

BIRMINGHAM CITY COUNCIL

PLANNING COMMITTEE 6 AUGUST 2015

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 6 AUGUST 2015 AT 1100 HOURS IN COMMITTEE ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM

PRESENT:-

Councillor Sharpe in the Chair;

Councillors Azim, Beauchamp, Booton, Douglas Osborn, Fazal, Griffiths, C Jones, Linnecor, Moore, Straker Welds and F Williams.

PUBLIC ATTENDANCE

- 3944 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.

NOTICE OF RECORDING

- 3945 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. The whole of the meeting would be filmed except where there were confidential or exempt items.

CHAIRMAN'S ANNOUNCEMENTS

Planning Committee Meetings

- 3946 The Chairman informed Members that meetings were scheduled to take place on 20 August, 3 and 17 September 2015.

APOLOGIES

- 3947 Apologies were submitted on behalf of Councillors J Clancy and Cornish.

MINUTES

3948 **RESOLVED:-**

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

MATTERS ARISING

3949 There were no matters arising.

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

3950 No notifications were raised.

PETITION

3951 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 DIRECTOR OF PLANNING AND REGENERATION

The following reports were submitted:-

(See document No 1)

Planning Applications in Respect of the North West Area

Report No 8 – The Former Endwood Public House, Hamstead Road, Handsworth – 2014/06775/PA

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

Upon being put to a vote it was 8 in favour, 0 against and 3 abstentions.

3952 **RESOLVED:-**

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

Report No 9 – The Former Endwood Public House, Hamstead Road, Handsworth – 2014/06830/PA

Members commented on the application and it was agreed that a condition be added concerning the materials to be used in the development.

The Area Planning Manager (North West) and Head of Planning Management responded thereto.

3953

RESOLVED:-

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

New Condition 10:

No development shall take place until samples of the materials to be used in the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In order to secure the satisfactory development of the application site.

Report No 10 – 10 Digby Road, Sutton Coldfield – 2015/04642/PA

An objector spoke against the application.

A supporter spoke in favour of the application.

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

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 7 in favour, 2 against and 2 abstentions.

3954

RESOLVED:-

That approval be given to the minor material amendment attached to planning permission no 2014/04788/PA subject to the conditions set out in the report.

Report No 11 – Plantsbrook School, Upper Holland Road, Sutton Coldfield – 2015/04801/PA

The Area Planning Manager (North West), in referring to paragraph 1.5 of the report advised that the date should read 9 January 2018. He informed the Committee that a further petition and a letter regarding the proposal had been received.

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

3955 **RESOLVED:-**

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

Report No 12 – Hydraforce Hydraulics Unit, St Stephens Street, Aston – 2015/04589/PA

A Member commented on the application.

3956 **RESOLVED:-**

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

Planning Applications in Respect of the South Area

Report No 13 – Bournville Care Village, Bristol Road South, Northfield – 2015/03664/PA

Members commented on the application and the Senior Planning Officer (South) responded thereto.

3957 **RESOLVED:-**

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

Report No 14 – New Chamberlain Halls of Residence, Off Church Road, Edgbaston – 2015/05347/PA

3958 **RESOLVED:-**

That 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 at Bordesley Green Road, Saltley – 2015/01496/PA

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

3959

RESOLVED:-

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

Report No 16 – Former Virgin Media Office Building, Talbot Way, Small Heath – 2015/03138/PA

The Area Planning Manager (East) advised that she wished to amend the conditions. In referring to paragraph 6.25 of the report she pointed out that the hours of use for Sundays and bank holidays should read 1000 to 1800 hours.

3960

RESOLVED:-

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

Delete Condition 12

The Chairman agreed to vary the agenda and consider the following item at this point:-

OTHER URGENT BUSINESS

The Chairman was of the opinion that the following item should be considered as a matter of urgency in view of the need to expedite consideration thereof and instruct officers to act:-

British Legion, 16 Botteville Road, Acocks Green – 2015/03105/PA

The Area Planning Manager (East) advised that she wished to amend condition 8 and delete condition 10 set out in the original report. Condition 9 would remain unaltered. She also wished to change the completion date to 21 August 2015.

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

Upon being put to a vote it was 10 in favour, 0 against and 1 abstention.

3961

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 by 21 August 2015, 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 by 21 August 2015, favourable consideration would be given to the planning application subject to the conditions set out in the report and amended below:-

Amended Condition 8:

Requires the prior submission of extraction and odour control details to the British Legion Club.

Prior to first occupation of the replacement British Legion Club, details of the extract ventilation and odour control equipment, including details of any noise levels, noise control and external ducting shall be submitted to an approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to first occupation of the British Legion Club and thereafter maintained.

Reason: In order to secure the satisfactory development of the application site and safeguard the amenities of occupiers of premises/ dwellings in the vicinity in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the NPPF.

Condition 9 Unaltered.

Condition 10 Deleted.

- (iv) that the Director of Legal and Democratic Services be authorised to prepare and seal the appropriate legal agreement.

The Committee returned to the original agenda order.

Planning Applications in Respect of the City Centre Area

Report No 17 – 103 Colmore Row, City Centre – 2015/04428/PA

The Area Planning Manager (City Centre) advised that additional comments had been received regarding the proposal. She pointed out that she wished to add a new condition and amend recommendation 8.1(ii).

Members commented on the application and the Director of Planning and Regeneration responded thereto.

Upon being put to a vote it was 10 in favour, 0 against and 1 abstention.

3962

RESOLVED:-

- (i) That consideration of the application be deferred pending the completion of a suitable legal agreement as set out in the report and amended below:-

Amended Recommendation 8.1(ii) – a financial contribution of £40,000 towards local employment and training in connection with this development;

- (ii) that, in the event of the above legal agreement not being completed to the satisfaction of the local planning authority by 1 September 2015, 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 by 1 September 2015, favourable consideration would be given to the planning application subject to the conditions set out in the report and amended below:-

New Condition 24:

Requires the prior submission of a management plan for the winter garden and roof terraces

Prior to the first occupation of the building, a management plan for the winter garden and roof terraces shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of general principles in respect of the location, specification and maintenance of any temporary features.

Reason: In order to ensure the satisfactory development of the application site in accordance with Paragraphs 3.8, 3.10 and 3.22 of the Birmingham UDP 2005, the National Planning Policy Framework and Regeneration through Conservation SPG.

- (iv) that no objection be raised to the stopping up of land around the Colmore Row/Newhall Street frontage that may have attained status as public highway and that if necessary the Department for Communities and Local Government be requested to make an Order in accordance with the provisions of Section 247 of the Town and Country Planning Act 1990;
- (v) that the Director of Legal and Democratic Services be authorised to prepare and seal the appropriate legal agreement.

Report No 18 – 103 Colmore Row, City Centre – 2015/04465/PA

3963

RESOLVED:-

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

Report No 19 – 73-75 Pershore Street, Former Ice Rink, Birmingham – 2015/09600/PA

The Area Planning Manager (City Centre) advised that she wished to delete recommendation 1.6 c).

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 1 abstention.

3964

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 by 27 August 2015, planning permission be refused for the reasons set out in the report and amended below:-

Recommendation 1.6 c) deleted.

- (iii) that, in the event of the legal agreement being completed to the satisfaction of the local planning authority by 27 August 2015, favourable consideration would be given to the planning application subject to the conditions set out in the report;
 - (iv) that the Director of Legal and Democratic Services be authorised to prepare and seal the appropriate legal agreement.
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POLICY REPORTS

Birmingham Development Plan

The Director of Planning and Regeneration and the Team Manager, Planning Strategy, introduced the report.

A Member welcomed the fact that the sustainable drainage policy had been revised to reflect the new sustainable urban drainage requirements. It was also noted that there would be a reduction in the developable area of the site at Peddimore from 80 to 71 hectares in order to reduce its visual impact.

In response to a question the Director of Planning and Regeneration briefly explained the assessment that had been undertaken to identify overall housing requirements and the Council's approach to working with neighbouring Councils regarding the shortfall.

3965 **RESOLVED:-**

That the report considered by Cabinet at its meeting on 27 July 2015 be noted and that Members' comments be referred to the Director of Planning and Regeneration.

Community Infrastructure Levy

The Director of Planning and Regeneration introduced the report.

In referring to the report, a Member commented on the fact that Erdington was considered to be a low market value area. The Director of Planning and Regeneration responded thereto.

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

3966 **RESOLVED:-**

That the report considered by Cabinet at its meeting on 27 July 2015 and the proposed adoption date of the Community Infrastructure Levy Charging Schedule be noted.

Service Redesign

3967 The Director of Planning and Regeneration gave a verbal update on the service redesign including the savings that had been made, the number of staff that had left the department and the impact that had had on performance.

He advised that there had recently been four new appointments and that a further four were proposed in the near future.

He pointed out that it was hoped to establish a planning graduate hub and briefly explained how it would operate with graduates undertaking a two year programme. A letter had been sent to local universities informing them of the job opportunities and encouraging suitable graduates to apply for the posts. It was hoped that the hub would provide a successful pathway for graduates in the future.

Members welcomed the proposed planning graduate hub and recognised its importance for the future of the city.

VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS

3968 There were no site visits pending.

OTHER URGENT BUSINESS

3969 No other urgent business was raised.

AUTHORITY TO CHAIRMAN AND OFFICERS

3970 **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

3971 **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