

# BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE**  
**22 JUNE 2017**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON  
THURSDAY, 22 JUNE 2017 AT 1100 HOURS IN COMMITTEE ROOMS 3  
AND 4, COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:-**

Councillor Sharpe in the Chair;

Councillors T Ali, Azim, Beauchamp, Cornish, Douglas Osborn, Fazal, Henley, Moore, Straker Welds and Williams.

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**PUBLIC ATTENDANCE**

- 5526 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**

- 5527 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**

- 5528 The Chairman informed Members that meetings were scheduled to take place on 6, 20 July, 3 and 17 August 2017.

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**APOLOGIES**

- 5529 Apologies were submitted on behalf of Councillors Booton, K Jenkins, C Jones and Linnecor.

**MINUTES**

5530 **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**

5531 There were no matters arising.

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

**Planning Application No 2017/03519/PA – Land Next to 31 Park Lane, Minworth, Sutton Coldfield**

5532 Councillor Moore 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 proposed density of the development and the impact it might have on public amenity.

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**PETITIONS**

5533 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 CORPORATE DIRECTOR, ECONOMY**

The following reports were submitted:-

(See document No 1)

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

**Report No 8 – Fitness First/Bowling Alley, Pershore Road, Stirchley – 2017/04904/PA**

The Area Planning Manager (South) gave details of concerns raised by Selly Oak Ward Committee regarding the proposed development. He also referred to comments received from the City Ecologist.

He advised that Transportation Development had requested a condition requiring a construction management plan.

The Area Planning Manager (South) informed Members that there was an electricity sub-station located within the building and that Western Power had advised that an electrical diversion/relocation of the sub-station was required. Demolition of the former Fitness First gym and bowling alley could not be carried out until an alternative sub-station had been established.

The comments received from the applicant regarding the sub-station conflicted with the concerns raised by Western Power and therefore officers wished to amend the recommendation to:-

‘That it be noted that prior approval is required and is refused on the grounds that there is insufficient information regarding the method of demolition of the electricity sub-station and restoration of the site.’

Councillor Henley declared a non-pecuniary interest.

Members commented on the application and concurred with the revised recommendation.

The Area Planning Manager (South) and Head of Planning Management responded to Members’ comments.

It was proposed by Councillor Douglas Osborn, seconded by Councillor Henley and upon being put to a vote it was 10 in favour, 0 against and 0 abstentions.

5534

**RESOLVED:-**

That it be noted that prior approval is required and is refused on the grounds that there is insufficient information regarding the method of demolition of the electricity sub-station and restoration of the site.

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

**Report No 9 – Land Adjacent to 53 Copeley Hill, Erdington – 2017/01586/PA**

The Area Planning Manager (East) gave details of a response received from Network Rail. She added that Transportation Development had requested an amendment to condition 18 regarding the Section 278/TRO Agreement and a new condition preventing the occupation of any properties until an access road had been constructed.

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

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

5535

**RESOLVED:-**

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

Amended Condition 18:

Requires the Prior Submission and Completion of Works for the S278/TRO Agreement.

The development shall not be occupied until a package of highway measures has been approved by the Local Planning Authority and the approved measures have been substantially completed. The package of measures shall include breaking out and reconstruction to adoptable specification of the privately maintained section of Copeley Hill west of the boundary of properties addressed as 47-49 Copeley Hill, to include provision of a new footway link on the north side of Copeley Hill and appropriate street lighting scheme; creation of bellmouth access from Copeley Hill. These are to be carried out at the applicant's expense to Birmingham City Council specification.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

New Condition 25:

Prevents the Occupation of Any Dwelling until the Road that Provides Access to it has been Constructed.

No dwelling shall be occupied until the road and the footway along the Copeley Hill site frontage that provides access to it has been constructed.

Reason: In the interests of highway safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

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Councillor Williams left the meeting at this point.

**Report No 10 – Jamatia Islamic Centre, 179-183 Woodlands Road, Sparkhill – 2017/02985/PA**

Members commented on the application and the Transport Manager responded thereto.

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

5536

**RESOLVED:-**

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

(Councillor Williams returned to the meeting during consideration of the application and did not vote on the recommendation).

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

**Report No 11 – Land at 435 Walsall Road (Vacant Land Adjacent Tower Hill Medical Practice), Perry Barr – 2017/01428/PA**

The Area Planning Manager (North West) gave details of comments received from Councillor Hunt.

Members commented on the application and it was suggested that consideration be given to investing the S106 monies in the 'Building Birmingham Scholarship' programme, a scheme which provided access to a wide range of education, employment and training opportunities for talented young people aged 16 to 24 who wished to pursue a career in the construction and built environment industries.

The Area Planning Manager (North West) responded to Members' comments.

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

5537

**RESOLVED:-**

- (i) That consideration of the 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 29 June 2017, planning permission be refused for the reasons set out in the report;
- (iii) that, in the event of the legal agreement being completed to the satisfaction of the local planning authority on or before 29 June 2017, favourable consideration would be given to the planning application 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 – Land at the Junction of Lodge Road/Hurdlow Avenue, Hockley – 2017/02889/PA**

Members commented on the application and the Head of Planning Management responded thereto.

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

5538 **RESOLVED:-**

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

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

**Report No 13 – Land at Either Side of Aston Expressway/ Corporation Street, Nechells – 2017/01843/PA**

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

Upon being put to a vote it was 7 in favour, 2 against and 1 abstention.

5539 **RESOLVED:-**

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

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**ISSUES REPORT**

The following report of the Corporate Director, Economy was submitted:-

(See document No 2)

**Connaught Square (Land Bounded by High Street (Deritend), Rea Street, Bradford Street and Stone Yard), Digbeth – 2016/08273/PA**

A representative of Seven Capital - the applicant, White Young Green - the agent and K4 - the architects gave a powerpoint presentation outlining the proposal which included details of:- the density, design and size of the commercial and residential buildings; public amenity space; residents' gardens; the S106 agreement; the number of jobs that the development was expected to generate; the qualitative aspects of the scheme including the re-opening of the River Rea and the relocation of the JFK Memorial.

The Area Planning Manager (City Centre) drew Members' attention to each of the issues detailed in the report.

Members considered and commented on each of the issues set out in the report and the following were amongst the points made:-

Issue 1 – Whilst no objections were raised regarding the mix of land uses Members' requested more information on the type and proportions proposed.

Issue 2 – Members stressed the importance of ensuring that the re-opening of the River Rea would not increase the risk of future flooding, particularly further downstream. It was important to liaise with the Environment Agency to ensure that the site was safe and the risk of flooding was kept to a minimum.

Issue 3 – Members considered that too many one-bedroom apartments were proposed and noted that the majority of them would only comply with minimum size standards if occupied by one person.

It was important to ensure that there was sufficient residential accommodation suitable for families included in the development.

Concern was expressed regarding the absence of any affordable homes.

Issue 4 – Whilst some Members considered that the proposed location of the tall building was inappropriate and would not be in keeping with the surrounding area others were content with the scale, subject to a high quality design.

The design was unimaginative and the proposed materials were dull, unattractive and would dominate the landscape.

Issues 5 and 6 – A Member considered that it was important to ensure that the view from the taller buildings was attractive and that character was added at the top of the structures.

A Member considered that buildings 2, 3 and 4 were in keeping with the character of the area and surrounding heritage assets.

Issue 7 – A Member stressed the importance of ensuring that appropriate measures were put in place so that residents would not experience high noise levels from existing licensed premises in the area which could have an adverse impact on trade.

Issue 8 – The land that was due to be developed was currently used for car parking and additional provision needed to be identified in order to offset this loss such as in the basements of the proposed buildings.

It was important to ensure that there was adequate provision for delivery vehicles etc requiring access to commercial premises and retail outlets.

The introduction and use of car clubs should be encouraged.

Issue 9 – Members expressed concern that there was no affordable housing included in the proposal.

A member pointed out that the money identified for public realm was a necessity and considered that the applicant was not offering anything extra as the work would be required in order to make the properties within the development attractive and saleable.

There should be opportunities for apprenticeships both during the construction of the development and after it had been completed by transferring to other similar schemes in the area.

The Area Planning Manager (City Centre) and Head of Planning Management responded to Members' comments.

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

5540 **RESOLVED:-**

That the report be noted and Members' comments forwarded to the Corporate Director, Economy.

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

5541 There were no site visits pending.

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#### **OTHER URGENT BUSINESS**

The Chairman was of the opinion that the following item should be considered as a matter of urgency in view of the need to expedite consideration thereof and instruct officers to act:-

#### **Abattoir Located at 33-48 Charles Henry Street, Highgate**

5542 Councillor Douglas Osborn raised concerns regarding the alleged smell emanating from an abattoir located at 33-48 Charles Henry Street, Highgate and undertook to e-mail the details to the Chairman.

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#### **AUTHORITY TO CHAIRMAN AND OFFICERS**

5543 **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**

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**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 3  
meeting.