

BIRMINGHAM CITY COUNCIL

PLANNING COMMITTEE 26 OCTOBER 2017

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON
THURSDAY, 26 OCTOBER 2017 AT 1100 HOURS IN COMMITTEE ROOMS
3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

PRESENT:-

Councillor Sharpe in the Chair;

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

PUBLIC ATTENDANCE

- 5784 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

- 5785 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) 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

- 5786 The Chairman informed Members that meetings were scheduled to take place on 9, 23 November, 7 and 21 December 2017.
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MINUTES

5787 **RESOLVED:-**

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

MATTERS ARISING

5788 There were no matters arising.

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

A. Planning Application No 2017/08958/PA – 668 Chester Road, Erdington

5789 Councillor Moore requested that a report relating to the above planning application be submitted to a future meeting of the Committee in light of concerns regarding the impact it might have on the character of the area and residential amenity.

B. Planning Application No 2017/08558/PA – 2 Anderson Road, Erdington

5790 Councillor Moore requested that a report relating to the above planning application be submitted to a future meeting of the Committee in light of concerns regarding the impact it might have on the character of the area and residential amenity.

PETITION(S)

5791 No petitions were received.

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 North West Area

Report No 8 – Site Situated Within the Existing Curtilage of African Village Restaurant and Bar (Former Crown and Cushion Public House), Birchfield Road, Perry Barr – 2016/08154/PA

A supporter spoke against the recommendation to refuse planning permission.

The Area Planning Manager (North West) responded to comments made by the supporter.

Members commented on the application.

Upon being put to a vote it was 13 in favour, 0 against and 1 abstentions.

5792

RESOLVED:-

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

Report No 9 – Carnegie Institute, Hunters Road, Hockley – 2017/04331/PA

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

Upon being put to a vote it was 13 in favour, 0 against and 1 abstention.

5793

RESOLVED:-

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

Report No 10 – Land at Icknield Port Loop, Bounded by Ladywood Middleway, Icknield Port Road and Wiggin Street, Edgbaston – 2017/07024/PA

The Area Planning Manager (North West) and Head of Planning Management in referring to an application considered at the meeting held on 31 August 2017 (Minute No 5679 refers) advised that the deed of variation had still not been completed and, therefore, they wished to amend the recommendation to 'defer minded to approve subject to the S106 agreement being signed'.

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

Upon being put to a vote it was 5 in favour, 5 against and 3 abstentions. Therefore, the Chairman used his casting vote and it was:-

5794

RESOLVED:-

That consideration of the application be deferred minded to approve, subject to the completion of the Deed of Variation attached to planning permission 2017/04850/PA and that the description be amended to replace outline planning permission 2011/07399/PA with 2017/04850/PA.

Councillor Fazal left the meeting during consideration of the item and, therefore, did not vote on the recommendation.

Report No 11 – 29-31 Hamstead Hill, Handsworth Wood – 2017/04245/PA

The Area Planning Manager (North West) advised that Regulatory Services had requested conditions requiring a noise and vibration assessment and the inclusion of vehicle charging points. However, officers did not consider that such conditions were appropriate.

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

Upon being put to a vote it was 13 in favour, 0 against and 0 abstentions.

5795

RESOLVED:-

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

Report No 12 – Land off Douglas Road, Sutton Coldfield – 2017/06498/PA

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

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

5796

RESOLVED:-

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

Report No 13 – 85 Donegal Road, Sutton Coldfield – 2017/04809/PA

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

Upon being put to a vote it was 8 in favour, 2 against and 3 abstentions.

5797 **RESOLVED:-**

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

Report No 14 – Units 8 and 9 Mulberry Walk, Mere Green Road, Sutton Coldfield – 2017/07053/PA

Upon being put to a vote it was 13 in favour, 0 against and 0 abstentions.

5798 **RESOLVED:-**

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

Planning Applications in Respect of the East Area

Report No 15 – Land off Erasmus Road/Stratford Road, Sparkbrook – 2017/07182/PA

The Principal Planning Officer (East) gave details of additional objections to the proposal that had been received.

He added that the applicant had submitted an additional plan and, therefore, he wished to amend the conditions.

Members commented on the application and the Principal Planning Officer (East) and Head of Planning Management responded thereto.

Upon being put to a vote it was 13 in favour, 0 against and 0 abstentions.

5799 **RESOLVED:-**

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

Amended Condition 18:

Requires the Scheme to be in Accordance with the Listed Approved Plans.

The development hereby approved shall be implemented in accordance with the details submitted with the application and shown on drawing numbers D00; D01; D50; D100; D161; D200; D201; D300; D900 and D202 ('the approved plans').

Reason: In order to define the permission in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

- (ii) that no objection be raised to the stopping up of an ancient highway, crossing the application site, and that the Department for Transport be requested to make an Order in accordance with the provisions of Section 247 of the Town and Country Planning Act 1990.

Report No 16 – 144 Bromford Lane, Erdington – 2017/06064/PA

A Member commented on the application.

Upon being put to a vote it was 13 in favour, 0 against and 0 abstentions.

5800

RESOLVED:-

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

**Report No 17 – Former Haden Street Car Park, Haden Street/
Moseley Road, Sparkbrook – 2017/06396/PA**

The Principal Planning Officer (East) advised that he wished to add a condition requiring a time limit for implementation to accord with the previous consent.

Upon being put to a vote it was 13 in favour, 0 against and 0 abstentions.

5801

RESOLVED:-

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

New Condition 24:

Requires Implementation before 16 December 2018.

The development hereby permitted shall be begun before 16 December 2018, this being the expiration of (3) years from the date of the original permission.

Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework.

Planning Applications in Respect of the South Area

Report No 18 – Land to the East of Ardath Road, Kings Norton – 2017/02922/PA

The Area Planning Manager (South) advised that he wished to amend recommendation 8.1 III to read: ‘that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement’.

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

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

5802

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 28 November 2017, 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 28 November 2017, 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.

Councillor Cornish left the meeting at this point.

The Committee agreed to consider reports nos 19 and 20 together but voted on each recommendation separately.

Report No 19 – 25 Somerset Road, Edgbaston – 2017/01785/PA

The Area Planning Manager (South) advised that he wished to amend the conditions for both applications.

Members commented on both applications noting that enforcement action had been taken relating to unauthorised works to the listed building and a Member suggested that the site be monitored after work had been completed to ensure that listed features that had been removed were reinstated.

The Area Planning Manager (South) responded to Members’ comments.

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

5803

RESOLVED:-

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

Transfer the Original Condition 8 to an Informative:

Requires Works to be Carried Out in Accordance with an Agreed Phasing Plan.

The works to be carried out shall be implemented in accordance with the phasing plan as shown on drawing number 09a Rev B. Phase 1a 'works to the original Grade II* Listed Building' and 'works to the original coach house' and Phase 1b 'works to the external envelope of the two storey and single storey rear extension' shall be carried out and completed within 6 months of the date of this consent.

Phase 2 'landscaping works' shall be carried out and completed within 12 months of the date of this consent.

For the avoidance of doubt, Phase 2 shall include the following:

The infilling of the swimming pool and soft landscaping over comprising of lawn.

The removal of the earthworks and soft landscaping comprising of lawn to the south of the principal elevation of the building.

The removal of all associated building waste adjacent to the north elevation of the building and soft landscaping comprising of lawn.

The removal of all associated building waste from the driveway and making good of the driveway. This shall not include anything other than a gravel driveway.

Reason: To safeguard the character of the building which is listed as being of architectural or historic interest and is in a Conservation Area.

Replacement Condition 8:

Implement within 3 years (Full).

The development hereby permitted shall be begun before the expiration of (3) years from the date of this permission.

Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework.

Report No 20 – 25 Somerset Road, Edgbaston – 2017/01786/PA

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

5804

RESOLVED:-

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

Transfer the Original Condition 8 to an Informative:

Requires Works to be Carried Out in Accordance with an Agreed Phasing Plan.

The works to be carried out shall be implemented in accordance with the phasing plan as shown on drawing number 09a Rev B. Phase 1a 'works to the original Grade II* Listed Building' and 'works to the original coach house' and Phase 1b 'works to the external envelope of the two storey and single storey rear extension' shall be carried out and completed within 6 months of the date of this consent.

Phase 2 'landscaping works' shall be carried out and completed within 12 months of the date of this consent.

For the avoidance of doubt, Phase 2 shall include the following:

The infilling of the swimming pool and soft landscaping over comprising of lawn.

The removal of the earthworks and soft landscaping comprising of lawn to the south of the principal elevation of the building.

The removal of all associated building waste adjacent to the north elevation of the building and soft landscaping comprising of lawn.

The removal of all associated building waste from the driveway and making good of the driveway. This shall not include anything other than a gravel driveway.

Reason: To safeguard the character of the building which is listed as being of architectural or historic interest and is in a Conservation Area.

Replacement Condition 8:

Implement within 3 Years (Conservation/Listed Building Consent).

The works hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended) and the National Planning Policy Framework.

Report No 21 – West Heath Primary School, Rednal Road, West Heath – 2017/03908/PA

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

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

5805 **RESOLVED:-**

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

Councillor K Jenkins left the meeting at this point.

POLICY REPORT

Appeal Decisions Received from the Planning Inspectorate in September 2017

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

(See document No 2)

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

5806 **RESOLVED:-**

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

VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS

5807 There were no site visits pending.

OTHER URGENT BUSINESS

5808 No other urgent business was raised.

AUTHORITY TO CHAIRMAN AND OFFICERS

5809

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

5810

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. 3