

BIRMINGHAM CITY COUNCIL

PLANNING COMMITTEE
4 JUNE 2020

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 4 JUNE 2020 AT 1100 HOURS AS AN ON-LINE MEETING

PRESENT:-

Councillor Karen McCarthy in the Chair;

Councillors Bob Beauchamp, Maureen Cornish, Diane Donaldson, Mohammed Fazal, Peter Griffiths, Saddak Miah, Gareth Moore, Simon Morrall, Lou Robson, Mike Ward and Martin Straker Welds.

PUBLIC ATTENDANCE

- 7560 The Chair indicated that meeting would be hosted on teams but would be webstreamed. She indicated the chat function should only be used to indicate Members' wish to speak and to alert those present to technical issues. It should not be used for side conversations. The Chair stressed that, because the Committee was a quasi-judicial one, no decisions had been made before the meeting.

NOTICE OF RECORDING

- 7561 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) and members of the press/public could record and take photographs.

DECLARATIONS OF INTEREST

- 7562 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.

Councillor Gareth Moore indicated that in report at agenda item No. 11 it indicated that he had objected to the application. This was incorrect as he had merely requested that it be considered by the Committee and had not expressed any opinion on the application. For the public record he noted that

residents had raised procedural issue which he had sought clarification from officers but had expressed no opinion on the application. The Chair advised that the report had been withdrawn and the error could be corrected.

APOLOGIES

7563 There were no apologies submitted.

At this point in the meeting the Chair took a roll call of members present and reminded Members that in order to vote on an item they had to be present in the meeting the whole time that the item was discussed.

CHAIR'S ANNOUNCEMENTS

7564 The Chair advised that reports 6 and 11 had been withdrawn from the agenda due to late representations and report 12 had been withdrawn from the agenda to allow further discussions to take place.

She informed Members that the following meetings were scheduled to take place on the 18 June 2020 and 2 and 16 July 2020.

MINUTES

7565 The Minutes of the meeting of the Committee held on 7 May 2020, having been circulated, were confirmed by the Committee and signed by the Chair.

The Minutes of the meeting of the Committee held on 21 May 2020, having been circulated, were confirmed by the Committee and signed by the Chair.

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**

7566 As indicated in the Chair's announcements it was noted that the report had been withdrawn from agenda.

REPORT NO 7 – 1 JOHNSTONE STREET, LOZELLS, BIRMINGHAM, B19 1SY – 2018/09868/PA

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

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

7567

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 by the 19 June 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 by the 19 June 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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PLANNING APPLICATIONS IN RESPECT OF THE CITY CENTRE AREA

REPORT NO. 8 – LAND CORNER OF SUMMER HILL ROAD AND GOODMAN STREET, CITY CENTRE, BIRMINGHAM – 2019/08098/PA

The Area Planning Manager (City Centre) advised that there were updates. Historic England had indicated they had no comments and the application should be determined in accordance with the specialist conservation and archaeologist officers' responses. Further the Lead Local Flood Authority had no objections subject to conditions which were already in the report.

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

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

7568

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 within one month of the date of this resolution, 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 within one month of the date of this resolution, 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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PLANNING APPLICATIONS IN RESPECT OF THE EAST AREA

**REPORT NO. 9 – LAND AT JUNCTION OF WARWICK ROAD AND
KNIGHTS ROAD, TYSELEY, BIRMINGHAM, B11 – 2019/03504/PA**

The Area Planning Manager (East) confirmed that there were updates. In paragraph 8.1 of the report it should read open space provision/play space provision within the local area not Ward to be consistent with paragraph 6.54. The site plan shown in the report had been revised to show a pedestrian footpath on the north side of the access from Knights Road and slight revisions to the internal road layout to improve visibility which had resulted in the slight setting back of block G in the middle of the site. The Area Planning Manager (East) continued that officers in Transportation Development had requested 4 additional conditions relating to a Parking Management Strategy, service road construction prior to occupation, pavement boundary details and details of pedestrian visibility splays.

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

Upon being put to a vote it was 10 in favour, 0 against and 1 abstention -

7569

RESOLVED:-

- (i) That consideration of the application be deferred pending the completion of a suitable legal agreement as set out in the report subject to the amendment below;

In part (i) the words 'open space provision/play space provision within the local area replace the words 'the provision and improvement of public open space and children's play facilities in the local Ward'
- (ii) that, in the event of the above legal agreement not being completed to the satisfaction of the local planning authority by the 30 June 2020, planning permission be refused for the reasons set out in the report;
- (ii) that, in the event of the legal agreement being completed to the satisfaction of the local planning authority by the 30 June 2020, favourable consideration would be given to the planning application subject to the conditions set out in the report and amended below:-

New Conditions

1. 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 Policies PG3 and TP44 of the Birmingham Development Plan 2017, the Car Parking Guidelines SPD and the National Planning Policy Framework.

2. Prevents occupation until the service road has been constructed
No dwelling/building shall be occupied until that part of the service road, which provides access to it has been constructed in accordance with the approved plans.

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.

3. Requires the submission of details of pavement boundary
Details of a dwarf wall or similar feature to be erected at the back of pavement shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation. The approved scheme shall be implemented before the development hereby permitted is brought into use and thereafter retained.

Reason: To ensure that vehicles only access the site through the designated entrance in the interests of highway and pedestrian safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

4. Requires pedestrian visibility splays to be provided
A pedestrian visibility splay of 3.3 metres by 3.3metres by 0.6metres shall be incorporated at the/each access point before the access point(s) is first used and thereafter maintained.

Reason: In order to ensure the safe movement of pedestrians using the adjacent highway in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

- (iv) that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.

**REPORT NO. 10 – THE LOFT, COLLEGE COURT, 1 COLLEGE ROAD,
MOSELEY BIRMINGHAM, B13 9LS – 2020/01120/PA**

The Chair noted that the site would be known to a number of members on the Committee and if they had discussed the application, they may need to declare an interest. Councillor Lou Robson confirmed she was familiar with the College Court complex, but not the building in question, as the campaign headquarters for the Hall Green Constituency Labour Party in the last elections. She added that she thought she had met the owner but had not had any discussions about the application.

The Committee Lawyer confirmed the view of the Chair that being familiar with the site did not preclude Councillor Robson from taking part in the consideration of the application.

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

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

During the debate Councillor Lou Robson proposed that consideration of the application be deferred to allow more information to be sought from the applicant and other sources relating to transportation and parking, and agreed that, following comments from Councillor Gareth Moore, the compliance with the Places of Worship and Faith-Related Community and Education Uses SPD should be examined. The proposal to defer was seconded by Councillor Martin Straker Welds.

The Chair put the proposal of deferral to a vote and it was 7 in favour, 2 against and 2 abstention –

7570

RESOLVED:-

That consideration of the application referred to in the report be deferred to allow more information to be sought from the applicant and other sources relating to transportation and parking and examination of compliance with the Places of Worship and Faith-Related Community and Education Uses SPD.

**REPORT NO. 11 – 106 CHURCH ROAD, ERDINGTON, BIRMINGHAM, B24
9BD – 2020/01147/PA**

7571

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

PLANNING APPLICATIONS IN RESPECT OF THE SOUTH AREA

**REPORT NO. 12 – 1386-1392 PERSHORE ROAD, BOURNVILLE,
BIRMINGHAM, B30 2XS – 2019/10502/PA**

- 7572 As indicated in the Chair's announcements it was noted that the report had been withdrawn from agenda.
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REPORT NO. 13 – UNIVERSITY OF BIRMINGHAM, FORMER MUNROW SPORTS CENTRE SITE, EDGBASTON CAMPUS, WEST GATE, EDGBASTON, BIRMINGHAM, B15 – 2019/10647/PA

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

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

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

- 7573 **RESOLVED:-**

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

REPORT NO. 14 – UNIVERSITY RAIL STATION, VINCENT DRIVE, EDGBASTON, BIRMINGHAM, B15 2TT – 2019/09406/PA

The Area Planning Manager (South) indicated that there were updates in that further submissions had been received from the applicant in relation to the concerns raised by the Tree Officer and City Ecologist relating to mitigation/compensation. The applicant had provided updated surveys, and, on that basis, both the Tree Officer and City Ecologist had withdrawn their objections. Accordingly Conditions Nos. 13, 14 and 17 should be deleted as those issues had been addressed. In addition the Area Planning Officer proposed the deletion of Condition No. 32 as it was no longer required.

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

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

- 7574 **RESOLVED:-**

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

Condition Nos. 13,14,17 and 32 be deleted.

REPORT NO. 15 – REDDINGS LANE, SPARKHILL, BIRMINGHAM, B28 8TE – 2020/02823/PA

Councillor Lou Robson indicated that she had objected to the application as a Ward Councillor and therefore took no further part in the consideration of the application.

The Area Planning Manager (South) indicated that a further lengthy letter of objection, which raise detailed comments and concerns, particularly public health issues in respect of 5G masts, had been received. The Area Planning officer indicated that she would highlight the key points as follows:-

- There was scientific literature pointing to the very real non thermal negative biological effects of electro magnetic radiation which is being ignored by the mobile industry and other bodies such as International Commission on Non-Ionizing Radiation Protection (ICNIRP);
- There were reports pointing to harm to children from base stations;
- The mast some 100 metres from Russell Nursery School;
- The roll-out of 5G was misguided by Public Health England;
- (ICNIRP) guidelines were flawed;
- Central Government should not dictate to Local Planning Authorities through the National Planning Policy Framework (NPPF) 2012;
- The roll-out of 5G should be halted until independent scientific research and analysis has been undertaken at a National level;

The Area Planning Manager (South) advised that the application was for No Prior Approval and therefore the Committee should only concern itself with siting and appearance and not the principle of 5G. She drew the Committee's attention to paragraph 6.6 of the report.

Upon being put to a vote it was 10 in favour, 0 against and 0 abstention -

7575 **RESOLVED:-**

That no prior approval is required.

From this point in the meeting Councillor Lou Robson was able participate.

OTHER URGENT BUSINESS

7576 There were no items raised.

AUTHORITY TO CHAIR AND OFFICERS

7577 **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.

The meeting ended at 1210 hours

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CHAIR