

# BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE**  
**17 AUGUST 2023**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 17 AUGUST 2023 AT 1100 HOURS IN COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:** - Councillor Martin Brooks in the Chair.

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

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**INTRODUCTIONS**

8195

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**

8196

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**

8197

Councillor Barrie stated that for Item 7, the report states that he had submitted a prior objection, he clarified that he submitted objections from residents and still intended to speak on the item.

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**APOLOGIES**

8198

Councillors Rick Payne.

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**CHAIR'S ANNOUNCEMENTS**

8199

The Chair announced that there would be public speaking for Items 7 and 8.

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**MINUTES**

5085

OFFICIAL

8200 The minutes of the meeting of the Committee held on 27<sup>th</sup> July 2023 having been circulated, were confirmed by the Committee and signed by the Chair.

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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, TRANSPORT AND SUSTAINABILITY**

The following reports were submitted:

(See Document No. 1)

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**ACIVICO - REPORT OF THE DIRECTOR OF BUILDING CONSULTANCY**

The Statutory Functions Officer for the City presented the report to the members.

As part of the contractual agreements between Birmingham City Council and the city core performance report, the report is presented to the committee at least once a year.

8201 **RESOLVED:** -

The report was noted by members.

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**PLANNING APPLICATIONS IN RESPECT OF THE NORTH WEST AREA**

**REPORT NO. 6 - WESTERN EXTENT OF THE CITY HOSPITAL SITE, BORDERED BY DUDLEY ROAD TO THE SOUTH, LANDSDOWNE STREET TO THE WEST, AND THE BIRMINGHAM CANAL OLD LINE TO THE NORTH, WINSON GREEN, BIRMINGHAM, B18 7QH- 2022/09354/PA**

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

- In Paragraph 8.1 on the second bullet point the financial contribution needed to be index linked.
- Where is stated Norman Street it needs to state Norman Street Park.
- Within the report, where references are made to a new access from Crabtree Road into the site this should read as Western Road.
- Paragraph 1.13 states that the new road into the site from Norman Street will be pedestrianised. To clarify this would still allow traffic access but would not allow for a through-route for vehicular traffic. .
- Condition 50 and 54 have been combined so condition 54 can be deleted.
- A local resident was due to speak against this application, however they were unable to attend but still wished to reiterate points on natural light

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reduction made in their objection. These points are contained and covered within the report.

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

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

8202

### **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 29<sup>th</sup> January 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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### **REPORT NO. 7 - 2 FOWEY CLOSE, SUTTON COLDFIELD, BIRMINGHAM, B76 1YP- 2023/03804/PA**

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

- Received an additional representation from Walmley Residents Association objecting on the grounds of inadequate location, inadequate parking and concern on how the site would be managed. Matters of location and parking are covered within the report and regulating children's home is the role of Ofsted.

There was public speaking for this item. 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) responded thereto.

Upon being put to a vote it was 11 in favour, 2 against and 0 abstention.

8203

### **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 SOUTH AREA**

### **REPORT NO. 8 - LAND AT BOURNBROOK RECREATION GROUND, GEORGE ROAD, SELLY OAK, BIRMINGHAM, B29 6AH - 2022/00252/PA**

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The Chair announced that as the objector was not present to speak then he would not take any speeches from the public for this application.

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

A letter of support was received from Councillor McCarthy stating that she supported the continuing work of the applicants in the Bournbrook area, new family housing will help families stay in the local area, the housing is genuinely affordable, this is the first phase of community led housing in the area and the applicants have decades of experience in the local area.

Members commented on the application and the Principal Planning Officer (South) and Assistant Director responded thereto.

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

8204 **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 22<sup>nd</sup> September 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.

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### **REPORT NO. 9 - OUR LADY OF FATIMA RC PARISH SCHOOL, WINCHFIELD DRIVE, HARBORNE, BIRMINGHAM, B17 8TR -2023/03044/PA**

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

- One further letter of objection received that did not raise any new issues.

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

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

8205 **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 CITY CENTRE**

**REPORT NO. 10 - 30-33 SHERBORNE STREET, LADYWOOD, BIRMINGHAM, B16 8DE – 2021/08880/PA**

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

- 3 additional neighbour objections including one letter from Shabana Mahmood MP passing on residents' concerns had been received raising no new issues.

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, 6 against and 2 abstentions.

The Assistant Director of Planning asked to take the discussion and formulate a reason for refusal and bring it as a report back to a subsequent committee.

8206

**RESOLVED: -**

The application was deferred minded to refuse.

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**REPORT NO. 11 – LAND BOUNDED BY BRADFORD STREET, MOSELEY STREET, BARFORD STREET AND REA STREET, DIGBETH, BIRMINGHAM - 2021/05811/PA**

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

- In relation to Ecology an updated bat and bird survey report had been received and the City Ecologist raised no objections subject to conditions based on report.
- Environment Agency have now removed their objection to their scheme subject to conditions.
- At 7.160 in the report there is a placeholder for capital investment figure that the development would generate.
- Since the report was written, an economic benefits statement was received and the headline figures were summarised.

Members commented on the application and the Area Planning Manager (City) and Assistant Director of Planning responded thereto.

Upon being put to a vote it was 3 in favour, 6 against and 4 abstentions.

8207

**RESOLVED: -**

The application was deferred minded to refuse.

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**REPORT NO. 12 - BIRMINGHAM CHILDRENS HOSPITAL, STEELHOUSE LANE, BIRMINGHAM, B4 6NH - 2023/01979/PA**

The Chair announced that he would be taking the discussion for items 12 and 13 together as they both relate to the listed planning consent for the same site.

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

- On the full application it was proposed to remove the tree protection and construction environmental management plan conditions.
- On the listed building application, it was proposed to add a phasing plan condition so the various elements of the scheme could be brought forward in phases.
- Condition 2 had some plan number corrections as below on both applications.
- Condition 3 and 4 on the FUL application (2023/01979/PA) were split with a) and b) to allow for phasing of the development.

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

Upon being put to a vote it was 11 in favour, 2 against and 0 abstentions.

8208

**RESOLVED:** -

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

**LBC - 2023/01982/PA**

2 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

BC1-BDP-ZZ-XX-D-A-07000 Site Location Plan P04

BC1-BDP-ZZ-XX-D-A-07101 Proposed Block Plan P04

BC1-BDP-ZZ-XX-D-A-07181 Alterations to Existing Building Envelope - Sheet 1 P02

BC1-BDP-ZZ-XX-D-A-07182 Alterations to Existing Building Envelope - Sheet 2 P02

BC1-BDP-ZZ-XX-D-A-07183 Alterations to Existing Building Envelope - Sheet 3 P03

BC1-BDP-ZZ-XX-D-A-07184 Alterations to Existing Building Envelope - Sheet 4 P02

BC1-BDP-ZZ-XX-D-A-07185 Alterations to Existing Building Envelope - Sheet 5 P02

BC2-BDP-ZZ-01-D-A-07121 Proposed Level 1 P06

BC2-BDP-ZZ-02-D-A-07122 Proposed Level 2 P07

BC2-BDP-ZZ-03-D-A-07123 Proposed Level 3 P09

BC2-BDP-ZZ-04-D-A-07124 Proposed Level 4 P06

BC2-BDP-ZZ-05-D-A-07125 Proposed Level 5 P06

BC2-BDP-ZZ-R1-D-A-07126 Proposed Roof Plan P06

BC2-BDP-ZZ-XX-D-A-07152 Proposed Section 2 (through MRI expansion) P06

BC2-BDP-ZZ-XX-D-A-07141 Proposed South East Elevation - Steelhouse Lane P06

BC2-BDP-ZZ-XX-D-A-07143 Proposed North West Elevation - Link Corridor P06

BC2-BDP-ZZ-XX-D-A-07144 Proposed South West Elevation - R Block 1 of 2 P06

BC2-BDP-ZZ-XX-D-A-07145 Proposed South West Elevation - R Block 2 of 2 P06

BC2-BDP-ZZ-XX-D-A-07146 Proposed North East Elevation - R Block - 1 of 2 P03

BC2-BDP-ZZ-XX-D-A-07147 Proposed North East Elevation - R Block - 2 of 2 P03

BC2-BDP-ZZ-XX-D-A-07135 Proposed North East Elevation - R Block P08

BC2-BDP-ZZ-XX-D-A-07136 Proposed South East Elevation - Steelhouse Lane Long Elevation P07

BC3-BDP-ZZ-02-D-A-07122 Proposed Level 2 P06

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BC3-BDP-ZZ-R1-D-A-07126 Proposed Roof Plan P06  
BC3-BDP-ZZ-XX-D-A-07103 Proposed Site Plan P06

BC3-BDP-ZZ-XX-D-A-07161 Proposed Section 1 (through N Block to Steelhouse Lane) P04 P06  
BC3-BDP-ZZ-XX-D-A-07162 Proposed Section 2 (through Outpatients entrance and courtyard) P06  
BC3-BDP-ZZ-XX-D-A-07141 Proposed South East Elevation - Steelhouse Lane P06  
BC3-BDP-ZZ-XX-D-A-07142 Proposed North East Elevation - Main Entrance Courtyard P04 P06  
BC3-BDP-ZZ-XX-D-A-07143 Proposed North West Elevation - Main Entrance Courtyard P06

BC3-BDP-ZZ-XX-D-A-07191 Proposed Connection Detail Section P04  
BC3-BDP-ZZ-XX-D-A-07163 Proposed Entrance Bay Study P03

('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.

### **FUL - 2023/01979/PA**

- 2 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

BC1-BDP-ZZ-XX-D-A-07000 Site Location Plan P04  
BC1-BDP-ZZ-XX-D-A-07101 Proposed Block Plan P04  
BC1-BDP-ZZ-XX-D-A-07181 Alterations to Existing Building Envelope - Sheet 1 P02  
BC1-BDP-ZZ-XX-D-A-07182 Alterations to Existing Building Envelope - Sheet 2 P02  
BC1-BDP-ZZ-XX-D-A-07183 Alterations to Existing Building Envelope - Sheet 3 P03  
BC1-BDP-ZZ-XX-D-A-07184 Alterations to Existing Building Envelope - Sheet 4 P02  
BC1-BDP-ZZ-XX-D-A-07185 Alterations to Existing Building Envelope - Sheet 5 P02

BC2-BDP-ZZ-01-D-A-07121 Proposed Level 1 P06  
BC2-BDP-ZZ-02-D-A-07122 Proposed Level 2 P07  
BC2-BDP-ZZ-03-D-A-07123 Proposed Level 3 P09  
BC2-BDP-ZZ-04-D-A-07124 Proposed Level 4 P06  
BC2-BDP-ZZ-05-D-A-07125 Proposed Level 5 P06  
BC2-BDP-ZZ-R1-D-A-07126 Proposed Roof Plan P06

BC2-BDP-ZZ-XX-D-A-07152 Proposed Section 2 (through MRI expansion) P06  
BC2-BDP-ZZ-XX-D-A-07141 Proposed South East Elevation - Steelhouse Lane P06  
BC2-BDP-ZZ-XX-D-A-07143 Proposed North West Elevation - Link Corridor P06  
BC2-BDP-ZZ-XX-D-A-07144 Proposed South West Elevation - R Block 1 of 2 P06  
BC2-BDP-ZZ-XX-D-A-07145 Proposed South West Elevation - R Block 2 of 2 P06  
BC2-BDP-ZZ-XX-D-A-07146 Proposed North East Elevation - R Block - 1 of 2 P03  
BC2-BDP-ZZ-XX-D-A-07147 Proposed North East Elevation - R Block - 2 of 2 P03  
BC2-BDP-ZZ-XX-D-A-07135 Proposed North East Elevation - R Block P08  
BC2-BDP-ZZ-XX-D-A-07136 Proposed South East Elevation - Steelhouse Lane Long Elevation P07

BC3-BDP-ZZ-02-D-A-07122 Proposed Level 2 P06  
BC3-BDP-ZZ-R1-D-A-07126 Proposed Roof Plan P06  
BC3-BDP-ZZ-XX-D-A-07103 Proposed Site Plan P06

BC3-BDP-ZZ-XX-D-A-07161 Proposed Section 1 (through N Block to Steelhouse Lane) P04 P06  
BC3-BDP-ZZ-XX-D-A-07162 Proposed Section 2 (through Outpatients entrance and courtyard) P06  
BC3-BDP-ZZ-XX-D-A-07141 Proposed South East Elevation - Steelhouse Lane P06  
BC3-BDP-ZZ-XX-D-A-07142 Proposed North East Elevation - Main Entrance Courtyard P04 P06  
BC3-BDP-ZZ-XX-D-A-07143 Proposed North West Elevation - Main Entrance Courtyard P06

BC3-BDP-ZZ-XX-D-A-07191 Proposed Connection Detail Section P04  
BC3-BDP-ZZ-XX-D-A-07163 Proposed Entrance Bay Study P03

('the approved plans')

## **Planning Committee – 17 August 2023**

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

### **3 Requires the submission and approval of external materials**

a) Specification of the external materials of the MRI building facades and roofs shall be submitted to and approved in writing by the Local Planning Authority prior to commencing above ground works, including materials for:

- \* walls and cladding - for the avoidance of doubt, where brickwork is proposed these shall comprise red/orange soft faced, smooth brickwork.
- \* windows - frames, cills / headers / surrounds, soffits, spandrel panels
- \* external doors, porches, canopies,
- \* roofs
- \* rainwater goods, external vents, flues and any other structures attached to the facade of the building
- \* Metal screens
- \* Atrium supports

Information submitted shall include elevation drawings annotated to identify materials, a schedule of materials including colour images and product literature and sample materials of any brickwork, cladding, metal screens, windows and atrium supports. The development shall thereafter be implemented in accordance with the approved materials.

b) Specification of the external materials of the Main Entrance facades and roofs shall be submitted to and approved in writing by the Local Planning Authority prior to commencing construction, including materials for:

- \* walls and cladding - for the avoidance of doubt, where brickwork is proposed these shall comprise red/orange soft faced, smooth brickwork.
- \* windows - frames, cills / headers / surrounds, soffits, spandrel panels
- \* external doors, porches, canopies,
- \* roofs
- \* rainwater goods, external vents, flues and any other structures attached to the facade of the building
- \* Metal screens
- \* Atrium supports

Information submitted shall include elevation drawings annotated to identify materials, a schedule of materials including colour images and product literature and sample materials of any brickwork, cladding, metal screens, windows and atrium supports. The development shall thereafter be implemented in accordance with the approved materials.

- Reason: In order to ensure appropriate design of the building in accordance with Policies PG3 of the Birmingham Development Plan 2017, the National Planning Policy Framework and Design Principles 14 & 26 and City Note LW-8 of the Birmingham Design Guide SPD 2022. Requires the submission and approval of architectural detailing.



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a) Details of architectural treatment of the MRI building facades and roofs shall be submitted to and approved in writing by the Local Planning Authority prior to above ground works to which they relate, including, location, positioning, size, form and design of:

- \* Building system of construction and application of external facing materials: brickwork bonding / pointing and decoration, cladding materials' jointing and fixing, treatment of soffits, copings and flashing;
- \* Windows, curtain walling systems and building entrances (including dimensions of reveals and projecting window cills / headers / surrounds);
- \* Roofs: edges / parapets / eaves, ridges, chimneys and plant enclosures;
- \* Rainwater goods, external vents and flues, and other structures attached to or within the external surfaces of the facade or roof of the building.

Information submitted shall include detailed and annotated bay studies (part elevations and cross-sections) at 1:20 scale. The development shall thereafter be implemented in accordance with the approved details.

b) Details of architectural treatment of the main entrance building facades and roofs shall be submitted to and approved in writing by the Local Planning Authority prior to above ground works to which they relate, including, location, positioning, size, form and design of:

- \* Building system of construction and application of external facing materials: brickwork bonding / pointing and decoration, cladding materials' jointing and fixing, treatment of soffits, copings and flashing;
- \* Windows, curtain walling systems and building entrances (including dimensions of reveals and projecting window cills / headers / surrounds);
- \* Roofs: edges / parapets / eaves, ridges, chimneys and plant enclosures;
- \* Rainwater goods, external vents and flues, and other structures attached to or within the external surfaces of the facade or roof of the building.

Information submitted shall include detailed and annotated bay studies (part elevations and cross-sections) at 1:20 scale. The development shall thereafter be implemented in accordance with the approved details.

Reason: In order to ensure appropriate design of the building in accordance with Policies PG3 of the Birmingham Development Plan 2017, the National Planning Policy Framework and Design Principles 14 & 26 and City Note LW-8 of the Birmingham Design Guide SPD 2022.

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### **REPORT NO. 13 - BIRMINGHAM CHILDRENS HOSPITAL, STEELHOUSE LANE, BIRMINGHAM, B4 6NH - 2023/01982/PA**

Upon being put to a vote it was 11 in favour, 2 against and 0 abstentions.

8209

#### **RESOLVED: -**

That Listed Building Consent be granted subject to the conditions set out in the report.

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### **OTHER URGENT BUSINESS**

None submitted.

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**AUTHORITY TO CHAIR AND OFFICERS**

8210

**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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8211

**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 1211 hours.

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CHAIR