

BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE
11 JANUARY 2024**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON
THURSDAY 11 JANUARY 2024 AT 1100 HOURS IN COMMITTEE ROOMS 3
& 4, COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Martin Brookes in the Chair.

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

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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

8276

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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None submitted.

APOLOGIES

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Councillors Mumtaz Hussain and Akhlaq Ahmed.

CHAIR'S ANNOUNCEMENTS

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None submitted.

MINUTES

8280

The minutes of the meeting of the Committee held on 21st December 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 NORTH WEST AREA

REPORT NO. 6 - 1B HERBERT ROAD, HANDSWORTH, BIRMINGHAM, B21 9AE- 2023/00822/PA

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

- There is an application missing from the planning history section of the officer report. A lawful development certificate for the proposed use as a care home for maximum three children and two carers was refused on the 17th of January 2023.
- Correspondence has been sent direct to members of planning committee and officers, including copies of objections submitted from Residents groups and last night correspondence from a representative from Handsworth Fire Station was forwarded to us, who made observations on how the service would tackle an incident or fire at the property.
- Received representation from Antrobus Road Residents Action Group reiterating matters that have been reported in the officer report.
- Representation from Hinstock Philip Victor Residents Association has been received reiterating matter that have also been reported in the officer report. This representation has also been forwarded to the local authority separately by 10 local residents.
- 6 further representations were received from local residents raising a number of points that aren't reported in the original officer report and this relates to the concern over the consultation from the Council and the applicant on the proposal, they question the claim that the applicants know the area well, listing local amenities and organisations have no relevance to the site or proposal, a lack of transparency on the number of children, creation of a HMO, concerns over the proximity to existing HMOs and exempt accommodation, and possible impact on the private rights of way of other properties.
- In response to the new points that have not been addressed in the planning considerations section of the officer report, in planning terms

the impact of tackling a fire at the property is a neutral impact in officers' views as it is an existing residential property.

- Consultation on the application from the Council was undertaken in accordance with the Council's adopted statement of community involvement and any possible impact on private rights of way is a private civil matter.

A speaker spoke against the application and a speaker 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 9 in favour, 1 against and 0 abstention.

8281

RESOLVED: -

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

**REPORT NO. 7 - FORMER ROYAL WORKS, COLESHILL STREET,
SUTTON COLDFIELD, BIRMINGHAM - 2022/00861/PA**

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

- Transportation Development have requested the financial contributions towards highway works as detailed in the report should be updated to reflect the latest cost.
- The fund to review and implement the TRO has increased from £10,000 to £18,000, the pedestrian friendly measures has increased from £5000 to £8000, though the flashing speed sign remains unchanged at £7000. This represents an increase of £11,000. The applicant has agreed to this change.

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, 0 against and 0 abstention.

8282

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 and the verbal update;
- (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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PLANNING APPLICATIONS IN RESPECT OF THE CITY CENTRE

REPORT NO. 8 - 240 HOLLIDAY STREET - CAR PARK ADJACENT, BIRMINGHAM, B1 1SJ- 2022/04557/PA

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

- There is a formatting error in the numbering in the report which is not consistent.
- Recommendation is set out in paragraphs 10.1 through 10.4 and the recommendation at the end of the report should read 'approve subject to conditions'.
- In Section 4, a revised national planning policy framework was issued just before Christmas, therefore some of the paragraph references have changed.
- The outcome following the independent assessment is that the scheme could afford 12% affordable housing, which equated to 11 units at 20% discount which is the equivalent of just over £700,000 in monetary terms.
- The recommendation in the report recommends 7 units which is 7% but target larger units and a greater discount.

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

Upon being put to a vote it was 5 in favour, 5 against and 0 abstention. The chair voted in favour, with the casting vote.

8283

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 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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PLANNING APPLICATIONS IN RESPECT OF THE EAST AREA

REPORT NO. 9 - BROOKSIDE WORKS, TYSELEY INDUSTRIAL ESTATE, SEELEYS ROAD, TYSELEY, BIRMINGHAM, B11 2LQ - 2023/01939/PA

Planning Committee – 11 January 2024

The Area Planning Manager (East) confirmed that ~~Principal Planning Manager (City Centre)~~ there were no updates.

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

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

8284 **RESOLVED:** -

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

OTHER URGENT BUSINESS

None submitted.

AUTHORITY TO CHAIR AND OFFICERS

8285 **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.

8286 **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 1139 hours.

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CHAIR