

Public Document Pack

5. **Late Representations** (Pages 3 - 8)

To be circulated at the meeting.

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Late Representations Planning Committee 13th August 2026

Item No.6	Planning Ref: PL/2026/0000534/FUL Site: 34 - 36 Earlsdon Street, Coventry, CV5 6EJ Proposal: Erection of a two-storey commercial unit (456 sq. m GIA) for Use Class E (Commercial, Business and Service) purposes and associated works including canopy and chimney NEIGHBOUR RESPONSES Since the publishing of the committee report, one further representation has been received objecting to the application. The objection raises concerns with the design and appearance of the building and the ongoing enforcement matters. These matters are addressed in the published committee report. PETITION A petition, sponsored by Cllr Marcus Lapsa, has also been received which states; <i>'We the undersigned object to the following application PL/2026/0000534/FUL because the owner is trying to navigate lawful actions. We call on the council to refuse the new application because the Owner of the building has repeatedly failed to comply with Council orders to not only</i> <i>a. Cease any and all demolition</i> <i>b. Rebuild the original building and make good</i> <i>c. Cease with any other preparatory work for the clearance of the site and for the building to take place</i> <i>d. Continued to build walls and make ready for building work ahead of the completion of the original order being satisfied and ruled on by the Secretary of State</i> <i>An emergency 'stop notice' was raised and work partly halted (although workmen have been seen repeatedly in the site on several occasions and many deliveries have taken place with the extensive building work also taking place on the building located at 38- the former butcher's shop'.</i> At the time of writing the petition had 43 signatories.
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SUPPLEMENTARY PETITION DOCUMENT

The Council also received a supplementary objection document prepared by the petition organiser to be read in conjunction with the original wording of the petition, the content of this objection is set out as follows, officer responses have been included where relevant to indicate which matters are material considerations;

Grounds to have original granting of permission overturned:

1. ***Owner of the building has repeatedly failed to comply with Council orders to not only***
 - a. *Cease any and all demolition*
 - b. *Rebuild original building and make good*
 - c. *Cease with any other preparatory work for the clearance of the site and for building to take place*
 - d. *continued to build walls and make ready for building work ahead of the completion of the original order being satisfied and ruled on by the Secretary of State*
 - e. *enable, encourage, facilitate building rubble, spoil and related rubbish to be dumped at the rear of the site*

Officer Response: The demolition/works undertaken to date are subject to separate enforcement action which is currently being considered by the Secretary of State. These actions have no bearing on the scope of the current application under consideration, which seeks the erection of a building with associated works as set out within the published committee report.

2. ***Submitted a proposal that ignores the historic significance of the buildings in Earlsdon Street (referenced extensively in his own report, commissioned by him and conducted by an eminent expert), namely continuing to:***
 - a. *propose a large and unsightly building which is out of keeping with the run of single fronted, neighbouring buildings from 30 to 48*
 - b. *proposing centrally placed, aluminium doors which are entirely out of keeping with the area and Victorian or Edwardian appearance*
 - c. *proposing floor to ceiling glass to both sides of the doors which is similarly out of character and appearance with Victorian and Edwardian architecture*
 - d. *Had added a huge second floor to the ground floor with the objective of providing living accommodation to become a 10 BEDROOM HMO housing up to 20 people within a commercial building and adjacent to a similar building being erected at 38, which would contravene building and permitted development, if allowed to go ahead unchallenged*

Officer Response: The application submitted will have an impact upon the character and appearance of the conservation area, the published report sets out that due consideration has been given to the submitted documents and the Local Planning Authority, in accordance with the requirements of Paragraph 38 of the National Planning Policy Framework (2024), has sought to positively engage to secure notable changes, which with detailed conditions are considered to ensure the development exhibits a quality design of which will not have a detrimental impact upon the character and appearance of the conservation area in accordance with Policies HE1 and HE2 of the adopted and emerging Local Plan and its obligations set out under Paragraph 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. For the avoidance of doubt, the re-use of materials is secured where possible within condition 3, and sample details are to be submitted to the Local Planning Authority prior to any works taking place, which is secured within condition 4 (Page 20 of report pack).

With regard to part 2(d), the application as submitted seeks consent for the building to be used within Use Class E defined as Commercial, Business and Service. Were a change of use for residential accommodation in any form would be subject to a separate planning application.

2. *There is **already healthy provision for Indian, Pakistani and Bangladeshi food** within the run of shops that this building sits in and the approval of yet another would add no commercial value to the Earlsdon Street area and impact negatively on the existing businesses:*

- a. *Ally's Balti House- 48 Earlsdon Street*
- b. *Bombay Palace- 64 Earlsdon Street*
- c. *The Royal Bengal- Albany Road*
- d. *Cinnamon Gold- Gurkha Inn etc further afield*

Officer Response: The use of the premises were planning permission to be granted would fall within Use Class E. Whilst the site could operate as a restaurant within this use class, it could also operate as any other use permitted by the use class, and it is considered unreasonable to restrict the catering offering as part of a planning consent. The type of food offering is therefore not a material consideration.

Background

- *The owner of the building is a former Labour councillor*
- *The applicant is a very good friend of several councillors and wider members of the Labour Party and continues to have significant influence in the city due to this*
- *34-36 Earlsdon Street sits in a conservation area and although not 'listed', it did feature Victorian and Edwardian features in keeping with its original construction*
- *At some point, planning committees have failed to stop the addition of PVC cladding being added at some point and an unsympathetic change of the ground floor frontage when operating as a bank*

- *The commissioned heritage report itself references this and also the significant negative impact changes to the character of Earlsdon Street have been allowed to happen by successive planning applications being waved through without challenge. The irony of this statement alone should tell you that from a heritage perspective, THIS plan cannot go through unchallenged*
- *34-36 Earlsdon Street suffered catastrophic and deliberate demolition from 25th December to 30th December 2024 where on the afternoon of Christmas Day workmen were seen carrying in tools and beginning demolition work and could be seen and heard from the outside of the premises. At the point of commencing work, the building appeared to be in a safe and stable condition and had been so for over 100 years- just like it's neighbouring buildings*
- *The developer states that drilling and cutting took place to a concrete wall on the ground floor bank vault- which is itself concrete for the most part. They further state that this simple activity somehow de-stabilised the entire building and necessitated the removal of the roof and internal walls! This effectively demolished the entire building and yet left the concrete bank vault in place!*
- *An emergency 'stop notice' was raised and work partly halted (although workmen have been seen repeatedly in the site on several occasions and many deliveries have taken place with extensive building work also taking place on the building located at 38- the former butcher's shop)*
- *Scaffolding and blue tarpaulin has been in situ until 2 months ago and when removed it appeared that much of the site has been cleared and new, extensive, block work built*
- *This petition raises the following areas of major concern from the original application:*
 - *That the building was forced to be pulled down by contractors owing to the use of a concrete cutting saw and drill on the ground floor, being used by the contractors themselves*
 - *The usage of this, the proposal states, adversely affected the stability of the entire building*
 - *The result was that the contractor removed all supporting walls and the roof!*
 - *That the only option that exists is to build an entirely new building to the plan submitted and without apparent recourse or reference to the fact that a building within a conservation area was demolished illegally*
 - *That the building can be built without encompassing Victorian or Edwardian features (noted that some modest changes have been resubmitted- but the double fronted building is still proposed to be built with:*
 - *Large floor to ceiling glass in 4 large panels, 2 each side of*

- A centrally placed double aluminium door

Therefore it is NOT in keeping with the conservation area appearance as outlined extensively within their own heritage report!

SUMMARY AND REQUEST:

1. *It is therefore my wish that this application be refused for the grounds laid out above*
2. *that the applicant be forced under notice of forfeiture to rebuild both 34 and 36 to a specification more in keeping with the Victorian and Edwardian theme of neighbouring buildings and the wider area*
3. *that no application for another 'Indian' / Pakistani / Bangladeshi restaurant / takeaway be allowed for either premises*
4. *that the Council immediately review and the entire building frontage on Earlsdon Street and where appropriate, add them to the Coventry Council Local List of Buildings of Special Architectural or Historic Interest (NDHA). This may then help to protect 'spiv' 'developers' from demolishing buildings because they think that they can*
5. *that any derelict building in Earlsdon Street be considered for urgent compulsory purchase and made good for re-use- whether for community projects, re-start schemes or as a community bank etc*
6. *That the Developer and his extended network be put on notice that they cannot be allowed to do what they want and that the council is compelled to ensure that the reckless demolition of any building- especially in a conservation area- simply cannot be allowed and as a penalty, no further planning applications can be allowed by this developer for a period of 3 years*

Officer Response: The published committee report, together with the responses in this document, sets out areas of the petition and representations that fall out of the scope of the considerations of this application.

CONDITIONS

A minor amendment to the wording in published condition 6 is included as follows, which replaces the word 'proposed' with 'nearest' (underlined) and amends property for plural to include nearest sensitive receptors to the rear;

6. Prior to their incorporation into the development, details of any plant, fume extraction and/or odour control equipment (including external ducting flues) if proposed shall be submitted to and approved in writing by the Local Planning Authority. The details shall be supported by a noise and odour assessment which shall include results for LAeq, LA10, and LA90 noise descriptors, together with a calculated arithmetical average for the LAeq. The assessment will demonstrate by calculation that internal noise levels for the nearest residential properties meet the 'Good' criteria set out in British Standard 8233 'Sound Insulation and Noise Reduction for Buildings' together

	with any mitigation measures that are required to achieve this. The report shall also demonstrate that the nearest sensitive receptors meet the 55dB limit as required by the World Health Organisation (WHO). Prior to the first use of the plant any necessary mitigation measures shall have been implemented in full accordance with the recommendations of the noise assessment and thereafter shall not be removed or altered in any way. Any external ducting shall be colour coated in full accordance with the approved details within one month of its installation. <i>To safeguard the amenities of the adjoining occupiers of the development in accordance with Policy DE1 of the Coventry Local Plan 2017 and the emerging Local Plan.</i> Reason
Item No. 7	Planning Ref: PL/2026/0000017/FUL Site: Auction House (Former Bell Inn) Station Avenue, Coventry, CV4 9HS Proposal: Erection of two three-bed dwellings (Use Class C3) on land adjacent to the public house, new access off Station Avenue, with associated parking and landscaping, including reconfiguration of public house car park with a new vehicular access. ADDITIONAL REPRESENTATION Since the publishing of the committee report Cllr Marcus Lapsa has submitted a representation objecting to the proposed application, a summary of the objection is set out as follows; • Development detrimental to highway safety due to the reconfiguration of the public house car park and proximity of access points • Development relies upon a S278 agreement to address the highway access matters • Detrimental impact upon the neighbouring first floor pharmacy window • The development will not provide suitable living conditions due to the proximity to the road/car park and bus stop and the associated noise impacts arising from the existing conditions for future occupiers • Absence of detailed drainage information provided to date • Detrimental to the character and appearance of the area/setting of the locally listed public house