

BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE
28 SEPTEMBER 2017**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON
THURSDAY, 28 SEPTEMBER 2017 AT 1100 HOURS IN COMMITTEE
ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

PRESENT:-

Councillor Sharpe in the Chair;

Councillors T Ali, Azim, Beauchamp, Cornish, Douglas Osborn, Fazal, Henley, Linnecor, Moore, Straker Welds and Williams.

PUBLIC ATTENDANCE

5722 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

5723 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 except where there were confidential or exempt items.

CHAIRMAN'S ANNOUNCEMENTS

Planning Committee Meetings

5724 The Chairman informed Members that meetings were scheduled to take place on 12, 26 October, 9 and 23 November 2017.

APOLOGIES

5725 Apologies were submitted on behalf of Councillors Booton, K Jenkins and C Jones.

MINUTES

5726 **RESOLVED:-**

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

MATTERS ARISING

**Stechford Retail Park, Flaxley Parkway, Stechford – 2017/06725/PA
(Minute No 5710 Refers)**

5727 In response to a question, the Chairman undertook to speak to Councillor Douglas Osborn after the meeting regarding the provision of electric vehicle charging points at retail parks.

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

5728 No notifications were received.

PETITION

Request for an Article 4 Direction in Erdington

Additional signatures to a petition originally presented by Councillor Moore to City Council at its meeting on 12 September 2017 on behalf of local residents calling upon the Council to take action against the spread of HMOs in Erdington by introducing an Article 4 Direction across the Ward were received.

5729 **RESOLVED:-**

That the additional signatures to the original petition be referred to the Corporate Director, Economy.

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 CORPORATE DIRECTOR, ECONOMY

The following reports were submitted:-

(See document No 1)

Planning Applications in Respect of the North West Area

Report No 8 – Moor Hall Primary School, Rowallan Road, Sutton Coldfield – 2017/05933/PA

An objector spoke against the application.

A supporter spoke in favour of the application.

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

Members commented on the application and the Transport Manager responded thereto.

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

5730

RESOLVED:-

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

Report No 9 – Sites including Land North of and Part of Handsworth Golf Club; Hill Top Golf Centre, Part of the Grounds of Hamstead Hall Academy and Land Adjacent The Leverretts and Cradley Croft as well as Sunningdale Close and Park Lane, Handsworth Wood – 2017/04289/PA

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

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

5731

RESOLVED:-

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

Report No 10 – Land at Upper Thomas Street and Albert Road, Aston – 2017/01913/PA

Councillors T Ali and Henley declared interests and left the room during consideration of the item.

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

5732

RESOLVED:-

- (i) That consideration of the application be deferred pending the completion of a Section 111 of the Local Government Act 1972 legal agreement to be completed between the landowners in respect of the City Council owned land within the application site to secure the completion of a suitable Section 106 legal agreement on the City owned land when it is sold 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 13 October 2017, 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 on or before 13 October 2017, favourable consideration would be given to the planning application subject to the conditions set out in the report;
- (iv) that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.

Councillors T Ali and Henley returned to the meeting.

Report No 11 – Minworth Sewage Treatment Works, Severn Trent Water PLC, Kingsbury Road, Sutton Coldfield – 2017/05612/PA

Members commented on the application.

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

5733

RESOLVED:-

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

Planning Application in Respect of the East Area

Report No 12 – Battery Way, Tyseley – 2017/06730/PA

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

5734

RESOLVED:-

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

Planning Applications in Respect of the City Centre Area

Report No 13 – Land to the Rear of Park Regis Birmingham, Broad Street, City Centre – 2017/04628/PA

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

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

5735

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 on or before 26 October 2017, 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 on or before 26 October 2017, favourable consideration would be given to the planning application subject to the conditions set out in the report;
 - (iv) that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.
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Report No 14 – Land Bounded by Green Street, Birchall Street and Bradford Street, Digbeth – 2017/02454/PA

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 abstentions.

5736

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 on or before 27 October 2017, 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 on or before 27 October 2017, favourable consideration would be given to the planning application subject to the conditions set out in the report;
- (iv) that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.

Report No 15 – Variation to an Existing S106 Agreement - Land at and Bounded by Paradise Circus Queensway and Surroundings including Chamberlain Square, Parade and Paradise Street, City Centre – 2012/05116/PA, 2014/05319/PA and 2017/03356/PA

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

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

5737

RESOLVED:-

That the changes to the existing Section 106 Obligation set out in the report be agreed and that the City Solicitor be authorised to prepare, complete and seal an appropriate legal agreement under Section 106 of the Town and Country Planning Act 1990.

Planning Applications in Respect of the South Area

**Report No 16 – Lifford Park – Former Arvin Meritor Works,
Fordhouse Lane, Stirchley – 2017/05884/PA**

A Member commented on the application.

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

5738

RESOLVED:-

That approval be given to the reserved matters relating to appearance, landscaping, layout and scale pursuant to outline planning permission no 2016/03703/PA, as amended by planning application no 2017/05884/PA subject to the conditions set out in the report.

Report No 17 – 7 Montague Road, Edgbaston – 2017/05133/PA

The Principal Planning Officer (South) advised that he wished to add a condition requiring obscure glazing for all side windows.

A Member commented on the application and the Principal Planning Officer (South) responded thereto.

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

5739

RESOLVED:-

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

New Condition 11:

Requires the Prior Submission of Details of Obscure Glazing for all Side Windows.

The windows in the north and south side elevations shall be installed with obscure, non-openable glazing and thereafter retained as such prior to the occupation of the building. Details of such windows shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the windows.

Reason: In order to safeguard the amenities of occupiers of dwellings in the vicinity in accordance with Policy PG3 of the Birmingham Development Plan 2017, Places for Living SPG, Extending Your Home SPD and the National Planning Policy Framework.

Report No 18 – 16 Somerset Drive, Longbridge – 2017/06359/PA

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

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

5740 **RESOLVED:-**

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

POLICY REPORT

Appeal Decisions Received from the Planning Inspectorate in August 2017

The following report of the Corporate Director, Economy was submitted:-

(See document No 2)

The Area Planning Manager (North West) introduced the report and responded to Members' comments.

5741 **RESOLVED:-**

That the schedule of appeal decisions received from the Planning Inspectorate in August 2017 be noted.

VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS

334 Lordswood Road, Quinton – 2017/05890/PA

5742 The Chairman reminded Members of the site visit scheduled to take place on Thursday, 5 October 2017 to 334 Lordswood Road, Quinton. The Chairman suggested and it was agreed that, as only three councillors hoped to attend, the coach that had been booked for the visit should be cancelled and that Members should make their own way to the site.

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:-

**Centro Waste Services, St Clements Road/Nechells Place/
Cato Street North, Nechells**

- 5743 Councillor T Ali advised that he had received a number of complaints from local residents regarding skips being left on the public highway in the vicinity of Centro Waste Services, St Clements Road/Nechells Place/Cato Street North, Nechells. The Chairman undertook to draw the matter to the attention of appropriate officers.
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AUTHORITY TO CHAIRMAN AND OFFICERS

- 5744 **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

- 5745 **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 3
meeting.