

# BIRMINGHAM CITY COUNCIL

<b>PLANNING COMMITTEE</b> <b>21 JULY 2016</b>
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## **MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 21 JULY 2016 AT 1100 HOURS IN COMMITTEE ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

### **PRESENT:-**

Councillor Sharpe in the Chair;

Councillors T Ali, Azim, Beauchamp, Booton, Douglas Osborn, Fazal, Henley, K Jenkins, C Jones, Linnecor, Moore, Straker Welds and Williams.

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### **PUBLIC ATTENDANCE**

- 4805      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**

- 4806      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**

#### **A. Planning Committee Meetings**

- 4807      The Chairman informed Members that meetings were scheduled to take place on 4, 18 August, 1 and 15 September 2016.

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#### **B. Appointment of Councillor Martin Straker Welds**

The Chairman welcomed, and Members noted the appointment of, Councillor Straker Welds to serve on the Committee in place of Councillor Kooner for the remainder of the Municipal Year 2016/17.

**APOLOGIES**

4808 Apologies were submitted on behalf of Councillor Cornish.

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**MINUTES**

4809 **RESOLVED:-**

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

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**MATTERS ARISING**

4810 There were no matters arising.

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

4811 No notifications were received.

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**PETITION**

**Request for a Sauna and Steam Room at Northfield Leisure Centre**

A petition presented by Councillor Douglas Osborn calling on Serco Group PLC as part of the consultation during the Birmingham City Council planning process to include a sauna and steam room in the plans for the new Northfield Leisure Centre maintaining the facilities that are available at the moment and that many people in the area have used and enjoyed was received.

4812 **RESOLVED:-**

That the petition be referred to the Director of Planning and Regeneration.

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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 South Area**

**Report No 8 – 23-25 Baldwins Lane, Hall Green – 2016/03558/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 the condition regarding landscaping details be amended with the replacement of any trees or shrubs that die within a period of four years and requesting details of the quality and volume of topsoil.

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

Upon being put to a vote it was 12 in favour, 1 against and 0 abstentions.

4813

**RESOLVED:-**

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

Amended Condition 8:

Requires the prior submission of hard and/or soft landscape details

No development shall take place until full details of hard and/or soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

These details shall include proposed finished levels or contours, means of enclosure, hard surfacing materials, minor artefacts and structures, proposed and existing functional services above and below ground, fully annotated planting plans to a scale of 1:100, showing, where used, locations of individually planted trees, areas of woodland, shrubs, hedges, bulbs, and areas of grass.

Within ornamental planting areas, plans should be sufficiently detailed to show the locations of different single species groups in relation to one another, and the locations of any individual specimen shrubs.

Other information shall include planting schedules, noting species, plant sizes and proposed numbers/densities and details of the proposed planting implementation programme, and details of quality and volume of topsoil.

All hard and/or soft landscape works shall be implemented in accordance with the approved details. The works shall be implemented prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority and thereafter maintained.

Any trees or shrubs which, within a period of four years from the completion of the development, die, are removed or become seriously diseased or damaged, shall be replaced in the next planting season with others of similar size and species.

Reason: In order to secure the satisfactory development of the application site, ensure a high quality of external environment and reinforce local landscape character in accordance with Paragraphs 3.8, 3.10, 3.14 and 3.16A of the Birmingham UDP 2005.

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**Report No 9 – Sir Herbert Austin Way and Vineyard Road (Land at Junction of), Northfield – 2016/04325/PA**

After seeking legal advice Councillor Douglas Osborn remained in the meeting and although he commented on the application he was not present when the Committee voted on the proposed site visit or the recommendation.

The Area Planning Manager (South) advised that he wished to add a condition regarding boundary treatment details.

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 it was suggested that the replacement period for trees and shrubs be extended to four years.

The Transport Manager and Head of Planning Management responded to Members' comments.

A site visit was proposed by Councillor Linnecor and seconded by Councillor Moore. 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, 2 against and 3 abstentions.

4814

**RESOLVED:-**

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

New Condition 28:

Requires the prior submission of boundary treatment details

No development shall take place until full details of the proposed boundary treatment of the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include plans showing the locations of existing, retained and proposed new boundary treatments and scaled drawings indicating the positions, height, design, materials, type and colour of proposed new boundary treatments.

The approved scheme shall be implemented before occupation of the building(s)/use/dwelling(s) hereby permitted and shall be retained thereafter.

Reason: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.8, 3.10 and 3.16A of the Birmingham UDP 2005 and the National Planning Policy Framework.

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**Report No 10 – University of Birmingham, Munrow Sports Centre, Edgbaston – 2016/03861/PA**

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

4815

**RESOLVED:-**

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

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**Report No 11 – University of Birmingham, 47 and 53 Edgbaston Park Road, Edgbaston – 2016/01260/PA**

The Area Planning Manager (South) advised that an additional letter regarding the proposal had been received.

He added that Natural England had raised no objection to the proposal.

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 it was suggested that the replacement period for trees and shrubs be extended to four years.

The Area Planning Manager (South) and Transport Manager responded to Members' comments.

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

4816 **RESOLVED:-**

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

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**Report No 12 – University of Birmingham, 47 Edgbaston Park Road, Edgbaston – 2016/01280/PA**

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

4817 **RESOLVED:-**

That listed building consent be granted subject to the conditions set out in the report.

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**Report No 13 – Hall Green Stadium, York Road, Hall Green – 2016/01219/PA**

Councillors K Jenkins and Linnecor declared interests and left the room during consideration of the item.

The Area Planning Manager (South) informed Members of details of further submissions received from the applicant, objectors and supporters regarding the proposal.

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

Councillor Moore proposed that planning permission be refused. However, the proposal was not seconded.

Members voted on the reasons for refusal set out in the report and it was 2 in favour, 6 against and 2 abstentions. Therefore that was lost.

Councillor Henley proposed and it was seconded by Councillor Williams that the original recommendation be approved and upon being put to a vote it was

7 in favour, 1 against and 2 abstentions. Therefore it was:-

4818

**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 26 August 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 26 August 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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Councillors K Jenkins and Linnecor returned to the meeting.

**Report No 14 – 126-138 Dawlish Road, Land to the Rear, Selly Oak – 2016/04383/PA**

The Area Planning Manager (South), in referring to paragraph 4.6 of the report, advised that Western Power Distribution had raised no objection to the proposal.

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

4819

**RESOLVED:-**

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

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

**Report No 15 – Royal Angus Hotel, St Chad's Queensway, City Centre – 2016/03809/PA**

Members commented on the application.

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

4820

**RESOLVED:-**

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

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

**Report No 16 – Land Adjacent Cascades Swimming Baths, Station Road, Stechford – 2016/03495/PA**

The Area Planning Manager (East), in referring to paragraph 5.3, advised that Leisure Services had raised no objection to the proposal.

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

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

4821

**RESOLVED:-**

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

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**SITE VISITED REPORT**

**16 Flint Green Road, Acocks Green – 2016/03916/PA**

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

(See document No 2)

The Area Planning Manager (East) highlighted the points raised at the site visit held on 14 July 2016.

Members commented on the application.

Upon being put to a vote it was 8 in favour, 1 against and 1 abstention:-

4822

**RESOLVED:-**

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

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**POLICY REPORT**

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

The following schedule was submitted:-

(See document No 3)

The Head of Planning Management introduced the report.

4823 **RESOLVED:-**

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

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

4824 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. Ecology Sub-Committee (Minute Nos 4673, 4706 and 4737 refer)**

4825 In response to a comment by Councillor Linnecor regarding the possible establishment of an Ecology Sub-Committee, the Chairman advised that the matter was currently being considered and he undertook to inform Councillor Linnecor of any progress.

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**B. The Leopard, Former Public House, Jerrys Lane, Erdington, B23 5NX –  
2016/01628/PA**

4826 Councillor Moore referred to a recent fire at a former public house that had been granted planning permission for a change of use to residential apartments. He was concerned about the safety and security of the building and suggested that planning enforcement officers investigate the matter.

The Head of Planning Management pointed out that the safety and security of a building was not a planning matter but undertook to inform appropriate officers of Councillor Moore's concern and ask them to contact him.

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**AUTHORITY TO CHAIRMAN 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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**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 the last 3  
meeting.