

BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE
9 NOVEMBER 2023**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON
THURSDAY, 9 NOVEMBER 2023 AT 1100 HOURS IN COMMITTEE ROOMS
3 & 4, COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Martin Brooks in the Chair.

Councillors Diane Donaldson, Colin Green, David Barrie, Mahmood Hussain, Mumtaz Hussain, Jane Jones, Mohammed Idrees, Rick Payne 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.

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NOTICE OF RECORDING

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.

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DECLARATIONS OF INTEREST

Councillor Moore declared that he was a member of Erdington Conservative Club which was in referenced in Item 7, furthermore he also declared that he had been contacted by residents but had not expressed any opinions on the application.

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APOLOGIES

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

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CHAIR'S ANNOUNCEMENTS

The Chair announced there was public speaking for item 6.

MINUTES

8246 The minutes of the meeting of the Committee held on 19th October 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 EAST AREA

REPORT NO. 6 - 430 TYBURN ROAD, ERDINGTON, BIRMINGHAM, B24 8HP - 2023/03068/PA

The Area Planning Manager (East) confirmed the following updates:

- The Canal and River Trust did not express any comments on the application.
- Gravelly Hill forum wrote to say they requested that the application not be determined as inadequate.
- Public consultation was carried out, they advised that they canvassed the properties between 201-242 Wheelwright Road and not one resident or business owner had received any correspondence about this development.
- Statutory signposts were posted, and 23 local occupiers were notified on Wheelwright Road, Tyburn Road and Orlean Road therefore, consultation was carried out.
- Had a significant number of objections and a public meeting on 9th October.

There was public speaking for this report. A speaker and Councillor Mick Brown spoke against the application and a support spoke in favour of the application.

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

Upon being put to a vote it was 9 in favour, 0 against and 1 abstention.

8247 **RESOLVED:** -

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

REPORT NO. 7 - LAND AT ORPHANAGE ROAD TO THE EAST OF NEXUS POINT, ERDINGTON, BIRMINGHAM, B23 - 2022/09302/PA

The Area Planning Manager (East) confirmed the following updates:

- Paragraph 1.1 should read 37 one beds with 16 two beds.
- The number of apartments 53 remains unchanged.
- Received further comments from Councillor Robert Alden highlighting his support for the application, however he was disappointed that the design of the building has not considered the stone frames around windows and doors which is a common feature in the area.
- Received a comment from a local occupier, Gareth Moore and Robert Alden. The local occupier supports the proposed use on this site which has been vacant since 2016. However, they have requested a public access be provided to the Lidl store from the site. This was raised with the applicant who is unwilling to do that as the site would be occupied by elderly persons and there would be security and safeguarding issues if public access was allowed.
- In terms of the recommendation, it was added that there will be a monitoring fee of £1500.

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

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

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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 16th February 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.

PLANNING APPLICATIONS IN RESPECT OF THE SOUTH AREA

REPORT NO. 8 - Highbury Hall, 4 Yew Tree Road, Moseley, Birmingham, B13 8QG3FL - 2023/05977/PA

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

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- Received updated comments from Moseley Society, the comments were already provided in the report. However, they offered their support for the listed building consent application formally.

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

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

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RESOLVED: -

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

REPORT NO. 9 - Highbury Hall, 4 Yew Tree Road, Moseley, Birmingham, B13 8QG3FL - 2023/05983/PA

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

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RESOLVED: -

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

106 Stonor Road, Hall Green, Birmingham, B28 0QS - 2023/05359/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 10 in favour, 0 against and 0 abstention.

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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

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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.

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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 1142 hours.

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CHAIR