

BIRMINGHAM CITY COUNCIL

PLANNING COMMITTEE
17 AUGUST 2017

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 17 AUGUST 2017 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, K Jenkins, C Jones, Moore, Straker Welds and Williams.

PUBLIC ATTENDANCE

- 5635 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.

NOTICE OF RECORDING

- 5636 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) and members of the press/public could record and take photographs except where there were confidential or exempt items.

CHAIRMAN'S ANNOUNCEMENTS

A. Planning Committee Meetings

- 5637 The Chairman informed Members that meetings were scheduled to take place on 31 August, 14, 28 September and 12 October 2017.

B. Members' Training

- 5638 The Chairman reminded Members that training had been arranged for Thursday, 21 September 2017 at 1000 hours.

APOLOGIES

5639 Apologies were submitted on behalf of Councillors Henley and Linnecor.

MINUTES

5640 **RESOLVED:-**

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

MATTERS ARISING

Britannia Public House, 287 Lichfield Road, Aston (Minute No 5629 Refers)

5641 In response to concerns expressed by Councillor Moore regarding the displaying of an advertising banner across the exterior of the Britannia Public House, the Head of Planning Management undertook to follow up the matter.

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

5642 No notifications were received.

PETITION

Number 27 'Bus

A petition presented by Councillor Douglas Osborn requesting National Express to review its decision to remove the number 27 'bus which currently ran from Moseley to Hawkesley, was received. The removal of the service would leave local residents, including elderly people who used it to get to local shopping centres and children travelling to and from school, without public transport.

5643 **RESOLVED:-**

That the petition be referred to National Express.

(Councillor Douglas Osborn subsequently undertook to hand deliver the petition to National Express).

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 Applications in Respect of the South Area

Report No 8 – The Village Inn, 179 Alcester Road, Moseley – 2017/05255/PA

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 commented on the application and it was agreed that condition 4 be amended to include specific reference to the prohibition of live music.

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

Upon being put to a vote it was 11 in favour, 0 against and 1 abstention.

5644 **RESOLVED:-**

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

Amended Condition 4:

Restricts the Use of Structure for Regulated Entertainment, Including Live Music, After 1900 Hours.

The approved structure shall not be used for regulated entertainment, including live music, after 1900 hours.

Reason: In order to define the permission 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 National Planning Policy Framework.

Councillor Cornish left the meeting at this point.

Report No 9 – 12-12A St Mary’s Row, Moseley – 2017/05302/PA

Members commented on the application and agreed that the description in the report and condition 1 be amended regarding the reference to Bank Holiday Sundays in order to clarify the relevant days/evenings.

The Area Planning Manager (South) responded to Members’ comments.

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

5645

RESOLVED:-

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

Amended Development Description:

Variation of condition number 2 attached to planning approval 2007/03887/PA to extend the opening hours to 0700 to 0100 hours on Friday and Friday evenings, Saturday and Saturday evenings, and the Sunday and Sunday evenings immediately before Bank Holiday Mondays.

Amended Condition 1:

Limits Hours of Use to 0700-2330 Sunday-Thursday and 0700-0100 on Friday, Saturday, and Sundays before Bank Holiday Mondays.

The said premises shall be closed and cleared of customers other than between 0700-2330 on Sunday to Thursday, and between 0700-0100 on Friday and Friday evenings, Saturday and Saturday evenings, and the Sunday and Sunday evenings immediately before Bank Holiday Mondays.

Reason: In order to define the permission 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 National Planning Policy Framework.

Councillor Cornish returned to the meeting.

Report No 10 – 2-4 Woodbridge Road, Moseley – 2017/05117/PA

Members commented on the application and the Area Planning Manager (South), Head of Planning Management and Transport Manager responded thereto.

Upon being put to a vote it was 6 in favour, 4 against and 2 abstentions.

5646

RESOLVED:-

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

Report No 11 – Fitness First Health Centre, Pershore Road, Selly Oak – 2017/06449/PA

The Area Planning Manager (South) advised that the recommendation set out on page 1 of the report should read 'prior approval required and to approve with conditions'.

He added that Transportation Development had raised no objection to the proposal. However, an additional objection had been received from a local resident.

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

Upon being put to a vote it was 11 in favour, 1 against and 0 abstentions.

5647

RESOLVED:-

That it be noted that prior approval is required and that planning permission be granted subject to the conditions set out in the report.

Report No 12 – 106 Bournville Lane, Bournville – 2017/02524/PA

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

5648

RESOLVED:-

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

Planning Applications in Respect of the North West Area

Report No 13 – Moor Hall Primary School, Rowallan Road, Sutton Coldfield – 2017/04750/PA

The Area Planning Manager (North West) gave details of two additional objections received from local residents.

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

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

5649 **RESOLVED:-**

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

Report No 14 – 55 George Frederick Road, Sutton Coldfield – 2017/04051/PA

The Head of Planning Management advised that the application was for determination and referred to the additional information contained in the 'report back' including an extra condition requiring the prior submission of sample materials.

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

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

5650 **RESOLVED:-**

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

New Condition 3:

Requires the Prior Submission of Sample Materials.

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension(s)/building(s)/dwelling(s)/development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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

Planning Application in Respect of the East Area

Report No 15 – 82-86 Common Lane, Sheldon – 2017/00612/PA

Members commented on the application.

Councillor Moore proposed, Councillor C Jones seconded and Members agreed to an additional condition requiring the submission of a construction management plan.

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

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

5651

RESOLVED:-

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

New Condition 15:

Requiring the Submission of a Construction Method Statement/Management Plan.

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The method statement shall provide for details of the following:

the parking of vehicles of site operatives and visitors

location of loading and unloading of plant and materials

hours of demolition/construction/delivery

The development shall be implemented in accordance with the approved details.

Reason: In order to safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

POLICY REPORT

Appeal Decisions Received from the Planning Inspectorate in July 2017

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

(See document No 2)

The Head of Planning Management introduced the report and responded to Members' comments.

5652 **RESOLVED:-**

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

VIDEO PRESENTATION – BIRMINGHAM CONSERVATOIRE, JENNENS ROAD, CITY CENTRE

5653 In response to a suggestion by Councillor Williams at the meeting held on 6 July 2017 (Minute No 5572 refers), the Head of Planning Management, for Members' information, gave a 'walkthrough' video presentation of the new Birmingham Conservatoire, Jennens Road, City Centre, outlining the project details and the facilities available.

Members commented on the new development and suggested that it might be a suitable location for a statue of local jazz legend Andy Hamilton.

VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS

5654 There were no site visits pending.

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

5655 In response to a comment, the Head of Planning Management requested that Councillor Moore e-mail him details of the enquiry he had received from a local resident concerning an Article 4 Direction in Erdington.

B. Involvement in Planning Matters Prior to Meetings of the Planning Committee

5656 In response to a question by Councillor Douglas Osborn, the Senior Solicitor explained the 'closed mind test' when a Member who had given an opinion prior to the meeting would be expected to withdraw and not take part when an application was considered by the Committee.

The Head of Planning Management added that this issue would be covered at the Members' training that was scheduled to take place on 21 September 2017. However, if a Member was in any doubt, it was always best to err on the side of caution and withdraw from the meeting.

AUTHORITY TO CHAIRMAN AND OFFICERS

5657 **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.

EXCLUSION OF THE PUBLIC

5658 **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.