

# BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE**  
**19 JULY 2018**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 19 JULY 2018 AT 1100 HOURS IN COMMITTEE ROOMS 3 AND 4, COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:-**

Councillor Mike Sharpe in the Chair;

Councillors Safia Akhtar, Mohammed Azim, Peter Griffiths, Adam Higgs, Keith Linnecor, Saddak Miah, Karen McCarthy, Gareth Moore and Mike Ward.

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**PUBLIC ATTENDANCE**

- 6302 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.

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**NOTICE OF RECORDING**

- 6303 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**

- 6304 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.

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**CHAIRMAN'S ANNOUNCEMENTS**

**Planning Committee Meetings**

- 6305 The Chairman informed Members that meetings were scheduled to take place on 2, 16 and 30 August 2018.

**APOLOGIES**

- 6306 Apologies were submitted on behalf of Councillors Bob Beauchamp, Maureen Cornish, Julie Johnson, Lou Robson and Lucy Seymour-Smith for their inability to attend the meeting.
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**MINUTES**

- 6307 **RESOLVED:-**

That the Minutes of that part of the last meeting of the Committee open to the public held on 5 July 2018 be noted.

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**MATTERS ARISING FROM THE MINUTES**

- 6308 There were no matters arising from the Minutes.
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**NOTIFICATIONS BY MEMBERS OF PLANNING APPLICATIONS THAT THEY CONSIDER SHOULD BE DETERMINED BY COMMITTEE**

- 6309 No notifications were received.
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**PETITIONS**

- 6310 No petitions were received.
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The Chairman proposed and it was agreed to change the order of the agenda and consider Agenda Item No. 18 at this point in the meeting.

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**Acivico (Building Consultancy) Ltd – Annual (Year End) Performance Review (1 April 2017 – 31 March 2018)**

The following report of the Chief Operating Officer was submitted:-

(See document No 1)

The Area Planning Manager introduced the report and responded appropriately to Members' comments.

- 6311 **RESOLVED:-**

That the Acivico (Building Consultancy) Ltd – Annual (Year End) Performance Review (1 April 2017 – 31 March 2018) be noted.

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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 2)

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

**Report No 9 – Singh Sabha Gurudwara Temple, Somerset Road, Handsworth Wood, Birmingham, B20 2JB – 2017/08426/PA**

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

Two objectors spoke against the application.

The Area Planning Manager (North West) and the Transportation Development Manager responded to comments made by the objectors.

Members raised a number of concerns and the Area Planning Manager (North West) responded thereto.

Upon being put to a vote it was 5 in favour, 0 against and 3 abstentions.

6312

**RESOLVED:-**

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

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**Report No 10 – Land adjacent to Manor Drive, Sutton Coldfield, Birmingham, B73 6ER - 2018/01756/PA**

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

A supporter spoke in favour of the application.

Upon being put to a vote on whether Members supported the reason for refusal it was 0 in favour.

The Chairman then requested that Members vote on the application, as per the original recommendation with the additional condition of a domestic sprinkler system per house and upon being put to a vote it was 7 in favour, 0 against and 2 abstentions.

6313

**RESOLVED:-**

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

- Extra Condition

Requires the prior submission of domestic sprinkler system for each house  
No development shall take place until detailed drawings of the proposed domestic sprinkler system for the dwelling has been submitted to and approved in writing by the Local Planning Authority. The domestic sprinkler system shall be constructed and installed in accordance with the approved details and thereafter maintained.

Reason: In order to secure the satisfactory development of the application site in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

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**Report No 11 – Land bounded by 2–10 Mere Green Road / 296–324 Lichfield Road, Mere Green, Sutton Coldfield, B75 5BS – 2017/09747/PA**

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

During the course of discussion Members expressed concern that the developer should plant the trees elsewhere on the site or provide suitable planters.

The Chairman suggested and Members agreed that the report be deferred pending further negotiations with the developer.

Upon being put to a vote it was 8 in favour, 0 against and 1 abstention.

6314 **RESOLVED:-**

That determination of the planning application be deferred pending further negotiations with the developer on planting the trees elsewhere on the development or provide suitable planters

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Councillor Karen McCarthy declared a non-pecuniary interest in relation to Agenda Item No's 12 and 13 and left the meeting.

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

**Report No 12 – 10 Serpentine Road, Selly Oak, Birmingham, B29 7HU – 2018/02555/PA**

The Principal Planning Officer (South) introduced the report.

An objector spoke against the application.

A supporter spoke in favour of the application.

The Principal Planning Officer (South) responded to comments made by the objector and supporter.

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Upon being put to a vote it was 7 in favour, 1 against and 0 abstentions.

6315 **RESOLVED:-**

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

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At this juncture Councillor Mike Ward left the meeting.

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**Report No 13 – 103 Selly Park Road, Selly Park, Birmingham, B29 7LU – 2018/02738/PA**

The Principal Planning Officer (South) introduced the report.

Upon being put to a vote it was 6 in favour, 0 against and 1 abstention.

6316 **RESOLVED:-**

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

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Councillor Karen McCarthy returned to the meeting having had no part in the discussions or the decisions that took place.

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

**Report No 14 – 1 Tile Cross Road, Birmingham, B33 ONN – 2018/00482/PA**

The Principal Planning Officer (East) introduced the report

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

6317 **RESOLVED:-**

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

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Councillor Mike Ward returned to the meeting.

Councillor Karen McCarthy declared a non-pecuniary interest in relation to Agenda Item No 15 and left the meeting.

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**Report No 15 – Phoenix Park, Brickfield Road, Birmingham, B25 8HF – 2018/01359/PA**

The Principal Planning Officer (East) introduced the report.

An objector spoke against the application.

A supporter spoke in favour of the application.

The Principal Planning Officer (East) responded to comments made by the objector and supporter.

Upon being put to a vote it was 7 in favour, 0 against and 1 abstention.

6318 **RESOLVED:-**

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

Condition 2 - Requires the submission of reserved matter details following an outline approval.

Details of the landscaping and layout, (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework.

Condition 3 - Requires the scheme to be in accordance with the listed approved plans.

The development hereby approved shall be implemented in accordance with the details submitted with the application and shown on drawing numbers A99 rev C; A100 Rev D; A106 Rev D; A104 Rev D; JDA/239/20/5 Rev 0; JDA/239/20/4 Rev 0; A105; A101; A107; A103; A102 ('the approved plans').

Reason: In order to define the permission in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

Condition 5 - Requires the prior submission of sample materials.

No development shall take place until samples of the materials to be used in the construction of the external surfaces of 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 in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

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Condition 6 - Limits delivery time of goods to or from the site.

No more than 2 No. deliveries per hour take place during the night time (20:00 - 07:00 hours) and that also during the night time no more than 1 No. delivery per 15 minutes period during the night time (23:00 - 07:00 hours).

Reason: In order to define the permission and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

Condition 22 - Requires the prior approval of an amended car park layout.

No development shall take place until an amended car park layout and HGV turning facility has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details. No part of any building hereby permitted shall be occupied or used until the vehicle parking area has been provided in accordance with the approved plans. The parking area shall thereafter be maintained.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017, the Car Parking Guidelines SPD and the National Planning Policy Framework.

Condition 23 – Requires the prior approval of the design of the access.

No development shall take place until full details of the design specification of the proposed means of access and egress have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development hereby permitted is brought into use.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

Condition 27 - Requires the dedicated use of access and egress points.

Prior to the first occupation of the development hereby approved the vehicular access and egress indicated on the approved plan (drawing number A100 Rev D) shall be implemented and used for entry and exit respectively. All signs shall be erected and retained thereafter.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

### **New conditions**

Condition 30 – No removal of permeable paving.

Any permeable paving approved within the detailed sustainable drainage scheme, and located within the approved car park, access roads or other areas, shall not be removed or replaced without the prior consent of Birmingham City

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Council. Any replacement shall be undertaken on a 'like for like' basis to ensure the achievement of appropriate levels of drainage throughout the site and shall be operated and maintained in accordance with the approved Sustainable Drainage Operation and Maintenance Plan.

Reason: In order to secure the satisfactory development of the application site in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

### **Removed conditions (condition numbering refers to previous numbering)**

Condition 19 - Drainage plans for foul and surface water flows.

The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Condition 23 - No occupation until the turning and parking area has been constructed.

No building shall be occupied until space has been laid out and surfaced in accordance with drawing number JDA/239/20/5 for 44 cars to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. These areas shall not be used for other than their designated purpose.

Condition 31 - Restricted uses.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), the premises/building(s)/site(s) shall be used for general industry / warehouse and for no other purpose including any other purpose in Class B2 / B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument amending, revoking and/or re-enacting that Order with or without modification).

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Councillor Karen McCarthy returned to the meeting having had no part in the discussion or the decision that took place.

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### **Report No 16 – 38–50 Orphanage Road, Erdington, Birmingham, B24 9HN – 2018/03275/PA**

The Principal Planning Officer (East) introduced the report.

Members commented on the application and the Principal Planning Officer (East) responded thereto.

Upon being put to a vote it was 4 in favour, 2 against and 3 abstentions.



6319 **RESOLVED:-**

That it be noted that prior approval is required and is granted subject to conditions set out in the report.

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At this juncture Councillors Safia Akhtar and Peter Griffiths left the meeting.

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**POLICY REPORTS**

**Appeal Decisions Received from the Planning Inspectorate in June 2018**

The following schedule was submitted:-

(See document No 3)

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

6320 **RESOLVED:-**

That the schedule of appeal decisions received from the Planning Inspectorate in June 2018 be noted.

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

6321 The Chairman suggested Thursday 26 July 2018 at 1000 hours for the next site visit.

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**OTHER URGENT BUSINESS**

**A. Ecology and Wildlife Concerns**

6322 Councillor Keith Linnecor raised the issue of concerns with regards to ecology and wildlife preservation and felt that Members should meet on a monthly basis to discuss the issue at length.

**B. Building Works Causing Disruption to Neighbouring Properties**

6323 Councillor Gareth Moore raised concern regarding small residential extensions that do not require planning permission but cause disruption to neighbouring properties and asked if anything can be done to alleviate the problem. The Assistant Director advised that he would investigate the concern and respond in due course.

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**AUTHORITY TO CHAIRMAN AND OFFICERS**

6324 **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**

6325 **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.

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