

BIRMINGHAM CITY COUNCIL

PLANNING COMMITTEE
28 SEPTEMBER 2023

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON
THURSDAY, 28 SEPTEMBER 2023 AT 1100 HOURS IN COMMITTEE
ROOMS 3 & 4, COUNCIL HOUSE, BIRMINGHAM

PRESENT: - Councillor Martin Brooks in the Chair.

Councillors Diane Donaldson, David Barrie, Jack Deakin, Jane Jones, Mumtaz Hussain, Mahmood Hussain, Mohammed Idrees, Lee Marsham, Gareth Moore Rick Payne, Colin Green, and Yvonne Mosquito.

8212

INTRODUCTIONS

The Chair notified the Committee, that this was a quasi-judicial meeting and no decisions had been made in advance of the meeting. He highlighted Members who sat on this Committee were sitting as representatives of the Council as a whole and not Ward Councillors.

NOTICE OF RECORDING

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The Chair advised that this meeting would be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

DECLARATIONS OF INTEREST

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Councillor Marsham declared that he is a supporter and season ticket holder for Aston Villa.
Councillor Payne declared that he is a season ticket holder for Aston Villa.

APOLOGIES

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Councillors Shehla Moledina and Akhlaq Ahmed

CHAIR'S ANNOUNCEMENTS

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The Chair announced there was public speaking for items 6, 7, 8 and 11.

MINUTES

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The minutes of the meeting of the Committee held on 17th August 2023 having been circulated, were confirmed by the Committee and signed by the Chair.

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, TRANSPORT AND SUSTAINABILITY

The following reports were submitted:

(See Document No. 1)

PLANNING APPLICATIONS IN RESPECT OF THE CITY CENTRE

REPORT NO. 6 – THE RINGWAY CENTRE, SMALLBROOK QUEENSWAY 1-4, SMALLBROOK QUEENSWAY, BIRMINGHAM – 2022/08496/PA

The Principal Planning Officer (City Centre) confirmed the following updates:

- An amended floor plan was submitted for floors 1-8 of SBQ3, this amended the layout of units to accurately reflect the proposed housing mix.
- Two additional third-party objections have been received. The first makes points in relation to the existing building being an iconic building, there being no need for another multi storey building in the city, that there is scope to refurbish and renew the façade, any proposed extension should be the same height as the Rotunda and that refurbishment would align with the City's 'green' agenda. The second is from a developer with interest in some adjoining land at Thorp Street, expressing concern over some of the outline elements of SBQ1 stating that SBQ 1 in their view "would compromise the comprehensive and positive redevelopment of the wider city block" due to the scale of the proposal close to adjoining boundaries and land ownerships.
- At Section 6 of the report, Relevant Policy – under National Planning Policy, Section 14 - Meeting the challenge of climate change, flooding and coastal change should be listed.
- Paragraph 7.169 – incorrectly quotes the climate emergency commitments of the Council stating that the city will aim to "become a carbon neutral city by 2025" it should state that "the aspiration for the city is to become net zero carbon by 2030, or as soon as possible thereafter as a just transition allow".
- The bullet points at paragraph 7.102 and again at 7.236 incorrectly describe St Martins Church as Grade II, this should say Grade II* as is describe elsewhere in the report.

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- Paragraph 7.245 incorrectly states that the adverse impacts mentioned “do not outweigh the harm” this should state that the adverse impacts do not outweigh the benefits of the proposal.
- Condition 42 should read Outline: Reserved Matters Submission of Details of Public Realm for Relevant phase.
- Condition 64 should read Hybrid: Applications for Superseding Development

Two speakers made representations in favour of the application and an objector spoke against the application.

The Area Planning Manager (City Centre) responded to the comments made by the speakers.

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

Upon being put to a vote it was 7 in favour, 6 against and 0 abstention.

8218 **RESOLVED:** -

- (i) That planning permission be granted subject to the completion of a Section 106 legal agreement and conditions as set out in the report:
- (ii) that in the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 28th December 2023, or such later date as may be authorised by officers under powers hereby delegated, planning permission be refused for the reason(s) set out in the report; and
- (iii) that the City Solicitor be authorised to prepare, seal, and complete the appropriate legal agreement.

REPORT NO. 7 - LAND BOUNDED BY BRADFORD STREET, MOSELEY STREET, BARFORD STREET AND REA STREET, DIGBETH, BIRMINGHAM - 2021/05811/PA

A speaker spoke in favour of the application.

The Area Planning Manager (City Centre) confirmed there were no updates.

Members commented on the application and the Area Planning Manager (City Centre), and the Assistant Director of Planning responded thereto.

Upon being put to a vote it was 4 in favour of refusal, 7 against and 1 abstention.

Upon being put to a vote it was 7 agreeing the recommendation to approved, as set out in section 7 of the Report Back, 4 against and 1 abstention.

8219 **RESOLVED:** -

- (i) That planning permission be granted subject to the completion of a Section 106 legal agreement and conditions as set out in the report.
 - (ii) That in the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 24th November 2023, or such later date as may be authorised by officers under powers hereby delegated, planning permission be refused for the reason(s) set out in the report; and
 - (iii) that the City Solicitor be authorised to prepare, seal, and complete the appropriate legal agreement.
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**REPORT NO. 8 - 30-33 SHERBORNE STREET, LADYWOOD,
BIRMINGHAM, B16 8DE - 2021/08880/PA**

The Area Planning Manager (City Centre) confirmed the following updates:

- Received update to original report para 4.11 page 9 of 38 – LLFA support subject to conditions (as per condition 4 and 5 on page 27)

A supporter spoke in favour of the application.

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

Upon being put to a vote it was 11 in favour, 0 against and 1 abstention.

8220

RESOLVED: -

- (i) That planning permission be granted subject to the completion of a Section 106 legal agreement and conditions as set out in the report.
 - (ii) That in the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 21st December 2023, or such later date as may be authorised by officers under powers hereby delegated, planning permission be refused for the reason(s) set out in the report; and
 - (iii) that the City Solicitor be authorised to prepare, seal, and complete the appropriate legal agreement.
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**REPORT NO. 9 CAR PARK LAND ADJACENT TO QUEENSGATE
HOUSE, SUFFOLK STREET, QUEENSWAY, BIRMINGHAM, B1 1LX -
2022/07620/PA**

The Area Planning Manager (City Centre) confirmed there were no updates.

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

8221

RESOLVED: -

- (i) That planning permission be granted subject to the completion of a Section 106 legal agreement and conditions as set out in the report.
 - (ii) That in the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 21st December 2023, or such later date as may be authorised by officers under powers hereby delegated, planning permission be refused for the reason(s) set out in the report; and
 - (iii) that the City Solicitor be authorised to prepare, seal, and complete the appropriate legal agreement.
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PLANNING APPLICATIONS IN RESPECT OF THE SOUTH AREA

REPORT NO. 10 - 32 NEW IMPERIAL CRESCENT, TYSELEY, BIRMINGHAM, B11 3FL - 2023/04371/PA

The Principal Planning Officer (South) confirmed there were no updates.

Members commented on the application and the Principal Planning Officer (South) responded thereto.

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

8222 **RESOLVED:** -

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

REPORT NO. 11 - 1 VICARAGE ROAD, KINGS HEATH, BIRMINGHAM, B14 7QA - 2023/00568/PA

The Area Planning Manager (South) confirmed there were no updates.

An objector spoke against the application and a supporter spoke in favour of the application.

Members commented on the application and the Principal Planning Officer (South) responded thereto.

Upon being put to a vote it was 8 in favour, 4 against and 0 abstentions.

8223 **RESOLVED:** -

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

REPORT NO. 12 - 1256-1258 PERSHORE ROAD, STIRCHLEY, BIRMINGHAM, B30 2YA - 2023/04799/PA

The Principal Planning Officer (South) confirmed the following updates:

- Further comments have been received from the Lead Local Flood Authority (LLFA) confirming they have no objection to the scheme.

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

8224

RESOLVED: -

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

PLANNING APPLICATIONS IN RESPECT OF THE NORTH WEST AREA

REPORT NO. 13 - ASTON VILLA FOOTBALL CLUB, TRINITY ROAD, ASTON, BIRMINGHAM, B6 6HE - 2023/04905/PA

The Chair announced that he would be taking the discussion for items 13 and 14 together as they both relate to the listed planning consent for the same site.

The Area Principal Planning Officer (North West) confirmed there were no updates.

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

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

8225

RESOLVED: -

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

REPORT NO. 14 - ASTON VILLA FOOTBALL CLUB, TRINITY ROAD, ASTON, BIRMINGHAM, B6 6HE - 2023/04984/PA

The Area Principal Planning Officer (North West) confirmed there were no updates.

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

8226

RESOLVED: -

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

OTHER URGENT BUSINESS

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Councillor Moore raised concerns that Section 114 was not raised at the Committee, He further requested a report to come back to the next planning meeting.

AUTHORITY TO CHAIR AND OFFICERS

8227 **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.

8228 **AUTHORITY TO THE ASSISTANT DIRECTOR (PLANNING):**

If a Planning Committee meeting(s) are unable to be held in person and/or cancelled, the Assistant Director (Planning), in consultation with the Planning Committee, has authority to determine planning applications that would otherwise have been considered by the Committee.

The meeting ended 1220 hours.

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CHAIR