

# BIRMINGHAM CITY COUNCIL

<b>PLANNING COMMITTEE</b> <b>16 MARCH 2017</b>
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## **MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 16 MARCH 2017 AT 1100 HOURS IN COMMITTEE ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

### **PRESENT:-**

Councillor Sharpe in the Chair;

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

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### **PUBLIC ATTENDANCE**

- 5313      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.

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### **NOTICE OF RECORDING**

- 5314      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](http://www.birminghamnewsroom.com)) and members of the press/public could record and take photographs except where there were confidential or exempt items.

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### **CHAIRMAN'S ANNOUNCEMENTS**

#### **Planning Committee Meetings**

- 5315      The Chairman informed Members that meetings were scheduled to take place on 30 March, 13 and 27 April 2017.

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### **APOLOGIES**

- 5316      Apologies were submitted on behalf of Councillor T Ali.

**MINUTES**

5317 **RESOLVED:-**

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

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**MATTERS ARISING**

5318 There were no matters arising.

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

**A. Planning Application No 2017/01853/PA – 10 Orchard Road, Erdington**

5319 Councillor Beauchamp 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 appropriateness of the development, loss of privacy and change of use.

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**B. Planning Application No 2017/01099/PA – 12 Orchard Road, Erdington**

5320 Councillor Beauchamp 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 appropriateness of the development, loss of privacy and change of use.

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**PETITIONS**

5321 No petitions were received.

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**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 North West Area**

**Report No 8 – 11-15 Sherifoot Lane, Sutton Coldfield – 2016/08023/PA**

The Principal Planning Officer (North West) advised that the application was for determination and drew Members' attention to the additional information and suggested reasons for refusal detailed in the 'report back'.

Members reiterated their concern at the proposed demolition of two existing bungalows and the erection of five two-storey dwellings which they considered would be too intensive, unacceptable and inappropriate for the location.

The Principal Planning Officer (North West) responded to Members' comments.

Councillor Cornish proposed and it was seconded by Councillor Linnecor that planning permission be refused for the reasons set out in the report and upon being put to a vote it was 12 in favour, 0 against and 1 abstention.

5322 **RESOLVED:-**

That planning permission be refused for the reason(s) set out in the report.

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**Report No 9 – McDonald's Restaurant, College Road, Kingstanding – 2017/00788/PA**

The Committee was advised that the application had been withdrawn from the agenda by the Director of Planning and Regeneration.

5323 **RESOLVED:-**

That it be noted that the application had been withdrawn from the agenda by the Director of Planning and Regeneration.

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**Planning Applications in Respect of the East Area**

**Report No 10 – 95 Willows Road, Balsall Heath – 2016/09630/PA**

Councillor Henley declared an interest and left the room during consideration of the item.

The Principal Planning Officer (East) advised that the application was for determination and drew Members' attention to the additional information and suggested reasons for refusal detailed in the 'report back'.

He gave details of further representations that had been received from an objector, advised that the applicant had submitted revised plans increasing the number of car parking spaces from two to three and he requested an additional condition regarding the provision of pedestrian visibility splays.

Members commented on the additional information and the Principal Planning Officer (East) and the Area Planning Manager (South) responded to Members' comments.

Councillor Straker Welds proposed and it was seconded by Councillor Williams that planning permission be granted as recommended in the original report and upon being put to a vote it was 4 in favour, 3 against and 5 abstentions.

5324

**RESOLVED:-**

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

Amended Condition 4:

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 16039 100 Rev A; 16039 200 Rev D; and 16039 201 ('the approved plans').

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

New Condition 6:

Requires Pedestrian Visibility Splays to be Provided.

A pedestrian visibility splay of 3.3 metres by 3.3 metres by 0.6 metres shall be incorporated at the/each access point before the access point(s) is first used and thereafter maintained.

Reason: In order to ensure the safe movement of pedestrians using the adjacent highway in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

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Councillor Henley returned to the meeting.

**Report No 11 – Land to the South of Meadway incorporating the Kent's Moat Recreation Ground, Site of Former High Rise Flats and Existing Flats to the South of the Poolway Shopping Centre, Stechford – 2017/00077/PA**

The Principal Planning Officer (East) advised that Transportation Development had raised no objection to the proposal.

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

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

5325

**RESOLVED:-**

That approval be given to the reserved matters relating to appearance, landscaping, layout and scale for 136 residential dwellings pursuant to outline planning permission no 2015/09502/PA, as amended by planning application no 2017/00077/PA, subject to the conditions set out in the report.

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**Planning Applications in Respect of the South Area**

**Report No 12 – 46 Chantry Road, Moseley – 2017/00403/PA**

The Area Planning Manager (South) gave details of two further objection letters and responded concerning an amendment to the plans, received after the local consultation period, to include windows with frosted glazing in order to prevent overlooking of the adjacent property. This amendment was considered to be a positive change and, therefore, no additional consultation had been carried out.

In response to concerns raised by the neighbour concerning the trees, the Area Planning Manager (South) advised that the Tree Officer had no objection to the proposal.

An objector spoke against the application.

A supporter spoke in favour of the application.

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

Members considered that the report lacked detail with respect to the proposed basement extension and requested further information including a plan indicating the impact of the 45° code on the adjoining property and a photograph showing the view of the rear of the property from Moseley Park. Concerns were raised about the Conservation Area Character.

The design and access statement was considered inadequate and concern was expressed that the construction of a swimming pool in the basement might have an adverse impact on the foundations and structure of the building and the adjoining property. It was suggested that a geotechnical survey should be carried out prior to planning permission being granted.

The Area Planning Manager (South) responded to Members' comments and advised that, if Members' wished, a condition managing the construction of the development could be included.

A site visit was proposed by Councillor Moore and seconded by Councillor Williams. However, Members did not vote on the proposal as the Chairman suggested that, rather than going on a site visit at this stage, it would

be more beneficial to defer consideration of the application pending further information about the basement and taking the photograph from the park and upon being put to a vote it was 13 in favour, 0 against and 0 abstentions.

5326 **RESOLVED:-**

That consideration of the application be deferred pending further information as more particularly referred to in the pre-amble.

(Councillor Williams was not present for the whole of the debate and, therefore, did not vote).

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**Report No 13 – Bristol Road South (between Junctions with Church Road and Chatham Road), Northfield – 2017/01253/PA**

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

Upon being put to a vote it was 9 in favour, 4 against and 0 abstentions.

5327 **RESOLVED:-**

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

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Councillors K Jenkins and Williams left the meeting at this point.

**Report No 14 – Bristol Road South (between Junctions with Broughton Crescent and Lickey Road), Longbridge – 2017/01268/PA**

Councillor Douglas Osborn, after seeking legal advice, remained in the meeting during the consideration of the application.

A Member commented on the application.

Upon being put to a vote it was 7 in favour, 3 against and 0 abstentions.

5328 **RESOLVED:-**

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

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**Report No 15 – Longbridge Lane (between Junctions with Bristol Road South and Central Avenue), Longbridge – 2017/01269/PA**

Upon being put to a vote it was 7 in favour, 4 against and 0 abstentions.

5329 **RESOLVED:-**

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

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Councillors K Jenkins and Williams returned to the meeting.

**POLICY REPORT**

The following report of the Director of Planning and Regeneration was submitted:-

(See document No 2)

**Appeal Decisions Received from the Planning Inspectorate in February 2017**

The Area Planning Manager (South) introduced the report and responded to Members' comments.

5330 **RESOLVED:-**

That the schedule of appeal decisions received from the Planning Inspectorate in February 2017 be noted.

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

5331 There were no site visits pending.

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**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**

5332 In response to a question, the Chairman 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.

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**B. Environmental Sub-Committee**

- 5333 In response to a question, the Chairman advised Councillor Douglas Osborn that discussions had been taking place with developers to try to come to an arrangement to include provision for wildlife etc in future projects.
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**C. Stirchley Regeneration**

- 5333 Councillor Douglas Osborn referred to a recent press article that included comments by Steve McCabe MP who had criticised the Council for granting planning permission for the development of a supermarket in Stirchley in place of the current gym and bowling alley.
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**AUTHORITY TO CHAIRMAN AND OFFICERS**

- 5335 **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**

- 5336 **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. 3