

Coventry City Council
Minutes of the Meeting of Planning Committee held at 2.00 pm on Thursday, 11
May 2017

Present:

Members: Councillor R Brown (Chair)

Councillor P Akhtar

Councillor A Andrews

Councillor G Crookes

Councillor R Lancaster

Councillor J McNicholas

Councillor C Miks

Councillor K Mulhall (Deputy Chair)

Councillor P Seaman

Councillor H Sweet

Other Members: Councillors Birdi, Kershaw, Williams

Employees (by Directorate):

Place: R Bodalia, M Fothergill, C Horton, A Le Marinel, A Oluremi,
U Patel, C Whitehouse

Apologies: Councillor R Bailey and L Bigham (Cabinet Member for
Community Development)

Public Business

130. Declarations of Interest

There were no declarations of interest.

131. Exclusion of Press and Public

RESOLVED that, under 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the item business referred to in Minute 139 below relating to “Enforcement Report” on the grounds that this item involves the likely disclosure of exempt information as defined in Paragraphs 2, 6(a) and 7 of Part I of Schedule 12A of that Act.

132. Members Declarations of Contact on Planning Applications

The Members named declared contacts on the following applications as indicated:

Application No.	Councillor	From
OUT/2016/2918 – Land at Scots Lane	All Members of Committee	Email from residents and Ward Councillor
FUL/2016/3015 – Site of former garages on Terry Road	All Members of Committee	Email from resident

133. Late Representations

The Committee noted a tabled report which summarised late representations and responses on the following:

Application No.	Site	Minute No.
OUT/2016/2918	Land at Scots Lane	135
FUL/2016/3015	Site of former garages on Terry Road	136

134. Outstanding Issues

There were no outstanding issues.

135. Application OUT/2016/2918 - Land at Scots Lane

The Committee considered a report of the Head of Planning and Regulation detailing the above outline application with all matters reserved except for means of access, for residential development of up to 70 dwellings and landscaping with associated public open space and car parking. The application was recommended for approval.

Councillors Birdi, Kershaw and Williams, Bablake Ward Councillors attended the meeting and spoke in respect of residents' objections and concerns to the application. A registered speaker also attended the meeting and spoke in respect of his concerns to the application. The applicant's agent attended the meeting and spoke in support of the application.

Following discussion, the Committee considered the concerns raised in relation to the effectiveness of existing traffic calming measures and were minded to grant the application subject to the introduction of variable message signs to enhance the traffic calming measures already in place. In addition, the Committee considered that any delegations made to the Head of Planning and Regulation should be in conjunction with the Chair of Planning to ensure the Committees requests had been considered.

RESOLVED:-

- 1. That planning permission be granted in respect of Application FUL/2016/2918 subject to the completion of a Section 106 agreement relating to education, affordable housing, to enhance and secure long term management of biodiversity, to provide a pedestrian/cycle link to connect the development site to the nearest bus stop on Holloway Field and to fund emergency admission to NHS and the introduction of variable message signs, subject to conditions. Failure to complete the agreement by 23 May may result in the application being refused.**

- 2. The Committee approve to delegate the amendment/inclusion of further conditions in respect of ecology to the Head of Planning and Regulation in consultation with the Chair of Planning Committee.**

136. Application FUL/2016/3015 - Site of former garages on Terry Road

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the erection of 11 cluster flats (40 bedrooms) which was recommended for approval.

Two registered speakers attended the meeting and spoke in respect of their objections to the application.

RESOLVED that planning permission be granted in respect of Application FUL/2016/3015 subject to conditions.

137. Highways Act 1980 Section 119 - Proposed Diversion of Footpath M255 Allesley, City of Coventry

The Committee considered a report of the Deputy Chief Executive (Place) which sought approval to divert part of a public footpath over land adjacent to Hawkes Mill Lane, known as public footpath Allesley M255. This followed an application from the landowner under Section 119 of the Highways Act 1080.

In accordance with Coventry City Council's constitution any matters which change the public rights of way network must be considered by the Planning Committee. The Applicant had agreed to meet all of the Council's costs in making a Public Path Diversion Order.

The application was made by the landowner of 180 Hawkes Mill Lane, Allesley, for a permanent diversion of a public footpath that crosses through the owners land. The path was recorded on the Definitive Map and Statement held by the City of Coventry. The proposed diversion route had been applied for because the existing route was obstructed by the property at 180 Hawkes Mill Lane.

In accordance with Section 119(1) of the Highways Act 1980, the Council had discretion to make the Order if it appeared to the Council to be in the interests of the owner of the land and/or in the interests of the public.

RESOLVED that Planning Committee:

1. Authorise the Director of Finance and Corporate Services to make and advertise a Diversion Order for Public Footpath Allesley M255, adjacent to Hawkes Mill Lane, Allesley, City of Coventry pursuant to Section 119 of the Highways Act 1980.
2. Confirm the Order in the event that no objections were received when advertised, or in the event of objections being received and not withdrawn, for the Order to be referred to the Secretary of State for determination.

138. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of public business.

139. Prosecution Report

The Committee considered a report of the Director of Finance and Corporate Services and Head of Planning and Regulation, which requested the Committee to consider whether or not the City Council as local planning authority should instigate the appropriate enforcement action in respect of the breaches of planning control as identified within Table 1 of the report.

This report was in accordance with the Constitution which requires that all planning enforcement actions and prosecutions be authorised by Planning Committee.

RESOLVED that Planning Committee:

(1) Delegate authority to the Head of Planning and Regulation and the Legal Services Manager to serve the appropriate enforcement and other statutory notices in respect of the following properties as identified within Table 1 (Notices and Prosecutions):

- (a) Rear of 204 Holbrook Lane – temporary stop notice and enforcement notice**
- (b) 457 Foleshill Road**
- (c) 1 Westminster Road**
- (d) Unit C2 Little Heath Industrial Estate**
- (e) 395 Stoney Stanton Road**
- (f) 589-591 Stoney Stanton Road**
- (g) Arena Builders Supplies, Fairview Walk**
- (h) 81 Far Gosford Street**
- (i) 8 Marina Close**
- (j) 168 Bell Green Road**
- (k) 8 Station Avenue**
- (l) Former Butts Retreat PH, Butts**
- (m) 84 Dawlish Drive – item withdrawn**
- (n) Mint Casino King William Street**
- (o) Copsewood Grange, Allard Way – Breach of Condition Notice approved in principal**
- (p) Westmede Centre, Winsford Avenue**
- (q) 28 Coventry Street – Breach of Condition Notice, 28 days for compliance**
- (r) Patterdale House, 41 Binley Road – Section 215 Notice**
- (s) 45 St Lukes Road – Enforcement Notice**

2. Delegate authority to the Head of Planning and Regulation and the Legal Services Manager the formal prosecutions of the cases set out in Table 1 (Notices & Prosecutions) should negotiations fail; and

3. Delegate authority to the Head of Planning and Regulation and the Legal Services Manager the formal prosecution of cases whereby enforcement and other statutory notices as identified within Tale 1 (notices & Prosecutions) have not been complied with, and the undertaking of works in default to secure compliance where appropriate.

4. Note the content of Table 2 (Update) on outstanding Actions).

140. Any other items of private business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no items of urgent private business.

(Meeting closed at 4.35 pm)