

Coventry City Council
Minutes of the Meeting of Planning Committee held at 2.00 pm on Thursday, 20
July 2023

Present:

Members: Councillor L Harvard (Chair)
Councillor N Akhtar
Councillor P Akhtar
Councillor R Bailey
Councillor J Gardiner
Councillor G Lloyd
Councillor C Miks
Councillor R Simpson

Other Members: Councillors A Hopkins, A Jobbar, A Masih and M Lapsa

Employees Present:

Planning and Regulation: A Lynch
J Orton
D Taylor
O Williams

Highways and
Transportation: N Benison
A Le Marinel
B Malin

Law and Governance: M Howarth
U Patel
T Robinson
C Sinclair

Apologies: Councillor A Kaur, K Maton and D Welsh

Public Business

10. Declarations of Interest

Councillor R Simpson declared a disclosable pecuniary interest in the matter referred to in Minute 14 below (Application PL/2023/0000654/FULM – Progress House, Westwood Way). He left the meeting during the consideration and voting on this item.

11. Members Declarations of Contact on Planning Applications

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

Application No.	Councillor	From
PL/2023/0000654/FULM – Progress House, Westwood Way	All members of Committee	Developer

12. **Minutes of Previous Meeting held on 25 May 2023**

The Minutes of the meeting held on 25 May 2023 were signed as a true record.

13. **Late Representations**

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

Application	Site	Minute
PL/2023/0000654/FULM	Progress House, Westwood Way	14
PL/2023/0000606/FULM	Wyken Working Men's Club, 219-225 Ansty Road	15
FUL/2022/3133	Codys Court, Silverdale Close	16

14. **Application PL/2023/0000654/FULM - Progress House, Westwood Way**

The Committee considered a report of the Strategic Lead for Planning detailing the above application for the demolition of existing office building and erection of new building comprising student accommodation (Use Class Sui Generis) and commercial, business and service accommodation (Use Class E), amenity spaces, car parking, landscaping and associated works. The Committee were recommended to delegate the grant of planning permission to the Strategic Lead for Planning subject to the completion of a S106 Legal Agreement to secure the contributions summarised in the report.

The Late Representations document tabled at the meeting and further to paragraph 2.6 of the published report, amended plans had been received from the agents addressing the front elevation in order to assist with a reduction in the massing. As a result, Condition 2 would be amended to reflect the plan substitutions. A summary of the changes and plan substitutions were detailed in the Late Representations document.

The Committee considered three petitions, objecting to the application bearing a total of 1488 signatures sponsored by Councillors Masih, Jobbar and Lapsa, Westwood Ward Councillors. The Ward Councillors and two of the petition spokespersons attended the meeting and spoke in respect of their objections to the application. A statement was read on behalf of the other petition spokesperson. Two further registered speakers attended the meeting and spoke in objection to the application. The Applicant's representative was also present at the meeting and spoke in support of the application.

Following consideration of the report, the late representations document and matters raised at the meeting, the Committee expressed concerns regarding the provision of car parking spaces and more specifically, the insufficient number of disabled parking spaces in relation to the size of development. The Committee further considered that the proposal would result in an over-development of the site, it does not fit in with the streetscene and would have a detrimental impact on the neighbouring community.

RESOLVED that planning permission be refused in respect of Application PL/2023/0000654/FULM for reasons of over-development, it does not fit in with the streetscene due to height and massing and would have an adverse impact on the neighbouring community.

Note: Councillor R Simpson, having declared an interest, withdrew from the meeting during consideration of this item.

15. Application PL/2023/0000606/FULM - Wyken Working Men's Club, 219-225 Ansty Road, Coventry

The Committee considered a report of the Strategic Lead for Planning detailing the above application for change of use of first floor function and committee rooms to provide bed and breakfast accommodation. The application was recommended for approval subject to conditions.

The Late Representations document tabled at the meeting informed of a petition bearing 21 signatures that had been received following publication of the agenda. The document also reported a minor amendment to Condition 2 in relation to drawings of the proposed elevations.

The Committee considered a petition bearing 21 signatures sponsored by Councillor A Hopkins, a Wyken Ward Councillor. Councillor Hopkins spoke on behalf of local residents and on behalf of the petition spokesperson in respect of their objections to the application. The Applicant and their representative attended the meeting and spoke in support of the application.

RESOLVED that planning permission be granted in respect of Application PL/2023/0000606/FULM subject to conditions detailed in the report.

16. Application FUL/2022/3133 - Codys Court, Silverdale Close Coventry

The Committee considered a report of the Strategic Lead for Planning outlining the above application for the construction of three dwellings houses with associated landscaping and parking. The application was recommended for approval subject to conditions.

The Late Representations document tabled at the meeting appraised further neighbour responses received following publication of the report and provided information on amendments to Conditions 2, 4, 12, 13 and 14. In addition, Condition 20 was reworded to include detailed information in relation to the planting and maintenance of the replacement tree to ensure its survival.

Following consideration of the report, the late representations document and matters raised at the meeting, the Committee expressed concerns regarding the maintenance and survival of the replacement tree and considered that period of replacement should be extended from 5 years to 10 years.

RESOLVED that planning permission be granted in respect of Application FUL/2022/3133 subject to conditions detailed in the report and the Late Representations document and with the additional amendment to Condition 20 to reflect the replacement of tree within 10 years of planting.

17. Application PL/2023/0001157/HHA - 35 Morningside, Coventry

The Committee considered a report of the Strategic Lead for Planning outlining the above application for proposed tiled hipped roof over existing front dormer window and relocation of wood store from rear garden to side of house. The application was recommended for approval subject to conditions.

RESOLVED that planning permission be granted in respect of Application PL/2023/0001157/HHA subject to conditions.

18. Proposed Diversion of Public Footpath M249 (part) Parish of Allesley, and Public Footpath M240 (part) Parish of Allesley, City of Coventry

The Committee considered a report of the Director of Transportation and Highways which sought authority for the City Solicitor to make an Order for the proposed diversion of Public Footpath M249 (part) Parish of Allesley and Public Footpath M240 (part) Parish of Allesley, City of Coventry.

In accordance with the Council's Constitution, any matters which change the public rights of way network must be considered by the Planning Committee.

The report outlined the investigations to divert parts of two public footpaths adjacent to the A45 at Pickford Bridge, Allesley. This included a discussion of consultations carried out in respect of the proposal and the legal test to be considered for a diversion order to be made. The proposal was put forward following an application submitted by Brookbanks, 6150 Knights Court, Solihull Parkway, Birmingham in conjunction with highway developments associated with the A45 at Pickford Bridge, Allesley.

In accordance with Section 257 of the Town and Country Planning Act 1990 as amended by Section 12 of the Growth and Infrastructure Act 2013, the Council, as the Local Planning Authority can make an Order diverting a footpath if it is satisfied that it is necessary to do so to enable development to be carried out in accordance with a planning permission granted.

It was considered necessary to divert the public footpaths as illustrated in Appendix A and B of the report to allow for the development to proceed as detailed within planning reference: The development is a scheme for improvements to the A45 including new slip roads, a new round about and a new road over bridge and associated footways.

Where there are no outstanding objections, it would be for the Council to determine whether to confirm the Order. In the event of objections to the Order being received and not resolved, the City Council would be responsible for the conduct of any hearing or public inquiry.

It was noted that the Applicant had agreed to defray all expenses associated with the Order.

RESOLVED that Planning Committee:

- 1. Authorises the City Solicitor to make the necessary Diversion Order for all of the Public Footpaths defined in the report at land adjacent to the A45 at Pickford Bridge, Allesley City of Coventry pursuant to Section 257 of the Town and Country Planning Act 1990 on the grounds that the City Council is satisfied that it is necessary to do so to enable development to go ahead.**
- 2. Authorises that a Public Notice of the making of the Order be given and in the event of there being no objections within the period specified, the Order be confirmed in the exercise of the powers conferred on the Council by the said Acts.**
- 3. Endorses that if objections are received to the making of the Order that cannot be resolved, then the matter be forwarded to the Secretary of State for determination and Coventry City Council be responsible for the conduct of any hearing or public inquiry.**

19. Proposed Diversion of Public Footpath M316 (part) Parish of Keresley, City of Coventry

The Committee considered a report of the Director of Transportation and Highways which sought authority for the City Solicitor to make an Order for the permanent diversion of Public Footpath M316 (part) Parish of Keresley, City of Coventry as shown at Appendix A of the report.

In accordance with the Constitution, any matters which change the public rights of way network must be considered by the Planning Committee.

The report outlined the investigations to divert part of a public footpath off Tamworth Road, Keresley, City of Coventry. This included a discussion of consultations carried out in respect of the proposal and the legal tests to be considered for a diversion order to be made. The proposal was put forward following an application submitted by Taylor Wimpey North Midlands, 2 Trinity Court, Broadlands, Wolverhampton, in conjunction with residential developments adjacent to Tamworth Road.

In accordance with Section 257 of the Town and Country Planning Act 1990 as amended by Section 12 of the Growth and Infrastructure Act 2013, the Council, as the Local Planning Authority, can make an Order diverting a footpath if it is satisfied that it is necessary to do so to enable development to be carried out in accordance with a planning permission granted.

It is considered that it is necessary to divert the public footpath as illustrated on the plan at Appendix A to allow for the development to proceed as detailed within planning reference: OUT/2014/2282 Outline, RM/2019/1030 Phase 1 and RM/2020/2399 Phase 2.

Where there are no outstanding objections, it is for the Council to determine whether to confirm the Order. In the event of objections to the Order being received and not resolved, the City Council would be responsible for the conduct of any hearing or public inquiry.

It was noted that the Applicant has agreed to defray all expenses associated with the Order.

RESOLVED that Planning Committee:

- 1. Authorises the City Solicitor to make the necessary Diversion Order for all of the Public Footpath defined in the report, at land adjacent to Tamworth Road, Keresley, City of Coventry pursuant to Section 257 of the Town and Country Planning Act 1990 on the grounds that the City Council is satisfied that it is necessary to do so to enable development to go ahead.**
- 2. Authorises that a Public Notice of the making of the Order be given and in the event of there being no objections within the period specified, the Order be confirmed in the exercise of the powers conferred on the Council by the said Acts.**
- 3. Endorses that if objections are received to the making of the Order that cannot be resolved, then the matter be forwarded to the Secretary of State for determination and Coventry City Council be responsible for the conduct of any hearing or public inquiry.**

20. Outstanding Issues

There were no outstanding issues.

21. 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.

(Meeting closed at 5.45 pm)