

BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE
3 JANUARY 2019**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON
THURSDAY, 3 JANUARY 2019 AT 1100 HOURS IN COMMITTEE ROOMS 3
AND 4, COUNCIL HOUSE, BIRMINGHAM**

PRESENT:-

Councillor Karen McCarthy in the Chair;

Councillors Mohammed Azim, Maureen Cornish, Mohammed Fazal, Peter Griffiths, Adam Higgs, Julie Johnson, Keith Linnecor, Gareth Moore, Lou Robson, Lucy Seymour-Smith and Mike Ward.

PUBLIC ATTENDANCE

- 6637 The Chair welcomed members of the public to the meeting, indicating that a leaflet had been circulated explaining how the Committee operated. She stressed that, because the Committee was a quasi-judicial one, no decisions had been made before the meeting.

NOTICE OF RECORDING

- 6638 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 except where there were confidential or exempt items.

DECLARATIONS OF INTEREST

- 6639 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.

CHAIR'S ANNOUNCEMENTS

- 6640 The Chair informed Members that meetings were scheduled to take place on the 17 and 31 January and 14 February 2019.

APOLOGIES

- 6641 Apologies were submitted on behalf of Councillors Safia Akhtar, Bob Beauchamp and Saddak Miah for their inability to attend the meeting.
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MINUTES

- 6642 **RESOLVED:-**

That the Minutes of that part of the last meeting of the Committee open to the public held on 20 December 2018 be noted.

MATTERS ARISING

- 6643 There were no matters arising from the Minutes.
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NOTIFICATIONS BY MEMBERS OF PLANNING APPLICATIONS THAT THEY CONSIDER SHOULD BE DETERMINED BY COMMITTEE

- 6644 No notifications were received.
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PETITIONS

- 6645 No petitions were submitted.
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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 City Centre Area

Report No 9 – Connaught Square (Land Bounded by High Street (Deritend), Rea Street, Bradford Street and Stone Yard) Digbeth, Birmingham, B12 – 2016/08273/PA

The Area Planning Manager (City Centre) stated that there was one update to subsection four of the heads of terms in the conclusion of the report and at 8.1 of the report subsection 4 which stated that it relates to the financial contribution towards public realm improvements that needed to include the £5,000 contribution to allow the supervision of that requirement. The applicant is in

agreement with the additional contribution and all other conditions as set out in the report.

It was noted that the named objector to the scheme was not in attendance at the meeting and therefore, there was no requirement for the supporter to speak.

Councillor Gareth Moore noted that with the previous application an issues report had been presented and he welcomed that the applicant had heeded advice given and amended the scheme to include additional two bedroomed properties rather than single occupancy properties.

Councillor Peter Griffiths proposed and it was seconded by Councillor Lou Robson that consideration of the report be deferred pending the submission of the viability assessment be forwarded to all Planning Members.

Councillor Lucy Seymour-Smith questioned whether there would be an education contribution and requested that further information be provided.

Upon being put to a vote to defer the application pending the submission of the viability assessment it was 7 in favour, 0 against and 4 abstentions.

6646

RESOLVED:-

That consideration of the application be deferred pending the submission of the viability assessment.

Report No 10 – 75-79 Lancaster Street, City Centre, Birmingham, B4 7AT – 2018/08221/PA

The Area Planning Manager (City Centre) stated that there were updates which were included within the report.

Councillor Lou Robson proposed and it was seconded by Councillor Lucy Seymour-Smith that consideration of the report be deferred pending further information from the developer to explore the provision student disabled parking within the development proposals.

The Area Planning Manager (City Centre) and the Transport Development Manager responded to Members comments and stated that the adjacent public car park had the provision for disabled parking within it.

Upon being put to a vote to defer the application pending further information from the developer concerning student disabled parking it was 4 in favour, 4 against and 3 abstentions.

The Chair used her casting vote and voted against the deferral. The proposal to defer the application was therefore lost.

The Chair then proposed that Members vote on the application as submitted and upon being put to a vote it was 10 in favour, 0 against and 1 abstention –

6647 **RESOLVED:-**

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

Planning Applications in Respect of the South Area

Report No 11 – Former Selly Oak Hospital, Raddlebarn Road, Selly Oak, Birmingham, B29 6DJ – 2018/07028/PA

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

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

6648 **RESOLVED:-**

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

Councillor Peter Griffiths declared a non-pecuniary interest in relation to agenda item no. 12 and left the meeting.

Report No 12 – 66-92 The Fordrough and 1-9 Houldey Road, West Heath, Birmingham, B31 3LU – 2018/09461/PA

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

Members welcomed the application.

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

6649 **RESOLVED:-**

That it be noted that prior approval is required and is granted subject to the conditions set out in the report.

Councillor Peter Griffiths returned to the meeting having had no part in the discussions or the decisions that took place.

Report No 13 – 11 Harrisons Road, Harborne, Birmingham, B15 3QR – 2018/07400/PA

The Area Planning Manager (South) stated that there were updates.

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

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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 14 – St Nicholas RC Primary School, Jockey Road, Sutton Coldfield, Birmingham, B73 5US – 2018/08425/PA

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

A Member stated that whilst sympathising with local residents concerns priority must be given to the safety and welfare of primary school students.

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

6651

RESOLVED:-

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

Councillor Peter Griffiths declared a non-pecuniary interest in relation to agenda item no. 15 and left the meeting.

Report No 15 – Land at Corner of Poplar Avenue and Withy Hill Road, Sutton Coldfield, Birmingham, B75 6HT – 2018/05145/PA

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

Members welcomed the application.

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

6652

RESOLVED:-

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

Councillor Peter Griffiths returned to the meeting having had no part in the discussions or the decisions that took place.

Report No 16 – 60B AND 60C Boldmere Road, Sutton Coldfield, Birmingham, B73 5TJ – 2018/07720/PA

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

A Member commented on the application and stated that attempts to alleviate noise should be explored and that the agreed timetable for opening should be adhered to.

The Area Planning Manager (North West) responded thereto.

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

6653 **RESOLVED:-**

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

Report No 17 – 7 Lyttelton Road, Edgbaston, Birmingham, B16 9JN – 2018/06252/PA

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

A Member welcomed the application.

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

6654 **RESOLVED:-**

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

ISSUES REPORT

Land fronting Northwood Street, James Street, Graham Street, Brook Street, Newhall Street and Regent Place, Jewellery Quarter, Birmingham B1 (2018/04882/PA)

The following report of the Corporate Director, Economy was submitted:-

(See Document No. 2)

The applicant's representatives gave a power point presentation and responded to Members comments.

The Chair asked Members for general comments first before concentrating on a number of questions that Members are requested to comment upon.

Councillor Lou Robson, Planning Committee representative on the Conservation Design and Review Panel, stated that the application was

submitted to the Panel in October 2018 and she stressed that the planning report did not address or respond to the comments raised in the Minutes of the Panel. Generally, the Panel welcomed the planning and design of the site but the current proposal contradicted planning policy in two main areas namely the heights of the buildings and the ‘massing’ of the buildings at four storeys in height or more. She stressed that there was also a substantial amount of residential properties and that planning policy should not be overturned in this instance in the centre of the Jewellery Quarter where industries and small businesses should be encouraged to thrive.

Councillor Gareth Moore commented that it was a very large site but no public open space had been provided. The events Square, in his opinion, looked very small in relation to the number of residential properties proposed in the development. He also stated that he was concerned about the white bricked buildings requiring maintenance to keep the brickwork clean.

The Chair then progressed to the specific questions as requested in the report and asked for Members for comments:-

1. On the mix of uses proposed:
 - The balance between the residential and non-residential needs to be improved in favour of commercial uses.
 - The balance of residential and non-residential properties in the scheme was concerning.
2. Comments on the proposed demolition:
 - Policy for the Jewellery Quarter that demolition of buildings will not normally be permitted and that non-listed buildings should be retained in order to keep the character of the area.
 - Members were not convinced about the amount of demolition proposed.
3. Comments on the proposed site layout:
 - Area looks very cramped and overdeveloped.
 - More public open space required within the centre of the development – a public open space square as a focal point.
4. Comments on the buildings heights and designs and whether these respond to the Jewellery Quarter Design Guidance:
 - The new buildings were generally too tall and there would be an adverse impact on the Conservation Area due to the height and massing
 - New buildings look very square and uninteresting. The use of arched windows would enhance the designs.
 - Tall buildings over four storeys in height not desirable and do not respect the Conservation Area.
5. Comment on the mix of accommodation, the dwelling sizes proposed and whether the development would provide a suitable range of dwelling types to meet local needs:
 - Good mix of residential properties.
 - Family housing not included.
 - Bigger bedroomed flats/apartments desired.

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6. Comments on the proposed parking and servicing provision:
 - Adequate parking should be provided for residential properties, consider the use of car clubs.
 - Bin storage and bin vehicular access should be shown in the plans.
 - Timing of service vehicles/ bin refuse collection/delivery vehicles should be 'resident friendly'.
7. Comments on the Section 106 being offered in connection with the development:
 - Offer very low.
 - No education provision is offered.
 - No grant for management of the site and start-up costs for small industries.
 - No affordable housing.
 - Question the position with Baker and Finnemore.
8. Comments as to whether the benefits offered by the scheme could overcome the objection in principle to residential development on the site and the loss of industrial floor space:
 - Members expressed concern that there was a need to protect the Heritage status of the site and that the benefits offered by the scheme did not overcome the concerns expressed, and policy objections.

6655 **RESOLVED:-**

That the issues report be noted and that Members comments in the above preamble be considered and addressed when the proposal returns to the Committee for a decision.

VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS

6656 The Chairman reminded Members of the site visit scheduled to take place on 24 January 2019 at 0830 hours to Pritchatts Road Car Park and Ashcroft Halls of Residence, Pritchatts Village, Pritchatts Road, Edgbaston, Birmingham, B15 2QU – 2018/05359/PA.

16 Kent Street, Southside, Birmingham, B5 6RD – 2018/03004/PA – Site visit to be arranged in due course.

OTHER URGENT BUSINESS

Viability assessments and publication on Planning website

6657 Councillor Lou Robson requested clarification on how viability assessments will be shown on the Planning website for public view/inspection.

Councillor Gareth Moore suggested that a link be provided in Planning Committee reports to guide members of the public to viability assessments.

The Chair stated that she will investigate and address the issue.

AUTHORITY TO CHAIR AND OFFICERS

6658

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.

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 meeting.

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