

# BIRMINGHAM CITY COUNCIL

<b>PLANNING COMMITTEE</b> <b>27 APRIL 2017</b>
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## **MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 27 APRIL 2017 AT 1100 HOURS IN COMMITTEE ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

### **PRESENT:-**

Councillor Sharpe in the Chair;

Councillors Beauchamp, Booton, Cornish, Douglas Osborn, Fazal, Henley, C Jones, Moore, Straker Welds and Williams.

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### **PUBLIC ATTENDANCE**

- 5403 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**

- 5404 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 except where there were confidential or exempt items.

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### **CHAIRMAN'S ANNOUNCEMENTS**

#### **Planning Committee Meetings**

- 5405 The Chairman informed Members that meetings were scheduled to take place on 11, 25 May, 15 and 22 June 2017.

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### **APOLOGIES**

- 5406 Apologies were submitted on behalf of Councillors T Ali, Azim, K Jenkins and Linnecor.

**MINUTES**

5407 **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**

5408 There were no matters arising.

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

5409 No notifications were received.

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**PETITIONS**

5410 No petitions were received.

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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 Application in Respect of the North West Area**

**Report No 8 – Land Adjacent 29 Cartwright Road, Sutton Coldfield – 2017/02054/PA**

The Area Planning Manager (North West) gave details of two additional letters of objection that had been received.

Members commented on the application and the Transport Manager responded thereto.

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

5411 **RESOLVED:-**

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

Councillor Henley left the meeting at this point.

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

**Report No 9 – 38 Wood Lane, Erdington – 2017/00844/PA**

A supporter spoke against the recommendation to refuse planning permission and the Area Planning Manager (East) responded thereto.

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

Upon being put to a vote it was 8 in favour, 1 against and 0 abstentions.

5412 **RESOLVED:-**

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

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**Report No 10 – 2245-2255 Coventry Road, Sheldon – 2017/01169/PA**

The Area Planning Manager (East) advised that Transportation Development had requested amendments to the conditions regarding the delivery and service area and delivery vehicle management.

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

5413 **RESOLVED:-**

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

Amended Condition 11:

Requires the Delivery and Service Area Prior to Occupation.

No part of the development shall be brought into use until the delivery and service area has been completed in accordance with the approved details. All such areas shall be kept free of obstructions, including the storage, display and depositing of materials, packaging or other items so that the service area is fully available for the parking, turning and unloading of delivery and service vehicles throughout the life of the development.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

Amended Condition 13:

Requires the Prior Submission of Details of a Delivery Vehicle Management Scheme.

The development shall not be occupied until details of a delivery vehicle management scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and thereafter maintained.

Reason: To prevent vehicles waiting in the public highway and causing disturbance to residential amenity in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

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**Report No 11 – Eaton Electric Limited, Reddings Lane, Tyseley  
– 2016/10651/PA**

The Area Planning Manager (East) advised that Transportation Development had raised no objection to the proposal but had requested additional conditions.

The Transport Manager pointed out that the travel plan should be completed prior to commencement of the development.

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

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

5414

**RESOLVED:-**

That approval be given to the reserved matters relating to access, appearance, landscaping, layout and scale for a two storey primary school pursuant to outline planning permission no 2015/10025/PA, as amended by planning application no 2016/10651/PA, subject to the conditions set out in the report and amended below:-

The Inclusion of a Section 247 Resolution:

Section 247 resolution to extinguish an area of highway maintainable at public expense on Olton Boulevard West, in order to facilitate the access and drop-off parking arrangement.

New Condition 3:

Prevents Occupation until the Turning and Parking Area has been Constructed.

Prior to first occupation of the school hereby permitted, the turning and parking areas shall be constructed in accordance with the approved plans. These areas shall be retained and not used for other than their designated purpose.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

New Condition 4:

Requires the Prior Approval of the Siting/Design of the Access.

No development shall take place until full details of the siting and design of the proposed means of access have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development hereby permitted is brought into use.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

New Condition 5:

Requires the Prior Submission of Entry and Exit Sign Details.

Prior to first occupation of the school hereby permitted, full details of the design, size and location of entry only and exit only signs at the points indicated on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The approved signs shall be erected before the development hereby permitted is brought into use and thereafter retained. The entrance and exit points shall only be used for the purposes indicated.

Reason: To ensure that vehicles only access and egress the site through the designated entrances in the interests of highway and pedestrian safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

New Condition 6:

Requires the Prior Submission of a Parking Management Strategy.

The development hereby permitted shall not be occupied until a parking management strategy has been submitted to and approved in writing by the Local Planning Authority. The car park shall thereafter only be operated in accordance with that approved strategy.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017, the Car Parking Guidelines SPD and the National Planning Policy Framework.

New Condition 7:

Requires the Delivery and Service Area Prior to Occupation.

No part of the development shall be brought into use until the delivery and service area has been completed in accordance with the approved details. All such areas shall be kept free of obstructions, including the storage, display and depositing of materials, packaging or other items so that the service area is fully available for the parking, turning and unloading of delivery and service vehicles throughout the life of the development.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

New Condition 8:

Requires the Dedicated Use of Access and Egress Points.

The vehicular access and egress indicated on the approved plans shall be used for entry and exit respectively and appropriate signs shall be erected and retained.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

New Condition 9:

Requires the Prior Submission and Completion of Works for the S278/TRO Agreement.

The development shall not be occupied until a package of highway measures has been approved by the Local Planning Authority and the approved measures have been substantially completed.

The package of measures shall include formation of new vehicular accesses on Reddings Lane and Olton Boulevard West, reinstatement of redundant vehicular accesses on Reddings Lane, removal of highway trees on Olton Boulevard West and provision of replacement highway trees, diversion of footway on Olton Boulevard West, provision of footway and landscaping parking deterrent measures on Reddings Lane and Olton Boulevard West, relocation of bus shelter on Olton Boulevard West, relocation of lighting columns and other street furniture on Reddings Lane and Olton Boulevard West as necessary, funding of an application for Traffic Regulation Orders on Reddings Lane and Olton Boulevard West, provision of appropriate school warning and safety signage on Reddings Lane and Olton Boulevard West and are to be carried out at the applicant's expense to Birmingham City Council's specification.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

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**Report No 12 – Hunton Hill Allotments, off Slade Road, Stockland Green – 2017/01863/PA**

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

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

5415

**RESOLVED:-**

That no prior approval is required.

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

**Report No 13 – Plot 6, Former BBC Sports and Social Club Site at Pebble Mill, off Pershore Road, Selly Oak – 2017/00242/PA**

The Area Planning Manager (South) advised Members of updates to the outline planning permission.

Members commented on the application and the Area Planning Manager (South), Transport Manager and Head of Planning Management responded thereto.

Upon being put to a vote it was 7 in favour, 2 against and 0 abstentions.

5416

**RESOLVED:-**

- (i) That approval be given to the reserved matters relating to appearance and landscaping for the erection of student accommodation (Sui Generis) pursuant to outline planning permission no 2016/04450/PA, as amended by planning application no 2017/00242/PA, subject to the conditions set out in the report and the reserved matters submission covering the requirements of conditions 1 (reserved matters), 12 (maximum floor space), 18 (height restrictions) and 38 (tree survey) of outline planning permission no 2016/04450/PA for this phase of development;
- (ii) that approval be given to the details submitted pursuant to the following conditions of outline planning permission no 2016/04450/PA:-

Condition 14 – Ventilation and odour control equipment details.

Condition 28 – Full details of proposed means of access.

Condition 29 – Vehicle parking and turning details.

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**Report No 14 – 43A Upland Road, Selly Oak – 2017/01702/PA**

The Area Planning Manager (South) gave details of three additional letters of objection that had been received including an objection from Steve McCabe MP.

Upon being put to a vote it was 8 in favour, 0 against and 1 abstention.

5417

**RESOLVED:-**

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

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**Report No 15 – Queens Park, Court Oak Road, Harborne – 2017/01969/PA**

The Area Planning Manager (South) gave details of seven additional letters of objection that had been received and informed Members that there were 'no objection' replies from Regulatory Services and Leisure Services.

The Transport Manager requested that a condition be added regarding the design and access statement, in particular relating to routing, parking and the sweeping of the highway.



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

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

5418 **RESOLVED:-**

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

New Condition 5:

Construction Vehicular Access and Construction Management.

Access for construction vehicles for this development shall only be gained by Court Oak Road and there shall be no storage of construction plant, vehicles, materials on the public highway.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety and residential amenity in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

(Councillor Henley returned to the meeting during consideration of the application and, therefore, did not vote on the recommendation.)

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**Report No 16 – 24 Mead Rise, Edgbaston – 2016/07873/PA**

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

5419 **RESOLVED:-**

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

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**Report No 17 – 77 Teignmouth Road, Selly Oak – 2017/01516/PA**

A Member commented on the application.

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

5420 **RESOLVED:-**

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

**POLICY REPORT**

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

(See document No 2)

**Appeal Decisions Received from the Planning Inspectorate in March 2017**

The Head of Planning Management introduced the report and responded to Members' comments.

5421

**RESOLVED:-**

That the schedule of appeal decisions received from the Planning Inspectorate in March 2017 be noted.

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**ISSUES REPORT**

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

(See document No 3)

**Land Fronting Bristol Street, Belgrave Middleway, St Luke's Road, Sherlock Street, Hope Street, Vere Street, Mowbray Street, Spooner Croft and Gooch Street, St Luke's Estate, City Centre – 2017/01721/PA**

A representative of IDP Architects gave a powerpoint presentation which included details of the location and outline proposal, the context of the development in relation to the city centre, the importance of the inclusion of a park, the landscaping within the streets, the viability of the development, composition of the residential accommodation and how the proposal would complement other projects in the area and provide a statement gateway to the city.

The Area Planning Manager (City Centre) drew Members' attention to each of the issues detailed in the report.

Members considered and commented on each of the issues set out in the report and the following were amongst the points made:-

Issue 1 – Some Members considered that, rather than a wholly residential scheme, the proposal should be a mixed use development and include some retail premises with an active frontage and community uses.

Issue 2 – Some Members favoured the retention of St Luke's Church and suggested that it be converted into apartments or a community centre. However, if the church was demolished it was suggested that a plaque or piece of public art be erected to commemorate its existence.

Issue 3 – Members considered that the design and layout of the overall development was unimaginative and monotonous likening it to ‘little boxes’, Colditz Castle and cell block ‘H’.

Concern was expressed regarding the size of the proposed dwellings, many of which would not comply with the minimum national standards and it was suggested that, perhaps, the apartment blocks could be taller allowing the same number but larger to be built. However, it was important not to make the same mistake of the tower blocks of the 1960s and build too tall. The style and size of the windows was also criticised.

Issue 4 – The dwellings should comply with minimum size standards and more family homes should be included.

The inclusion of 10% affordable dwellings was insufficient and should be increased to 35%.

Issue 5 – It was noted that the public open space would be maintained by a management company and Members stressed that it should be accessible to all. It was also noted that the public open space would be located to one side of the development rather than dispersed throughout the site.

It was suggested that one way of introducing more green into the area would be by utilising the roofs to create gardens and the inclusion of living walls.

Issue 6 – Members considered that the offer of 10% affordable housing was insufficient when compared with the density of the site and the fact that the location was in a very profitable area.

The fact that there would only be ‘benefit in kind’, with the provision of a public open space, was disappointing and it was unfortunate that the development would not attract a CIL payment.

The Area Planning Manager (City Centre) and Head of Planning Management responded to Members’ comments.

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

5422 **RESOLVED:-**

That the report be noted and Members’ comments forwarded to the Corporate Director, Economy.

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

5423 There were no site visits pending.

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**OTHER URGENT BUSINESS**

5424 No other urgent business was raised.

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**AUTHORITY TO CHAIRMAN AND OFFICERS**

5425 **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**

5426 **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.