

# BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE**  
**18 JUNE 2020**

## **MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 18 JUNE 2020 AT 1100 HOURS AS AN ON-LINE MEETING**

### **PRESENT:-**

Councillor Karen McCarthy in the Chair;

Councillors Bob Beauchamp, Diane Donaldson, Peter Griffiths, Julie Johnson, Saddak Miah, Gareth Moore, Simon Morrall, Mike Ward and Martin Straker Welds.

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### **PUBLIC ATTENDANCE**

- 7578 The Chair indicated that meeting would be hosted on teams but would be webstreamed and indicated that, because the Committee was a quasi-judicial one, no decisions had been made before the meeting.

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### **NOTICE OF RECORDING**

- 7579 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**

- 7580 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.

Councillor Gareth Moore, referring to agenda item No. 13 (220 High Street Erdington), indicated that he had been approached by an objector in relation to the gaming licence but had not expressed a view on the planning application. He noted that he had also spoken to the Police in relation to the gambling licence for the premises.

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The Committee Lawyer confirmed that Councillor Moore would be able to take part in the discussion of agenda item No. 13.

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### **APOLOGIES**

7581 Apologies were submitted on behalf of Councillors Maureen Cornish, Mohammed Fazal and Lou Robson for their inability to attend the meeting.

At this point in the meeting the Chair took a roll call of members present.

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### **CHAIR'S ANNOUNCEMENTS**

7582 The Chair informed Members that the following meetings were scheduled to take place on the 2, 16 and 30 July 2020.

The Chair further advised that report No 8 had been withdrawn from the agenda to allow corrections to be made.

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### **MINUTES**

7583 The Minutes of the meeting of the Committee held on 4 June 2020, 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, INCLUSIVE GROWTH (ACTING)**

The following reports were submitted:

(See Document No. 1)

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

#### **REPORT NO. 6 – 70-72 HANDSWORTH WOOD ROAD & LAND TO REAR, HANDSWORTH WOOD, BIRMINGHAM, B20 2DT – 2019/10518/PA**

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

The Area Planning Manager (East) read the statement from the objector, Sian Griffiths on behalf of local residents.

The Area Planning Manager (East) read the statement from the supporter, John Jowitt agent.

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The Area Planning Manager (North West) responded to the statements from the objector and supporter.

Members commented on the application and the Area Planning Manager (North West) responded thereto. The Committee Lawyer gave the Committee relevant advice.

Councillor Gareth Moore proposed that the consideration of the application be deferred to allow consultation with the Birmingham Children's Trust and Councillor Bob Beauchamp seconded the proposal to defer.

The Area Planning Manager (North West) made further comments.

At this point in the meeting Councillor Martin Straker Welds was having internet connection issues and did not take part in the vote.

The Chair put the proposal of deferral to a vote and it was 7 in favour, 0 against and 1 abstention –

7584

### **RESOLVED:-**

That consideration of the application referred to in the report be deferred to allow consultation with the Birmingham Children's Trust.

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### **REPORT NO. 7 – BELLFIELD INN, 36 WINSON STREET, WINSON GREEN, BIRMINGHAM, B18 4JS – 2019/06666/PA**

The Area Planning Manager (North West) advised there was no updates.

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

7585

### **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 19th July 2020, 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 19th July 2020, 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. 8 – FORMER TRW SITE, MERE GREEN ROAD, MERE GREEN, SUTTON COLDFIELD, B75 5BN – 2019/07956/PA**

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As indicated in the Chair's announcements it was noted that the report had been withdrawn from agenda.

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**PLANNING APPLICATIONS IN RESPECT OF THE SOUTH AREA**

**REPORT NO. 9 – HIGHWAYS LAND ADJACENT 1200 BRISTOL ROAD SOUTH, WEST HEATH, BIRMINGHAM, B31 2RW – 2020/03248/PA**

The Area Planning Manager (South) confirmed that there were updates in that there had been two further emails of objection from Councillor Armstrong opposes the mast on the following grounds:-

- The size, position and prominence of an ugly mast in the middle of space that residents and himself are working to transform was unacceptable as there was the potential for this to be a green and pleasant space.
- Hoping for the cycling revolution to come through the Ward and the land is prime space to create a cycle route and the mast could block it.
- The area had been ignored and dismissed and residents, businesses and the school do not feel part of the conversation about the area.
- Consultation has not been correctly done with residents and the school
- The footpath would be too narrow if the mast was sited there.

The Area Planning Manager (South) continued that a further email comment had been received from Gary Sambrook MP who believed the application should be refused for the following reasons:-

- The position on the highway was dangerous and caused loss of visual amenity.
- Design out of keeping with the area.
- The mast was close to schools and should be resisted.
- Out of keeping with the street scene.
- Would not comply with either the National Planning Policy Framework (NPPF) or the Birmingham Development Plan (BDP) safe policies which sets out that site near schools and green spaces should be resisted.

The Area Planning Officer (South) advised that a letter had been received from the Headteacher of Meadows Primary School concerned about unresolved health concerns with 5G and stating they had not been consulted.

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The Area Planning Manager (City Centre) read the statement from the objector, Jason Bejai on behalf of local residents.

The Area Planning Officer (South) responded to the statement from the objector and the additional emails and letter.

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

During consideration of the item Councillor Martin Straker Welds re-joined the meeting and the Chair reminded him that he had not heard all the debate so could not take part in the vote.

Upon being put to a vote it was 3 in favour, 2 against and 3 abstention -

7587

### **RESOLVED:-**

That no prior approval is required.

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## **PLANNING APPLICATIONS IN RESPECT OF THE EAST AREA**

### **REPORT NO. 10 – ELITE HOUSE, 95 STOCKFIELD ROAD, SOUTH YARDLEY, BIRMINGHAM, B27 6AT – 2019/04481/PA**

The Area Planning Manager (East) confirmed that there were updates in that the Acocks Green Focus Group had advised that there was a report of an incident outside the application premises where the police were involved in early May. Councillor Roger Harmer questioned the logic and the quality of the retention of the windows in terms of climate change and notes that secondary glazing is required.

The Area Planning Manager (East) noted that Councillor John O'Shea had objected following grounds:-

- Cumulative impact .
- Inconsistences between the layout and Management Plan.
- Insufficient dinning/kitchen space in that a kitchen space should not be used by more than 15 residents.
- The bin store location does not allow sufficient space for lorries to access.
- Further details provided of requirements of internal standards required under the HMSO Property and Management Standard

The Area Planning Manager (East) indicated that the applicant had also responded. The applicant had slightly amended the internal layout plans so that the kitchen and dining area will be partitioned off to provide two kitchens and a dining room on the ground floor. On the first floor the kitchen and dinning room becomes two kitchens. This would allow no more than 15 residents to

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use a kitchen. Residents would eat meals in the communal dining room or in their private rooms. The Area Planning Officer (East) indicated that the applicant has also noted that the area in front of the bin store acts as a turning area for refuse vehicles. The applicant indicates that Reliant Social Housing is a dedicated and professional organisation.

The Area Planning Manager (South) read the statement from the objector, Julia Larden, Acocks Green Focus Group & Dawn Murtagh, local resident.

The Area Planning Manager (South) read the statement from the supporter, J Ian Mercer (agent) on behalf of applicant.

The Area Planning Officer (East) commented on the statements made.

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

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

The Chair noted that the application was deferred with the Committee mindful to refuse. She noted that the concerns raised were amenity and facilities, Anti-social behaviour and density and scale. Officers should also look at the issue of double glazing.

7588

### **RESOLVED:-**

That consideration of the application referred to in the report be deferred with the Committee mindful to refuse.

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The Chair indicated her intention to take reports Nos. 11 and 12 together and then she would take vote on the individual recommendations.

### **REPORT NO. 11 – LAND AT JUNCTION OF BROMFORD DRIVE/CHIPPERFIELD ROAD, BIRMINGHAM, B36 – 2018/06785/PA**

### **REPORT NO. 12 – LAND ADJACENT BROMFORD DRIVE AND CHIPPERFIELD ROAD, BIRMINGHAM, B36 8BU – 2019/05286/PA**

Councillor Diane Donaldson, in noting she was a local Ward Councillor, explained that she had been aware of the developments from their conception and although there had been meetings with local residents she had not commented on the applications. The Chair noted that Councillor Donaldson could speak on the application.

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

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

The Chair put the recommendations in report 11 to the vote and it was 8 in favour, 1 against and 0 abstention –

7589

**RESOLVED:-**

- (i) That, in respect of planning application No. 2018/06785/PA, planning permission be granted subject to the conditions set out in the report; and
- (ii) that no objection be raised to the stopping up of existing highways within the site and that the Department for Transport (DfT) be requested to make an Order in accordance with the provisions of Section 247 of the Town and Country Planning Act 1990.

The Chair put the recommendations in report 12 to the vote and it was 8 in favour, 1 against and 0 abstention –

7590

**RESOLVED:-**

- (i) That, in respect of planning application No. 2019/05286/PA, planning permission be granted subject to the conditions set out in the report; and
- (ii) that no objection be raised to the stopping up of existing highways within the site and that the Department for Transport (DfT) be requested to make an Order in accordance with the provisions of Section 247 of the Town and Country Planning Act 1990.

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**REPORT NO. 13 – 220 HIGH STREET, ERDINGTON, BIRMINGHAM, B23 6SJ – 2020/02817/PA**

The Area Planning Manager (South) confirmed that there were an update in that in respect of the condition relating to noise insulation the applicant had provided details of noise insulation which Regulatory Services had agreed and therefore Condition No.4 should be amended from prior to implementation of the use to prior to occupation.

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

Upon being put to a vote it was 5 in favour, 3 against and 1 abstention -

7591

**RESOLVED:-**

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

Amendment to Condition No.4 to read:

Requires the implementation of noise insulation

The scheme of sound and vibration proofing measures detailed within the statement provided by the agent on the 02.06.2020 and specification details provided by Regulatory Services email dated 09.06.2020 shall be implemented

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prior to the premises being first occupied as an adult gaming centre and thereafter maintained.

Reason: In order to secure the satisfactory development of the application site and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the NPPF

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### **OTHER URGENT BUSINESS**

7592      There were no items raised.

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### **AUTHORITY TO CHAIR AND OFFICERS**

7593      **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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The meeting ended at 1231 hours

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CHAIR