

# BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE  
30 AUGUST 2018**

## **MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 30 AUGUST 2018 AT 1100 HOURS IN COMMITTEE ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

### **PRESENT:-**

Councillor Karen McCarthy in the Chair;

Councillors Mohammed Azim, Bob Beauchamp, Maureen Cornish, Peter Griffiths, Adam Higgs, Julie Johnson, Keith Linnecor, Saddak Miah, Gareth Moore, Lou Robson, Lucy Seymour-Smith and Mike Ward.

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### **PUBLIC ATTENDANCE**

- 6389 The Chairman 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**

- 6390 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.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**

- 6391 The Chairman 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.

**CHAIRMAN'S ANNOUNCEMENTS**

6392 The Chairman informed Members that meetings were scheduled to take place on 13 and 27 September and 11 October 2018.

Training dates will be circulated to all Planning Committee Members in due course.

Councillor Gareth Moore requested as to whether the order of the agenda could be amended in order that Members discuss agenda item 11 before agenda item 10. Councillor Maureen Cornish seconded the motion.

The Area Planning Manager (South) advised that the order of the reports on the agenda was considered in order to hear report no. 10 prior to 11 because if they were swapped over then the HMO figure would exceed the 10% policy threshold, at 10.39%. If the applicants appealed against a refused application, the Local Planning Authority's position may be difficult to defend.

6393 During the course of discussion Members expressed opposing views and upon being put to a vote as to whether the order of the agenda be amended it was 4 in favour, 4 against and 4 abstentions. The Chairman used her casting vote and stated that the agenda will be discussed as published. Therefore, the proposal to discuss agenda report no. 11 prior to agenda report no. 10 was lost.

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**APOLOGIES**

6394 Apologies were submitted on behalf of Councillors Safia Akhtar and Mike Sharpe for their inability to attend the meeting.

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**MINUTES**

6395 **RESOLVED:-**

That the Minutes of that part of the last meeting of the Committee open to the public held on 16 August 2018 be noted.

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**MATTERS ARISING FROM THE MINUTES**

**Members notification – weekly list of Planning Applications**

6396 Councillor Gareth Moore made reference to Minute no. 6383 and requested as to whether there were any updates on Members notifications on the weekly list of planning applications.

The Assistant Director stated that all issues raised had been resolved but in view of the discussion regarding public consultation and planning applications further clarification would be provided.

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

6397 No notifications were received.

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**PETITIONS**

6398 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 CORPORATE DIRECTOR, ECONOMY**

The following reports were submitted:-

(See Document No. 1)

**Planning Applications in Respect of the East Area**

**Report No 9 – Former Manor Public House, Station Road, Stechford, Birmingham, B33 9AX – 2018/00808/PA**

The Area Planning Manager (East) introduced the report.

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

Upon being put to a vote it was 11 in favour, 0 against and 1 abstention.

6399 **RESOLVED:-**

- (i) That planning permission 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 28 September 2018, 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 28 September 2018, planning permission be approved for 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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**Planning Applications in Respect of the South Area**

**Report No 10 – 918 Bristol Road, Selly Oak, Birmingham, B29 6NB – 2018/04635/PA**

The Area Planning Manager (South) introduced the report.

Councillor Gareth Moore made reference to bullet point 6.6 in the report and stated that there was evidence to suggest that further properties within the area were currently HMO's and he requested that the report be deferred pending a thorough and robust investigation into the allegations. Councillor Maureen Cornish seconded the motion.

The Area Planning Manager (South) advised that officers used the most robust data available to the Local Planning Authority, namely Council Tax records, Planning Consents and HMO Licensing information. Officers acknowledge that there may be other HMO's in the area but they are not recognised under the Local Planning Authority data records.

Upon being put to a vote as to whether to defer the report it was recorded as 4 in favour, 4 against and 4 abstentions. The Chairman used her casting vote and voted against a deferral. Therefore, the proposal to defer the report was lost.

The Chairman then asked that Members to vote upon the report as submitted and it was recorded as 7 in favour, 4 against and 1 abstention.

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**RESOLVED:-**

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

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**Report No 11 – 916 Bristol Road, Selly Oak, Birmingham, B29 6NB – 2018/04631/PA**

The Area Planning Manager (South) introduced the report.

Upon being put to a vote it was 7 in favour, 4 against and 1 abstention.

6401

**RESOLVED:-**

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

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**Report No 12 – 88 Station Road, Harborne, Birmingham, B17 9LX – 2018/04404/PA**

The Area Planning Manager (South) introduced the report and indicated that a further objection letter had been received from a resident but the issues raised were already included in the report.

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

Upon being put to a vote it was 11 in favour, 0 against and 1 abstention.

6402 **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 North West Area**

**Report No 13 – Severn Trent Water, Kingsbury Road, Sutton Coldfield, Birmingham, B76 9DP – 2018/00660/PA**

The Area Planning Manager (North West) introduced the report and stated that the Canals and Rivers Trust have requested to be consulted on the application. He advised Members to agree the recommendation as per the report submitted and refer to the Ministry of Housing, Community and Local Government (MHCLG) and that the Canals and Rivers Trust can still make representation if they wish to do so.

Upon being put to a vote it was 11 in favour, 0 against and 1 abstention.

6403 **RESOLVED:-**

That the application be referred to the Ministry of Housing, Community and Local Government (MHCLG) and should it not be called in, that planning permission should be approved subject to the conditions set out in the report.

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**Report No 14 – Berryfields Road, Elizabeth House, Sutton Coldfield, Birmingham, B76 2UY – 2018/05728/PA**

The Area Planning Manager (North West) introduced the report.

Upon being put to a vote it was 11 in favour, 0 against and 1 abstention.

6404 **RESOLVED:-**

That no prior approval is required.

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

6405 There were no site visits pending.

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**OTHER URGENT BUSINESS**

**HMO's - Article 4 Directive**

6406 Councillor Gareth Moore stated that there was a need to know exactly how many residential properties were in operation as HMO's in the Birmingham area and he called for a meeting with the Cabinet Member for Homes and Neighbourhoods so that a full mapping exercise be undertaken using the electoral register for guidance.

The Chairman agreed with the points raised and stated that if there was a need to renew the Article 4 Directive in the new Licensing regime then officers will be consulting with other Authorities to investigate the issue more thoroughly.

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**AUTHORITY TO CHAIRMAN AND OFFICERS**

6407 **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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**EXCLUSION OF THE PUBLIC**

6408 **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 meetings.	3
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High Speed 2 (HS2) (London to West – Midlands) Act 2017. Curzon Street Station	3
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