

# BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE**  
**6 JUNE 2019**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 6 JUNE 2019 AT 1100 HOURS IN COMMITTEE ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:-**

Councillor Karen McCarthy in the Chair;

Councillors Bob Beauchamp, Maureen Cornish, Diane Donaldson, Mohammed Fazal, Peter Griffiths, Adam Higgs, Julie Johnson, Zhor Malik, Saddak Miah, Gareth Moore, Lou Robson and Mike Ward.

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**PUBLIC ATTENDANCE**

- 6937 The Chair welcomed members of the public to the meeting, indicating that a leaflet had been circulated explaining how the Committee operated. She 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**

- 6938 The Chair advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site ([www.civico.net/birmingham](http://www.civico.net/birmingham)) 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**

- 6939 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.

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**CHAIR'S ANNOUNCEMENTS**

- 6940 The Chair informed Members that meetings were scheduled to take place on the 20 June and 4 and 18 July 2019.

The Chair advised that a visit to 48 Heaton Street to view the new Birmingham Municipal Housing Trust (BMHT) modular house will take place on Thursday 13 June 2019 and an environmental/ecological training session had been arranged for 27 June 2019.

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**APOLOGY**

- 6941 An apology was submitted on behalf of Councillor Keith Linnecor for his inability to attend the meeting.
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**MINUTES**

- 6942 **RESOLVED:-**

That the Minutes of that part of the meeting of the Committee open to the public held on 9 May 2019 be noted.

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**MATTERS ARISING**

**General Data Protection Regulation (GDPR) - Minute No. 6879 (23 May 2019 and previous) refers**

- 6943 The Assistant Director advised that a number of discussions had taken place over a period of months concerning personal details on planning applications. The City Council has a statutory duty to publish planning applications but not the applicants name and personal details. He stated that the planning process is compliant without the publication of personal details. The GDPR regulations were clear and publication of personal details is only available when necessary but each application will be considered on case by case basis. He stated that a briefing note will be forwarded to Planning Members explaining the process and procedures.

The general consensus from Members was that the City Council should be as clear and transparent as possible and a blanket disclosure of personal details should not be enforced.

The Chair thanked the Assistant Director for the update and reiterated that a briefing note will be forwarded to Planning Members in due course.

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

**Planning Application No. 2019/03758/PA – 1 Wycome Road, Birmingham,**

- 6944 Councillor Lou Robson requested that a report relating to the above planning application be submitted to a future meeting of the Committee in light of local comments concerning the development.
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**PETITIONS**

6945 No petitions were received.

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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, INCLUSIVE GROWTH**

The following reports were submitted:-

(See Document No. 2)

**Planning Applications in respect of the North West Area**

**Report No 9 – 72-74 Boldmere Road, Sutton Coldfield, Birmingham B73 5TJ - 2019/02287/PA**

The Area Planning Manager (North West) stated that there was an update in that a further representation from the neighbouring property had been received advising That there is no time limit on the current lease agreement with the car park. They asked if a new arrangement can be made with the new tenant. The Area Planning Manager advised that this is beyond the remit of the planning system and is a civil matter.

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

6946 **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 10 – Former Midhire and UTC Premises, York Road, Hall Green, Birmingham B28 8LN - 2018/09040/PA**

The Principal Planning Officer (South) stated that two updates had been received from the public participation exercise objecting to noise and construction dust pollution and a request to retain the nature area within the development. No objections had been received from Regulatory Services or the Environment Agency to the updated verification report.

With relation to the report itself the following amendments were made:

- (i) Paragraph 8.2 – delete ‘and with triggering of payments’;
- (ii) Paragraph 8.4 – add ‘public open space’ after affordable housing.

## **Planning Committee – 6 June 2019**

Members commented on the application and the Principal Planning Officer (South) and the Transport Development Manager responded thereto.

The Chair proposed the additional condition and it was seconded by Councillor Julie Johnson.

Upon being put to a vote and including the additional condition in relation to the provision of the service road prior to occupation it was 12 in favour, 0 against and 0 abstentions.

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### **RESOLVED:-**

- (i) That planning permission be deferred pending the completion of a Section 106 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 30 June 2019, planning permission be refused for the reasons set out in the report;
- (iii) that, in the event of the above legal agreement being completed to the satisfaction of the Local Planning Authority on or before 30 June 2019, planning permission be approved for the reasons set out in the report and amended below:

Provision of service road prior to occupation condition.

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

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### **Planning Applications in respect of the East Area**

#### **Report No 11 – 191 Sheldon Heath Road, Sheldon, Birmingham B26 2DR - 2019/03098/PA**

The Area Planning Manager (East) stated that there was one further objection from Councillor Paul Tilsley objecting to the social problem that may emanate from accommodation specifically aimed at vulnerable adults under 'supported living' arrangements.

Councillor Saddak Miah declared an interest and spoke from the public gallery.

Councillor Saddak Miah (objector) spoke against the application and requested that Members attend a site visit.

The agent spoke in favour of the application.

The Area Planning Manager (East) responded to comments made by the objector and agent.

## **Planning Committee – 6 June 2019**

Members expressed concern that they were not convinced that the location was suitable for a supported living centre and Councillor Julie Johnson seconded the proposal for a site visit.

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

6948 **RESOLVED:-**

That consideration of the application referred to in the report be deferred pending a site visit.

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### **Report No 12 – Pershore Road, between Edgbaston Road and Belgrave Interchange, Edgbaston, Birmingham B5 7EF - 2019/02755/PA**

The Area Planning Manager (East) indicated that the applicant had submitted further information stating that the 3 sites will be used between the period of 11 June and 15 July 2019 and that the number of advertising banners on all 3 sites had been reduced.

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

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

6949 **RESOLVED:-**

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

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### **Planning Applications in respect of the City Centre Area**

#### **Report No 13 – Sherlock Street, Birmingham B5 6NB- 2019/02754/PA**

Upon being put to a vote it was 9 in favour, 2 against and 1 abstention -

6950 **RESOLVED:-**

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

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#### **Report No 14 – Hurst Street, City Centre, Birmingham B5 6SD - 2019/02753/PA**

Upon being put to a vote it was 9 in favour, 2 against and 1 abstention -

6951 **RESOLVED:-**

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

**Policy Report**

**Report No 15 – Planning Management Service Improvement Review**

The Assistant Director introduced the report and highlighted the salient points.

He responded to Members comments and stated that a further report on the 'Statement of Community Involvement' will be submitted to a future meeting.

The Chair requested that a Planning organisation/team chart be forwarded to all Members.

6952 **RESOLVED:-**

That the report on Planning Management Service Improvement Review be noted.

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

6953 A site visit in relation to planning application 2019/03098/PA – 191 Sheldon Heath Road, Sheldon, Birmingham, B26 2DR will be arranged for a future date.

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**OTHER URGENT BUSINESS**

6954 No other urgent business was raised.

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**AUTHORITY TO CHAIR AND OFFICERS**

6955 **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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