

BIRMINGHAM CITY COUNCIL

PLANNING COMMITTEE 2 MARCH 2017
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MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 2 MARCH 2017 AT 1100 HOURS IN COMMITTEE ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM

PRESENT:-

Councillor Sharpe in the Chair;

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

PUBLIC ATTENDANCE

- 5284 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

- 5285 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

Planning Committee Meetings

- 5286 The Chairman informed Members that meetings were scheduled to take place on 16, 30 March, 13 and 27 April 2017.

APOLOGIES

5287 Apologies were submitted on behalf of Councillor Henley.

MINUTES

5288 **RESOLVED:-**

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

MATTERS ARISING

5289 There were no matters arising.

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

Planning Application No 2017/00846/PA – Waitrose Food Store, 1332-1336 Stratford Road, Hall Green

5290 Councillor K Jenkins 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 detrimental impact the proposal might have on residential amenity.

PETITIONS

5291 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 – Former North Worcestershire Golf Club, Land off Frankley Beeches Road/Hanging Lane/Elan Road/Josiah Road/Tessall Lane, Northfield – 2016/02717/PA

The Committee was advised that the application had been withdrawn from the planning register by the applicant.

5292 **RESOLVED:-**

That it be noted that the application had been withdrawn from the planning register by the applicant.

Report No 9 – Former Flight Shed Yard, Land at the Corner of Lowhill Lane and Groveley Lane, Longbridge – 2016/09170/PA

The Principal Planning Officer (South) advised that he wished to add a second recommendation.

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

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

5293 **RESOLVED:-**

- (i) That approval be given to the reserved matters relating to appearance, landscaping, layout and scale pursuant to outline planning permission no 2013/06429/PA, as amended by planning application no 2016/09170/PA subject to the conditions set out in the report;
- (ii) that approval be given to the details submitted pursuant to the following conditions of outline planning permission no 2013/06429/PA:-

Condition 18 – hard surfacing details.

Condition 19 – boundary treatment details.

Report No 10 – Unit 5 Avery Dell Trading Estate, Lifford Lane, Stirchley – 2016/09468/PA

A Member commented on the application.

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

5294

RESOLVED:-

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

Report No 11 – 60 York Road, Kings Heath – 2016/09442/PA

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

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

5295

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 12 – Land Bounded by Sheepcote Street/Broad Street/Oozells Way, City Centre – 2016/08890/PA

The Area Planning Manager (City Centre) gave details of comments received from the Victorian Society regarding the proposal.

In referring to recommendation 8.1 c), she advised that the monitoring and administration fee associated with the legal agreement should read £7,000.

The Head of Planning Management advised that there would be no public speaking as there was no-one present to speak in opposition to the proposal.

Members commented on the application and the Area Planning Manager (City Centre), Transport Manager and Head of Planning Management responded thereto.

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

5296

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 c) to read:

Payment of a monitoring and administration fee associated with the legal agreement of £7,000.

- (ii) that, in the event of the above legal agreement not being completed to the satisfaction of the local planning authority on or before 2 April 2017, planning permission be refused for the reasons set out in the report;
- (iii) that, in the event of the legal agreement being completed to the satisfaction of the local planning authority on or before 2 April 2017, 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 13 – Former Westminster Works, Alcester Street, Digbeth – 2016/08279/PA

Members commented on the application.

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

5297

RESOLVED:-

- (i) That consideration of the application be deferred pending the completion of a suitable legal agreement as set out in the report;
 - (ii) that, in the event of the above legal agreement not being completed to the satisfaction of the local planning authority on or before 28 March 2017, planning permission be refused for the reasons set out in the report;
 - (iii) that, in the event of the legal agreement being completed to the satisfaction of the local planning authority on or before 28 March 2017, favourable consideration would be given to the planning application subject to the conditions set out in the report;
 - (v) 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 East Area

Report No 14 – 155 New Coventry Road, Sheldon – 2017/00034/PA

The Area Planning Manager (East) advised that additional objections had been received from Councillors Anderson and M Ward.

There had been 97 further objections received from local residents in relation to the amended description of development.

A representation in support of the proposal had also been received.

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

Upon being put to a vote it was 10 in favour, 3 against and 0 abstentions.

5298 **RESOLVED:-**

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

Councillors C Jones and Linnecor wished to be recorded as having voted against the recommendation.

Report No 15 – Land Adjacent 7 Osborne Road South, Erdington – 2016/09609/PA

In referring to paragraph 4.5 of the report, Councillor Moore advised that he had not objected to the proposal but had requested that the application be considered by the Committee in light of concerns regarding the impact the proposal might have on the trees and residential amenity.

Members commented on the application and expressed concern that protected trees had been removed from the site without the relevant permission.

The Area Planning Manager (East) and Head of Planning Management responded to Members' comments.

The Chairman suggested and it was agreed that the application premises be targeted.

Upon being put to a vote it was 6 in favour, 4 against and 3 abstentions.

5299 **RESOLVED:-**

- (i) That planning permission be granted subject to the conditions set out in the report;

- (ii) that the application premises be targeted.
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**Report No 16 – R66, A45 Coventry Road, Heybarnes Circus,
Fordrough Road, Small Heath – 2017/00515/PA**

Members commented on the application.

Upon being put to a vote it was 8 in favour, 4 against and 1 abstention.

5300

RESOLVED:-

That temporary advertisement consent be granted subject to the conditions set out in the report.

Planning Applications in Respect of the North West Area

**Report No 17 – Blakelands House, 400 Aldridge Road, Great Barr –
2016/09859/PA**

Councillor Linnecor declared an interest and left the meeting during consideration of the item.

The Area Planning Manager (North West) advised that a resident had commented on access and ownership of the land adjacent to the application site. However, that was not a matter that could be taken into consideration as part of this application.

He added that Councillor Linnecor had raised concerns regarding the impact the proposal would have on traffic.

Members commented on the application and expressed concern regarding highway safety and access to the site, the impact on traffic and potential for increased parking within the immediate vicinity, particularly on the grass verge. Members agreed to add a condition to protect the grass verge and prevent unauthorised and/or dangerous parking.

The Area Planning Manager (North West), Transport Manager, Head of Planning Management and the Head of Law (Economy) responded to Members' comments.

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

5301

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report and amended below:-

New Condition 14:

Prevention of Unauthorised and/or Dangerous Parking.

Prior to the first use of the building for the purpose proposed, a scheme of measures aimed at preventing unauthorised and/or dangerous parking on the Aldridge Road frontage to the site shall be submitted to and approved by the Local Planning Authority and the approved scheme fully implemented.

Reason: In order to safeguard highway safety in accordance with policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

Report No 18 – College Road/Dean Close, Land at, Kingstanding – 2016/09988/PA

The Area Planning Manager (North West) advised that revised plans, showing a change to the position of the building, had been submitted and he, therefore, wished to amend the conditions.

Members commented on the application.

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

5302

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report and amended below:-

Amended Condition 18:

Requires the Scheme to be in Accordance with the Listed Approved Plans.

The development hereby approved shall be implemented in accordance with the details submitted with the application and shown on drawing numbers site location plan 16112 (PI) 001, existing site plan 16112 (PI) 002, existing site sections 16112 (PL) 003, proposed ground floor 16112 (PL) 100, proposed first floor 16112 (PL) 101, proposed second floor 16112 (PL) 102, proposed roof plan 16112 (PL) 103, proposed elevations 16112 (PL) 200, proposed and existing site section A-A 16112 (PI) 300, proposed and existing site section B-B 16112 (PI) 301, proposed site plan 16112 (PL) 400 B, indicative material - west elevation 16112 (PI) 500*, indicative materials - south elevation 16112 (PI) 501* and site sections 16112 (PL) A.

Reason: In order to define the permission in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

Report No 19 – Boldmere Education Centre and Sutton Nursery School, St Michael's Road, Boldmere, Sutton Coldfield – 2017/00688/PA

The Area Planning Manager (North West) advised that Sutton Town Council had objected to the proposal, although no specific details had been provided.

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

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

5303 **RESOLVED:-**

That it be noted that prior approval be required and that planning permission be granted subject to the conditions set out in the report.

VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS

5304 There were no site visits pending.

OTHER URGENT BUSINESS

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

A. Article 4 Direction in Erdington

5305 In response to a question, the Head of Planning Management advised Councillor Moore that officers were dealing with his request for the consideration of an Article 4 Direction in Erdington and that he would receive a response in due course.

B. Former North Worcestershire Golf Club, Land off Frankley Beeches Road/Hanging Lane/Elan Road/Josiah Road/Tessall Lane, Northfield – 2016/02717/PA

5306 The Head of Planning Management advised Councillor Douglas Osborn that, as he had been recorded as having commented on the application prior to the meeting, if the application had not been withdrawn by the applicant, he would not have been able to take part in the debate.

However if, in the meantime, Councillor Douglas Osborn did not make any further comments and another application was received then he would be able to take part in the debate and vote on the recommendation.

C. Spirit of Enterprise Statue

- 5307 Councillor Douglas Osborn expressed his disappointment that the Spirit of Enterprise statue would not be returned to Centenary Square and hoped that another location could be found within the city centre.
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AUTHORITY TO CHAIRMAN AND OFFICERS

- 5308 **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

- 5309 **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.