

BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE
07 JANUARY 2021**

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 07 JANUARY 2021 AT 1100 HOURS AS AN ON-LINE MEETING

PRESENT:- Councillor Karen McCarthy in the Chair;

Councillors Bob Beauchamp, Maureen Cornish, Mohammed Fazal, Julie Johnson, Zhor Malik, Saddak Miah, Gareth Moore, Simon Morrall, Mike Ward and Martin Straker Welds.

INTRODUCTION

7775 The Chair opened the meeting by wishing the Members a Happy new Year and wished for a better year despite the difficult start to 2021. She indicated the Committee was a quasi-judicial one, no decisions had been made before the meeting. She highlighted Members who sat on this Committee were representatives of the Council as a whole and not as ward Councillors. The MS teams meeting would try to reflect to how a real Committee setting would be conducted.

There were no public speaking at this meeting however, the Committee were committed to having public speaking rather than statements read out on behalf of people. Members would be using the chat function in teams to indicate a wish to speak and to notify of technical problems. No side conversations would take place.

NOTICE OF RECORDING

7776 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

7777 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. The Chair noted that Members should also express an

interest if they had expressed a view on any of the applications being considered at the meeting and take no part in the consideration of the item.

APOLOGIES

7778 An apology was submitted on behalf of Councillor Lou Robson, Peter Griffiths and Diane Donaldson for their inability to attend the meeting.

Councillor Moore indicated Councillor Beauchamp was having technical difficulties and would hopefully join later during the meeting.

The Chair noted Councillor Moore's point and indicated she would be able to see when Councillor Beauchamp joined the Committee. She informed Members that she would call his name during the vote on each item and to check if he had heard all the debate. If he had not heard all the debate, he should not take part in the vote.

At this point in the meeting the Chair took a roll call of members present and reminded Members that they must be connected for the whole debate of an item in order to be able to vote on that item.

CHAIR'S ANNOUNCEMENTS

7779 The Chair announced she was going to vary the agenda to take item 16 – Student Accommodation Supply and Demand paper between items 5 and 6 as there was a relevant application to discuss therefore leaving it at the end of the agenda made little sense.

The Chair advised the following meetings were scheduled to take place on the 21 January 2021, 4 February 2021 and 18 February 2021.

MINUTES

7780 The Minutes of the meeting of the Committee held on 03 December 2020 and 17 December 2020, having been circulated, were confirmed by the Committee and signed by the Chair.

POLICY REPORT

REPORT NO.16 - STUDENT ACCOMMODATION SUPPLY AND DEMAND

The following report of the Director, Inclusive Growth (Acting) was submitted:-

(See Document No. 1)

The Planning Policy Manager informed Members the paper was an update to last year's paper on student accommodation. Members had the latest

information on supply and demand on student accommodation in the City. It was emphasised this was not a policy document.

Supply – There were approximately 21,500 existing available bed spaces in purpose-built student accommodation (PBSA) in the City. A further 2444 bed spaces were under construction by April 2020. In addition, there were another 2087 bed spaces which had planning consent given but had not yet started by April 2020. The two latter categories were noted as committed supply in the paper. There were another 5538 units in current live applications or pre-applications.

Demand - There was an estimated 38,400 students requiring accommodation based on the latest available Higher Education Statistics Agency (HESA) data. Last year, this figure was 36,200 therefore, an additional 2,200 students were requiring accommodation between last year and this year's report to the Committee. It was noted, this was a snapshot of time and developers would prepare their own assessments of demand whilst submitting applications.

The Planning Policy Manager highlighted the report was based on the information provided by the main universities (University of Birmingham, Birmingham City University and Aston University). The potential future demand of students requiring accommodation could increase by an additional between 5,439 – 6,439 over the next 5 years resulting in a demand for 43,840 – 44,840 bed spaces by 2025/26. College Birmingham and Newman University which were small institutions were not expecting any significant change in their student numbers as majority of students live locally and reside in their paternal home.

It was noted, based on existing demand which is derived from the overall number of students requiring accommodation against existing and committed supply, there was an overall deficit of 12,355 bed spaces across the city.

A comprehensive breakdown was given on; City wide demand and supply; Sub area demand and supply; Sub area demand and supply analysis including HMOs. The average rate of occupancy for the 2019/20 academic year (pre Covid-19) was 95%. At November 2020, average occupancy was only 69%. Operators were anticipating an increase in January 2021 from current levels and return to more normal levels for 2021/22.

She summarised by informing Members there was capacity for growth in student accommodation, particularly in Selly Oak, Edgbaston area. The existing student to bed ratio was 2:1 and 52% of students currently lived in HMO's. The City Centre would have to be monitored carefully as the student to bed ratio was much higher however, there was additional future demand which would allow capacity for some limited growth.

Members response

Councillor Johnson made several queries around the different sub-headings within the report. There were around; student preference; trend and impact on Covid-19. She questioned where the growth and the demand on purpose-built student accommodation was as the full impact of covid had to be considered.

Councillor Moore supported comments made by Councillor Johnson.

Councillor Moore made further queries around occupancy; information on how these figures were calculated; no reference to survey data; the difference in occupancy in various parts of the City Centre and Selly Oak; concerns around the decrease in student numbers which would result in empty accommodation and the report based on assumptions that all students would live in purpose-built accommodation without explanation of how this position was reached.

He questioned if this was happening because the Council received funds for student developments that were approved and if this was the reason to influence decisions. Student accommodation should meet the need of students and not the Council profits.

The Chair noted the Councillor Moore's point around influence of decisions and suggested Students Unions, Guilds of Students were invited for the next update.

Councillor Straker-Welds queried around the projected influx on purpose-built student accommodation (PBSA) and if this was due to International or National students' uptake. In addition, he questioned around; the affordability of the PBSA due to rising costs; what evidence was available that PBSA freed up family accommodation.

In response to Members queries the following points were made by the Planning Policy Manager;

- The demand for purpose-built was influenced by changes in students' preferences e.g. a range of factors would work to increase/decrease the demand both in long term and short term covid. The figures shared were based on assumptions that the existing demand remain constant.
- All consented PBSA were to be built out and this was based on evidence which indicated a strong long-term trend for student preference in PBSA. The demand for all types of student accommodation had grown over the last 10 years, where there had been a 328% increase in number of students living in PBSA compared to 60% increase HMO's. The demand for PBSA had grown.
- Details on HMO's had been factored into the report. There would be a deficit albeit a smaller deficit for University of Birmingham students.
- It was noted the short-term trends were having an impact on occupancy levels.
- The growth in students requiring accommodation was 4.2% (5500- 6500 students) over the next 5 years. This would result in significant number of students requiring accommodation.
- Policy objective was to ensure there was an adequate supply of quality accommodation for students.
- In the short term, covid was having an impact however, longer term due to demographic change there would be a growth in people.
- The occupancy data did not include the survey data in the report, however this could be provided to Members as an appendix to the report. This

would indicate the returns provided by the various accommodation providers. In addition, this would give a breakdown to the average rate of occupancy for the 2019/20 academic year (pre Covid-19) to be 95% and average occupancy at 69%, at November 2020.

The Chair reminded Members this was a position paper from Policy Team rather than a Policy paper. She highlighted where this was to be adopted as a formal policy, the appropriate consultation process would take place.

7781

RESOLVED:-

That the Planning Committee;

- i) Noted the update to the supply and demand figures for student accommodation.
- ii) Approved the recommended change to the detailed information requirements in relation to proposals for student accommodation (Appendix 1).

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, INCLUSIVE GROWTH (ACTING)

The following reports were submitted:

(See Document No. 2)

PLANNING APPLICATIONS IN RESPECT OF THE SOUTH AREA

REPORT NO.6 - LAND BOUNDED BY CHAPEL LANE, HARBORNE LANE AND BRISTOL ROAD, SELLY OAK, BIRMINGHAM, B29 – 2020/01795/PA

The Area Planning Manager (South) advised that there were a number of updates. Members would have received two emails directly from i) the applicant ii) the Chair of the CP4SO setting out their reasons for objecting to the application. These objections were around; student demand was not demonstrated; the site was not close enough to University of Birmingham; density of the accommodation was too high; poor design and the accommodation was exceptionally blocky and poor accommodation. There were concerns around cooling and ventilating the rooms. It was noted by opening windows, this would not be appropriate as the site was surrounded by major roads.

In response to the CP4SO objection received, the Area Planning Manager (South) highlighted the earlier discussion around the Student Accommodation

Supply and Demand updated report) which confirmed there was a need for student accommodation. The site was approximately 20-minute walk to University of Birmingham campus, a short 5-minute walk to Selly Oak Station and there were numerous bus routes from the site to the University. It was important to note this was not just about how close the sites were to the universities but how well located they were in terms of services and facilities students would want. The site was well located within Selly Oak District Centre where several facilities were available therefore a well-located site. She noted there was no specific policy around density for student accommodation. It was how the proposal fits onto the site and the environment it would provide for the students. Members were advised there were detailed conditions being suggested which required details of the glazing to deal with noise and air quality issues.

She gave an overview of the report back with a focus on point 1.4. It was highlighted if the predicted growth in demand was factored in there would be a shortfall of between 1,476-2,476 bed spaces in Selly Oak, if no more permissions are granted. This was the critical figure in terms of looking at policy TP33 and identifying the need therefore she supported the scheme. This element of the application complied against the policy TP33.

Members commented on the application and the Area Planning Manager (South), the Planning Policy Manager and the Interim Assistant Director Planning responded thereto.

The Chair noted Councillor Beauchamp was not in attendance for the full debate therefore he did not take part in the vote.

Upon being put to a vote it was 3 in favour, 6 against and 0 abstention.

At 1207 hours, the meeting was adjourned due to technical difficulties.

At 1212 hours, the meeting resumed.

At this stage, the Chair informed Members the vote for this application had been taken during the technical difficulties. Following advice from Committee Lawyer, it was agreed to read the votes taken.

The Chair read the votes taken on this application and they were verified by the Committee Lawyer.

In response to Members request, the reasons for refusal were around the demonstrated need for the proposed development; impact on neighbourhood and community; the scale of the development
The allocation of bike spaces was highlighted as a reason, however the Chair felt this wasn't a strong enough reason to refuse application. Officers would look at the detail around this specific concern and report back.

The Chair questioned whether a large generous HMO's required consent to be a similar sized supported accommodation. She requested the Interim Director to resolve this query at some point in the future.

7782

RESOLVED:-

That consideration of the application referred to in the report be deferred with the Committee mindful to refuse.

PLANNING APPLICATIONS IN RESPECT OF THE NORTH WEST AREA

**REPORT NO.7 - 58 ALBERT ROAD (FORMER ASTON COUNCIL HOUSE)
ASTON, BIRMINGHAM, B6 5NQ – 2020/01399/PA**

The Chair noted report 7 and 8 would be taken together. Report 7 referred to the planning application and report 8 to the listed building application.

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

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

Councillor Malik requested for a site visit to see how this would impact the local community. He was interested in the heritage work undertaken inside the building.

The Chair had previously indicated at a Committee, that external site visits could only take place in line with social distancing rules. She was not convinced an internal visit could be taken at the building. The request for a site visit was not seconded by Members.

At this stage, the Chair noted Councillor Miah had technical issues.

The Chair reminded Members the planning application was a valid response to enforcement action therefore not permitted to build in any element of punishment on retrospective applications. Planning applications had to be decided upon on their relative merit.

The Chair referred to the site visit and as this was not seconded by any Members the Committee, she proceeded to the vote. Councillor Miah and Councillor Fazal were having technical issues and did not take part in the vote.

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

7783

RESOLVED:-

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

**REPORT NO.8 - 58 ALBERT ROAD (FORMER ASTON COUNCIL HOUSE)
ASTON, BIRMINGHAM, B6 5NQ – 2020/01420/PA**

This application was taken parallel to report 7.

The Area Planning Manager (North West Area) confirmed that there were no updates to the report.

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

7784

RESOLVED:-

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

**REPORT NO.9 - 28 OLIVER STREET, NECHELLS, BIRMINGHAM, B7 4NX –
2020/08328/PA**

The Area Planning Manager (North West Area) confirmed that there were no updates to the report.

No comments were made by Members.

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

7785

RESOLVED:-

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

**REPORT NO.10 - LAND OPPOSITE 74 OSCOTT ROAD, PERRY BARR,
BIRMINGHAM, B42 2TA – 2020/08912/PA**

The Area Planning Manager (North West Area) confirmed that there were no updates to the report.

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

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

7786

RESOLVED:-

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

REPORT NO.11 - OSCOTT GARDENS, OSCOTT ROAD, PERRY BARR, BIRMINGHAM, B42 2TG – 2020/08138/PA

At this juncture, Councillor Miah re-joined the Committee.

The Area Planning Manager (North West Area) advised there were updates to the report. He confirmed the LLFA raised no objections to the application. In addition, the previously proposed removal of trees had been omitted from the application.

No comments were made by Members.

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

7787

RESOLVED:-

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

PLANNING APPLICATIONS IN RESPECT OF THE CITY CENTRE AREA

REPORT NO.12 IRISH CLUB – MINSTREL MUSIC, 14-20 HIGH STREET, DIGBETH, BIRMINGHAM, B12 OLN – 2020/05247/PA

The Area Planning Manager (City Centre Area) advised there was an update to condition 30 of the report. In relation to any potential operational impacts upon Birmingham International Airport, an updated Instrument Flight Procedure Safeguarding Assessment had been undertaken that demonstrated the following amendments to the visual circling minima increase from 1180ft to 1310ft came into force on the 3rd December, there is no impact upon the visual circling minima. The amended report concluded that there would be no impact upon instrument flight procedures for Birmingham Airport.

Birmingham International Airport agree with the conclusions of the report and do not consider Condition 30 necessary. It is therefore proposed to remove this condition.

Members commented on the application and the Area Planning Manager (City Centre Area) and the Interim Assistant Director Planning responded thereto.

The Chair noted Councillor Miah was not present at the vote.

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

7788

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 save the deletion of condition 30.
- (ii) that in the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 17 January 2021, 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.
- (iii) that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.

REPORT NO.13 - LOCKSIDE HOUSE, SCOTLAND STREET, BIRMINGHAM, B1 2RR – 2020/02795/PA

The Area Planning Manager (City Centre) confirmed that there were no updates to the report.

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

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

7789

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 07 February 2021, 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.
- iii) that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.

REPORT NO.14 - BRADFORD STREET/MOSELEY ROAD, LAND AT CORNER OF HIGHGATE, BIRMINGHAM, B12 – 2020/00410/PA

The Chair noted report 14 and 15 would be taken together. Report 15 referred to the planning application and report 15 to the listed building.

The Area Planning Manager (City Centre) confirmed that there were no updates to the report.

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

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

7790

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 15 January 2021, 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.
- iii) That the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.

REPORT NO.15 - BRADFORD STREET/MOSELEY ROAD, LAND AT CORNER OF HIGHGATE, BIRMINGHAM, B12 – 2020/01230/PA

This application was taken parallel to report 14.

The Area Planning Manager (City Centre) confirmed that there was one update to the listed building application to amend the triggers for conditions 5 (materials) and 6 (architectural specification details). Replacing 'No development shall commence until' on each condition with 'Prior to above ground development'.

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

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

7791

RESOLVED:-

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

Condition 5

Requires the prior submission of materials. Prior to above ground development a full suite of materials for the exterior of that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The materials submitted shall include:

- *Masonry;
- *Windows;
- *Joinery (soffits, eaves, bargeboards, canopies);
- *Rainwater goods;
- *Roofing;

*Flashing;

The development shall be implemented in accordance with the approved materials.

Reason:

This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing in order to ensure that the character and appearance of the building as a building of architectural and historic interest is retained in accordance with Policies PG3 and TP12 of the Birmingham Development Plan 2017, the National Planning Policy Framework and Regeneration through Conservation SPG.

Condition 6

Requires the prior submission of architectural and specification details

Prior to above ground development full architectural and specification details (at a scale of 1:10) shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include the following:

- i. Window retention/refurbishment: Overall design, glazing bar and frame dimensions and arrangement, materials, reveal, opening mechanism, handles, latches and locks;
- ii. Secondary glazing: Overall design and how it relates to the principal window, glazing bar and frame dimensions and arrangement, materials, reveal, opening mechanism, handles, latches and locks;
- iii. Doors (new and altered, internal and external): Overall design, dimension of frames/architraves, arrangement of materials and individual components and members, materials, reveal, opening mechanism, handles, latches and locks;
- iv. Rainwater goods: Design, location, materials, finish and fixing;
- v. New masonry: The position, form and bonding;
- vi. New staircases (internal and external): Materials, colour and finish, design of tread and riser, balustrade and rail, structural form and fixing to principal structure;
- vii. New stud walling: Exact position and relationship to adjacent and affected historic fabric, scribing round historic joinery and plasterwork and architectural features.
- viii. New internal joiners (skirting, ducting, and architraves): Design, materials, position, fixing and colour finish;
- ix. New plasterwork (ceilings, walling and decoration): Form, composition and application, plaster mix, location of application, number and type of coats and decorative use.

The development shall be implemented in accordance with the approved details and thereafter maintained.

Reason:

This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing in order to ensure that the character and appearance of the building as a building of architectural and historic interest is retained in accordance with Policies PG3 and TP12 of the Birmingham Development Plan 2017, the National Planning Policy Framework and Regeneration through Conservation SPG.

OTHER URGENT BUSINESS

7792 There was no urgent business to consider.

AUTHORITY TO CHAIR AND OFFICERS

7793 **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.

The meeting ended at 1311 hours

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CHAIR