

Coventry City Council
Minutes of the Meeting of Planning Committee held at 2.00 pm on Thursday, 27
September 2018

Present:

Members: Councillor L Harvard (Chair)
Councillor N Akhtar
Councillor P Akhtar
Councillor R Auluck
Councillor R Bailey
Councillor S Bains
Councillor G Crookes
Councillor J McNicholas
Councillor D Skinner
Councillor T Skipper

Other Members: Councillor Brown

Employees (by Directorate):

Place: L Albrighton, S Evans, C Horton, T Miller, U Patel,
C Whitehouse

Apologies: Councillor H Sweet (Deputy Chair)

Public Business

47. Declarations of Interest

There were no declarations of interest.

48. 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 items of business referred to in Minute 57 below relating to “Enforcement Report” on the grounds that the item involves the likely disclosure of exempt information as defined in Paragraphs 2, 6(a) and 7 of Part 1 of Schedule 12A of that Act.

49. Members Declarations of Contact on Planning Applications

The Members named declared a contact on the following applications as indicated:

Application No.	Councillor	From
FUL/2018/1596 – 37 Pershore Place	Councillor Crookes	Officers
Wildlife and Countryside Act 1981 Section 53: Application to add a number of Public Footpaths to the Definitive Map and	Councillor Bailey	Residents

Statement for Coventry		
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50. **Minutes of Previous Meeting held on 30th August, 2018**

The minutes of the meeting held on 30 August 2018 were signed as a true record.

51. **Late Representations**

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

Application No.	Site	Minute No.
FUL/2018/1596	37 Pershore Place	53
S73/2018/2395	84 Dawlish Drive	54

52. **Outstanding Issues**

There were no outstanding issues.

53. **Application FUL 2018 1596 - 37 Pershore Place**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the change of use from single dwelling house (use Class C3) to 8 bedroom House in Multiple Occupation (Use Class Sui Generis). The application was recommended for approval subject to conditions.

Councillor Sawdon, a Wainbody Ward Councillor had requested the application be determined by Planning Committee. He had raised objections on the grounds of overuse of the site and inadequate parking which would cause harm to the occupiers of nearby properties. The report addressed these matters.

The late representations document clarified that the application site was within Wainbody Ward and not Whoberly as stated on the officer report. The document also provided an explanation in respect of the ridge height on the roof.

RESOLVED that planning permission be granted in respect of application FUL/2018/1596 subject to conditions.

54. **Application S73 2018 2395 - 84 Dawlish Drive**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the removal of condition no.1 (temporary permission), imposed on planning application ref: FUL/2017/1989 for the change of use from Use Class A1 (retail) to Use Class A3 (restaurant), granted 14th December 2017. The application was recommended for approval subject to conditions.

RESOLVED that planning permission be granted in respect of application S73/2018/2395 subject to conditions.

55. Wildlife and Countryside Act 1981 Section 53: Application to add a number of Public Footpaths to the Definitive Map and Statement for Coventry on land lying between Leaf Lane and the A444 Stivichall Cheylesmore by pass

The Committee considered a report of the Deputy Chief Executive (Place) which detailed an application submitted by a local resident to have several routes recorded on the Definitive Map and Statement as public footpaths.

Investigations were undertaken following receipt of the application and authorisation was now being sought to refuse to make a Definitive Map Modification Order. The report included results of the consultations carried out in respect of the claim, the witness evidence, historical evidence and the legal tests for a Definitive Map Modification Order to be made. The recommendation was based on that information, for quasi-judicial decision by Members as to whether or not an Order should be made to add the routes as public footpaths.

Councillor Brown, a Cheylesmore Ward Councillor, read a statement on behalf of the applicant who was unable to attend the meeting. The Public Rights of Way Consultant responded to the statement.

RESOLVED that the Planning Committee:

- 1. Authorises the Deputy Chief Executive (Place) to refuse to make an Order on the basis that the application does not satisfy the legal tests required for the making of an Order.**
- 2. Authorises the Deputy Chief Executive (Place) to give notice of the refusal to make the Order.**

56. 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.

PRIVATE BUSINESS

57. Enforcement Report

The Committee considered a joint report 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.

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

RESOLVED that Planning Committee:

- (1) Delegate to the Head of Planning and Regulation and the Director of Finance and Corporate Services the service of the enforcement and other statutory notices as identified within Table 1 (Notices and Prosecutions) should negotiations fail:**

- a. **43 Primrose Hill Street – verbal update requesting amendment to include cease use and remove structure**
- b. **Land at Broad Street/Station Street East**
- c. **81 Far Gosford Street – the issuing of a temporary stop notice was moved, seconded and agreed by the Committee.**
- d. **377 Green Lane – the requirements and period for compliance was amended by the Committee to read “Modify to comply with approved plans or demolish the unauthorised structure – three months for compliance”**

(2) Delegate to the Head of Planning and Regulation and the Director of Finance and Corporate Services, the formal prosecutions of the cases set out in Table 1 (Notices and Prosecutions) should negotiations fail.

(3) Delegate to the Head of Planning and Regulation and the Director of Finance and Corporate Services, 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.

58. 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 private business.

(Meeting closed at 3.40 pm)