

BIRMINGHAM CITY COUNCIL

PLANNING COMMITTEE
22 FEBRUARY 2024

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON
THURSDAY 22 FEBRUARY 2024 AT 1100 HOURS IN COMMITTEE ROOMS 3
& 4, COUNCIL HOUSE, BIRMINGHAM

PRESENT: - Councillor Martin Brookes in the Chair.

Councillors Akhlaq Ahmed, David Barrie, Diane Donaldson, Mahmood Hussain, Lee Marsham, Yvonne Mosquito, Colin Green, Gareth Moore.

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8300

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

8301

The Chair advised that this meeting would be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

DECLARATIONS OF INTEREST

8302

None submitted.

APOLOGIES

8303

Councillors Jane Jones, Jack Deakin, Mohammed Idrees Mumtaz Hussain and Rick Payne.

CHAIR'S ANNOUNCEMENTS

8304

The public speakers that were due to speak at the meeting had withdrawn their registration.

MINUTES

8305

The minutes of the last meeting were pending approval from officers and would be agreed at 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 EAST AREA

REPORT NO. 6 - LAND NORTH OF WARWICK ROAD, ACOCKS GREEN, BIRMINGHAM, B27 6PL- 2022/07907/PA

The Area Planning Manager (East) confirmed the following updates:

- There was an omission within the Planning Committee report in paragraphs 1.9, 7.24 and 9.2. Reference is made to 35% on-site affordable housing to be delivered. This is correct, but the report only referred to 13 properties for social rent, which equated to 28%.
- The report should have also referred to an additional 3 properties for shared ownership, bringing the total number of affordable properties from 13 to 16 (35% affordable housing).
- The recommendation needs to be amended accordingly.
- I am advised that the applicant is still engaging with registered providers and seeks maximum flexibility.
- The officers report makes reference to particular plots which would deliver the affordable housing. As these are yet to be finalised, at this stage, the applicant has requested reference to particular plots be deleted.
- The report specified that all of the affordable homes would be delivered as social rent. Again, to maintain some flexibility over the units which would come forward, the applicant requested that the rental properties be delivered as either social rent or affordable rent.
- Therefore, a minimum of 35% on-site affordable housing would be secured in accordance with TP31. The final affordable housing mix would be agreed and approved by the Council through the discharge of the Section 106 agreement. Consequently, the recommendation within paragraph 9.2 of the officer's report should read as follows: 'Provision of a minimum of 35% on-site affordable housing comprising 13 social rent or affordable rent homes and 3 shared ownership homes'.
- The Council's housing manager is content with this approach.

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

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

8306

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 22nd May 2024, 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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PLANNING APPLICATIONS IN RESPECT OF THE CITY CENTRE

REPORT NO. 7 - 2-6 COLMORE GATE, COLMORE ROW, BIRMINGHAM, B3 2QA- 2023/05721/PA

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

The Chair reminded members that this report was considered on the meeting that took place on 21st December 2023 and was deferred for further comments from Historic England. The comments were in the report together with the previous reports.

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

Upon being put to a vote it was 4 in favour, 5 against and 0 abstention.

8307

RESOLVED: -

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

REPORT NO. 8 - 131-137 HIGH STREET, BORDESLEY, BIRMINGHAM, B12 0JU- 2023/03450/PA

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

- Environmental Protection Unit removed their objection that was outlined in the report. They no longer objected subject to conditions requiring a noise mitigation scheme to be submitted.

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

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

8308

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 21st December 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.

REPORT NO. 9 - NEW OSCOTT PRIMARY SCHOOL, MARKHAM ROAD, SUTTON COLDFIELD, BIRMINGHAM, B73 6QR - 2023/07676/PA

The Area Planning Manager (North West) confirmed the following updates:

- Amend condition 9 which has become a compliance condition as the submitted landscaping details were now acceptable.
- Delete condition 25 which relates to number of pupils and staff on the site as the application was replacing an existing school and there was no planned expansion of the number of children in the school.

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 0 abstention.

8309

RESOLVED: -

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

OTHER URGENT BUSINESS

None submitted.

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CHAIR