

BIRMINGHAM CITY COUNCIL

PLANNING COMMITTEE
14 MARCH 2024

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY 14 MARCH 2024 AT 1100 HOURS IN COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, BIRMINGHAM

PRESENT: - Councillor Martin Brookes in the Chair.

Councillors David Barrie, Mahmood Hussain, Lee Marsham, Colin Green, Gareth Moore, Jane Jones, Mohammed Idrees, and Rick Payne.

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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

8288

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

8289

Councillor Moore stated that he was contacted for item 11 but did not comment on it and would take part in the discussion.

The Chair did not declare an interest for the item in the other urgent business section but stated that he did not have any involvement in it, but did make subsequent recommendations to the Planning Inspectorate as there would be a planning inquiry on that application.

APOLOGIES

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Councillors Diane Donaldson, Mumtaz Hussain, Akhlaq Ahmed, Yvonne Mosquito and Jack Deakin.

MINUTES

8292 The minutes of the meeting of the Committee held on 1st February and 22nd February 2024 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 NORTH WEST AREA

REPORT NO. 6 - HILL WEST JUNIOR AND INFANT SCHOOL, CLARENCE ROAD, FOUR OAKS, SUTTON COLDFIELD, BIRMINGHAM, B74 4LD – 2023/05774/PA

The Area Planning Manager (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 9 in favour, 0 against and 0 abstention.

8293 **RESOLVED:** -

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

REPORT NO. 7 - LAND NORTH OF ICKNIELD SQUARE, BOUNDED BY ICKNIELD SQUARE, BIRMINGHAM MAIN LINE CANAL AND ICKNIELD PORT LOOP CANAL, LADYWOOD, BIRMINGHAM, B16 - 2023/03864/PA

The Area Planning Manager (North West) confirmed the following updates:

- A correction was required to the report in relation to the shared ownership units as they were reported as being subject to a 30% discount which was incorrect. The discount needs to be omitted for clarity.
- No changes were made to the first homes proposals which would still retain its 30% discount.
- The proposed car club bays would be provided on street within the public highway and would be located directly outside the development on Icknield Square.

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

Upon being put to a vote it was 9 in favour, 0 against and 0 abstention.

8294

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 29th May 2024, 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. 8 - WHS PLASTICS LTD, WATER ORTON LANE, SUTTON COLDFIELD, BIRMINGHAM, B76 9BG - 2023/06888/PA

The Area Planning Manager (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 9 in favour, 0 against and 0 abstention.

8295

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 7th May 2024, 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. 9 - WHS PLASTICS LTD, WATER ORTON LANE, SUTTON COLDFIELD, BIRMINGHAM, B76 9BG - 2023/06889/PA

The Area Planning Manager (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 9 in favour, 0 against and 0 abstention.

8296

RESOLVED: -

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

PLANNING APPLICATIONS IN RESPECT OF THE SOUTH AREA

REPORT NO. 10 - THE BOWLING CLUB, 129 WYCHALL LANE, KINGS NORTON, BIRMINGHAM, B38 8AH - 2023/05239/PA

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

- There was one further letter of support received with no further issues raised.

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

Upon being put to a vote it was 9 in favour, 0 against and 0 abstention.

8297

RESOLVED: -

That planning permission be refused for the reason(s) set out in the report.

REPORT NO. 11 - THE BEECHES, 76 SELLY OAK ROAD, BOURNVILLE, BIRMINGHAM, B30 1LS- 2023/07517/PA

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

- Proposed an additional condition restricting the use of the laundry room from 7AM to 10PM.
- The officer drew attention to the recommendation which secures 35% affordable housing. A 100% affordable housing is proposed, however the Council is only able to secure the policy compliant figure of 35% through a legal agreement. However, this does not stop the scheme being delivered as 100% affordable.
- There are no grounds to add a condition restricting the use to a period of 5 years as there is no planning harm arising from the use continuing longer if circumstances changed.
- The affordable rent units will be delivered at a 20% discount below market rents.

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

The Principal Planning Officer (South) agreed to remove the condition restricting the hours of use of the laundry room.

Upon being put to a vote it was 9 in favour, 0 against and 0 abstention.

RESOLVED: -

- (i) That the condition restricting the hours of use of the laundry room n be removed.
 - (ii) That planning permission be granted subject to the completion of a Section 106 legal agreement and conditions as set out in the report;
 - (iii) that in the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 12th April 2024, 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
 - (iv) 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 CITY CENTRE

REPORT NO. 12 - 90-97 BROAD STREET, BIRMINGHAM, B15 1AU - 2023/01324/PA

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

- An application has been submitted on the adjacent site of the former Zara's nightclub for a tower of 42 storeys above the listed building. The application was only just submitted and was under determination.

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

Upon being put to a vote it was 8 in favour, 0 against and 1 abstention.

8298

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 29th March 2024, 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. 13 - CLYDE STREET/HIGH STREET, LAND AT DIGBETH,
BIRMINGHAM, B12- 2023/07135/PA**

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

- Lead Local Authority have withdrawn their objection subject to sustainable drainage conditions.
- Received additional representations from Clarion stating that the applicants are a subsidiary of Clarion. Clarion will take all of the affordable units resulting from the scheme. They have also written to members with similar comments.
- Transportation raised no objections but noted that some coordination of works will be required with the sustainable drainage design.
- Received a late representation from Birmingham Airport who requested an instrument flight procedure assessment prior to the application's determination, along with conditions relating to construction strategy and a bird management plan.

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

The Chair asked for the report to be deferred to another meeting for further information, this was seconded by Councillor Marsham.

Upon being put to a vote it was 9 in favour, 0 against and 0 abstention.

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RESOLVED: -

That consideration of the application deferred for further information in relation to affordable housing and the correspondence from the airport.

**REPORT OF DIRECTOR OF BUILDING CONSULTANCY ACIVICO
BUILDING CONSULTANCY LIMITED**

The report author confirmed the following updates:

- There was a typo with the report about the implementation of date. The implementation was the 1st April 2024 not 2023.

Upon being put to a vote it was 9 in favour, 0 against and 0 abstention.

RESOLVED: -

The report was noted by members of the committee.

OTHER URGENT BUSINESS

**334-340 HIGH STREET AND 8-22 HARBORNE PARK ROAD, HARBORNE,
BIRMINGHAM - 2022/06737/PA**

The Principal Planning Officer (South) provided an overview of the report.

Councillor Barrie suggested that S106 monies should be directed towards public open space enhancements rather than affordable housing, this was seconded by Councillor Moore.

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

Upon the amendment being put to a vote it was 2 in favour, 7 against and 0 abstention.

Upon the original recommendation being put to a vote it was 9 in favour, 0 against and 0 abstention.

RESOLVED: -

Planning Committee endorsed the completion of a S106 agreement to secure the following contributions and its submission to the inquiry:

- a) £220,000 towards off-site affordable housing provision in South Birmingham;
- b) Agreement of the appellant to undertake 6 monthly parking surveys in local streets for a period of 3 years post the completion of the development with a financial contribution of £25,000 secured to undertake a Traffic Regulation Order to address any issues that have arisen.
- c) Payment of a monitoring and administration fee associated with the legal agreement of £8,575.

Sarah Scannell notified members that the next planning meeting has been cancelled due to lack of business.

The meeting ended 1139 hours.

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CHAIR