

# BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE  
8 NOVEMBER 2018**

## **MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 8 NOVEMBER 2018 AT 1100 HOURS IN COMMITTEE ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

### **PRESENT:-**

Councillor Karen McCarthy in the Chair;

Councillors Mohammed Azim, Bob Beauchamp, Maureen Cornish, Mohammed Fazal, Peter Griffiths, Adam Higgs, Keith Linnekor, Saddak Miah, Gareth Moore and Mike Ward.

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### **PUBLIC ATTENDANCE**

- 6533 The Chair welcomed members of the public to the meeting, indicating that a leaflet had been circulated explaining how the Committee operated. She stressed that, because the Committee was a quasi-judicial one, no decisions had been made before the meeting.

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### **NOTICE OF RECORDING**

- 6534 The Chair advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site ([www.civico.net/birmingham](http://www.civico.net/birmingham)) and members of the press/public could record and take photographs except where there were confidential or exempt items.

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### **DECLARATIONS OF INTEREST**

- 6535 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.

**CHAIR'S ANNOUNCEMENTS**

- 6536 The Chair informed Members that meetings were scheduled to take place 22 November and the 6 and 20 of December 2018.

The Chair advised that two training sessions had been arranged for Thursday 15 November 2018 and she reminded Members to advise the training facilitator as soon as possible of which training session they will be individually attending.

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**APOLOGIES**

- 6537 Apologies were submitted on behalf of Councillors Safia Akhtar, Julie Johnson, Lou Robson and Lucy Seymour-Smith for their inability to attend the meeting.
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**MINUTES**

- 6538 **RESOLVED:-**

That the Minutes of that part of the meeting of the Committee open to the public held on 25 October 2018 be noted.

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**MATTERS ARISING**

**A. HMO's and Regulated Providers**

- 6539 The Chair advised that no answer will be provided in Committee today but she had had confirmation from licensing that registered providers do not have to apply for a HMO licence. No particular planning exemptions had been identified but an answer will be available at the next meeting of this Committee.

Councillor Gareth Moore expressed concern at the length of time it had taken to receive a response to his question and asked the Chair to look at a property on Coventry Road and also a property in the Kingstanding Ward.

**B. Curzon Transportation Plan**

- 6540 The Chair advised that the Curzon Transportation Plan was imminent but unfortunately not available for discussion at today's Committee meeting.
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**NOTIFICATIONS BY MEMBERS OF PLANNING APPLICATIONS THAT THEY CONSIDER SHOULD BE DETERMINED BY COMMITTEE**

- 6541 No notifications were received.
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**PETITIONS**

- 6542 No petitions were submitted.

**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 CORPORATE DIRECTOR, ECONOMY**

The following reports were submitted:-

(See Document No. 1)

**Planning Applications in Respect of the City Centre Area**

**Report No 9 – Sherborne Wharf, Land to the South of Birmingham Canal old line, Birmingham – 2018/04965/PA**

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

An objector spoke against the application.

A supporter spoke in favour of the application.

The Area Planning Manager (City Centre) responded to comments made by the objector and the supporter.

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

In response to comments raised the Area Planning Manager (City Centre) agreed that there was a need for an additional condition to be submitted to the recommendations to include a lighting scheme on the site.

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

6543

**RESOLVED:-**

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

- Extra Condition:

**Requires the submission of a lighting scheme:**

The development hereby approved shall not be brought into use until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The detailed lighting scheme shall include site annotated plans showing lighting positions for the external spaces, facades, building elevations and structures they illuminate, site plans showing horizontal and vertical overspill to include light trespass and source intensity, affecting surrounding residential premises and details of the lighting fittings including: colour, watts and periods of illumination. All lighting works shall be implemented

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in accordance with the approved details and shall be completed prior to the first use of the building and thereafter maintained.

### **Reason:**

To ensure a high quality of external environment, to complement the development proposals, and to protect and reinforce local character in accordance with Policy PG3 of the Birmingham Development Plan 2017, saved Paragraph 3.14 of the Birmingham UDP 2005, Places for All SPG, Lighting Places SPD and the National Planning Policy Framework.

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### **Report No 10 – 6-9 Ernst Street, Birmingham, B1 1NS – 2018/04410/PA**

6544 Members were advised that the application had been withdrawn by the applicant.

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### **Report No 11 – 23-34 Cliveland Street, City Centre, Birmingham, B19 3SH – 2018/04626/PA**

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

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

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

6545 **RESOLVED:-**

- (i) That consideration of the planning 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 30 November 2018, planning permission be refused for the reasons set out in the report;
- (iii) that, in the event of the above legal agreement being completed to the satisfaction of the Local Planning Authority on or before 30 November 2018, planning permission be approved 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.

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### **Report No 12 – 65-77 Summer Row, Birmingham, B3 1LB – 2018/04369/PA**

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

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

6546 **RESOLVED:-**

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

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The Chair advised that discussions on agenda item report no's 13 and 14 will be taken as one.

**Report No 13 – 301 Broad Street, Former Birmingham Municipal Bank, City Centre, Birmingham, B1 2DR – 2018/06605/PA**

The Area Planning Manager (City Centre) stated that there were no updates on both reports.

Members welcomed both planning applications.

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

6547 **RESOLVED:-**

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

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**Report No 14 – 301 Broad Street, Former Birmingham Municipal Bank, City Centre, Birmingham, B1 2DR – 2018/06627/PA**

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

6548 **RESOLVED:-**

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

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**Planning Applications in Respect of the North West Area**

**Report No 15 – Cheston Road Energy Centre, 125 Cheston Road, Birmingham, B7 5AE – 2018/06399/PA**

The Area Planning Manager (North West) stated that there were no updates.

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

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

6549 **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 16 – The Clock Tower Building, Former Martineau Centre, Balden Road, Harborne, Birmingham, B32 2EH – 2018/05364/PA**

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

Members supported the reasons for refusal in the report submitted.

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

6550 **RESOLVED:-**

That planning permission be refused for the reasons set out in the report.

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**Report No 17 – Pickwick Cricket Club, Windermere Road, Moseley, Birmingham, B13 9QD – 2018/05524/PA**

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

Councillor Mike Ward requested a deferral to the report as three local residents had recently raised objections to the application. He was unsure as to whether the correct consultation procedure had been followed.

The Chair put the motion to the Committee but it was not seconded.

Councillor Mike Ward then requested that an additional condition be included as suggested by Environmental Services to restrict the venue from weddings and late night entertainment.

The Chair put the motion to the Committee and it was seconded by Councillor Keith Linnecor.

Upon being put to a vote to include an additional condition it was 5 in favour, 0 against and 5 abstentions.

The Chair then requested that Members vote on the application, as per the amended recommendation, and upon being put to a vote it was 10 in favour, 0 against and 0 abstentions.

6551 **RESOLVED:-**

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

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- Extra condition:

Prevents weddings and other major events to take place on site:

The development hereby approved shall not be used for festivals, funerals, weddings or civil partnerships.

Reason:

In order to define the permission, ensure adequate car parking and protect the amenities of occupiers of dwellings/premises in the vicinity in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

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### **Report No 18 – 580 Bristol Road, Selly Oak, Birmingham, B29 6AF – 2018/07596/PA**

The Area Planning Manager (South) stated that there were updates in relation to paragraph 1.1 of the report in that changes to the hours of use related to the restaurant/café use.

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

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

6552 **RESOLVED:-**

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

- Amend Condition 1;

Limits the hours of use of the restaurant/café use (10:00-03:00).

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### **VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS**

6553 There were no site visits pending.

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### **OTHER URGENT BUSINESS**

6554 No items of other urgent business were raised.

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**AUTHORITY TO CHAIRMAN AND OFFICERS**

6555 **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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**EXCLUSION OF THE PUBLIC**

6556 **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 meeting.

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