

PLANNING CONTROL

**Document Title: Conservation Area 21.
Four Oaks**

Date of Designation: 10 July 1986

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Contents: 10 July 1986 Planning Committee report



*“Securing a **Better** environment for all the people of **Birmingham**”*

10 July 1986

SEE APPENDICES A, B AND C

Public Participation:

Resume of Public Meeting held at Sutton Town Hall on 28th February 1986.

Minutes of meeting of 27 January 1986.

Minutes of meetings of 7 May 1985 and 12 November 1985.

On 16 January 1986 your Committee considered a proposal by the Victorian Society for the designation of a Conservation Area at Four Oaks. (see Appendix 1). You requested me to undertake a public consultation exercise in relation to the proposals.

Letters were sent to all occupiers in the area proposed for designation, Local Councillors, the Four Oaks Estate Limited and Residents Association and Sutton Coldfield Civic Society which explained the proposals and gave the opportunity for comments to be made for your Committee's consideration.

In addition an exhibition explaining the proposals was mounted in the Sutton Coldfield Central Library, at a public meeting and subsequently in the reception area at 120 Edmund Street. The public meeting was held at Sutton Town Hall and was attended by approximately 100 people.

There have been 28 letters received, eight of which were clearly opposed to the proposal (7 residents and the Four Oaks Estate Limited and the Committee of the Four Oaks Residents Association); 18 letters clearly in favour (16 residents, a member of the Victorian Society and the Urban Wildlife Group) and one making comments (resident).

The main grounds of objection from residents were:

1. Existing controls adequate and concern at further legal controls being imposed.
2. Designation could mean that new development would be unacceptable.

3. Expense of maintaining large houses with large grounds so great that it is inevitable that there will be a decline in the market for such properties if they cannot be demolished.

The objection from the Board of Four Oaks Estate Limited and the Committee of the Four Oaks Residents Association was as follows:

1. Conservation Area is not necessary to protect the ancient properties or to secure the long term objectives by seeing that the development of the estate is carried out to a high standard and its essential character maintained.
2. The Committee represents the views of the majority of the people within the proposed boundaries of the Conservation Area.

The main reasons of residents for supporting the proposal were:

1. The area is worthy of Conservation Area status.
2. New development is spoiling the original character of the area.
3. Concern about loss of trees and other landscaping.

The Urban Wildlife Group point out that the area has a considerable amount of wildlife, particularly as it borders Sutton Park; therefore the group fully support designation.

Two residents made a comment on the proposed boundaries as follows:

1. One felt that if a Conservation Area is designated the southern boundary should be the centre of Barker Road.
2. The other considered that if a Conservation Area is designated it should include the whole of Hartopp Road. Several of the houses to be omitted have a substantial number of trees in their front gardens and their preservation is important.

At the public meeting 16 people spoke out of the approximately 100 present. The points made at the meeting were similar to those expressed in the letters received which is to be expected as most of those who spoke have also made a written response.

Most of the meeting was taken up with explaining the proposals and answering questions. Very few direct views were expressed regarding the principle of designation, but of those who spoke five appeared to be definitely opposed, four in favour with the remainder only putting questions.

OBSERVATIONS:

It is clear that many of the properties in the area proposed as a Conservation Area have architectural merit and character and although some unsympathetic infill development or redevelopment has taken place the area generally still has a special character.

I have previously believed and hoped that the present planning controls backed up by the controls operated by the Four Oaks Estate Limited would be adequate to satisfactorily maintain this character without further controls. However, it has become clear in the recent appeals which were allowed for new development at Kenwood, Bracebridge Road and 6A Hartopp Road that the Secretary of State for the Environment does not necessarily accept that the area has a special status despite your Committee's adopted Development Control and Conservation Guidelines. These guidelines are informal and designation as a Conservation Area would give a statutory status to the area which might be a significant factor in future appeals; there are outstanding appeals following refusal of permission for development at 17 Luttrell Road and The Orchards, Ladywood Road.

The public participation produced a mixed response. Some residents clearly still have misgivings but a greater number have expressed support. The Board of Four Oaks Estate Limited and the Committee of the Four Oaks Residents' Association have continued to be opposed to designation. On balance given this response I feel that your Committee may now wish to designate a Conservation Area.

If so, I would concur with the boundaries put forward by the Conservation Area Advisory Committee as being the most appropriate with a few minor modifications to make a more compact area and would now put forward the boundary shown in Appendix C.

RECOMMENDATION:

1. That your Committee designate under Section 277 of the Town and Country Planning Act 1971 as amended the area shown in Appendix C to this report.
2. That the residents in the area be informed of the designation.

MBS/CV

DIRECTOR OF DEVELOPMENT