

BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE
23 FEBRUARY 2023**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON
THURSDAY, 23 FEBRUARY 2023 AT 1100 HOURS IN COMMITTEE ROOMS
3 & 4, COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Martin Brooks in the Chair.

Councillors Akhlaq Ahmed, David Barrie, Jack Deakin, Jane Jones, Mahmood Hussain, Lee Marsham, Gareth Moore, Rick Payne and Colin Green.

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INTRODUCTIONS

The Chair notified the Committee, that this was a quasi-judicial meeting and no decisions had been made in advance of the meeting. He highlighted Members who sat on this Committee were sitting as representatives of the Council as a whole and not Ward Councillors.

NOTICE OF RECORDING

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The Chair advised, and the Committee noted, that the meeting would be webcast for live or subsequent broadcast via the Council's YouTube channel (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and members of the press/public could record and take photographs except where there were confidential or exempt items.

DECLARATIONS OF INTEREST

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The Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

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Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

APOLOGIES

8144 Councillors Mumtaz Hussain and Diane Donaldson.

CHAIR'S ANNOUNCEMENTS

8145 The Chair announced that Item 9 was withdrawn from the agenda.

There was public speaking for items 6, 7 and 8.

MINUTES

8146 The minutes of the meeting of the Committee held on 2 February 2023 contained some inaccuracies and will be reissued for the next meeting.

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, TRANSPORT AND SUSTAINABILITY

The following reports were submitted:

(See Document No. 1)

PLANNING APPLICATIONS IN RESPECT OF THE SOUTH AREA

REPORT NO. 6 - 2-10 BOURNBROOK ROAD, BOURNBROOK, BIRMINGHAM, B29 7BH - 2022/08046/PA

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

An objector spoke against the application and a supporter spoke in favour of the application.

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

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

8146 **RESOLVED:** -

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

REPORT NO. 7 - FORMER 'THE TREES' PUBLIC HOUSE SITE, BRISTOL ROAD, EDGBASTON, BIRMINGHAM, B5 7TT - 2022/06777/PA

The Area Planning Manager (South) confirmed the following update:

- 1 extra objection raising the following points: no demonstrated need for more student accommodation, amended plans are not an improvement, the tall building should be on the corner at McDonald's and loss of amenity for residents.

Councillor Matt Bennett spoke against the application and a supporter spoke in favour of the application.

Members commented on the application. Councillor Ahmed suggested that he was minded to defer the application to enable parking issues to be looked at further. Councillor Mahmood Hussain agreed with that view.

The Area Planning Manager (South) responded to comments made by members. The Highways Officer advised that the previous scheme wasn't refused on parking grounds and the applicable policies haven't changed so that would lead to the same conclusion on the parking issue. The Area Planning Manager reiterated that parking wasn't a reason for refusal on the previous scheme and this scheme has fewer bedrooms so potentially less impact in terms of parking, meaning that it would be very difficult to defer for that reason or sustain a reason for refusal based on parking.

Councillor Moore suggested having a deferral to review the parking arrangements. The Chair stated the reasons were not clear for requesting a deferral and the information that is being requested is already in the report. Councillor Ahmed withdrew the request for a deferral before the voting took place.

Upon being put to a vote it was 5 in favour, 3 against and 2 abstention.

8147

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. 8 - MSSC (MARINE SOCIETY AND SEA CADETS), H M S VERNON, OSLER STREET, LADYWOOD, BIRMINGHAM, B16 9EU – 2022/07894/PA

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

An objector spoke against the application and a supporter spoke in favour of the application.

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, 0 against and 1 abstention.

8148

RESOLVED: -

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

PLANNING APPLICATIONS IN RESPECT OF THE CITY CENTRE

**REPORT NO. 10 - LAND NORTH AND SOUTH OF MILL STREET
BOUNDED BY ASTON ROAD (A38), DARTMOUTH CIRCUS,
DARTMOUTH MIDDLEWAY AND THE BIRMINGHAM AND FAZELEY
CANAL, CURZON WHARF, ASTON, BIRMINGHAM, B6 4BS -
2021/03125/PA**

The Area Planning Manager (City Centre) confirmed the following updates:

- At para 9.1 (v) – the public realm supervision fee figure has now been provided by the Head of Landscape and Development, this would be £25,000.
- At paragraphs 7.80, 7.84, and 7.114 the CIL figure is quoted as in the region of £1.7m, in fact it would be IRO £2.1m. Although as it is a hybrid application, and there will be indexation, we can't give an exact figure.

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

8149

RESOLVED: -

That consideration of the application referred to in the report be deferred.

**REPORT NO. 11 - CANAL WALL SOUTH OF MILL STREET AND NORTH
OF THE BIRMINGHAM AND FAZELEY CANAL, ASTON, BIRMINGHAM -
2021/03035/PA**

The Area Planning Manager (City Centre) confirmed there were no updates.

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

Upon being put to a vote for deferral there were 10 in favour, 0 against and 0 abstention.

8150

RESOLVED: -

That consideration of the application referred to in the report be deferred.

REPORT NO. 12 - LAND OFF CARDIGAN STREET AND GOPSAL STREET/BELMONT ROW, BIRMINGHAM, B4 7SA - 2022/07259/PA

The Area Planning Manager (City Centre) confirmed the following update:

- There is a typographical error in paragraph 7.14 of the Officer Report. In the 6th line of this paragraph the words 'Conservation Officer' should be replaced by 'Conservation Area'.

Members commented on the report 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

8151

RESOLVED: -

- (i) That planning permission be granted subject to the completion of a Section 106 legal agreement and conditions as set out in the report.
 - (ii) that in the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 23rd March 2023, or such later date as may be authorised by officers under powers hereby delegated, planning permission be refused for the reason(s) set out in the report; and
 - (iii) that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.
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POLICY REPORT

The report was presented to the members.

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RESOLVED -

That the policy report be noted.

OTHER URGENT BUSINESS

None submitted.

AUTHORITY TO CHAIR AND OFFICERS

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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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AUTHORITY TO THE ASSISTANT DIRECTOR (PLANNING):

If a Planning Committee meeting(s) are unable to be held in person and/or cancelled, the Assistant Director (Planning), in consultation with the Planning Committee, has authority to determine planning applications that would otherwise have been considered by the Committee.

The meeting ended 1136 hours.

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CHAIR