

BIRMINGHAM CITY COUNCIL

**PLANNING COMMITTEE
2 AUGUST 2018**

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 2 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 and Mike Ward.

PUBLIC ATTENDANCE

- 6329 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.

NOTICE OF RECORDING

- 6330 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) and members of the press/public could record and take photographs except where there were confidential or exempt items.

DECLARATIONS OF INTEREST

- 6331 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

Planning Committee Chairman – Councillor Mike Sharpe

- 6332 The Chairman and Members from the opposition groups wished that it be placed on record the Committee's gratitude and appreciation to Councillor Mike Sharpe for all his hard work and commitment as Chairman of the Planning Committee since 2012 to the present date and wished him well in his future.
-

APOLOGIES

- 6333 Apologies were submitted on behalf of Councillors Safia Akhtar, Lucy Seymour-Smith and Mike Sharpe for their inability to attend the meeting.
-

MINUTES

Councillor Gareth Moore made reference to Minute No. 6323 on page 3448 of the Minutes and requested that the words 'do not' be deleted.

It was -

- 6334 **RESOLVED:-**

That, subject to the amendment above the Minutes of that part of the last meeting of the Committee open to the public held on 19 July 2018 be noted.

MATTERS ARISING FROM THE MINUTES

- 6335 There were no matters arising from the Minutes.
-

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

- 6336 No notifications were received.
-

PETITIONS

- 6337 No petitions were received.
-

National Planning Policy Framework

- 6338 The Assistant Director advised the Committee that the new National Planning Policy Framework was published by the Government on 24 July 2018 with immediate effect. He stated that some reports for consideration today will have addendum reports setting out the changes with the revised NPPF included. He

Planning Committee – 2 August 2018

added that the changes are significant and Members can view the revised NPPF online.

The Chairman stated that further briefing sessions on the revised NPPF will be made available for Members to attend.

Councillor Keith Linnecor declared a non-pecuniary interest in relation to Agenda Item No's 9 and 10 and left the meeting.

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 9 – Walmley Golf Club, Brooks Road, Sutton Coldfield, Birmingham, B72 1HR – 2018/00937/PA

The following addendum to the report was submitted:-

(See Document No 2)

The Area Planning Manager (North West) introduced the report and made reference to the addendum report.

An objector spoke against the application.

Two supporters spoke in favour of the application.

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

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

Members requested a site visit to view the Greenbelt area.

The site visit was proposed by Councillor Cornish and seconded by Councillor Gareth Moore.

Upon being put to a vote on whether Members should attend a site visit it was 4 in favour, 4 against and 2 abstentions. The Chairman used her casting vote and voted against a site visit. The proposal for a site visit was therefore lost.

Planning Committee – 2 August 2018

The Chairman then requested that Members vote on the application, as per the original recommendation to refuse planning permission.

Upon being put to a vote it was 5 in favour, 0 against and 5 abstentions. The Chairman used her casting vote in favour and it was -

6339 **RESOLVED:-**

That planning permission be refused for the reasons set out in the report.

Report No 10 – Walmley Golf Club, Brooks Road, Sutton Coldfield, Birmingham, B72 1HR – 2018/00938/PA

The following addendum to the report was submitted:-

(See Document No 3)

The Area Planning Manager (North West) introduced the report and made reference to the addendum report.

Upon being put to a vote it was 5 in favour, 0 against and 5 abstentions. The Chairman used her casting vote as per the original recommendation to refuse planning permission and it was -

6340 **RESOLVED:-**

That planning permission be refused for the reasons set out in the report.

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

Report No 11 – 188 Albert Road, Handsworth, B21 9JT – 2018/04304/PA

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

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

Upon being put to a vote it was 5 in favour, 4 against and 2 abstentions.

6341 **RESOLVED:-**

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

Planning Committee – 2 August 2018

Report No 12 – Belwell Lane, R67 – Mere Green Roundabout, Mere Green, Birmingham, B75 5BA – 2018/04370/PA

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

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

Upon being put to a vote it was 7 in favour, 2 against and 2 abstentions.

6342

RESOLVED:-

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

The Chairman proposed and it was agreed to change the order of the agenda and consider agenda Item 20 at this point in the meeting.

REPORTS BACK FOLLOWING SITE VISIT - 26 JULY 2018

Report No 20 – Land at Lea Hall Allotments and Institute Ltd, Wood Lane, Handsworth Wood, Birmingham, B20 2AP – 2017/08883/PA

The following addendum to the report was submitted:-

(See Document No 4)

The Area Planning Manager (North West) introduced the report and made reference to the addendum report. He stated that the site visit was well attended by Members and interested parties.

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

Councillor Gareth Moore stated further discussions with the developer and plot holders on the size of available allotment plots and the loss of trees should take place and he requested that the report be deferred pending these negotiations. Councillor Keith Linnecor seconded the proposal.

The Chairman then put forward the motion to defer the report and upon being put to a vote it was 4 in favour, 6 against and 0 abstentions. The vote to defer the report was therefore lost.

The Chairman then requested that Members vote on the application, as per the original recommendation in the report and upon being put to a vote it was 5 in favour, 0 against and 6 abstentions.

6343

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 5 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 5 September 2018, planning permission be approved for the reasons set out in the report;
 - (iv) that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.
-

Planning Applications in Respect of the South Area

Report No 13 – 1631-1649 Bristol Road South, Longbridge, Birmingham, B45 9UA – 2017/03370/PA

The following addendum to the report was submitted:-

(See Document No 4)

The Area Planning Manager (South) introduced the report and made reference to the addendum report.

Two supporters spoke in favour of the application.

The Area Planning Manager (South) responded to comments made by the supporters.

Upon being put to a vote it was 6 in favour, 1 against and 4 abstentions.

6344

RESOLVED:-

That planning permission be refused for the reasons set out in the report.

Report No 14 – 50 School Road, Moseley, Birmingham, B13 9SN – 2018/03462/PA

The Area Planning Manager (South) introduced the report.

Two objectors spoke against the application.

A supporter spoke in favour of the application.

Planning Committee – 2 August 2018

The Area Planning Manager (South) responded to comments made by the objectors and the supporter.

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

6345

RESOLVED:-

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

Extra condition:

To avoid possible, future over-looking to 48 School Road:

No new upper floor windows on North east elevation

No additional windows or dormer windows above ground floor level shall be inserted or constructed in the north east elevations (facing 48 School Road), other than those expressly authorised by this permission.

Reason: In order to define the permission and protect adjoining residents' amenities, in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

Amended condition (Samples, Cond. 2)

To include specific reference to the possibility of achieving wooden windows:

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

extension(s)/building(s)/dwelling(s)/development hereby permitted (including windows) 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.

At 1245 hours the Chairman called for a recess and requested that Members and officers reconvene at 1250 hours.

Report No 15 – 26 Fugelmere Close, Birmingham, B17 8SE – 2018/04767/PA

The Area Planning Manager (South) introduced the report.

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

6346

RESOLVED:-

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

Planning Committee – 2 August 2018

Report No 16 – 71 Norman Avenue, Quinton, Birmingham, B32 2EY – 2018/03182/PA

The Area Planning Manager (South) introduced the report.

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

6347 **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 17 – Former Manor Public House, Station Road, Stechford, Birmingham, B33 9AX – 2018/00808/PA

6348 The Committee were advised that the Director had withdrawn the application from the Committee meeting.

Report No 18 – 9 Oakfield Road, Stockland Green, Stechford, Birmingham, B24 8AG – 2018/03952/PA

The Area Planning Manager (East) introduced the report.

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

6349 **RESOLVED:-**

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

The Chairman proposed and it was agreed to change the order of the agenda and consider agenda Item 21 at this point in the meeting.

REPORTS BACK FOLLOWING SITE VISIT - 26 JULY 2018

Report No 21 – 32 Holly Lane, Erdington, Birmingham, B24 9JS – 2017/10597/PA

The Area Planning Manager (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 8 in favour, 2 against and 0 abstentions.

6350

RESOLVED:-

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

Extra condition:

Sets a minimum age of residents:

Each unit of the residential home hereby permitted shall be occupied only by:
0 persons of the age of 60 or above or
0 persons living as part of a single household with such a person or persons;
0 persons who were living as part of a single household with such a person or persons who have since died.

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

Planning Applications in Respect of the City Centre Area

Report No 19 – 76 Holloway Head, City Centre, Birmingham, B1 1NG – 2018/03005/PA

The Area Planning Manager (City Centre) introduced the report.

Members commented on the application and the Area Planning Manager (City Centre) and the Transport Development Manager responded thereto.

Upon being put to a vote it was 7 in favour, 3 against and 0 abstentions.

6351

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 7 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 7 September 2018, planning permission be approved for the reasons set out in the report;
- (iv) that the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.

VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS

6352

There were no site visits pending.

OTHER URGENT BUSINESS

6353 No other urgent business was raised.

AUTHORITY TO CHAIRMAN AND OFFICERS

6354 **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

6355 **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