

# BIRMINGHAM CITY COUNCIL

<b>PLANNING COMMITTEE</b> <b>9 JULY 2015</b>
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## **MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 9 JULY 2015 AT 1100 HOURS IN COMMITTEE ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

### **PRESENT:-**

Councillor Sharpe in the Chair;

Councillors Azim, Beauchamp, Booton, J Clancy, Cornish, Douglas Osborn, Fazal, M Khan, Linnecor, Moore, Straker Welds and F Williams.

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### **PUBLIC ATTENDANCE**

- 3887      The Chairman welcomed members of the public to the meeting, indicating that a leaflet had been circulated explaining how the Committee operated. He stressed that, because the Committee was a quasi-judicial one, no decisions had been made before the meeting.

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### **NOTICE OF RECORDING**

- 3888      The Chairman advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site ([www.birminghamnewsroom.com](http://www.birminghamnewsroom.com)) and members of the press/public could record and take photographs. The whole of the meeting would be filmed except where there were confidential or exempt items.

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### **CHAIRMAN'S ANNOUNCEMENTS**

#### **Planning Committee Meetings**

- 3889      The Chairman informed Members that meetings were scheduled to take place on 23 July, 6, 20 August and 3 September 2015. He advised that training would be arranged in due course for Members who had been unable to attend on 2 July 2015.

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### **APOLOGIES**

- 3890      Apologies were submitted on behalf of Councillor Griffiths and C Jones.

**MINUTES**

3891 **RESOLVED:-**

That the Minutes of that part of the last meeting of the Committee open to the public be noted.

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**MATTERS ARISING**

3892 There were no matters arising.

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**NOTIFICATIONS BY MEMBERS OF PLANNING APPLICATIONS THAT THEY CONSIDER SHOULD BE DETERMINED BY COMMITTEE**

A. **Planning Application No 2015/04191/PA – McDonald’s Restaurant, 1151-1159 Chester Road, Erdington**

3893 Councillor Moore requested that a report relating to the above planning application be submitted to a future meeting of the Committee in light of concerns regarding the impact the proposal might have on the residential amenity.

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B. **Planning Application No 2015/04849/PA – 57 Station Road, Erdington**

3894 Councillor Moore requested that a report relating to the above planning application be submitted to a future meeting of the Committee in light of concerns regarding the lack of parking and that there were a number of takeaways already in the area.

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**PETITION**

**Planning Application No 2015/02982/PA – Land Fronting City Road and Rotton Park Road, Soho**

A petition presented by Councillor Beauchamp on behalf of local residents objecting to the proposed residential development of land fronting City Road and Rotton Park Road, Soho (former Birmingham Athletics Club/ Mitchells and Butlers football playing field) was received.

3895 **RESOLVED:-**

That the petition be referred to the Director of Planning and Regeneration.

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**The business of the meeting and all discussions in relation to individual planning applications including issues raised by objectors and supporters thereof was available for public inspection via the web-stream.**

**REPORTS OF THE DIRECTOR OF PLANNING AND REGENERATION**

The following reports were submitted:-

(See document No 1)

**Planning Application in Respect of the East Area**

**Report No 8 – Avalon Hotel, 48 Sherbourne Road, Acocks Green – 2015/01963/PA**

The Principal Planning Officer (East) advised that three additional letters objecting to the proposal had been received. He added that paragraph 1.3 of the report should refer to 8 not 7 bedrooms located on the first floor.

An objector spoke against the application.

A supporter spoke in favour of the application.

The Principal Planning Officer (East) responded to comments made by the objector and supporter.

Members commented on the application and the Principal Planning Officer (East) and Head of Planning Management responded thereto.

Upon being put to a vote it was 5 in favour, 5 against and 2 abstentions. Therefore, the Chairman used his casting vote in favour of the application and it was:-

3896

**RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

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**Report No 9 – Baldmoor Lake Road, Land to the Rear, Former Court Lane Allotments, Erdington – 2015/03116/PA**

Councillor Moore declared an interest and left the room during consideration of the item.

Members commented on the application and the Principal Planning Officer (East) and Head of Planning Management responded thereto.

3897

**RESOLVED:-**

- (i) That approval be given to the reserved matters relating to appearance, landscaping, layout and scale pursuant to outline planning permission no 2010/06527/PA, as amended by planning application no 2015/03116/PA subject to the conditions set out in the report;
  - (ii) that no objection be raised to the stopping up of part of Baldmoor Lake Road and that the Department for Transport be requested to make an Order in accordance with the provisions of Section 247 of the Town and Country Planning Act 1990.
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Councillor Moore returned to the meeting.

**Report No 10 – British Legion, 16 Botteville Road, Acocks Green – 2015/03105/PA**

The Principal Planning Officer (East) pointed out that an additional letter objecting to the proposal had been received.

With regard to recommendation 8.1 a) and 8.3 I) set out in the report, he advised that he wished to delete reference to 'Acocks Green Ward' and replace it with 'Fox Hollies Park'.

3898

**RESOLVED:-**

- (i) That consideration of the application be deferred pending the completion of a suitable legal agreement as set out in the report and amended below:-
  - 8.1 a) The payment of £48,300 (index linked to construction costs from 9 July 2015 to the date on which payment is made) towards the provision, improvement and maintenance of sports, recreational and community facilities in Fox Hollies Park or to be spent on any other purpose that shall be agreed in writing between the Council and the party responsible for paying the sum provided that any alternative spend purpose has been agreed by the Council's Planning Committee.
- (ii) that, in the event of the above legal agreement not being completed to the satisfaction of the local planning authority by 9 August 2015, planning permission be refused for the reasons set out in the report and amended below:-
  - 8.3 I) In the absence of a financial contribution towards the provision, improvement and maintenance of sports, recreational and community facilities in Fox Hollies Park the proposed development conflicts with paragraphs 3.57, 8.51 and 8.52 of the Birmingham Unitary Development Plan 2005 and with policies 73 and 74 of the National Planning Policy Framework 2012.

- (iii) that, in the event of the legal agreement being completed to the satisfaction of the local planning authority by 9 August 2015, favourable consideration would be given to the planning application subject to the conditions set out in the report;
  - (iv) that the Director of Legal and Democratic Services be authorised to prepare and seal the appropriate legal agreement.
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**Report No 11 – Land off Farnborough Road, Castle Vale – 2015/02540/PA**

Members commented on the application.

3899 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

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**Report No 12 – 62 Montgomery Street, Sparkbrook – 2015/00988/PA**

Members commented on the application and pointed out that the temporary consent had expired yet the gym had continued to operate.

Members noted that local residents had raised a number of concerns including parking problems and traffic congestion and the fact that the gym had allegedly been opening for longer than the agreed hours.

The Principal Planning Officer (East) and Head of Planning Management responded to Members' comments and confirmed that, if the Committee agreed, the application premises could be targeted.

Councillor Azim proposed and Councillor Linnecor seconded a site visit and upon being put to a vote it was 5 in favour, 7 against and 1 abstention. Therefore, the proposal was lost.

Members then voted on the recommendation with the addition that the application premises be targeted and it was 10 in favour, 2 against and 0 abstentions:-

3900 **RESOLVED:-**

- (i) That temporary planning permission be granted subject to the conditions set out in the report;
  - (ii) that the application premises be targeted.
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**Planning Applications in Respect of the South Area**

**Report No 13 – Land at Longbridge West, North of Bristol Road South, Longbridge – 2015/03066/PA**

The Area Planning Manager (South) advised that Transportation Development had raised no objections to the proposal.

Members commented on the application and the Area Planning Manager (South) responded thereto.

3901 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

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**Report No 14 – 20 Wake Green Road, Moseley – 2015/01804/PA**

Members commented on the application and the Area Planning Manager (South) and Head of Planning Management responded thereto.

3902 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

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**Report No 15 – Nos 1-19 (Odds) Dee Grove, Forth Grove and 2-36 (Evens) Ithon Grove, Kings Norton – 2015/04954/PA**

The Area Planning Manager (South) advised that Regulatory Services and Transportation Development had raised no objection to the proposal. He added that, although Transportation Development had requested, a demolition management plan was not necessary on this occasion.

Members commented on the application.

3903 **RESOLVED:-**

That no prior approval is required.

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**Planning Applications in Respect of the North West Area**

**Report No 16 – Plantsbrook School, Upper Holland Road, Sutton Coldfield – 2015/02634/PA**

The Area Planning Manager (North West) advised that the applicant had submitted a revised parking layout that increased the number of spaces available.

A Member commented on the application.

3904 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

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**Report No 17 – 36 Upper Clifton Road, Sutton Coldfield – 2015/03668/PA**

Members commented on the application and the Head of Planning Management responded thereto.

3905 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

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**VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS**

3906 There were no site visits pending.

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**OTHER URGENT BUSINESS**

3907 No other urgent business was raised.

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**AUTHORITY TO CHAIRMAN AND OFFICERS**

3908 **RESOLVED:-**

That in an urgent situation between meetings the Chair, jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.

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**EXCLUSION OF THE PUBLIC**

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**RESOLVED:-**

That, in view of the nature of the business to be transacted, which includes the following exempt information, the public be now excluded from the meeting:-

**Agenda Item etc**

**Paragraph of Exempt  
Information Under Revised  
Schedule 12A of the Local  
Government Act 1972**

Private section of the Minutes of the last meeting 3

Advertising Contract – Briefing Note 3