

# BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE  
29 SEPTEMBER 2016**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON  
THURSDAY, 29 SEPTEMBER 2016 AT 1100 HOURS IN COMMITTEE  
ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:-**

Councillor Sharpe in the Chair;

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

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**PUBLIC ATTENDANCE**

- 4949 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**

- 4950 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. The whole of the meeting would be filmed except where there were confidential or exempt items.

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**CHAIRMAN'S ANNOUNCEMENTS**

**A. Planning Committee Meetings**

- 4951 The Chairman informed Members that meetings were scheduled to take place on 13, 27 October, 10 and 24 November 2016.

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**B. Members' Training**

- 4952 Members were advised that training was scheduled to take place on Thursday, 17 November 2016.

**APOLOGIES**

4953 Apologies were submitted on behalf of Councillor C Jones.

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**MINUTES**

4954 **RESOLVED:-**

That the Minutes of that part of the meeting of the Committee open to the public held on 15 September 2016 be noted.

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**MATTERS ARISING**

4955 There were no matters arising.

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

4956 No notifications were received.

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**PETITION**

4957 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 East Area**

**Report No 8 – 1<sup>st</sup> Self Access Storage Ltd, Lawden Road, Bordesley – 2016/06822/PA**

A supporter spoke against the recommendation to refuse planning permission.

The Area Planning Manager (East) responded to comments made by the supporter.

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

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

4958 **RESOLVED:-**

That temporary advertisement consent be refused for the reason(s) set out in the report.

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**Report No 9 – 82 Stechford Lane, Hodge Hill – 2016/00647/PA**

A supporter spoke against the recommendation to refuse planning permission.

The Area Planning Manager (East) responded to comments made by the supporter.

A Member commented on the application.

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

4959 **RESOLVED:-**

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

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**Report No 10 – Land at the Junction of Reddings Lane and Olton Boulevard West, Tyseley – 2015/10025/PA**

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

Upon being put to a vote it was 12 in favour, 0 against and 1 abstention.

4960 **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 27 October 2016, 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 27 October 2016, 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 11 – 18 Adderley Road, Alum Rock – 2016/05707/PA**

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

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

4961

**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 12 – 90 Boldmere Road, Sutton Coldfield – 2016/05180/PA**

The Area Planning Manager (North West) advised that an additional letter objecting to the proposal had been received.

Members commented on the application and it was agreed that the use of the outdoor seating area of the restaurant be restricted to between 1100 hours and 2100 hours.

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

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

4962

**RESOLVED:-**

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

Amended Condition 9:

Limits the hours of use of the restaurant to between the hours of 11:00 and 23:30 and the outdoor seating area to between 11:00 and 21:00.

The restaurant shall only be open for customers between the hours of 11:00 and 23:30 daily and the outdoor rear seating area shall only be open for customers between the hours of 11:00 and 21:00 daily.

Reason: In order to define the permission and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.

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**Report No 13 – Part of the Car Park Area Adjacent to  
The Plough and Harrow Public House, Slade Road, Four Oaks,  
Sutton Coldfield – 2016/06333/PA**

The Area Planning Manager (North West) advised that he wished to amend the conditions.

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

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

4963 **RESOLVED:-**

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

Deletion of Conditions 1 (Landscaping), 2 (Hard Surfacing) and 3 (Boundary Treatment).

Amended Condition 4:

Lighting in accordance with submitted details

The lighting scheme shall be implemented in accordance with the submitted specification by Kingfisher Lighting as shown on drawing 026892/PA and retained thereafter unless agreed in writing by the Local Planning Authority.

Reason: To ensure a high quality of external environment, to complement the development proposals, and to protect and reinforce local character in accordance with Paragraphs 3.8, 3.10, 3.14 and 3.16A of the Birmingham UDP 2005, Places for All SPG, Lighting Places SPD and the National Planning Policy Framework.

Amended Condition 10:

Requires the submission of details of plant and machinery

The development hereby permitted shall not be occupied until details of all plant and machinery have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.

Amended Condition 15 (Parking Management Strategy):

Requires the submission of a parking management strategy

The development hereby permitted shall not be occupied until a parking management strategy (including management of disabled/parental child spaces) has been submitted to and approved in writing by the Local Planning Authority. The car park shall thereafter only be operated in accordance with that approved strategy.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Paragraphs 3.8, 3.10, 6.17 and 6.39 of the Birmingham UDP 2005, the Car Parking Guidelines SPD and the National Planning Policy Framework.

Amended Condition 17:

Requires the submission of details of a delivery vehicle management scheme

The development hereby permitted shall not be occupied until details of a delivery vehicle management scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and thereafter maintained.

Reason: To prevent vehicles waiting in the public highway and causing disturbance to residential amenity in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.

Amended Condition 18:

Requires the submission of cycle storage details

The development hereby permitted shall not be occupied until details of the provision for the secure, and where appropriate, covered storage for cycles and motorcycles have been submitted to and approved in writing by the Local Planning Authority. Provision shall thereafter be implemented and maintained in accordance with the approved details.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Paragraphs 3.8, 3.10, 6.17 and 6.39 of the Birmingham UDP 2005 and the National Planning Policy Framework.

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**Report No 14 – 70 Jervis Crescent, Four Oaks, Sutton Coldfield – 2016/05234/PA**

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

Upon being put to a vote it was 12 in favour, 0 against and 1 abstention.

4964

**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 15 – 262 Vicarage Road, Kings Heath – 2016/05855/PA**

The Principal Planning Officer (South) advised that three additional letters of objection had been received.

Members expressed concern that, whilst the application was for a change of use from a dwelling house to an 11 bed house of multiple occupation, only one kitchen and three bathrooms were proposed.

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

Upon being put to a vote it was 4 in favour, 4 against and 5 abstentions. Therefore, the Chairman suggested and it was, unanimously:-

4965

**RESOLVED:-**

That consideration of the application be deferred in order to afford the applicant the opportunity to submit revised plans that would improve provision/increase the number of bathrooms/kitchens.

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**Report No 16 – Bournville School, Hays Green Lane, Bournville – 2016/06548/PA**

The Principal Planning Officer (South) advised that he wished to amend the conditions.

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

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

4966

**RESOLVED:-**

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

New Condition 10:

Requires the provision of cycle parking prior to occupation

No development shall commence until details showing two covered bicycle storage shelters, one for staff with 6 spaces and one for children with 12 spaces, shall be shown on a site plan and submitted to and agreed by the Local Planning Authority. These cycle shelters shall then be provided before occupation of the extended school and shall thereafter be retained.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Paragraphs 3.8, 3.10, 6.17 and 6.39 of the Birmingham UDP 2005 and the National Planning Policy Framework.

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**Report No 17 – Court Oak Road, Adjacent to Court Oak Pub, Harborne – 2016/06928/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 3 abstentions.

4967

**RESOLVED:-**

That no prior approval is required.

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Councillor Cornish left the meeting at this point.

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

**Report No 18 – The Grand Hotel, 25 Colmore Row, City Centre – 2016/05748/PA**

A Member commented on the application.

Upon being put to a vote it was 12 in favour, 0 against and 0 abstentions.

4968

**RESOLVED:-**

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

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**Report No 19 – The Grand Hotel, 25 Colmore Row, City Centre – 2016/05799/PA**

A Member commented on the application.

Upon being put to a vote it was 12 in favour, 0 against and 0 abstentions.

4969 **RESOLVED:-**

That listed building consent be granted subject to the conditions set out in the report.

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**Report No 20 – 91 Corporation Street, Opposite, City Centre – 2016/07067/PA**

A Member commented on the application and the Principal Planning Officer (City Centre) responded thereto.

Upon being put to a vote it was 9 in favour, 2 against and 1 abstention.

4970 **RESOLVED:-**

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

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**Report No 21 – Smallbrook Queensway, Outside TK Maxx, City Centre – 2016/07065/PA**

A Member commented on the application.

Upon being put to a vote it was 9 in favour, 2 against and 1 abstention.

4971 **RESOLVED:-**

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

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

4972 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. HS2: Qualifying Authority Under the High Speed 2 (London to West Midlands) Bill**

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

(See document No 2)

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

Upon being put to a vote it was 12 in favour, 0 against and 0 abstentions.

4973 **RESOLVED:-**

That the report be noted and any comments forwarded to Cabinet via the associated report.

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**B. Implications for Policy Priorities**

4974 In response to a comment, the Chairman undertook to provide Councillor Moore with a response regarding the wording in future reports relating to implications for policy priorities and the possible inclusion of reference to LGBT.

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**AUTHORITY TO CHAIRMAN AND OFFICERS**

4975 **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