current public realm with new, high quality public spaces;
- An enhanced setting for the Grade II listed Coventry Market, making the building more prominent at ground floor level and enabling its architectural and communal values to be experienced in a more open manner;
- An enhanced setting for the Grade II listed NatWest Bank;
- Encouragement of sustainable modes of travel by removing surplus car parking capacity in the city centre and replacing with productive uses;
- Potential for biodiversity net gain, through the creation of new planting, green and brown roofs at detailed design stage. Whilst landscaping is a reserved matter, the biodiversity net gain of the Proposed Development will meet or exceed the 67% net biodiversity gain established by the Consented Scheme.
- Commitment to preserve and relocate the Grade II listed Three Tuns Mural in a publicly accessible location.
- New additional benefit of reduction in air quality impact on the future residential occupiers in north of western façade of Block D, from Major Adverse to Negligible Adverse, removing the requirement for mitigation through mechanical ventilation for future dwellings in this location.

338. This Planning Statement concludes that the substantial public benefits, including heritage benefits, arising from the Proposed Development, will outweigh the substantial harm to the Grade II listed Three Tuns Mural and the less than substantial harm to other Designated Heritage Assets identified in this Application, in accordance with policy tests set out in NPPF paragraphs 201 and 202 respectively.

339. 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 outweigh the potential harm to the identified non-designated heritage assets.

340. The rationale behind the revised development quanta and massing parameters seeks to optimise the delivery of the Proposed Development, adjusting to rapid changes in the retail and leisure markets, as well as increased demand for city centre living, whilst retaining the masterplan vision for a new mixed-use neighbourhood. This approach will diversify Coventry city centre, supporting its long-term vitality and viability. This accords specifically with NPPF paras 82 and 86, which recognise the need for policies and decisions to support the adaptation of centres and adjust to rapid changes.

341. It has been demonstrated that the Development is, on balance, in line with the Development Plan when read as a whole, as well as other relevant material considerations, including the NPPF, PPG and locally adopted SPDs/SPGs. It is considered that any adverse effects arising from the Proposed Development are considerably outweighed by the wider substantial benefits of the scheme, which carry significant weight. The Proposed Development secures net gains across the economic, social and environmental objectives of sustainable development enshrined in the NPPF. Accordingly, planning permission should be granted without delay.

Appendix 1: Schedule of Plans, Drawings and Documents

HYBRID PLANNING APPLICATION – STANDALONE DOCUMENTS

DOCUMENT	AUTHOR	STATUS
Application Form and Certificates / CIL Additional Information Form	CBRE Planning	For approval
Planning Statement (including Affordable Housing Statement, S106 Heads of Terms and Statement of Community Involvement)	CBRE Planning	For information
Design and Access Statement	Chapman Taylor Partnership	For information
Energy and Sustainability Statement	Cundall	Resubmission with no amendments proposed: for approval
Financial Viability Assessment	Montagu Evans	For information
Listed Elements Report (including Conservation Assessment Report)	Cundall / Jackfield Studio	Resubmission with no amendments proposed: for information

HYBRID PLANNING APPLICATION – STANDALONE DRAWINGS

DOCUMENT	AUTHOR	STATUS
Location Plan 0100	Chapman Taylor Partnership	Resubmission with no amendments proposed: for approval
Existing Site Plan 0101	Chapman Taylor Partnership	Resubmission with no amendments proposed: for information
Site Context Plan CCCS-AAM-ZZ-ZZ-D-07030 P1	Allies and Morrison	For information
Application Boundary Areas CCCS-AAM-ZZ-ZZ-D-A-07031 P1	Allies and Morrison	For approval
Illustrative Phasing Plan CCCS-AAM-ZZ-ZZ-D-A-07032 P1	Allies and Morrison	For information
Tree Strategy - CCCS-CAM-ZZ-00-D-L-00071 GA	Camllins	For information
Full Landscape Arrangement (Illustrative Master-plan) - CCCS-CAM-ZZ-00-D-L-00001 GA	Camllins	For information
External Levels - CCCS-CAM-ZZ-00-D-L-00021 GA	Camllins	For information

OUTLINE (ALL MATTERS RESERVED) AND OUTLINE (ACCESS, APPEARANCE, LANDSCAPING, SCALE RESERVED) COMPONENT OF HYBRID PLANNING APPLICATION – DOCUMENTS

DOCUMENT	AUTHOR	STATUS
Development Principles Document	Allies and Morrison	For approval
Parameter Plans Document	Allies and Morrison	For approval

FULL COMPONENT OF HYBRID PLANNING APPLICATION – DRAWINGS

DOCUMENT	AUTHOR	STATUS
Development Principles Document	Allies and Morrison	For approval
Parameter Plans Document	Allies and Morrison	For approval
Proposed replacement ramp access into Coventry Market basement Swept path and visibility analysis 31176/AC/054	TPP	For approval
Rooftop Market Ramp Removal – Existing Situation 0900	Chapman Taylor Partnership	Resubmission with no amendments proposed: for approval
Rooftop Market Ramp Removal – Post Removal Situation 0901	Chapman Taylor Partnership	Resubmission with no amendments proposed: for approval
Basement Market Ramp Removal – Existing Situation 0902	Chapman Taylor Partnership	Resubmission with no amendments proposed: for approval
Basement Market Ramp Removal – Post Infill (Interim) Situation 0903	Chapman Taylor Partnership	Resubmission with no amendments proposed: for approval
Basement Market Ramp Proposal – Existing Situation 0904	Chapman Taylor Partnership	Resubmission with no amendments proposed: for approval
Basement Market Ramp Proposal – Interim Situation 0905	Chapman Taylor Partnership	Resubmission with no amendments proposed: for approval
Pedestrian Retail Market Access Ramp – Existing Situation 0906	Chapman Taylor Partnership	Resubmission with no amendments proposed: for approval
Pedestrian Retail Market Access Ramp – Interim Situation 0907	Chapman Taylor Partnership	Resubmission with no amendments proposed: for approval
North of Market Retaining Wall – Existing Situation 0908	Chapman Taylor Partnership	Resubmission with no amendments proposed: for approval
North of Market Retaining Wall – Proposed Situation 0909	Chapman Taylor Partnership	Resubmission with no amendments proposed: for approval
Relocation of the Three Tuns Mural 0910	Chapman Taylor Partnership	Resubmission with no amendments proposed: for approval

HYBRID PLANNING APPLICATION - 2020 ENVIRONMENTAL STATEMENT AND ASSOCIATED TECHNICAL APPENDICES

CHAPTER/APPENDIX	TITLE	AUTHOR
Volume I	Non-Technical Summary	CBRE SIASV
Volume II	Main ES Volume	
Chapter 1	Introduction	CBRE SIASV
Chapter 2	EIA Methodology	CBRE SIASV
Chapter 3	Application Site & Proposed Development	CBRE SIASV
Chapter 4	Alternatives & Design Evolution	CBRE SIASV
Chapter 5	Construction Strategy	CBRE SIASV
Chapter 6	Socio-Economics	CBRE SIASV
Chapter 7	Archaeology	RPS
Chapter 8	Transportation & Access	Transport Planning Practice (TPP)
Chapter 9	Noise & Vibration	Ensafe
Chapter 10	Air Quality	Ensafe
Chapter 11	Water Resources, Flood Risk & Drainage	Cundall
Chapter 12	Daylight, Sunlight and Overshadowing	Hollis
Chapter 13	Wind Microclimate	RWDI
Chapter 14	Intra-Development Cumulative Effects	CBRE SIASV
Chapter 15	Residual Effects and Summary	CBRE SIASV
Chapter 16	Glossary & Abbreviations	CBRE SIASV
Volume III	Townscape, Heritage & Visual Impact Assessment (THVIA)	Landscape Visual Ltd and AC Archaeology
Volume IV	Technical Appendices	
2.1	Formal EIA Scoping Report	CBRE SIASV
2.2	Formal EIA Scoping Opinion & Subsequent Correspondence	CCC / CBRE SIASV
2.3	Technical Consultant CVs	CBRE SIASV
2.4	Health Impact Assessment	CBRE SIASV
3.1	Preliminary Geoenvironmental Risk Assessment	Cundall
3.2	Preliminary Ecological Appraisal & Preliminary Roost Assessment	The Ecology Consultancy
3.3	Bat Surveys	The Ecology Consultancy
3.4	Arboricultural Impact Assessment	Arbeco
3.5	Illustrative Landscape Masterplan	HED
3.6	Biodiversity Net Gain Assessment	The Ecology Consultancy
6.1	Socio-Economic Magnitude Thresholds	CBRE SIASV
6.2	Socio-Economic Baseline Data	CBRE SIASV
6.3	School Forecast Capacity Data	CBRE SIASV
7.1	Archaeological Desk-Based Assessment (DBA)	RPS
7.2	Archaeological Deposit Model	RPS
8.1	Transport Assessment	TPP
8.2	Maximum parameter trip generation	TPP

CHAPTER/APPENDIX	TITLE	AUTHOR
8.3	Illustrative Masterplan trip generation	TPP
8.4	Traffic Link Flows	TPP
9.1	Construction Methodology	EnSafe
9.2	CCC Air Quality SPD Methodology	EnSafe
9.3	Air Quality Monitoring Report	EnSafe
9.4	Air Quality Figures (Construction and Operational)	EnSafe
9.5	ADMS Roads Assessment Inputs	EnSafe
9.6	Damage Cost Assessment	EnSafe
10.1	Legislation, Policy and Guidance	EnSafe
10.2	Noise Figures: Internal and External Noise Grid Assessments	EnSafe
10.3	Assessment: BS8233:2014 Internal and External Assessment, Plant Noise Emission Limits, Change in Ambient Commercial Assessment and Change in Road Traffic Assessment	EnSafe
10.4	Construction Plant List, Construction Noise Assessment and Construction Vibration Assessment	EnSafe
10.5	Noise Monitoring Equipment List	EnSafe
10.6	Raw data: Measured Background and Ambient Noise Data, Road Traffic Data and Commercial Source Data	EnSafe
11.1	Flood Risk Assessment	Cundall
11.2	Below Ground Drainage Strategy	Cundall
12.1	Technical drawings of the Existing Baseline and Proposed Scenario	Hollis
12.2	Technical results for the Baseline V Proposed Development Scenario	Hollis
12.3	Technical drawings and results for Future Baseline V Proposed Development Scenario	Hollis
12.4	Technical drawings and results for Spring 2020 Baseline v Proposed Development Scenario	Hollis
13.1	Pedestrian Level Wind Microclimate Assessment	RWDI
14	Cumulative Effects	CBRE SIASV
15	Summary of Mitigation and Residual Effects	CBRE SIASV
16	Glossary and Abbreviations	CBRE SIASV

HYBRID PLANNING APPLICATION - 2022 ENVIRONMENTAL STATEMENT ADDENDUM AND ASSOCIATED TECHNICAL APPENDICES

CHAPTER/APPENDIX	TITLE	AUTHOR
2A.3	New Technical Consultant CVs	CBRE SIASV
3A.2	Preliminary Ecological Appraisal & Preliminary Roost Assessment	Temple
3A.3	Bat Survey Report	Temple
3A.4	Arboricultural Impact Assessment	Temple
3A.5	Illustrative Landscape Masterplan	Camlins
3A.6	Biodiversity Net Gain Assessment	Temple
6A.2	Socio-Economic Baseline Data	CBRE SIASV
7A.1	Archaeological Desk-Based Assessment (DBA)	RPS
7A.3	Archaeological Management Plan	RPS
8A.1	Transport Assessment	TPP
8A.2	Maximum parameter trip generation	TPP
8A.3	Traffic Link Flows	TPP
9A.1	Air Quality Legislation, Planning Policy and Guidance	RSK
9A.2	Air Quality Post-submission Consultation Responses	RSK
9A.3	Air Quality Monitoring Undertaken by Ensafé	RSK
9A.4	ADMS Roads Model Input	RSK
9A.5	ADMS Roads Model Verification and Model Results	RSK
9A.6	CCC Air Quality SPD Guidance and Damage Cost Calculation	RSK
9A.7	Air Quality Figures	RSK
10A.1	Noise and Vibration Legislation, Policy and Guidance	Sandy Brown
10A.2	Noise Maps	Sandy Brown
10A.3	Road Traffic Noise Increase	Sandy Brown
10A.4	Summary of Noise Surveys	Sandy Brown
10A.5	Site Suitability Report	Sandy Brown
12A.1	Technical drawings of the Existing Baseline and Proposed Scenario	Hollis
12A.2	Technical results for the Baseline V Proposed Development Scenario	Hollis
12A.3	Technical drawings and results for Future Baseline V Proposed Development Scenario	Hollis
12A.4	Technical drawings and results for Spring 2020 Baseline v Proposed Development Scenario	Hollis

Appendix 2: Consented Scheme Decision Notices (ref: OUT/2020/2876, LB/2020/2857 and LB/2020/2860, NMA/2022/2523)



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

OUTLINE PLANNING APPLICATION

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

Re Site at : **City Centre South**

Description of Development: Hybrid planning application for:

Full application:

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

Outline application:

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

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

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Strategic Lead for Planning



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

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

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

CONDITIONS

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

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

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

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

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

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

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Strategic Lead for Planning



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

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

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

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

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

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

All details shall be carried out as approved.

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

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

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

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

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

All details shall be carried out as approved.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19. No development (excluding demolition and site preparation) shall take place within any phase of development until a detailed remediation scheme to bring the land within that phase of development to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, which shall be submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

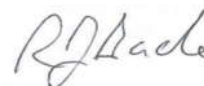
21. Prior to occupation of the development within each phase hereby permitted and following completion of the measures identified within the remediation scheme approved under condition No.20, a verification report that demonstrates the effectiveness of the remediation carried out within that phase must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

22. In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 18, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 19, which shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 20.

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

- (i) A scheme for the provision of all surface water drainage incorporating infiltration SuDS or attenuation techniques. There must also be consideration of features such as green, brown and blue roof technology for the management of all surface water, peak and total flows, biodiversity and water filtering.
- (ii) A detailed strategy for the long-term maintenance of the SuDS and other surface water drainage systems on site.
- (iii) Development discharge rates to be managed to 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.



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(xi) Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway.

(xii) Consideration should be given to the use of flood resilience design and construction measures as outlined in the document 'Improving the flood performance of new buildings - Flood Resilient Construction 2007'.

(xiii) Where new or redevelopment site levels result in the severance, diversion or the reception of natural or engineered drainage flow, the developer shall maintain existing flow routes (where there are no flood risk or safety implications) or intercept these flows and discharge these by a method approved by the Local Planning Authority.

(xiv) CCTV survey results determining the existing site drainage regime including the point of discharge.

(xv) Detailed plans, and evidence of full approval from Severn Trent Water Ltd for the abandonment, diversion or creation of sewers and associated drainage infrastructure, where such is the case. Any abandoned sections of sewer should preferably be removed, or grouted.

The scheme shall be implemented in full accordance with the approved details before each development phase is first brought into use.

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

(i) In accordance with section 3.2.1 of FRA the finished floor levels must be set at 600mm above the 1 in 100 year plus climate change level for development with 'More Vulnerable' land uses on the ground floor

(ii) In accordance with section 3.2.1.1 of the FRA floodplain compensation must be implemented on a level for level and volume for volume basis.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37. The development or phases of development hereby permitted shall only proceed in strict accordance with a scheme for targeting and utilising local people for construction and employment, which shall be submitted to an approved in writing by the Local Planning Authority.

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

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

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

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

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

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

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

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

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

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

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

- (i) a scheme of noise insulation to minimise the transmission of noise and vibration through the party wall(s) and ceiling(s) between residential and restaurant, bar and public house uses, including related outside activities associated with such uses.
- (ii) Details of all fixed plant and/or machinery to demonstrate that it will be operated in accordance with the established parameters set out within the approved Parameter Plans Document.

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

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

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

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

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

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

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

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

REASONS FOR CONDITIONS

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

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

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

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

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

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

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

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

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

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

23. To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with the Water Framework Directive and Policies EM4 and EM5 of the Coventry Local Plan 2016 and the Supplementary Planning Document 'Delivering a More Sustainable City'.

24. To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with the Water Framework

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

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

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

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

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

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

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

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

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

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

34. In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies DS3, AC3 and AC4 of the Coventry Local 2016.

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

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In determining the application Coventry City Council have made the decision in a positive way to foster the delivery of sustainable development, working proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. The decision has been taken having regard to the impact of the development, and in particular to the policies and proposals in the adopted Development Plan set out below, and to all relevant material considerations, including the National Planning Policy Framework, the City Council's emerging Core Strategy and Supplementary Planning Guidance.

The City Council have worked in a seamless and timely manner to undertake the necessary liaison and negotiation with the applicant, third parties and statutory consultees (at the application and pre-application stages) to look for solutions which seek only high quality sustainable development.

Policy AC1: Accessible Transport Network
Policy AC2: Road Network
Policy AC3: Demand Management
Policy AC4: Walking and Cycling
Policy AC5: Bus and Rapid Transit
Policy DE1: Ensuring High Quality Design
Policy DS1: Overall Development Needs
Policy DS3: Sustainable Development Policy
Policy DS4 (Part A) General Masterplan principles
Policy EM1: Planning for Climate Change Adaptation
Policy EM2: Building Standards
Policy EM3: Renewable Energy Generation
Policy EM4: Flood Risk Management
Policy EM5: Sustainable Drainage Systems (SuDS)
Policy EM7: Air Quality
Policy GB1: Green Belt and Local Green Space
Policy GE1: Green Infrastructure
Policy GE3: Biodiversity, Geological, Landscape and Archaeological-Conservation
Policy GE4: Tree Protection
Policy H1: Housing Land Requirements
Policy H2: Housing Allocations
Policy H3: Provision of New Housing
Policy H4: Securing a Mix of Housing
Policy H6: Affordable Housing
Policy H9: Residential Density
Policy IM1: Developer Contributions for Infrastructure
Policy JE7: Accessibility to Employment Opportunities

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INFORMATIVES

- For the avoidance of doubt, this decision relates to the following drawings, letters or associated documentation that may have been submitted with the application.
- You are advised that if your proposal involves works covered by the Party Walls etc Act 1996. You are recommended to seek independent advice. Booklets are available from the Planning Advisory Desk & HMSO. Please be aware that if any part of the development (such as foundations, guttering, windows, ventilation systems or pipes etc.) overhangs or encroaches onto land or buildings outside of your ownership; or involves works and / or access to land or buildings outside of your ownership; you will need the owner's permission before undertaking any development. The granting of planning permission does not override or authorise the breach of any private ownership rights; and any development undertaken without the consent of the landowner and in breach of any private ownership rights could give rise to civil proceedings brought by the owners of those rights.

Requirement B5: Access and facilities for the fire service

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

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

Vol 2 Buildings not fitted with fire mains

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

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

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

Vol 2 Buildings fitted with fire mains

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



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

Vol 1 Blocks of flats fitted with fire mains

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

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

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

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

Vol 1 Provision of fire mains

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

Wayfinding signage for the fire service

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

Sprinklers

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



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fitted throughout a house or block of flats;

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

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

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

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

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

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

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

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

- **Protected Species**

A number of European Protected Species are found in Coventry. Please be aware that any development may have implications and / or adverse impact on species and habitats which are protected by the Wildlife & Countryside Act 1981; the Habitat Regulations 1994; the Conservation of Habitats & Species Regulations 2010 and by other European Legislation. The permission given by this notice does not override the protection afforded to these species and their habitats. Please be aware that it is the developers / landowners / contractors responsibility to ensure that any work being carried out will not harm any protected species. (For more information on protected species please see <http://www.naturalengland.gov.uk>)

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

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

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

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

- **Appeal Rights: -**

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

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

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

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

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

- **FURTHER APPROVALS**

If one or more of the conditions listed in this decision notice require you to submit further information to the City Council for approval then in **all** instances those details are to be submitted to: -

Development Management,
Coventry City Council
PO Box 15
Council House
Coventry CV1 5RR.

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

• MINING INFORMATIVE

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

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

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

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

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

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

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

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

OUT/2020/2876

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Strategic Lead for Planning



Ministry of Housing,
Communities &
Local Government

Liam D'Onofrio
Principal Town Planner – East Area Team
Coventry City Council
Place Directorate
Development Management

Liam.D'Onofrio@coventry.gov.uk

Please ask for: Bijal Patel
Tel:
Email: Bijal.patel@communities.gov.uk

Your ref:

Our ref: PCU/LBC/U4610/3274773

Date: 24 June 2021

Dear Mr D'Onofrio

Planning (Listed Buildings and Conservation Areas) Act 1990
Application for Listed Building Consent
Address - Retail Market, Queen Victoria Road, Coventry CV1 3HT
Application no - LB/2020/2857

I am directed by the Secretary of State for Housing, Communities and Local Government to refer to your email of 23 April 2021 with enclosures, concerning your council's application for Listed Building Consent for the 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 at the above address. The application was made in accordance with the provisions of Regulation 13 of the Planning (Listed Buildings and Conservation Area) Regulations 1990, as amended by Regulation 2 of the Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

The Secretary of State has considered the information submitted by your council in support of the application and noted that The Twentieth Century Society has objected to the proposal.

Paragraph 196 of the National Planning Policy Framework states 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 including, where appropriate, securing its optimum viable use.*

Historic England have been consulted on this application, and they consider that the proposed works would cause less than substantial harm to the grade II listed building and therefore does not feel it necessary to refuse Listed Building Consent.

The Secretary of State has considered carefully the proposal, including the comments submitted by Historic England and the objections submitted by The Twentieth Century Society, but has concluded that the benefits of the proposal outweigh the harm to the heritage asset.

The Secretary of State hereby grants Listed Building Consent for the works listed overleaf, subject to the following conditions:

1. The works hereby approved shall begin not later than 10 years from the date of this consent. To conform with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

2. The works hereby approved shall be carried out in strict accordance with the details in the application documentation and shown on the following approved plans: Drg No.0900, 0901, 0902, 0903, 0904, 0906, 0907, 0908, 0909.

For the avoidance of doubt and to ensure that any works are carried out only in accordance with the terms of this permission in the interests of protecting this heritage asset in accordance with Policy HE2 of the Coventry Local Plan 2016.

3. 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.

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.

4. 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 have been submitted to and approved by the local planning authority with all details carried out as approved thereafter.

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.

5. Construction of the replacement ramp into Coventry Market basement shall not commence 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.

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

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

This letter does not convey any consent or approval required under any enactment, byelaw, order, or regulation, other than Section 8 and 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged in the High Court.

Yours sincerely

Edward Chapman

Edward Chapman
Planning Casework Manager
Encs: High Court challenge note



Ministry of Housing,
Communities &
Local Government

Liam D'Onofrio
Principal Town Planner – East Area Team
Coventry City Council
Place Directorate
Development Management

Liam.D'Onofrio@coventry.gov.uk

Please ask for: Bijal Patel
Tel:
Email: Bijal.patel@communities.gov.uk

Your ref:

Our ref: PCU/LBC/U4610/3274775

Date: 24 June 2021

Dear Mr D'Onofrio

Planning (Listed Buildings and Conservation Areas) Act 1990
Application for Listed Building Consent
Address - 8A Bull Yard, Coventry, West Midlands
Application no - LB/2020/2860

I am directed by the Secretary of State for Housing, Communities and Local Government to refer to your email of 23 April 2021 with enclosures, concerning your council's application for Listed Building Consent for the removal and relocation of the Grade II listed William Mitchell Mural at the above address. The application was made in accordance with the provisions of Regulation 13 of the Planning (Listed Buildings and Conservation Area) Regulations 1990, as amended by Regulation 2 of the Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

The Secretary of State has considered the information submitted by your council in support of the application and noted that The Twentieth Century Society and the Ancient Monument Society have objected to the proposal.

Paragraph 195 of the National Planning Policy Framework states 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*

Planning Casework Unit
Ministry of Housing, Communities and Local Government
5 St Philips Place
Colmore Row
Birmingham B3 2PW

Tel: 0303 44 48050
pcu@communities.gov.uk

- 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.'

Historic England have been consulted on this application, and they consider that the listed building's permanent removal would be considered as substantial harm. However, it is Historic England's view that in this case the removal could be mitigated by successful relocation to a new permanent home where the mural could continue to be enjoyed by the public. On that basis, Historic England does not feel it necessary to refuse Listed Building Consent.

The Secretary of State has considered carefully the proposal, including the comments submitted by Historic England, and the objections submitted by The Twentieth Century Society and the Ancient Monuments Society, but has concluded that the benefits of the proposal outweigh the harm to the heritage asset.

The Secretary of State hereby grants Listed Building Consent for the works listed overleaf, subject to the following conditions:

1. The works hereby approved shall begin not later than 10 years from the date of this consent.

To conform with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

2. The works hereby approved shall be carried out in strict accordance with the details in the application documentation and shown on the following approved plans: Drg No.0910 and the Development Principles Document Revision B dated March 2021.

For the avoidance of doubt and to ensure that any works are carried out only in accordance with the terms of this permission in the interests of protecting this heritage asset in accordance with Policy HE2 of the Coventry Local Plan 2016.

3. 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.

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.

4. 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.

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.

5. 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.

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.

This letter does not convey any consent or approval required under any enactment, byelaw, order, or regulation, other than Section 8 and 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged in the High Court.

Yours sincerely

Edward Chapman

Edward Chapman
Planning Casework Manager
Encs: High Court challenge note

**TOWN & COUNTRY PLANNING ACT 1990
TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)**

Application No. : **NMA/2022/2523**
Registered on : **15/09/2022**

Site at : **City Centre South**

Description of Proposed Non-Material Amendments : Non-material amendment to OUT/2020/2876 to amend the wording of the original description of development to include the removal of defined quantitative development parameters and reference to the Parameters Plans Document for layout and scale and transpose these into new / amended planning conditions, to vary condition 2 to refer to all reserved matters, and to vary Condition 7 (vi) (energy assessment) and Condition 9 (noise and vibration) to change the trigger points and add an individual demolition plan condition.

Delegated Decision on 11/10/2022

The City Council is of the opinion that the amendments described above and set out in the documentation listed below would not constitute a material change or departure to the development approved under planning permission ref. OUT/2020/2876 determined on 27/01/2022 and therefore you are not required to submit a new planning application for permission in order to make these changes to the description and listed conditions of the approved scheme.

For the avoidance of doubt:

The original description of development for OUT/2020/2876 is amended to read as follows:

Hybrid planning application for: Full application: A. Full Application for removal of bridge link between Coventry Market roof top car park and roof top parking

over existing retail units on Market Way and associated reinstatement works to roof top car park surface and balustrade, removal of existing Coventry Market basement ramp from Rover Road and associated infilling and reinstatement works, works to retaining wall to 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; Outline application: B. For part of the site for the demolition of existing buildings and redevelopment of the land for mixed uses, including details of the layout of new development, with details of scale, access, appearance and landscaping reserved; and C. For part of the site for the demolition of 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 for residential units (Class C3), a hotel (Class C1), 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.

Variation of Condition 1:

For the phased approval of Reserved Matters where scale, appearance, access and landscaping are reserved, (for those locations shown in the Parameters Plans Document March 2021 Revision B), 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) Scale;
- b) Appearance of buildings;
- c) Means of access to the buildings and site;
- d) Landscaping of the site.

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

Variation of condition 2:

For the phased approval of Reserved Matters where layout, scale, 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).

Variation of condition 7:

The reserved matters to be submitted in accordance with condition 1 and condition 2 shall include:-a phasing programme for the demolition, construction and implementation of the development shall be submitted to and approved in writing by the Local Planning Authority, which shall include:(i) Details of the precise location and extent of individual development phases.(ii) The extent of development within each phase and a description of the intended timing of the development and completion of each phase.(iii) Permanent and temporary access arrangements to serve each phase of the development.(iv) Any interim surface or boundary details relating to each phase of the development.(v) Details of the access into each site, car and cycle parking areas, delivery van parking areas, bin storage and all associated manoeuvring space to be provided. 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.

Variation of Condition 9:

Prior to commencement of each phase of the development (excluding any demolition or preparatory works) details of a scheme for works to minimise the transmission of noise and vibration through the party wall(s) and ceiling(s) between residential and commercial properties (in accordance with British Standard 8233 - Sound Insulation and Noise Reduction for Buildings) shall be submitted to and approved in writing by the Local Planning Authority. All details shall be carried out as approved.



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.

New condition 50:

The Development shall not exceed the following maximum quantitative parameters for the uses defined:

- a) More than 1,300 residential units.
- b) More than 150 hotel rooms.
- c) More than 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.

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

New condition 51:

Demolition within the areas subject to the outline components of this permission can only take place within the extents shown on Parameter Plans - Demolition/Retention Boundaries 0410 Rev 00.

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

New condition 52:

Prior to commencement of each phase of the development (excluding any demolition or preparatory works) an energy assessment detailing energy efficiency, renewable energy generation and water conservation measures to be put in place in respect of buildings in that phase shall be submitted to and approved in writing by the Local Planning Authority. All details shall be carried out as approved.

Reason: To comply with the provisions of the NPPF and in accordance with Policy EM2 of the Coventry Local Plan 2016.

INFORMATIVE

For the avoidance of doubt, this decision relates to the following drawings, letters or associated documentation that may have been submitted with the application: Application form dated 15/09/22.



NMA/2022/2523

A handwritten signature in black ink, appearing to read "Rob Back".

Rob Back
Strategic Lead for Planning

Thank you

For more information

Richard Brown MRTPI
Director

richard.brown3@cbre.com

07788 302012

Mark McFadden MRTPI
Associate Director

mark.mcfadden@cbre.com

07741 833983