

# BIRMINGHAM CITY COUNCIL

<b>PLANNING COMMITTEE</b> <b>14 APRIL 2016</b>
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## **MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 14 APRIL 2016 AT 1100 HOURS IN COMMITTEE ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

### **PRESENT:-**

Councillor Sharpe in the Chair;

Councillors Azim, Beauchamp, Booton, Cornish, Douglas Osborn, Fazal, Griffiths, C Jones, McKay, Moore, Straker Welds and F Williams.

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### **PUBLIC ATTENDANCE**

- 4596 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**

- 4597 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**

#### **Planning Committee Meetings**

- 4598 The Chairman informed Members that meetings were scheduled to take place on 28 April, 12 and 26 May 2016.

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### **APOLOGIES**

- 4599 Apologies were submitted on behalf of Councillors M Khan and Linnecor.

**MINUTES**

4600 **RESOLVED:-**

That the Minutes of that part of the meetings of the Committee open to the public held on 17 and 31 March 2016 be noted.

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**MATTERS ARISING**

4601 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 2016/02527/PA –  
428 Redditch Road, West Heath Motors, West Heath**

4602 Councillor Griffiths 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 impact it might have on the local environment and safety issues.

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**PETITION**

4603 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 North West Area**

**Report No 8 – 63-65 Penns Lane, Sutton Coldfield – 2015/10407/PA**

The Principal Planning Officer (North West) advised that four additional comments objecting to the proposal together with one comment in support thereof had been received.

Councillor Douglas Osborn, after seeking legal advice, remained in the meeting during consideration of the application.

An objector spoke against the application.

A supporter spoke in favour of the application.

The Principal Planning Officer (North West) responded to comments made by the objector and supporter.

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

It was proposed by Councillor Cornish and seconded by Councillor Moore that a site visit be undertaken. Upon being put to a vote it was 4 in favour, 6 against and 2 abstentions. Therefore the proposal was lost.

Members then voted on the recommendation and it was 7 in favour, 5 against and 0 abstentions.

4604 **RESOLVED:-**

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

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**Report No 9 – Land between Nos 17 and 23 Clissold Street, Ladywood – 2016/01041/PA**

The Principal Planning Officer (North West) advised that he wished to add a condition.

A Member commented on the application.

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

4605 **RESOLVED:-**

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

New Condition 12:

The development, including vegetation clearance, shall be implemented in accordance with the mitigation measures for nesting birds set out in the Ecological Assessment report (BCC City Ecologist Team, 05/10/2015; ref. 11a/CCe/SJN/10/2015) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure the satisfactory development of the application site in accordance with Paragraph 3.16A of the Birmingham UDP 2005, the National Planning Policy Framework and the Nature Conservation Strategy for Birmingham SPG.

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

**Report No 10 – Former Post and Mail Printing Works, Weaman Street, City Centre – 2016/01702/PA**

The Area Planning Manager (City Centre) advised that Historic England had not wished to comment on the proposal.

A Member commented on the application.

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

4606

**RESOLVED:-**

That approval be given to the reserved matters relating to layout, scale, access, appearance and landscaping pursuant to planning permission no 2015/02639/PA, as amended by planning application no 2016/01702/PA subject to the conditions set out in the report.

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

**Report No 11 – 55 Weoley Park Road, Selly Oak – 2016/00020/PA**

The Area Planning Manager (South) advised that additional comments objecting to the proposal had been received.

An objector spoke against the application.

A supporter spoke in favour of the application.

The Area Planning Manager (South) and Transport Manager responded to comments made by the objector and supporter.

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

Upon being put to a vote it was 5 in favour, 5 against and 2 abstentions. Therefore the Chairman used his casting vote and it was:-

4607

**RESOLVED:-**

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

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Councillor Booton left the meeting at this point.

**Report No 12 – 109-113 Hubert Road, Selly Oak – 2016/00215/PA**

An objector spoke against the application.

The Area Planning Manager (South) responded to comments made by the objector.

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

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

4608 **RESOLVED:-**

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

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**Report No 13 – 10 Bournville Lane, Stirchley – 2016/00028/PA**

The Head of Planning Management advised that the recommendation was for determination and pointed out that, if Members were still minded to refuse the application, the suggested reasons for refusal were set out in the report now submitted.

Councillor Douglas Osborn proposed and it was seconded by Councillor Moore that planning permission be refused and upon being put to a vote it was 11 in favour, 0 against and 0 abstentions.

4609 **RESOLVED:-**

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

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

**Report No 14 – 217-219 Cherrywood Road, Bordesley Green – 2015/10255/PA**

The Area Planning Manager (East) advised that an additional individual letter and petition of 53 signatories regarding the proposal had been received.

An objector spoke against the application.

A supporter spoke in favour of the application.

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

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

Upon being put to a vote it was 9 in favour, 0 against and 2 abstentions.

4610 **RESOLVED:-**

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

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**Report No 15 – Central Square, High Street, Erdington – 2015/10500/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 11 in favour, 0 against and 0 abstentions.

4611 **RESOLVED:-**

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

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**Report No 16 – 7-8 Adderley Road, Washwood Heath – 2016/00493/PA**

A Member commented on the application.

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

4612 **RESOLVED:-**

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

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**Report No 17 – Former Petrol Filling Station, 55-81 Stratford Road, Sparkbrook – 2016/00168/PA**

The Area Planning Manager (East) advised that she wished to amend recommendation 8.1 to include reference to a monitoring fee of £1,500.

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

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

4613

**RESOLVED:-**

- (i) That consideration of the application be deferred pending the completion of a suitable legal agreement as set out in the report and amended below:-

Amended Recommendation 8.1 wording to be added:

- ii) payment of a monitoring and administration fee associated with the legal agreement of £1,500.
- (ii) that, in the event of the above legal agreement not being completed to the satisfaction of the local planning authority on or before 20 April 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 20 April 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 18 – Site at Orphanage Road, Edwards Road and Hart Road, Erdington – 2015/10064/PA**

The Area Planning Manager (East) advised that further submissions had been received from the applicant and outlined the details thereof.

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

Upon being put to a vote it was 6 in favour, 3 against and 2 abstentions.

4614

**RESOLVED:-**

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

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Councillor Griffiths left the meeting at this point.

**Report No 19 – High Street/Alum Rock Road, Roundabout at, Washwood Heath – 2016/01521/PA**

A Member commented on the application and the Transport Manager responded thereto.

Upon being put to a vote it was 7 in favour, 3 against and 0 abstentions.

4615

**RESOLVED:-**

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

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**Report No 20 – Chester Road, Pye Hayes – 2016/00848/PA**

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

Upon being put to a vote it was 9 in favour, 0 against and 1 abstention.

4616

**RESOLVED:-**

That no prior approval is required.

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**POLICY REPORTS**

**APPEAL DECISIONS RECEIVED FROM THE PLANNING INSPECTORATE IN MARCH 2016**

The following schedule was submitted:-

(See document No 2)

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

He made reference to the appeal hearing held on 15 March 2016 regarding Colston Health Centre, 10 Bath Row, City Centre – 2015/04556/PA and advised that the appeal had been called in by the Secretary of State.

In response to a comment by Councillor Moore concerning Perry Beeches Academy Trust, the applicant proposing the demolition of Colston Health Centre and erection of a school on the site, the Chairman advised that, in view of the fact that the appeal had been called in by the Secretary of State, the matter be discussed on the private agenda as other urgent business (exempt information).

4617 **RESOLVED:-**

That the schedule of appeal decisions received from the Planning Inspectorate in March 2016 be noted.

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Councillor Griffiths returned to the meeting.

**TECHNICAL CONSULTATION ON IMPLEMENTATION OF PLANNING CHANGES**

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

(See document No 3)

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

4618 **RESOLVED:-**

That the report be noted and a response to the consultation be sent to the Department of Communities and Local Government.

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

4619 There were no site visits pending.

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**OTHER URGENT BUSINESS**

4620 No other urgent business was raised.

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**AUTHORITY TO CHAIRMAN AND OFFICERS**

4621 **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  
meetings held on 17 and 31 March 2016

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