



Miss Laura Lowe
Concorde BGW
Palmer Street
Doncaster
DN4 5DD

**PLANNING (LISTED BUILDINGS & CONSERVATION AREAS) ACT 1990
TOWN & COUNTRY PLANNING (LISTED BUILDING & BUILDING IN
CONSERVATION AREAS) REGULATIONS 1990**

Application No. : **LB/2019/0949**
Registered on : **11/04/2019**
Applicant : **Mr James Mellor**
Re Site at : **73 Birmingham Road**

Particulars of works: Listed Building Consent for Removal of existing non-permitted extract flue and replace with lower level cowl terminal.

Delegated Decision on 07/06/2019

Coventry City Council, as Local Planning Authority, **CONSENT** to the works proposed in your application, subject to the following conditions (s): -

CONDITIONS

1. The development hereby permitted shall begin no later than three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved document:
Ground Floor and Location Plan DWG: 3928-01-01
Existing and Proposed Elevations DWG:3928-01-02
Design Access Statement
Heritage Statement Design and Access Statement
Email regarding removal 06/06/2019
3. The cowl shall be finished in black and shall remain black thereafter.

Application number:LB/2019/0949
Dispatched on: 07/06/2019
DNLBA (dec2012)

Tracy Miller
Head of Planning



4. Prior to their incorporation into the development hereby approved, the following details shall be submitted to and approved in writing by the Local Planning Authority;

(a) 1:10 drawings of the cowl details;

(b) Manufacturer specification;

These details shall be installed in accordance with the approved details and thereafter retained.

REASONS FOR CONDITIONS

1. To comply with Section 91 of the Town and Country Planning Act 1990.

2. For the avoidance of doubt and in the interests of proper planning.

3. To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policies DE1 and HE2 of the Coventry Local Plan 2016.

4. In the interests of the visual amenities of the area in accordance with Policies DE1 and HE2 of the Coventry Local Plan 2016

In determining the application Coventry City Council have made the decision in a positive way to foster the delivery of sustainable development, working proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. The decision has been taken having regard to the impact of the development, and in particular to the policies and proposals in the adopted Coventry Local Plan 2016 set out below, and to all relevant material considerations, including the National Planning Policy Framework, and Supplementary Planning Guidance.

The City Council have worked in a seamless and timely manner to undertake the necessary liaison and negotiation with the applicant, third parties and statutory consultees (at the application and pre-application stages) to look for solutions which seek only high quality sustainable development.

Policy DE1: Ensuring High Quality Design

Policy HE2: Conservation and Heritage Assets

INFORMATIVES

- You are advised that if your proposal involves works covered by the Party Walls etc Act 1996. You are recommended to seek independent advice. Booklets are available from the Planning Advisory Desk & HMSO. Please be aware that if any part of the development (such as foundations, guttering, windows, ventilation systems or pipes etc.) overhangs or encroaches onto land or buildings outside of your ownership; or involves works and / or access to land or buildings outside of your ownership; you



will need the owner's permission before undertaking any development. The granting of planning permission does not override or authorise the breach of any private ownership rights; and any development undertaken without the consent of the landowner and in breach of any private ownership rights could give rise to civil proceedings brought by the owners of those rights.

- **Appeal Rights: -**

If you are aggrieved by the decision of the City Council to grant permission for the proposed development subject to conditions, you can appeal to the Department of Communities and Local Government under Section 78(1) of the Town and Country Planning Act 1990 (as amended). An appeal must be made within **six** months of the date of this notice.

The forms to be used in an appeal can be obtained from the Planning Inspectorate, Chartroom, Hawk Wing, Room 3/23 Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or you can access their website on **www.planning-inspectorate.gov.uk**

The Secretary of State can allow a longer period for the giving of a Notice of Appeal, but will not normally be prepared to use this power unless there are special circumstances.

The Secretary of State may not consider an appeal if it appears that the local planning authority could not have granted planning permission for the proposed development due to statutory requirements, to the provisions of a development order or to any directions given under an order. The Secretary of State will not refuse to consider appeals solely because the local planning authority based their decision on a direction given by her.

- If permission to develop land is granted subject to conditions, whether by the City Council or an appeal by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or may be permitted. In these circumstances, the owner may serve a purchase notice on the City Council requiring the Council to purchase the interest held in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a referral of the application to the Secretary of State. The circumstances in which such compensation is payable are set out in Section 114 & 120 and related provisions of the Town and Country Planning Act 1990.

- **FURTHER APPROVALS**

If one or more of the conditions listed in this decision notice require you to submit further information to the City Council for approval then in **all** instances those details are to be submitted to:

Development Management
Place Directorate
PO Box 15
Council House
Coventry, CV1 5RR

The receipt of such details will be acknowledged and a further decision notice will be issued following full consideration of these additional matters.