

**Coventry City Council**  
**Minutes of the Meeting of Planning Committee held at 2.00 pm on Thursday, 16**  
**March 2017**

Present:

Members: Councillor P Akhtar  
Councillor A Andrews  
Councillor R Bailey  
Councillor L Bigham  
Councillor G Crookes  
Councillor R Lancaster  
Councillor J McNicholas  
Councillor C Miks  
Councillor K Mulhall (Deputy Chair)  
Councillor P Seaman  
Councillor H Sweet

By invitation: Councillor Bigham (Cabinet Member for Community Development)

Other Members: Councillors Hammon and Lapsa

Employees (by Directorate):

Place: M Fothergill, R Haig, C Horton, A Le Marinel, T Miller, U Patel, G Tait, C Thomson, C Whitehouse,

Apologies: Councillor R Brown (Chair)

## **Public Business**

### **100. Declarations of Interest**

Councillor Andrews declared an "Other Relevant Interest" in the matter referred to in Minute 106 Application HH/2017/0096 – 9 Nightingale Lane as he had actively campaigned against developments in this area in the past. He withdrew from the meeting for the consideration of this item.

Councillor Andrews also declared an "Other Relevant Interest" in the matters referred to in Minute 115 (D) and (F) in so far as he was due to meet with the owners of the premises. He did not take part in the discussion or decision making on these items.

Councillor Crookes declared an "Other Relevant Interest" in the matter referred to in Minute 106 headed Application HH/2017/0096 – 9 Nightingale Lane as he believed knew the owner. He withdrew from the meeting for the consideration of this item.

101. **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 115 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.

102. **Members Declarations of Contact on Planning Applications**

There were no declarations of contacts on any of the applications due for consideration.

103. **Minutes of Previous Meeting held on 19 January 2017**

The minutes of the meeting held on 19 January 2017 were signed as a true record.

104. **Late Representations**

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

<b>Application No.</b>	<b>Site</b>	<b>Minute No.</b>
HH/2017/0096	9 Nightingale Lane	106
HH/2016/2744	193-195 Charter Avenue	107
FUL/2016/2988	81 Far Gosford Street	109
ADV/2016/3001	81 Far Gosford Street	110

105. **Outstanding Issues**

There were no outstanding issues.

106. **Application HH/2017/0096 - 9 Nightingale Lane**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for extension to existing bungalow with additional living space in the loft. The application was recommended for approval.

The Committee also considered a petition objecting to the application, bearing 113 signatures, which had been submitted by Councillor Taylor, an Earlsdon Ward Councillor. As Councillor Taylor was unable to attend, Councillor Hammon attended the meeting together with the petition spokesperson and spoke in respect of the petition. The applicant’s representative also attended the meeting and spoke in support of the application.

Following consideration of the report and matters raised at the meeting, an additional condition was proposed and seconded by Members and adopted that a construction management plan be submitted to the satisfaction of the Planning Authority to mitigate concerns in relation any disruption caused by construction traffic. Furthermore, the recommendation be amended to delegate authority to the

Head of Planning and Regulation to ensure that the plans have been amended to indicate that the application is for 4 bedrooms, not 5 and to amend condition No.1 to include the amended plan and omit the superseded plan.

**RESOLVED that planning permission be granted in respect of Application HH/2017/0096 subject to conditions outlined in the report and the additional/amended conditions detailed above.**

(Note: Councillors Andrews and Crookes having declared an 'Other Relevant Interest' did not participate in the discussion or voting on this matter.)

**107. Application HH/2016/2744 - 193-195 Charter Avenue**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the erection of double storey side and rear extensions and single storey extension to front and rear (revised submission). The application was recommended for approval.

Councillor Lapsa and a registered speaker attended the meeting and spoke in respect of their objections to the application. The applicant or agent did not attend the meeting.

**RESOLVED that planning permission be granted in respect of Application HH/2016/2744 subject to conditions outlined in the report and an additional condition in relation to a bat survey as detailed in the late representations document tabled at the meeting.**

**108. Application FUL/2017/0063 - 12 Spon Street**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the installation of new mechanical ventilation duct protruding through the pitch roof to the rear. The application was recommended for approval.

**RESOLVED that planning permission be granted in respect of application FUL/2017/0063 subject to conditions.**

**109. Application FUL/2016/2988 - 81 Far Gosford Street**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the installation of an ATM and external roller shutter (retrospective) which was recommended for refusal.

**RESOLVED that the Planning Committee delegate the refusal of planning permission to the Head of Planning and Regulation following the expiry of the consultation period, subject to no further representations being received raising material planning considerations that have not already been considered by Planning Committee.**

110. **Application ADV/2016/3001 - 81 Far Gosford Street**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the display of two illuminated signs to an ATM (retrospective) which was recommended for refusal.

**RESOLVED that Planning Committee delegate the refusal of planning permission to the Head of Planning following the expiry of the consultation period, subject to no further representations being received raising material planning considerations that have not already been considered by Planning Committee.**

111. **Delegation of Authority from Planning Committee to the Head of Traffic and Network Management to make Legal Event Modification Orders**

The Committee considered a report of the Executive Director of Place which sought approval to the delegation of authority to the Head of Traffic and Network Management to make Legal Event Modification Orders.

The City Council was required to keep the Definitive Map and Statement under constant review. As part of this the Council would be required to make Legal Event Modification Order (LEMOs) under Section 53(2) and Section 53(3)(a) of the Wildlife and Countryside Act 1981 to reflect any legal changes that have already taken place under different legislation. For example a LEMO could be made to ensure that a new path created by a Public Path Order is correctly recorded on the Definitive Map and Statement.

The report stated that LEMOs could only be made when certain legal events had taken place and did not have to be advertised, were not subject to objections and took effect as soon as they were made and as such, the whole process was relatively straightforward and uncontentious.

**RESOLVED that the Planning Committee approve the delegation of responsibility for the making of Legal Event Modification Orders under Section 53(2) and 53(3)(a) of the Wildlife and Countryside Act 1981 to the Head of Traffic and Network Management.**

112. **Neighbourhood Area Application - Finham**

The Committee considered a report of the Head of Planning and Regulation which provided information on an application by Finham Parish Council to formally designate the area as a Neighbourhood Area; for the purposes of developing their Neighbourhood Plan.

The 'area' identified by Finham Parish Council was indicated on a location plan attached at Appendix 2 of the report. The proposed neighbourhood area was considered to be a sensible and logical boundary as it was based on the existing electoral ward of Finham Parish.

**RESOLVED that the Committee note the application made by Finham Parish Council to formally designate the area as a Neighbourhood Area.**

**113. Local List process and criteria**

The Committee considered a report of the Assistant Director of Streetscene and Regulatory Services which provided an update on the Local List process and criteria.

The process for Local Listing of heritage assets (generally historic buildings) needed updating to bring it into line with best practice and for a more efficient, robust and transparent process. Proposed Local List 'criteria' and a 'nomination form' were consulted on and updated in line with comments received. The revised documents were attached as appendices to the report.

**RESOLVED that the Committee approve the revised Local List process, including the new 'criteria' and 'nominations forms'.**

**114. 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 urgent public business.

**PRIVATE BUSINESS**

**115. Enforcement Report**

The Committee considered a report of the Executive Director of Resources 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) Land at Lady Lane**
- (b) 41 Templars Fields**
- (c) The Establishment, Bayley Lane**
- (d) Daddy Cool, 183 Spon Street**
- (e) 1 Craven Street**
- (f) The Farmhouse, Beechwood Avenue**
- (g) 55 Coombe Park Road**
- (h) 38 Athol Road**
- (i) Land at Berry Street**
- (j) 106 Far Gosford Street**
- (k) 20 Over Street**

- (l) 75-77 Albany Road
- (m) Link House, Eden Road
- (n) Land adjacent to 50 Latham Road

**Additional Items**

- (o) Land at Sunningdale Avenue/Lythalls Lane – breach of conditions notice (landscaping) – six months for compliance
- (p) The Old Hall, Tamworth Road – prosecute for the wilful destruction and damage to TPO trees; prosecute for unauthorised works to a listed building; and serve listed building enforcement notice for extraction equipment – two months for compliance
- (q) 81 Far Gosford Street – prosecute for unauthorised signage; enforcement notice for unauthorised ATM and roller shutter – two months for compliance

- (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 and Prosecutions) should negotiations fail.
- (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 Table 1 (Notices and 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 of Outstanding Actions).

(Notes: 1. Councillor Andrews having declared an 'Other relevant interest' in items 'D' and 'F' listed above, did not participate in the discussion and voting on these items.

2. Councillor Lancaster declared contacts on item 'L' and 'O' listed above.)

**116. 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 other items of urgent private business.

(Meeting closed at 4.25 pm)