

# **BIRMINGHAM CITY COUNCIL**

## ***PLANNING COMMITTEE***

### **MEETING TO BE HELD ON THURSDAY 10 NOVEMBER 2016 AT 1100 HOURS IN COMMITTEE ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

Everyone is welcome to come to the Planning Committee to see decisions being made. The agenda for these meetings is available in advance and sets out the matters to be discussed. If you are interested in a particular item being considered at the meeting and you wish to speak, you must contact the Director of Planning and Regeneration so that your request arrives no later than noon on the Monday before the meeting.

The reports on the agenda are normally prepared by the Director of Planning and Regeneration for consideration by Members of the Planning Committee. Each report contains an appropriate recommendation. Most reports relating to individual planning applications will contain a recommendation as to whether to approve or refuse the application. These recommendations are based increasingly on regional policies and on consideration of the planning policies of Central Government and/or the City Council, together with the views expressed as a result of the process of public consultation and following consultations with other City Council Departments and appropriate external organisations. The Committee takes account of the recommendations of the Director of Planning and Regeneration when it determines the application.

The Chairman manages the debate on individual agenda items and those present discuss the business by addressing the Chairman; this helps to keep the debate in an orderly manner. The Chairman takes each item in turn and when he considers there has been sufficient debate, he will call for a decision on the application or agreement that the information be noted or deferred for a site visit or for further work/issues to be addressed. At this stage, a vote may be taken on the recommendations which are either found at the front of each report or as amended by Councillors.

A team of City Council Officers advise the Planning Committee during the meeting. Reports are presented by the Area Planning Managers. Other advisers include the Director of Planning and Regeneration and/or the Head of Planning Management together with a solicitor and an officer from Transportation Strategy. Plans/drawings relating to the most significant applications to be discussed at the meeting are on display.

Please note that it is not possible for you to take part in the discussion (unless you have indicated in advance that you wish to speak) and smoking is not allowed during meetings. **Additionally all mobile phones should be switched off during proceedings.**

#### **Access to Meeting**

- a) Members of the public who wish to attend the Committee Meeting should report to the main entrance of the Council House, Victoria Square, Birmingham and they will be shown to the meeting room.

- b) Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private (normally at the end of the meeting). In such circumstances members of the public will be asked to leave.
- c) The Committee has adopted a procedure to allow interested parties (including members of the public) to speak at meetings in connection with Planning Applications providing that prior notice has been given. Notes setting out the procedure for Public Speaking Rights will be available both at the meeting and from the Planning Reception, Lancaster Circus, and on the Council's web site at [www.birmingham.gov.uk/planningspeakers](http://www.birmingham.gov.uk/planningspeakers). Any queries in connection with Public Speaking Rights procedures should be directed to Committee Services, Planning, telephone number 0121-303-3141.
- d) If you have any access issues or special/particular requirements, please inform us of these by calling (303 7037), or write to us (Planning Committee Manager, Room 315, Council House, Victoria Square, Birmingham B1 1BB) or e-mail [victoria.williams@birmingham.gov.uk](mailto:victoria.williams@birmingham.gov.uk) or fax (303 1086) at least 3 working days before the meeting so that reasonable adjustments can be made.

## **ADVICE ON MEMBERS' INTERESTS**

### **Involvement in Planning Matters Prior to Meetings of the Planning Committee.**

Members of the Committee are advised to take steps to minimise their involvement in any planning matter prior to its consideration by the Committee so that they take all decisions at the meeting with an open mind.

The Code of Conduct for Members and General Guidance forms Appendix B7 to the City Council's Constitution and applies to Councillors of Birmingham City Council. A copy is available from either the Council's Director of Planning and Regeneration or City Solicitor or can be downloaded from that part of the Web Site dealing with the Planning Committee on [www.birmingham.gov.uk/planningapplications](http://www.birmingham.gov.uk/planningapplications).

Where a Member is in any doubt about whether they have an interest, they are advised to always seek the advice of the Council's City Solicitor, disclosing all material facts. Because of the difficulties of doing this during the course of a meeting, whenever possible, advice should be sought beforehand.

If a pecuniary or non-pecuniary interest arises from any business to be discussed at Planning Committee then the Member concerned must declare this interest either at the start of the meeting or immediately before the item is discussed.

### **Pecuniary Interests**

If a Member declares a pecuniary interest then they must not take part in any discussion of the matter at the meeting in a decision-making capacity and must not vote on the matter. They need not withdraw from the meeting but any participation by them at the meeting in a decision-making capacity in respect of the matter in which they have a pecuniary interest is a criminal offence for which they may be prosecuted as well as referred to the Standards Committee.

Where a Member has a pecuniary interest they may speak at that meeting for the purpose of making representations, answering questions or giving evidence relating to the business *provided*

that the public are also allowed to attend the meeting for the same purpose.

A pecuniary interest to be disclosed at a meeting is either the Member's interest or that of their husband, wife or civil partner or that of a person with whom the Member is living as husband or wife or as civil partners.

### **Non-Pecuniary Interests**

If you declare a non-pecuniary interest then you may remain in the meeting, you may take part in the discussion and you may vote on the matter.

### **Relationship between Members and Officers**

Good administration is dependent on a successful relationship between Councillors and Officers which can only be based upon mutual trust and understanding of each other's roles and responsibilities. This relationship, and the trust which underpins it, must never be abused or compromised e.g. by a member putting pressure on Officers to adopt a particular recommendation in a committee report.

### **Member Training**

The Nolan Committee recommended that all members of planning committees should receive appropriate training. Appointment to the Planning Committee effectively creates a requirement for all Members to undertake such training both on appointment and periodically thereafter. Members are advised not to accept nomination to the Committee unless they are prepared to take on this responsibility. Members must also familiarise themselves with the provisions of these procedures.

**Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting. If a 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.**

**BIRMINGHAM CITY COUNCIL**

**PLANNING COMMITTEE**

**Thursday, 10 November 2016 at  
1100 hours in Committee Rooms 3  
and 4, Council House, Birmingham**

**A G E N D A**

**1     NOTICE OF RECORDING**

Chairman to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.birminghamnewsroom.com) and members of the press/public may record and take photographs. The whole of the meeting will be filmed except where there are confidential or exempt items.

**2     CHAIR'S ANNOUNCEMENTS**

The Chair will make announcements, if any.

**3     APOLOGIES**

**To Follow   4     MINUTES**

To note the public part of the Minutes of the last meeting.

**5     MATTERS ARISING**

To discuss matters arising.

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

To receive notifications from Members.

**7     PETITION(S)**

To consider petitions relating to planning applications submitted by Councillors on behalf of local residents.

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

- 8      2-10 CONSTITUTION HILL, CITY CENTRE – 2016/08029/PA**
- 9      3 ARENA CENTRAL, PLOT D, BROAD STREET, CITY CENTRE – 2016/07978/PA**

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

- 10     401-416 NEW JOHN STREET WEST, NEWTOWN – 2016/05697/PA**
- 11     401-416 NEW JOHN STREET WEST, NEWTOWN – 2016/05775/PA**
- 12     MANEY HILL SCHOOL, MANEY HILL ROAD, SUTTON COLDFIELD – 2016/06022/PA**
- 13     MANEY HILL PRIMARY SCHOOL, MANEY HILL ROAD, SUTTON COLDFIELD – 2016/07164/PA**

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

- 14     UNIT 5, 1298 WARWICK ROAD, ACOCKS GREEN – 2016/07099/PA**
- 15     152 CHURCH ROAD, YARDLEY – 2016/08031/PA**
- 16     BROMFORD LANE/BROMFORD ROAD, BROMFORD PUBLIC HOUSE AND VACANT SITE, WASHWOOD HEATH – 2016/07194/PA**
- 17     FORDROUGH, WEBSTER AND HORSFALL, SOUTH YARDLEY – 2016/06867/PA**
- 18     STECHFORD RETAIL PARK, FLAXLEY PARKWAY, STECHFORD – 2016/07232/PA**
- 19     MCDONALD'S RESTAURANT, 1151-1159 CHESTER ROAD, ERDINGTON – 2016/06787/PA**

- 20     VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS**

To authorise available Members to visit sites in connection with planning applications and to submit recommendations as appropriate.

- 21     OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

**22     AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

“That in an urgent situation between meetings the Chair, jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.”

**23     EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Minutes – Exempt Paragraph 3

**PRIVATE AGENDA**

**To Follow**

**24     MINUTES**

To confirm and sign the Minutes of the last meeting.

**25     MATTERS ARISING - PRIVATE**

To discuss matters arising.

**26     OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.