

BIRMINGHAM CITY COUNCIL

PLANNING COMMITTEE
24 JUNE 2021

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 24 JUNE 2021 AT 1100 HOURS IN THE BMI, LYTTLETON THEATRE, MARGARET STREET, BIRMINGHAM

PRESENT:- Councillor Karen McCarthy in the Chair;

Councillors Mohammed Azim, , Maureen Cornish, Peter Griffiths, Julie Johnson, Saddak Miah, Gareth Moore, Dominic Stanford, Kath Scott, Martin Straker Welds, Saima Suleman and Mike Ward.

INTRODUCTION

7959 The Chair notified the Committee, that this was a quasi-judicial meeting and no decisions had been made in advance of the meeting. She highlighted Members who sat on this Committee were sitting as representatives of the Council as a whole and not Ward Councillors.

NOTICE OF RECORDING

7960 The Chair advised, and the Committee noted, that the 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

7961 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.

Councillor Gareth Moore referring to agenda item No. 10 indicated that he had made representation concerning the item so would be withdrawing from the meeting when that item was considered.

Councillors Peter Griffiths and Julie Johnson indicated that they would be withdrawing from the meeting for agenda item Nos 7 and 8.

APOLOGIES

7962 The Chair welcomed Councillor Dominic Stanford as a new Member to the Committee and expressed thanks for Councillor Simon Morrall's contribution to the Committee.

Apologies were submitted on behalf of Councillors Bob Beauchamp, Diane Donaldson and Mohammed Idrees for their inability to attend the meeting.

CHAIR'S ANNOUNCEMENTS

7963 The Chair advised that meetings were scheduled to take place on the 8 and 22 July 2021 and the 5th August 2021 and that details would be circulated to Members in due course.

MINUTES

7964 The Minutes of the meetings of the Committee held on 27 May 2021 and 10 June 2021 having been circulated, were confirmed by the Committee and signed by the Chair.

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. 1)

The Chair indicated that there was public speaking in respect of agenda item Nos.6, 7 and 8.

PLANNING APPLICATIONS IN RESPECT OF THE NORTH WEST AREA

REPORT NO. 6 – LAND TO THE SOUTH/WEST OF BOOTHS LANE, FORGER CLOSE, BEACON AVENUE, DEER PARK DRIVE AND HALL END ROAD, GREAT BARR, BIRMINGHAM, B42 – 2020/10217/PA

The Principal Planning Officer (North West) indicated that there were updates.

Access and highway issues

RSA and a plan showing visibility splays received and revised layout plan received taking into account the recommendations of the RSA.

Transportation Development have confirmed they no longer have any queries and no objection, subject to conditions. The existing estate roads are yet to be

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adopted but are built to adoptable standard and it is understood that they are going through the adoption process.

Ecology issue

The applicant has offered a financial contribution of £88,050 to compensate the loss of the SLINC

Council Ecologist has confirmed the proposals are policy compliant and the financial contribution, which is based on DEFRA guidance is acceptable. When considered in association with the open space financial contribution, part of which will be directed towards biodiversity enhancements, and the on-site faunal enhancements (bird and bat boxes, amphibian refugia) the scheme will deliver biodiversity net gain.

Where and how the Council spends the monies is yet to be agreed and will form part of negotiations on the S106 after the planning decision but officers recommend it is spent within Queslett Nature Park or the SLINC adjacent to the site. Ecology also recommends the remainder of the SLINC and the SINC in the blue edge is handed to a suitable third party to manage though this is outside of the control of planning.

Revised landscaping plans submitted.

Affordable Housing

Section 1.10 of the officer report states 14 affordable rent and 45 affordable ownership when it should read 45 (76%) rent and 14 (24%) shared ownership.

Layout and impact on existing dwellings

The separation distances between proposed plots and existing dwellings range from 14.7m to 20.2m

Transport advisory added

The development requires works to be carried out within the public highway. The applicant / developer must enter into a Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980. The applicant / developer should note that drawings which may be approved by the grant of this planning permission should not be construed as approved by the Highway Authority, but are drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of an agreement under Section 278. Any material changes brought about due to seeking the appropriate highways consent(s) should be brought to the attention of the Local Planning Authority to ensure that the appropriate planning consent is in place.

Two objectors spoke against the application.

The applicant spoke in favour of the application.

The Principal Planning Officer (North West) and the Interim Assistant Director responded to the comments made by the objectors and the applicant

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

Councillor Moore proposed that a site visit be undertaken.

The Chair advised that the Committee were not ecology experts and that this was part of the report, but that the proposal would be put to the Committee for a vote.

Councillor Dominic Stanford seconded the proposal for a site visit to be undertaken.

The Chair advised that the site visit was not for lobbying by local residents nor the applicant.

Upon being put to a vote for a site visit to be undertaken it was 3 in favour, 8 against, 0 abstention. Therefore the proposal for the site visit was lost.

Upon being put to a vote it was 8 in favour, 3 against, 0 abstention it was

7965

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 and as amended below;

Further requirement of the S106

Include a further subsection of the S106 to require a sum of £88,050 (index linked) to be paid to the LPA for the provision of off-site biodiversity enhancements.

New Conditions

1. Requires details in relation to the recommendations set out in the submitted Road Safety Audit to be provided.
Prior to the commencement of the development hereby approved the applicant shall provide details in relation to the recommendations set out in the submitted Stage 1 Road Safety Audit SA 3245 17 June 2021 by Waterman to the Local Planning Authority for its agreement. Once agreed, the details shall be implemented in full before the first occupation of the development hereby approved and shall be maintained as such thereafter. Reason: In order to secure the satisfactory development of the application site and safeguard pedestrian and driver safety in accordance with policies PG 3 and TP44 of the adopted BDP and the NPPF.
2. Requires the prior installation of means of access
The building(s)/site/premises/dwellings(s) shall not be occupied until a means of vehicular/pedestrian and/or cyclists' access has been constructed in accordance with the approved plans.
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

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the Birmingham Development Plan 2017 and the National Planning Policy Framework.

3. Requires details of vehicle visibility splays related to vehicular speed. Prior to the commencement of the development hereby approved the applicant shall provide details of vehicular visibility splays based on the vehicle speed limit for the road network to the Local Planning Authority for its agreement. Upon agreement of those details those splays shall be incorporated into the development as agreed prior to the first occupation of any of the dwellings and which shall be maintained as such thereafter.

Reason: In order to secure the satisfactory development of the application site and safeguard pedestrian and driver safety in accordance with policies PG 3 and TP44 of the adopted BDP and the NPPF.

4. Requires details of pedestrian visibility splays. Prior to the commencement of the development hereby approved the applicant shall provide details of pedestrian visibility splays of minimum 3.3m x 3.3m x 600mm to be incorporated at all vehicular accesses to the Local Planning Authority for agreement. Once approved the visibility splays shall be implemented as agreed prior to the first occupation of each dwelling and maintained as such thereafter.

Reason: In order to secure the satisfactory development of the application site and safeguard pedestrian and driver safety in accordance with policies PG 3 and TP44 of the adopted BDP and the NPPF-

5. Requires details of forward visibility splays. Prior to the commencement of the development hereby approved the applicant shall provide details to the Local Planning Authority for its agreement of forward visibility splays in accordance with the relevant standards for vehicular speed on the proposed new access-road. Upon agreement of those details those splays shall be incorporated at all the bends within the layout of the proposed new access-road prior to the first occupation of the development hereby approved and shall be maintained as such thereafter. Reason: In order to secure the satisfactory development of the application site and safeguard pedestrian and driver safety in accordance with policies PG 3 and TP44 of the adopted BDP and the NPPF.

6. Requires the submission of cycle storage details. Details of the provision for the secure, and where appropriate, covered storage for cycles and motorcycles shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. Provision shall thereafter be implemented and maintained in accordance with the approved details.

Reason: In order to secure the satisfactory development of the application site in the interests of sustainable travel options, in accordance with Policies PG3, TP40 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

7. Requires the prior submission of a legally protected species and habitat protection plan

No development shall take place until a plan is submitted to and approved in writing by the Local Planning Authority for the protection and/or mitigation of damage to; populations of Badger *Meles meles* and its / their associated habitat

during construction works and once the development is complete. Any change to operational, including management, responsibilities shall be submitted to and approved in writing by the Local Planning Authority. The protection plan shall be carried out in accordance with a timetable for implementation as approved.

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 protect the Badgers Meles meles and their habitat within and adjacent to the development site in accordance with Policy TP8 of the Birmingham Development Plan 2017, the National Planning Policy Framework and the Nature Conservation Strategy for Birmingham SPG.

8. Requires the prior submission of a method statement for the removal of invasive weeds

No development shall take place until a detailed method statement for the removal or long-term management /eradication of Japanese knotweed fallopian japonica on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed fallopian japonica during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/root/stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

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 secure the satisfactory development of the application site in accordance with Policy TP8 of the Birmingham Development Plan 2017, the National Planning Policy Framework and the Nature Conservation Strategy for Birmingham SPG as Japanese knotweed fallopian japonica is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981.

9. Requires the submission of a scheme for ecological/biodiversity/enhancement measures

An Ecological Enhancement Strategy, based on the recommendations contained in the Preliminary Ecological Appraisal (Harris Lamb; 14th December 2020; ref. PE0121) and also Response to BCC ecology comments (Harris Lamb, 11th June 2021; ref. PE0121/HS/ENV); shall be submitted to and approved in writing by the Local Planning Authority prior to occupation. The development shall thereafter be implemented in accordance with the approved details.

Reason: In order to safeguard the nature conservation value of the site in accordance with Policy TP8 of the Birmingham Development Plan 2017, the National Planning Policy Framework and the Nature Conservation Strategy for Birmingham SPG.

10. Requires the prior submission of details of bird/bat boxes

No development shall take place (excluding demolition) until details of the number, design, location and post-development monitoring arrangements of (bird nesting boxes/bat boxes/bricks/tubes) to be provided as part of the development, has been submitted to and approved in writing by the Local

Planning Authority. The bird/bat boxes shall be installed 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 to enhance the nature conservation interest of the site in accordance with Policy TP8 of the Birmingham Development Plan 2017, the National Planning Policy Framework and the Nature Conservation Strategy for Birmingham SPG.

11. Requires the submission of a construction ecological mitigation plan. No development shall take place (including demolition, ground works, vegetation clearance) until a construction ecological management plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include the following.
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECOW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
- The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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 the interests of nature conservation in accordance with Policy TP8 of the Birmingham Development Plan 2017, the National Planning Policy Framework and the Nature Conservation Strategy for Birmingham SPG.

12. Requires the submission of a Landscape and Ecological management plan.
- A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development [or specified phase of development]. The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.

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- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

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 the interests of nature conservation in accordance with Policy TP8 of the Birmingham Development Plan 2017, the National Planning Policy Framework and the Nature Conservation Strategy for Birmingham SPG.

13. Requires the submission of a lighting design strategy for bio diversity Prior to occupation of the development hereby approved a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for badger and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In order to secure the satisfactory development of the application site in accordance with Policy PG3 and TP 8 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

- (ii) that in the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 1 August 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 and amended below:-

New reason for refusal

- c) in the absence of a suitable legal agreement that secures the payment of the biodiversity enhancement contribution that the development would be contrary to policy TP8 of the BDP and NPPF.
- (iii) that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.

PLANNING APPLICATIONS IN RESPECT OF THE SOUTH AREA

REPORT NO. 7 – NORTH WORCESTERSHIRE GOLF CLUB, HANGING LANE, NORTHFIELD, BIRMINGHAM, B31 5LP – 2020/10215/PA

Councillors Peter Griffiths and Julie Johnson withdrew from the meeting.

The Area Planning Manager (South) indicated that there was an update in relation to an additional condition proposed for cycling storage and parking.

An objector spoke against the application.

The applicant spoke in favour of the application.

The Chair reminded the Committee that they were looking at reserved matters submission for the details of Phase1A of the site that the Secretary of State had already approved in principle.

The Area Planning Manager (South) advised that these were for two reserved matters applications. Section 106 Agreement sets out the obligations in details in para 3.3 and was not for debate.

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 abstention.

7966

RESOLVED:-

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

New Condition

Tran 21 - Requires the submission of cycle storage details
Details of the provision for the secure, and where appropriate, covered storage for cycles and motorcycles shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.
Provision shall thereafter be implemented and maintained in accordance with the approved details.

Reason: In order to secure the satisfactory development of the application site in the interests of sustainable travel options, in accordance with Policies PG3, TP40 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

Councillors Peter Griffiths and Julie Johnson remained out of the meeting.

**REPORT NO. 8 – FORMER NORTH WORCESTERSHIRE GOLF CLUB,
HANGING LANE, NORTHFIELD, BIRMINGHAM, B31 5LP – RESERVED
MATTERS APPLICATION FOR DETAILS OF APPEAREANCE,
LANDSCAPING, LAYOUT AND SCALE FOR THE CENTRAL AREA OF
PUBLIC OPEN SPACE FOLLOWING OUTLINE PLANNING PERMISSION
2019/10649/PA**

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

An objector spoke against the application.

The applicant spoke in favour of the application.

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 abstention.

7967

RESOLVED:-

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

Councillors Peter Griffiths and Julie Johnson returned to the meeting.

PLANNING APPLICATIONS IN RESPECT OF THE EAST AREA

**REPORT NO. 9 – 136-138 KINGSBURY ROAD, ERDINGTON,
BIRMINGHAM, B24 8QU – 2020/08081/PA**

The East Planning Manager confirmed that there were no updates. However, he reminded Members that this application was previously discussed by Committee and the only outstanding issue related to the loss of 2 large semi-detached properties, being contrary to TP35.

The East Planning Manager pointed out that this was a unique situation and approval of this application would not set a precedent. It was proposed to refurbish a pair of adjoining vacant run-down semi's, located on a corner site, to provide 8 x 1 / 2 bed flats and that a satisfactory level of amenity space and car parking (9 spaces) would be provided.

In terms of housing need, we rely on the Strategic Housing Market Assessment (SHMA). This sets out the need within Birmingham for larger dwellings and indicates a particular need for dwellings with 4 or more bedrooms. However, the document is somewhat out dated (published in 2013), and therefore has limited weight in planning terms.

The East Planning Manager advised that only yesterday, for example, he was informed that an appeal was allowed for a Change of Use from a large dwelling to a 7 bed HMO at 85 Cole Bank Road, Hall Green. We argued, amongst other reasons, the loss of a large family dwelling, but the inspector concluded that 'the Strategic Housing Market Assessment (SHMA) could only be given limited weight in the decision' due to its age and as such the appeal was allowed. The East Planning Manager voiced concern that should members be minded to refuse this application on the grounds of TP35, it was likely that an appeal would be allowed and that we could be liable for costs.

The East Planning Manager further reminded Members that the application was recommended for approval and at the last Committee it was suggested that an informative be added to the decision requiring the applicant to enter into a S278 Agreement to secure off-site highway works to deter parking on nearby footpaths. Given his concerns, he requested that the application be approved, with conditions outlined in the original report, together with an informative, requiring a S278 Agreement.

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

The Interim Assistant Director advised that the Policy which seeks to protect housing was outdated. He stated that the Committee needed to weigh up the evidence provided by the applicant against the outdated Policy and went on to advise that the Council could not successfully defend a refusal.

Upon being put to a vote it was 9 in favour, 2 against and 0 abstention.

7968

RESOLVED:-

That the application be approved subject to the conditions set out in the report.

PLANNING APPLICATIONS IN RESPECT OF THE CITY CENTRE AREA

REPORT NO. 10 – LAND BOUNDED BY SHERLOCK STREET, BISHOP STREET AND HURST STREET, CITY CENTRE, BIRMINGHAM, B5 – 2020/09624/PA

Councillor Gareth Moore left the meeting having already expressed a view on the application.

The Principal Planning Officer (City Centre) confirmed that there were updates.

One representation by Councillor Gareth Moore:-

- welcomed the engagement with the developer and efforts made during the determination process.
- Confident that the impact on the Gay Village and the late-night economy has been considered both prior and during the application process. It is disappointing that the Eden Bar has since closed but welcomes that the possibility of the premises reopening as an alternative late-night venue has been considered.

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- The development is still likely to cause some harm to the Gay Village and LGBTQ+ community. As such, requests that Members consider S106 monies be directed to public realm and safety improvements within the community, as opposed to affordable housing which is likely to have little to no benefit for a community under siege from increasing residential development and noise complaints that it leads to.
- Directing S106 monies to public realm/safety improvements would have a direct benefit to the Gay Village and LGBT community, but also future residents as it would make the area a safer and more pleasant area to live.

Further representation by the applicant highlighting the Key benefits of scheme

- The proposals will deliver high quality, well-designed, amenity-rich residential apartments, with a varying mix of sizes (including accessible apartments), and provision of 47 affordable homes, situated in a prime and sustainable location within Birmingham City Centre;
- The development will deliver new and improved public realm in and around the Site, contributing towards the Council's aspiration for a network of well-connected public spaces across the city. In addition, a financial contribution of £30,000 will be made, to be spent locally on public realm improvements for the benefit of the local community;
- The development will create approximately 240 temporary jobs during construction and has the potential to create circa 85 jobs during the operation of the development;
- The proposed commercial units will aim to achieve BREEAM 'very good' standards, and the development will use a combination of Low / Zero Carbon technology to achieve a 19.8% carbon reduction;

There are no outstanding technical objections, and no significant harm or adverse impacts have been identified.

The officer's report to committee concludes that the proposed development accords with the relevant policies in the Development Plan and is heavily supported by national planning policy. This is further supported by the comments from statutory consultees, who, having given due consideration to their statutory duties and relevant planning policies, raise no objections to the proposed development. In that context, the report recommends that planning permission should be granted subject to conditions and a S106 agreement.

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

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

7969

RESOLVED:-

- (i) That planning permission be granted subject to the completion of a Section 106 legal agreement and conditions as set out in the original report;
- (ii) that in the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 24 July 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 original report; and

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

Councillor Gareth Moore returned to the meeting.

REPORT NO. 11 – CORNWALL HOUSE, 31 AND 33 LIONEL STREET, JEWELLERY QUARTER, BIRMINGHAM, B3 1AP – 2020/07383/PA

The Principal Planning Officer (City Centre) advised that there was an update in that Condition 46 was to be deleted.

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

Upon being put to a vote it was 11 in favour, 0 against and 0 abstention.

7970

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 and as amended below;

Condition No. 46 be deleted.
- (ii) that in the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 30 July 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; and
- (iii) that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.

REPORT NO. 12 – 116 BRADFORD STREET, BIRMINGHAM, B12 – 2021/00410/PA

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

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

Upon being put to a vote it was 9 in favour, 2 against and 0 abstention.

7971

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;

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- (ii) that in the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 30 July 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 original report; and
- (iii) that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.

REPORT NO. 13 – RAG MARKETS, UPPER DEAN STREET, BIRMINGHAM, B5 4SG – 2021/03357/PA

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

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

Upon being put to a vote it was 11 in favour, 0 against and 0 abstention.

7972 **RESOLVED:-**

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

OTHER URGENT BUSINESS

7973 None submitted.

AUTHORITY TO CHAIR AND OFFICERS

7974 **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 1241 hours

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CHAIR