

# Late Representations

## Planning Committee 4 July 2019

Item No. 7	<p><b>Application No. - FUL/2019/0824</b></p> <p>Description of Development - Erection of new indoor bowls facility and maintenance store and reconfiguration of car park</p> <p><b>Site Address</b> - Club House, Gaveston Road</p> <p><b>Consultation</b></p> <p>Fire service – have written to confirm no objection subject to conditions requiring the parking position of a fire appliance being marked on site as well as the emergency access from Kendon Avenue supporting 15 tonnes and having keep clear markings and signage</p> <p>West Midlands Police – no objection. Recommend some best practice anti-crime measures such as CCTV, lighting and security fencing</p> <p>Following a re-count the actual number of objections to the original plans was 167, as opposed to the 153 quoted in the report.</p> <p>Since the report was written, 40 additional objections have been received responding to the amended plans. Comments which are different to those covered by the report are summarised below:</p> <ul style="list-style-type: none"><li>(i) Not enough toilets provided. <i>This is not a material planning consideration.</i></li><li>(ii) The rinks are in the wrong direction. <i>This is not a material planning consideration.</i></li><li>(iii) The reduction in height of the building will not make enough of a difference to outlook, light and wellbeing of residents.</li><li>(iv) The proposed design does not improve the appearance of the building. It is still an ugly building which will harm the character of the area.</li><li>(v) The fire access will be used at other times by the club, to the detriment of highway safety and resident's amenity. A proposal to make an entrance to the club off Kendon Avenue was refused in 1962.</li><li>(vi) A fire engine will not be able to get down Kendon Avenue due to parked cars and narrow width of the road.</li><li>(vii) Where can the fire engine turn at the club or end of the road?</li><li>(viii) If approved conditions should be imposed to ensure: gates only open into the bowls club site; the gates remain locked apart from when a 999 call has been made; the lock mechanism is on Kendon Avenue side only with keys held by emergency services and residents but not the bowls club; the disabled spaces on Kendon Avenue will not be removed; the land in front of the gates remained grassed with raised kerb; the gates will be made of hardwood solid construction; no vehicle to leave the car park until the fire is extinguished; double yellow lines painted in front of kerb on Kendon Avenue; signage on gates on Kendon Avenue side; the fire service confirm the building is low fire risk, as opposed to the agent</li></ul>
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- (ix) The allotments are protected by the 1925 Allotment Act and require Secretary of State approval to dispose of them. Furthermore, paragraph 91 of the NPPF is relevant as it recognises allotments as supporting healthy lifestyles.

One supporting comment has been received making the following points:

- (i) The location outside the City Centre will encourage bowlers who don't feel secure in the City Centre in the evenings
- (ii) The plan is fully accessible for all whilst the current provision is not
- (iii) The proposed facilities are an enhancement on current provision
- (iv) The EIBA (English Indoor Bowls Association) deem the site to be the only realistic option for provision
- (v) It promotes social interaction and enabling healthy lifestyles

A petition (118 signatures) encouraging the relocation of the indoor bowls provision to a more suitable City Centre site has been submitted and supported by Cllr Williams.

### **Appraisal**

As explained in the report, it is considered that the alterations to the roof and walls of the proposed building will make the development acceptable from a residential amenity and visual impact perspective.

A condition is proposed to ensure the emergency access is only used by emergency service vehicles. It is not possible or necessary to condition details such as what type of lock is used or who holds the keys. Whilst a lot of concern has been expressed about the likelihood of the club breaching the condition and using the emergency access at other times, permission cannot be withheld on the presumption that a reasonable condition will be breached. If a breach were to occur, it would be possible for enforcement action to be taken.

Furthermore, it is not necessary to impose a condition preventing vehicles leaving the car park until a fire has been extinguished. The condition only allows use of the emergency access by emergency service vehicles so other cars would need to exit via Gaveston Road in any event. Also, it is not necessary to impose a condition requiring disabled parking bays on Kendon Avenue to be retained. Highways are aware of the existence of the bays and do not object to the development.

Draft condition 14 currently states that the grassed area to the west of the proposed emergency access will be grassed once construction has been completed. Due to fire service requirements that an emergency access can load bear 15 Tonnes, the surface would need to be load bearing with a footway crossing provided/retained. Following receipt of the additional fire service response, it is recommended that condition 14 be amended to accommodate the additional requirements.

	<p>The disposal of the allotments does not require Secretary of State approval as they are not owned by the local authority. As mentioned in the report, it is not disputed that the land has been used as allotments, however this use is ancillary to the primary outdoor sport use of the site, and it is considered that the loss of outdoor sport facility is compensated by the benefits of the proposal to sport provision.</p> <p>Paragraph 91 of the NPPF encourages planning decisions to include healthy, safe and inclusive places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. It is considered that both allotments and indoor bowling comply with this aim, therefore the proposal is in accordance with this guidance.</p> <p>With regard to the petition, the proposal passed the sequential test as covered in the report.</p> <p><b>Additional/Amended Conditions</b></p> <p>14. Prior to use of the building / extension hereby approved, details of the emergency access (including the gate, road markings, surfacing and signage) shall be submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to use of the building / extension and the gate shall only be used thereafter by emergency service vehicles.</p>
Item No. 8	<p><b>Application No. - FUL/2019/1190</b></p> <p><b>Description of Development</b> - Change of use from dwelling to 2 flats and demolition of rear W/C</p> <p><b>Site Address</b> - 55 Yelverton Road</p> <p><b>Consultation Responses:</b></p> <p>A further representation has been received by a neighbour. The neighbour has sent updated photographs of the access to the rear.</p> <p>They have also sent across a response for a Freedom of Information request letter which was issued from the Council on 3<sup>rd</sup> June 2019 requesting dates of any complaints made by the neighbour and any action taken.</p> <p>Between February 2012 and May 2013 7 calls were logged with the service but no further action was taken. This is due to either the noise had ceased or there was nothing to witness to act against.</p> <p>A further two occasions- June 2012 and January 2013 letters were sent to the property advising that noise complaints have been received and including one formal warning letter.</p> <p><b>Appraisal:</b></p> <p>In regard to the photos to the access there have been no material changes since the previous application.</p> <p>Comments in relation to noise complaints have been noted and verified.</p>

Item  
No. 9

**Application No. - FUL/2018/1713**

Description of Development - Demolition of vacant industrial unit and erection of 5 storey building comprising 67 flats totalling 87 student bedrooms with associated communal facilities, car parking, cycle parking and landscaping

**Site Address** - Kebrell Nuts& Bolts Ltd Harper Road

**Consultation**

Two letters in support of the application have been received with the following comments:

- (i) It is a great location close to University
- (ii) Good to see cycle parking on the plans
- (iii) The plans look nice and modern

Historic Coventry Trust have expressed the following comments / concerns:

- (i) The red line site does not appear to include all of the riverside walk
- (ii) Draft condition 20 does not require permanent public use of the pedestrian / cycle link
- (iii) Conditions requiring maintenance of the cycle route and contribution towards landscape to help delivery of the wider heritage park would be welcomed

**Appraisal**

The red line has been amended to ensure it includes all of the riverside walk. The applicant owns this extra land so there is no issue with ownership certificates.

Condition 20 is proposed to be tweaked to require public use of the riverside walk in perpetuity.

Lighting and landscaping management is already proposed to be controlled by conditions 5 and 6.

**Amended Conditions**

20. Prior to use of the hereby approved riverside pedestrian / cycle link to Humber Avenue, details of the transition from the new link to the existing highway shall be submitted to and approved in writing by the local planning authority. The approved transition details shall be installed in full prior to use. The pedestrian / cycle link shall be available for use by the general public prior to occupation of the accommodation and thereafter retained for such use.

Item No. 10	<p data-bbox="384 116 877 152"><b>Application No. - FUL/2019/1352</b></p> <p data-bbox="384 176 1492 293">Description of Development - Erection of a single storey extension to the western side, fronting onto Lynchgate Road to provide 2no. commercial units (Use Class A3) (Resubmission FUL/2019/0458).</p> <p data-bbox="384 318 1150 353"><b>Site Address</b> - Cannon Park Centre Lynchgate Road</p> <p data-bbox="384 378 1522 533">One additional objection has been received which goes beyond the remit of this planning application. The objector asks that no more development takes place in Cannon Park until the lack of safe crossing points and lack of cycle paths has been resolved.</p>
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