

# BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE**  
**10 MAY 2018**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 10 MAY 2018 AT 1100 HOURS IN COMMITTEE ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:-**

Councillor Mike Sharpe in the Chair;

Councillors Mohammed Azim, Bob Beauchamp, Maureen Cornish, Keith Linnecor, Mohammed Fazal, Kerry Jenkins, Gareth Moore and Martin Straker Welds.

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**PUBLIC ATTENDANCE**

- 6163 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**

- 6164 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.civico.net/birmingham](http://www.civico.net/birmingham)) and members of the press/public could record and take photographs except where there were confidential or exempt items.

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**DECLARATIONS OF INTEREST**

- 6165 The Chairman 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.

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**CHAIRMAN'S ANNOUNCEMENTS**

**Planning Committee Meetings**

- 6166 The Chairman informed Members that meetings were scheduled to take place on 24 May and 7 and 21 June 2018.

**APOLOGIES**

6167 An apology was submitted on behalf of Councillor Tahir Ali.

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**MINUTES**

6168 **RESOLVED:-**

That the Minutes of that part of the last meetings of the Committee open to the public held on 26 April 2018 be noted.

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**MATTERS ARISING**

6169 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. 2018/03275/PA – 38 – 50 Orphanage Road, Erdington, Birmingham, B24 9HN**

6170 Councillor Gareth Moore requested that a report relating to the above planning application be submitted to a future meeting of the Planning Committee in light of concerns regarding residential amenity and highway safety and parking.

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**PETITION**

**Kentucky Fried Chicken (KFC), Stratford Road, Hall Green**

A petition presented by Councillor Kerry Jenkins objecting to a proposed KFC restaurant on Stratford Road, Hall Green as it would have a detrimental impact on vitality and viability of the Neighbourhood Centre and the amenity of residential occupiers and road traffic safety of local residents.

6171 **RESOLVED:-**

That the petition be referred to the Corporate Director, Economy.

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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 CORPORATE DIRECTOR, ECONOMY**

The following reports were submitted:-

(See Document No 1)

**Planning Applications in Respect of the North West Area**

**Report No 9 – One Stop Shopping Centre, Walsall Road, Perry Barr, Birmingham, B42 1AA – 2018/00852/PA**

The Area Planning Manager (North West) introduced the report and stated that there was one update, a Supporting Statement and correspondence had been received from the applicant. This identified the purpose of the application and suggested that a condition could restrict no more than 25 units to non-A1 retail as well as a 21-day extension of time to consider this proposed amendment.

A supporter spoke in favour of the application.

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

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

Upon being put to a vote it was 8 in favour, 0 against and 0 abstentions.

6172 **RESOLVED:-**

That planning permission be refused for the reason as set out in the report.

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**Report No 10 – Twickenham Primary School, Twickenham Road, Kingstanding, Birmingham, B44 0NR – 2017/10547/PA**

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

Upon being put to a vote it was 8 in favour, 0 against and 0 abstentions.

6173 **RESOLVED:-**

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

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

**Report No 11 – Brookmeadow, 85 Old Forest Way, Birmingham, B34 6TW – 2017/09512/PA**

The Area Planning Manager (East) introduced the report and stated that there was one update correspondence from Heart of England Trust for a Section 106 financial contribution of £6,540.

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

Upon being put to a vote it was 8 in favour, 0 against and 0 abstentions.

6174 **RESOLVED:-**

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

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

**Report No 12 – 50 Severn Street, Birmingham, B1 1QG – 2017/10465/PA**

The Area Planning Manager (City Centre) introduced the report and stated that there was one update, with a request from Heart of England Trust for a Section 106 financial contribution of £784.00.

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

Upon being put to a vote it was 7 in favour, 1 against and 0 abstentions.

6175 **RESOLVED:-**

- (i) That consideration of the application be deferred pending the completion of a suitable legal agreement, pursuant to Section 111 of the Local Government Act 1972 which requires the applicants to complete Section 106 Obligations 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 25 May 2018, planning permission be refused for the reasons as 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 25 May 2018, favourable consideration would be given to the planning application subject to the conditions as set out in the report;
- (iv) that the City Solicitor be authorised to prepare, seal and complete the planning obligation.

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**Report No 13 – Former Westminster Works, Land at Cheapside, Alcester Street and Moseley Street, Digbeth, Birmingham, B12 0PU – 2017/08666/PA**

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

Upon being put to a vote it was 6 in favour, 2 against and 0 abstentions.

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**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 31 May 2018, 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 31 May 2018, 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 planning obligation.
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**VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS**

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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. Old Horns Crescent, Great Barr, Birmingham, B43 7HA – 2016/09132/PA**

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Councillor Keith Linnecor stated that he had been approached by a number of interested parties in relation to the recent appeal on this site advising that the 2017 Ecology Report was not on the planning portal to view and as such were unable to refer to it during the appeal. At the appeal site visit it was apparent that the wildlife species in question was on site but there was no evidence of their existence detailed on the portal website. He stated that local residents and members of the nature reserve were very concerned that the wildlife species had been omitted from the evidence available.

The Area Planning Manager stated that he would seek clarity on the matter and respond directly to Councillor Keith Linnecor on the outcome of his findings.

**B. Food Bank Relocation on former Colliers Site**

6179

Councillor Gareth Moore stated that he and members from the Food Bank on the former Colliers site had repeatedly asked planning officers to assist them in relocating their business to an alternative suitable site but had not had any feedback from the Department.

The Area Planning Manager stated that he would seek clarity on the matter and respond directly to Councillor Gareth Moore on the outcome of his findings.

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**AUTHORITY TO CHAIRMAN AND OFFICERS**

6180 **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**

6181 **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 meetings.

3