

BIRMINGHAM CITY COUNCIL

PLANNING COMMITTEE
16 JUNE 2022

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 16 JUNE 2022 AT 1100 HOURS IN ROOMS 3&4 COUNCIL HOUSE, BIRMINGHAM

PRESENT: - Councillor Martin Brooks in the Chair;

Councillors Mohammed Azim, Diane Donaldson, Gareth Moore, Colin Green, Mahmood Hussain, Lee Marsham, Shehla Moledina, Rick Payne and Lauren Rainbow.

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INTRODUCTION

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, and the Committee noted, that the meeting would be webcast for live or subsequent broadcast via the Council's YouTube channel (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and members of the press/public could record and take photographs except where there were confidential or exempt items.

DECLARATIONS OF INTEREST

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The Chair reminded Members that they must declare all relevant pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared, a Member must not speak or take part in that agenda item. Any declarations will be recorded in the Minutes of the meeting. The Chair noted that Members should also express an interest if they had expressed a view on any of the applications being considered at the meeting and take no part in the consideration of the item.

APOLOGIES

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Councillors David Barrie, Jane Jones, Mumtaz Hussain, Shabina Bano,

CHAIR'S ANNOUNCEMENTS

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The Chair announced there was public speaking for Items 10 and 11.

Councillor Moore expressed for Item 15 that he is a trustee in the LGBT charity and will not be taking part in that item.

Councillor Marsham stated that Item 14 he is a tenant nearby but not directly connected to the application. Furthermore, Councillor Marsham stated that item 19 is in his ward however he has not been contacted about it and will therefore be taking part.

Councillor Rainbow stated that for Item 14 she works for the MP who has objected to the application and would therefore not be taking part in that item.

Councillor Azim was recommended as a deputy Chair and seconded for the post which was agreed by all members.

MINUTES

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The Minutes of the meeting of the Committee held on 28 April 2022, 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. 9 - CHAIN WALK/LOZELLS ROAD/BIRCHFIELD ROAD, LAND ADJACENT 9 LOZELLS ROAD, LOZELLS, BIRMINGHAM, B19 2TN-2021/08684/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.

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RESOLVED: -

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

REPORT NO. 10 – 4 CARLTON CLOSE, SUTTON COLDFIELD, BIRMINGHAM, B75 6BX - 2021/06183/PA

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

- Received further representation from RSCTC advising that their previous objections remain.
- Received further representation from local resident reiterating previous objections and also adding that the plans don't mention the height of the houses and to consider the environmental impact of demolishing a perfectly good house.
- Scale is a matter reserved for later consideration under a reserved matters application.
- The environmental impact of demolition is recognised which needs to be balanced against a more efficient use of land in an appropriate manner and location and also within the context of the Council's current 5 year housing supply.

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

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

Upon being put to a vote it was 6 in favour, 3 against and 0 abstention.

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RESOLVED: -

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

PLANNING APPLICATIONS IN RESPECT OF THE EAST AREA

REPORT NO. 11 - ABBEYROSE NURSING HOME, 34-38 ORCHARD ROAD, ERDINGTON, BIRMINGHAM, B24 9JA– 2020/09673/PA

The Principal Planner (East) confirmed there were no updates.

Councillor Alden spoke against the application and a supporter spoke in favour of the application.

Members commented on the application and the Principal Planner (East) responded thereto.

The Principal Planner (East) stated that the buildings are listed as local assets due to their contribution to the character of the area. The views of the Council's conservation officer states that the proposal would not impact upon the listed building.

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In terms of existing heritage assets the buildings are not protected by a preservation order and are not in a conservation area. They also not that uncommon in Birmingham. 3 of the villas are being converted into a care home. The 3 buildings have been adapted inside making them difficult to reconvert.

The proposal will step out into the corner of 6 bays which will give it a stronger feature, the design solution has good connections to Erdington town centre.

Upon being put to a vote for the listed building consent it was 7 in favour, 2 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 19th August 2022, 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.12 - LAND AT WEST LONGBRIDGE, WEST AND NORTH OF THE A38 BRISTOL ROAD SOUTH, FORMER MG FACTORY SITE, LONGBRIDGE, BIRMINGHAM, B45 – 2021/06547/PA

The Area Planning Manager (South) confirmed that there were no updates and provided a summary of the report.

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

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

7984

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 back and the original report
 - (ii) that in the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 17 March 2022 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 - 189 WEOLEY AVENUE, SELLY OAK, BIRMINGHAM,
B29 6PU– 2022/00007/PA**

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

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

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

7985

RESOLVED: -

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

**REPORT NO.14 - 3, 5 AND 7 ST AUGUSTINES ROAD, EDGBASTON,
BIRMINGHAM, B16 9JU - 2021/09798/PA**

The Area Planning Manager (South) confirmed the following update:

- There is a correction at paragraph 5.1 – should be 5 objections instead of 3.

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

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

7986

RESOLVED: -

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

PLANNING APPLICATIONS IN RESPECT OF THE CITY CENTRE

**REPORT NO. 15 - LAND AT LOWER ESSEX STREET, HURST STREET AND
SHERLOCK STREET, BIRMINGHAM - 2021/05033/PA**

Councillor Moore withdrew from the meeting.

The Area Planning Manager (City Centre) provided an update in relation to a further representation received from Councillor Moore.

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 0 abstention.

7987

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 July 2022 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. 16 - CORNER OF PRINCIP STREET AND LOWER LOVEDAY STREET, NEWTOWN, BIRMINGHAM, B4 - 2021/08717/PA

Councillor Moore returned to the meeting.

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

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

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

7988 **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 July 2022 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. 17 - PLOT F, LAND AT AND BOUNDED BY PARADISE CIRCUS QUEENSWAY AND SURROUNDINGS INCLUDING CHAMBERLAIN SQUARE AND PARADISE STREET, BIRMINGHAM, B3 3HJ - 2021/08105/PA

The Area Planning Manager (City Centre) provided an update which comprised of a response by the applicant to the Victorian Society's objection.

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

7989 **RESOLVED: -**

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

REPORT NO. 18 - 215 BRADFORD STREET, DIGBETH, BIRMINGHAM, B12 0RG - 2020/08279/PA

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

The City's independent financial consultants have confirmed that in the rented scenario the commuted sum in lieu of affordable housing would be £222,054.47. Therefore, it is proposed to amend part of the resolution to read:

Or

aii) 13 apartments in total at a 20% discounted rent on site comprising:

- ☐ 7 x 1 bed;
- ☐ 6 x 2 bed; and
- ☐ a commuted sum of £222,054.47 (index linked from the 16th June 2022) in lieu of First Homes to a discount of 30% on 4 units.

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

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

7990

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 as amended by the update
 - (ii) that in the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 8th July 2022 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. 19 - LAND OFF CURZON STREET NO.3 AND A4540 LAWLEY MIDDLEWAY, BIRMINGHAM, B4 - 2022/00622/PA

The HS2 Specialist Officer confirmed the following updates:

- Additional comments received from Canals and Rivers Trust noting that they supported the additional welded weathering steel plate to prevent birds perching on particular parts of the structure would be an acceptable solution but that the wire system in terms of a bird roosting deterrent cause concern in relation to it being another change in material, its overall effectiveness, maintenance and precedence for its use on other

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similar structures. The solution should be to design out the bird roosting issue.

- The currently proposed run off channel/groove should be on the non-canal facing elevation of the piers (not canal facing as shown at present).

Members commented on the application and the HS2 Specialist Officer responded thereto.

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

7991 **RESOLVED: -**

That the request for Plans and Specifications under paragraph 3 of Schedule 17 of the High Speed Rails (London-West Midlands) Act 2017 be granted for approval subject to the conditions set out in the report.

OTHER URGENT BUSINESS

Extra dates for pre-application meetings will be given out to members for 7th July.

AUTHORITY TO CHAIR AND OFFICERS

7992 **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.

7993 **AUTHORITY TO THE ASSISTANT DIRECTOR (PLANNING):**

In the event that 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 1224 hours.

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CHAIR