

# BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE**  
**18 AUGUST 2022**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 18 AUGUST 2022 AT 1100 HOURS IN COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:** - Councillor Martin Brooks in the Chair;

Councillors David Barrie, Jack Deakin, Diane Donaldson, Colin Green, Mahmood Hussain, Mumtaz Hussain, Jane Jones, Lee Marsham, Shehla Moledina, Gareth Moore and Lauren Rainbow.

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**INTRODUCTION**

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

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**NOTICE OF RECORDING**

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The Chair advised, and the Committee noted, that the meeting would be webcast for live or subsequent broadcast via the Council's YouTube channel ([www.youtube.com/channel/UCT2kT7ZRPFCXq6\\_5dnVnYlw](http://www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw)) and members of the press/public could record and take photographs except where there were confidential or exempt items.

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**DECLARATIONS OF INTEREST**

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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.

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**APOLOGIES**

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Councillors Akhlaq Ahmed and Rick Payne.

**CHAIR'S ANNOUNCEMENTS**

- 8028 The Chair announced that Councillor Azim passed away a few days ago, he was a long-standing member of the planning committee over many years and more recently the deputy chair of the committee. A minute's silence was taken in remembrance of him.

Item 6 was withdrawn from the agenda.

The Chair began the agenda with Item 13

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**MINUTES**

- 8029 The Minutes of the meeting of the Committee held on 7th July 2022 were agreed and the minutes of the meeting held on 28<sup>th</sup> July are to follow.
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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 DIRECTOR OF PLANNING, TRANSPORT AND SUSTAINABILITY**

The following reports were submitted:

(See Document No. 1)

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**POLICY REPORT**

**REPORT NO.13 - POLICY REPORT - ACIVICO (BUILDING CONSULTANCY) LTD - ANNUAL PERFORMANCE OVERVIEW: FINANCIAL YEAR (1<sup>ST</sup> APRIL 2021 – 31<sup>ST</sup> MARCH 2022 INCLUSIVE)**

The City Statutory Functions officer for BCC presented the report to the members.

Members commented on the report and the City Statutory Functions officer responded thereto.

- 8030 **RESOLVED:** -

That the report be noted.

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**PLANNING APPLICATIONS IN RESPECT OF THE CITY CENTRE**

**REPORT NO. 7 - 193 CAMP HILL, HIGHGATE, BIRMINGHAM, B12 0JJ - 2021/10845/PA**

The Area Planning Manager (City Centre) confirmed the following updates:

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- Lead Local Flood Authority has withdrawn their objection.
- Further response from the Health and Safety Executive - still has remaining concerns following the submission of additional information.
- Canals and Rivers Trust – Further response reiterating the importance of the canal feeder and that they are working with the applicants to CCTV survey and arrive at a drainage scheme that protects it going forward. Has no objections regarding the visual amenity of the canal corridor.
- The applicants have distributed a briefing note to Members
- In light of the LLFA removing their objection amend the recommendation at Para 9.1 to read: The recommendation is for approval subject to: The conditions listed below (that may be amended, deleted or added to providing that the amendments do not materially alter the permission).

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

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

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### **RESOLVED: -**

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

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## **PLANNING APPLICATIONS IN RESPECT OF THE SOUTH AREA**

### **REPORT NO. 8 – FORMER MG WORKS, LOWHILL LANE/LICKEY ROAD, LONGBRIDGE, BIRMINGHAM - 2021/08642/PA**

The Area Planning Manager (South) confirmed the following updates:

- 9.1(b) – add in the words Index Linked after the £2.5m
- 9.2 – amended to read; A further, separate legal agreement requiring the sale of part of the site to a Registered Provider on a site and site area to be agreed. Should a sale to an RP not be secured within three years, a financial viability review shall take place to determine whether additional affordable housing shall be provided on site by the developer.
- 9.4 – to add in at the end, and a separate side agreement
- 9.5 – final section to read, be APPROVED, subject to “conditions listed below (that may be amended, deleted or added to providing that the amendments do not materially alter the permission)”.
- Extra condition to read - No development shall take place until a plan indicating the location and extent of land within the application site which is proposed to be transferred/sold to a Registered Provider, has been submitted to and approved in writing by the Local Planning Authority. No development shall take place on that part of the site that is to be transferred/sold to a Registered Provider until all parties with a legal interest in that land have entered into a legal agreement requiring that part of the site to be sold to a Registered Provider.

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

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**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 18<sup>th</sup> November 2022, 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.

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**REPORT NO. 9 - PLOT 3 - WEST LONGBRIDGE, LAND OFF BRISTOL ROAD SOUTH, LONGBRIDGE, BIRMINGHAM - 2022/03915/PA**

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

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

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

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**RESOLVED:** -

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

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**PLANNING APPLICATIONS IN RESPECT OF THE EAST AREA**

**REPORT NO. 10 - LAND AT FORMER IVY CLUB, 2296 COVENTRY ROAD, SHELDON, BIRMINGHAM, B26 3JR - 2021/06275/PA**

The Principal Planner (East) confirmed there were no updates.

Members commented on the application and the Principal Planner (East) commented thereto.

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

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**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 back and the original 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 18<sup>th</sup> November 2022 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.
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### **REPORT NO. 11 - ERDINGTON INDUSTRIAL PARK, CHESTER ROAD, ERDINGTON, BIRMINGHAM, B24 0RD - 2021/10195/PA**

The Area Planning Manager (East) confirmed the following updates:

- A revised BREEAM report has been received stating that an 'Excellent' standard, rather than 'Very Good' can be achieved.
- Therefore, Para 7.8 should be amended to refer to 'Excellent' rather than 'Very Good' and Condition 9 should be amended to refer to the receipt of a Final Certificate demonstrating that the development has achieved BREEAM standard 'Excellent' and Condition 14 should refer to the revised Pre-Assessment Report (Ref No: CHBS-MH-21006-2).

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

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

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#### **RESOLVED: -**

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

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### **PLANNING APPLICATIONS IN RESPECT OF THE NORTH WEST AREA**

#### **REPORT NO. 12 - FORMER BCU CITY NORTH CAMPUS, FRANCHISE STREET, PERRY BARR, BIRMINGHAM, B42 2SU - 2022/04350/PA**

The Area Planning Manager (North West) confirmed the following updates:

- The application description needs to be amended to reflect the description at paragraph 1.6. The description at 1.6 is what the application is seeking and how it has been assessed. This was raised with the agent, but they did not agree to amending the description. Since the publication of the report the agent has confirmed that the description should be changed to as detailed in paragraph 1.6. This has no bearing on the merits on the application, how it has been assessed and the report presented to the members.
- Paragraph 7.4 should also reference condition 8.
- Paragraph 7.5 should reference condition 43, rather than condition 41.

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

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

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**RESOLVED:** -

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

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**OTHER URGENT BUSINESS**

None submitted.

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**AUTHORITY TO CHAIR AND OFFICERS**

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**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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**AUTHORITY TO THE ASSISTANT DIRECTOR (PLANNING):**

In the event that a Planning Committee meeting(s) are unable to be held in person and/or cancelled, the Assistant Director (Planning), in consultation with the Planning Committee, has authority to determine planning applications that would otherwise have been considered by the Committee.

The meeting ended 1136 hours.

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CHAIR