

BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE
27 OCTOBER 2016**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON
THURSDAY, 27 OCTOBER 2016 AT 1100 HOURS IN COMMITTEE ROOMS
3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

PRESENT:-

Councillor Sharpe in the Chair;

Councillors T Ali (1115), Azim, Beauchamp, Cornish, Douglas Osborn, Fazal, Henley, K Jenkins, C Jones, Linnecor, Moore, Straker Welds and Williams.

PUBLIC ATTENDANCE

- 5015 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.

NOTICE OF RECORDING

- 5016 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) 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.

CHAIRMAN'S ANNOUNCEMENTS

A. Planning Committee Meetings

- 5017 The Chairman informed Members that meetings were scheduled to take place on 10, 24 November, 8 and 22 December 2016.

B. Devolution

- 5018 Councillor Douglas Osborn advised that a recent meeting of the House of Commons Public Accounts Committee had considered devolution and the responsibilities of the regional body and the fact that, so as not to obviate

problems that had occurred in the past for example when under the control of the former West Midlands County Council, issues that came to the Planning Committee should be purely strategic.

APOLOGIES

5019 Apologies were submitted on behalf of Councillor Booton.

MINUTES

5020 **RESOLVED:-**

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

MATTERS ARISING

5021 There were no matters arising.

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

5022 No notifications were received.

PETITIONS

5023 No petitions were received.

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 Applications in Respect of the South Area

Report No 8 – 2A Frederick Road, Selly Oak – 2016/04804/PA

The Committee was advised that the application had been withdrawn from the agenda by the Director of Planning and Regeneration.

5024 **RESOLVED:-**

That it be noted that the application had been withdrawn from the agenda by the Director of Planning and Regeneration.

Report No 9 – 113 Lordswood Road, Winfield House, Harborne – 2016/07120/PA

The Area Planning Manager (South) in referring to paragraph 6.12 of the report advised that the size of the proposed dwellings exceeded the national standards for five bedroomed houses.

Objectors spoke against the application.

A supporter spoke in favour of the application.

The Area Planning Manager (South) and Transport Manager responded to comments made by the objectors and supporter.

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

Upon being put to a vote it was 12 in favour, 0 against and 0 abstentions.

5025 **RESOLVED:-**

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

(Councillor T Ali was not present for the whole of the debate and, therefore, did not vote on the application).

Report No 10 – 262 Vicarage Road, Kings Heath – 2016/05855/PA

The Committee noted that the application was for determination.

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

Councillor Henley proposed and it was seconded by Councillor Azim that the revised application be approved.

Upon being put to a vote it was 9 in favour, 3 against and 1 abstention.

5026 **RESOLVED:-**

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

Report No 11 – 112 Southam Road, Land at the Rear of, Hall Green – 2016/05861/PA

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

Upon being put to a vote it was 11 in favour, 2 against and 0 abstentions.

5027

RESOLVED:-

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

Report No 12 – 68 Oxford Road, Moseley – 2016/06514/PA

Objectors spoke against the application.

A supporter spoke in favour of the application.

The Area Planning Manager (South) responded to comments made by the objectors and supporter.

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

Upon being put to a vote it was 8 in favour, 3 against and 2 abstentions.

5028

RESOLVED:-

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

Planning Applications in Respect of the East Area

Report No 13 – Former Beaufort Sports and Social Club, 89 Coleshill Road, Hodge Hill – 2016/01518/PA

The Area Planning Manager (East) advised that she wished to amend the recommendations and pointed out that the S106 completion date should be 11 November 2016.

The Head of Planning Management advised that there would be no public speaking because there was no-one present to speak against the application.

Members expressed concern at the loss of facilities, particularly the bowling greens, and stressed the importance of the financial contribution being spent on facilities in Hodge Hill Ward.

The Area Planning Manager (East) and Head of Planning Management responded thereto.

Councillor Williams proposed, it was seconded by Councillor Moore and upon being put to a vote it was 6 in favour, 3 against and 4 abstentions and, therefore, agreed that the S106 money for crown green bowling should not go elsewhere in the city unless it was specifically for that purpose otherwise it should be spent on sports facilities in Hodge Hill Ward.

The Head of Planning Management pointed out that the application would still be subject to a S106 contribution but that the legal agreement would be altered specifying that the £96,600 sum be spent on crown green bowling facilities at Portland Pavilion, City Road, or elsewhere in Birmingham, otherwise the money would go towards sports facilities in Stechford Hall Park or other priorities in the Hodge Hill Ward.

Upon being put to a vote it was 10 in favour, 2 against and 1 abstention.

5029

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:-

Recommendation 8.1.1 ii)

The payment of £96,600 (index linked to construction costs from the date of the Committee resolution to the date on which payment is made) towards the provision and improvement of crown green bowling facilities at Portland Pavilion or elsewhere within Birmingham City Council boundaries, or in the absence of either towards sports facilities in Stechford Hall Park or other priorities in Hodge Hill Ward 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 on or before 11 November 2016, planning permission be refused for the reasons set out in the report and amended below:-

Recommendation 8.1.2 ii)

In the absence of a financial contribution towards the provision, improvement and maintenance of public open space, recreational and community facilities in Stechford Hall Park or other priorities in Hodge Hill Ward and crown green bowling facilities at Portland Pavilion or elsewhere within Birmingham City Council boundaries (or in the absence of either towards sports facilities in Stechford Hall Park or other priorities in Hodge Hill Ward), the proposed development conflicts with paragraphs 3.57, 5.25C, 8.50-8.53 and 8.54 of the Birmingham Unitary Development

Plan (2005), policy TP24 of the Draft BDP (2013) and with paragraphs 17, 70, 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 on or before 11 November 2016, favourable consideration would be given to the planning application subject to the conditions set out in the report;
- (iv) that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.

Report No 14 – Heartlands Nursing Home, 50 Broadstone Road, Yardley – 2016/05853/PA

The Area Planning Manager (East) advised that a response was still awaited from the Lead Local Flooding Authority (LLFA) and therefore wished to amend the recommendation that planning permission be granted subject to no objection being received from the LLFA. Members agreed to the amendment.

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

Upon being put to a vote it was 13 in favour, 0 against and 0 abstentions.

5030

RESOLVED:-

That, subject to no objection being received from the Local Lead Flooding Authority, planning permission be granted subject to the conditions set out in the report.

Report No 15 – 42 Silver Birch Road, Erdington – 2016/04050/PA

The Area Planning Manager (East) advised that additional comments, objecting to the proposal, had been received from Councillor R Alden.

An objector spoke against the application.

A supporter spoke in favour of the application.

The Area Planning Manager (East) responded to comments made by the objector and supporter.

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

Upon being put to a vote it was 10 in favour, 2 against and 1 abstention.

5031

RESOLVED:-

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

Planning Applications in Respect of the City Centre Area

Report No 16 – 77 Paradise Circus Queensway, City Centre – 2016/07479/PA

The Area Planning Manager (City Centre) drew Members' attention to a revised report that had been circulated with a new link to the associated planning documents. There were no changes to the proposal.

A Member commented on the application.

Upon being put to a vote it was 13 in favour, 0 against and 0 abstentions.

5032

RESOLVED:-

That advertisement consent be refused for the reasons set out in the report.

Report No 17 – Stephenson Street, Navigation Street, Station Street, Smallbrook Queensway, (Land Bounded By), New Street Railway Station, City Centre – 2016/07753/PA

Members commented on the application.

Upon being put to a vote it was 13 in favour, 0 against and 0 abstentions.

5033

RESOLVED:-

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

Report No 18 – Honduras Wharf (Phase 2), Summer Lane, City Centre – 2015/09060/PA

Upon being put to a vote it was 13 in favour, 0 against and 0 abstentions.

5034

RESOLVED:-

- (i) That the completion of a Deed of Variation to the existing S106 agreement relating to application no 2015/09060/PA as set out in the report be endorsed;

- (ii) that the City Solicitor be authorised to prepare, seal and complete the appropriate Deed of Variation.
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POLICY REPORTS

The following policy reports were submitted:-

(See document No 2)

Appeal Decisions Received from the Planning Inspectorate in September 2016

The Head of Planning Management introduced the report and responded to Members' comments.

5035

RESOLVED:-

That the schedule of appeal decisions received from the Planning Inspectorate in September 2016 be noted.

Amended Local Development Order – Advanced Manufacturing Hub, Aston, Birmingham

The Senior Planning Officer responded to Members' comments regarding the:- consultation exercise; proposed revisions to the Local Development Order; amendments to existing conditions.

Upon being put to a vote it was 13 in favour, 0 against and 0 abstentions.

5036

RESOLVED:-

- (i) That the responses to the consultation on the proposed amended Local Development Order for the Advanced Manufacturing Hub, Aston, Birmingham, be noted;
 - (ii) that approval be given to the proposed amended Local Development Order for the Advanced Manufacturing Hub, Aston, Birmingham, including associated conditions and boundary plan.
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VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS

5037

There were no site visits pending.

OTHER URGENT BUSINESS

The Chairman was of the opinion that the following item should be considered as a matter of urgency in view of the need to expedite consideration thereof and instruct officers to act:-

Article 4 Direction in Erdington

- 5038 The Head of Planning Management advised that the suggestion for the inclusion of an Article 4 Direction in Erdington was currently being considered by Officers and that Councillor Moore would receive a response in due course.
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AUTHORITY TO CHAIRMAN AND OFFICERS

- 5039 **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.

EXCLUSION OF THE PUBLIC

- 5040 **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 3
meeting.