



TOWN & COUNTRY PLANNING ACT 1990

THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)

Application No.	PL/2023/0001205/FULM
Registered on:	01/03/2024
Site at:	Former Electric Power Station Off Aldermans Green Road, Coventry, CV2 1NL
Description of proposed works:	Erection of 30 industrial units (Use Class Eg(ii) and EG(iii), B2 and B8) including the conversion of a former gatehouse into an office unit (Use Class Eg(i) and all associated infrastructure and enabling works.
Delegated decision on	07/06/2024
Decision Issued:	07/06/2024

Coventry City Council as Local Planning Authority **REFUSE** permission for the development proposed in your application, for the following reason(s): -

1. Insufficient information has been submitted to illustrate the site could deliver an acceptable drainage solution. The proposal is contrary to Policies EM4 and EM5 of the Coventry Local Plan 2017 and government guidance contained within the NPPF.
2. In the absence of a completed S.106 Legal Agreement or Unilateral Undertaking the proposal fails to mitigate against its direct impacts and does not, therefore, satisfy the provisions of Biodiversity Net Gain contained in the Environment Act 2021; Policy GE3 and IM1 of the Coventry Local Plan 2017 and government guidance contained within the NPPF.
3. The proposed diverted public right of way has very limited natural surveillance and is of uncertain width in a narrow corridor immediately adjacent to the proposed industrial units. The proposal is contrary to Policy AC4 of the Coventry Local Plan which requires safe and convenient access to walking and cycling routes.
4. Insufficient information has been submitted to demonstrate that the proposal will not cause harm to residential amenity via noise disturbance. This is contrary to Policies DS3 and DE1 of the Coventry Local Plan 2017 and government guidance contained within the NPPF.

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 Coventry Local Plan 2017 set out below, and to all relevant material considerations, including the National Planning Policy Framework, 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

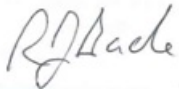
Policy AC4: Walking and Cycling

Policy AC5: Bus and Rapid Transit

Policy H1: Housing Land Requirements

Policy H2: Housing Allocations

Policy DE1: Ensuring High Quality Design
Policy EM1: Planning for Climate Change Adaptation
Policy EM2: Building Standards
Policy EM4: Flood Risk Management
Policy EM5: Sustainable Drainage Systems (SuDS)
Policy EM6: Redevelopment of Previously Developed Land.
Policy EM7: Air Quality
Policy GE1: Green Infrastructure
Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
Policy GE4: Tree Protection
Policy HE2: Conservation and Heritage Assets
Policy IM1: Developer Contributions for Infrastructure
Policy JE1: Overall Economy and Employment Strategy
Policy JE2: Provision of Employment Land and Premises
Policy JE7: Accessibility to Employment Opportunities
Policy DS1: Overall Development Needs
Policy DS3: Sustainable Development Policy
Policy DS4 (Part A): General Masterplan principles
Policy GB1: Green Belt and Local Green Space
Policy JE2: Provision of Employment Land and Premises



Rob Back
Strategic Lead for Planning

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Notes to Applicant

ALL DEVELOPMENTS WITHIN COALFIELD STANDING ADVICE AREAS

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. It should be noted that this site may also lie within an area where a current licence exists for underground coal mining. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

APPEAL ALL OTHER

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

APPEAL TO SOS

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Appeals must be made using a form which you can get from the Secretary of State at

Temple Quay House,

2 The Square, Temple Quay,

Bristol BS1 6PN

(Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Decision Related Documents

For the avoidance of doubt, this decision relates to the following drawings, letters or associated documentation that may have been submitted with the application.

- AMENDED DRAWING - Site Location Plan - As Proposed - Drawing No.251-SL01 Rev B
- DRAWING - Floor Plans - Units 1&2 - Drawing No.251-P101
- DRAWING - Elevations - Units 1&2 - Drawing No.251-P102
- DRAWING - Floor Plans - Units 3-12 - Ground Floor - Drawing No.251-P103
- DRAWING - Floor Plans - Units 3-12 - First Floor - Drawing No.251-P104
- DRAWING - Elevations - Units 3-12 - Drawing No.251-P105
- DRAWING - Floor Plans - Units 13&14 - Drawing No.251-P106
- DRAWING - Elevations - Units 13&14 - Drawing No.251-P107

- DRAWING - Floor Plans - Units 15-20 - Ground Floor Drawing No.251-P108
- DRAWING - Floor Plans - Units 15-20 - First Floor Drawing No.251-P108
- DRAWING - Elevations - Units 15&20 - Drawing No.251-P110
- DRAWING - Floor Plans - Units 21-30 - Ground Floor - Drawing No.251-P111
- DRAWING - Floor Plans - Units 21-30 - First Floor - Drawing No.251-P112
- DRAWING - Elevations - Units 21-30 - Drawing No.251-P113
- DRAWING - Gate House as existing and proposed floor plans and elevations - Units 21-30 - Drawing No.251-P114
- REPORT - Tree Survey, dated September 2023
- AMENDED REPORT - Transport Statement, dated 29th May 2024 3rd Issue
- AMENDED REPORT - Biodiversity Net Gain Metric, as submitted 24th April 2024
- AMENDED DRAWING - Proposed Biodiversity Net Gain - Drawing No.240327 1690 PBNG V1 - E001
- REPORT - Flood and Drainage Statement, dated October 2023
- REPORT - Technical Note - Response to LLFA Objections to the scheme, dated 10th April 2024 - Report Ref.24044 Rev-
- REPORT - Ground Investigation Report, dated 31st January 2024 - Report Ref.2221151
- REPORT - Planning Statement, dated October 2023
- REPORT - Archaeological Assessment, dated October 2023
- AMENDED DRAWING - Proposed Site Layout - Drawing number 251-SL102 revision C

PROTECTEDSPECIES

A number of 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 visit <http://www.naturalengland.gov.uk>. If evidence of protected species is found, work should stop immediately while Natural England is contacted and advice on the best way to proceed is sought. If any conditions concerning protected species are attached to this decision you are advised to submit any necessary discharge of conditions applications at the earliest opportunity.

PARTY WALL ACT

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. This determination 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.

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The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. It should be noted that this site may also lie within an area where a current licence exists for underground coal mining. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

BUILDING REGULATIONS

This is not an approval under the Building Regulations 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 determination 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.

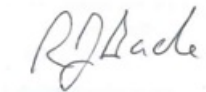
APPEAL PURCHASE NOTICE

If permission to develop land is granted subject to conditions, whether by the City Council or an appeal by the Secretary of State, the owner of the land may claim that the land has become incapable of 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.

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a referral of the application to the Secretary of State.

The circumstances in which such compensation is payable are set out in Section 114 and Part II of Schedule 3 of the Town and Country Planning Act 1990 (or Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings).

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