

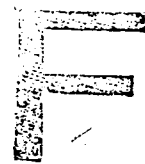
PLANNING CONTROL

Document Title: Area of Restraint – Church Road Erdington

Review of Interim Draft Area of Restraint Policy in Respect of Non-Family Dwelling House Uses, church Road, Erdington



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



REPORT OF DIRECTOR OF PLANNING & ARCHITECTURE

PLANNING COMMITTEE

8TH JANUARY

WARD: ERDINGTON

SEE APPENDIX

REVIEW OF INTERIM DRAFT AREA OF RESTRAINT POLICY IN RESPECT OF
NON-FAMILY DWELLINGHOUSE USES, CHURCH ROAD, ERDINGTON

1.0 Purpose of Report

- 1.1 To provide Members with information on the public consultation response in respect of the above Supplementary Planning Guidance.

2. Background

Members will recall that I reported to your Committee on 17th July 1997 with a Area of Restraint Policy in respect of non-family dwellinghouse uses in Church Road, Kingsbury Road and Wheelwright Road, Erdington. Your Committee had previously requested an investigation of the policy following receiving several letters from local residents requesting that the road be included as an Area of Restraint. Also at its July 1996 meeting Erdington Ward Sub-Committee requested an investigation of an Area of Restraint in Church Road and Kingsbury Road, Erdington. Following local representations further investigation of the existence of non-family dwellinghouse uses in the whole of Wheelwright Road will shortly be carried out. However in view of an appeal hearing in early January relating to the conversion of a family dwellinghouse to flats at 155 Church Road, it is important that your Committee confirms the policy.

3.0 Public Consultation

- 3.1 All occupiers of properties in Church Road and small section of Spring Lane at its junction with Church Road were informed of the draft policy and asked for their comments. Other relevant organisations, property owners and City Council Departments were also informed.
- 3.2 Appendix 1 - Summary of Public Consultation responses. These all support the continuation of the Area of Restraint in Church Road. Residents who occupy family dwellinghouses have stated that too many properties have been converted into non-family and that the concentration of these uses causes noise disturbance problems. In addition parking is a problem due to the number of car owners associated with these uses. Furthermore many of the properties converted to multi-occupation have been purchased in rows or in close proximity to each other.

4.0 Observations

- 4.1 The local public consultation comments support the confirmation of the Area of Restraint. There has been no adverse comments received from property owners or occupiers of property in the road. The major owner of properties converted to non-family dwellinghouse use in the road has made no adverse comment. In view of the loss of amenity suffered by local residents and the change in the character of the road due to a concentration of non-family dwellinghouse uses I would therefore recommend that the policy be confirmed as Supplementary Planning Guidance and incorporated in the UDP during the review process currently underway.

As a result of the public consultation exercise a number of additional properties are currently being investigated to establish whether there is any breach of planning control in respect of conversion from a dwellinghouse use.

Appendix indicates those properties previously identified as being in non-family dwellinghouse use.

5.0 Implications for Women, Black & Minority Ethnic People, Race Relations and People with Disabilities

No planning implications have been identified.

6.0 Implications for Pedestrians and Cyclists

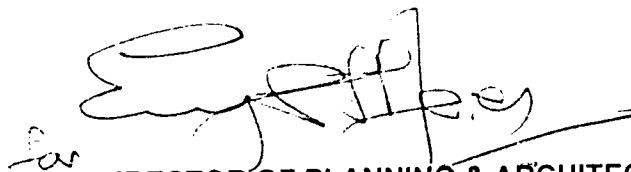
- 6.1 No planning implications have been identified.

7.0 Financial Implications

- 7.1 No financial implications have been identified by your Committee.

8.0 Recommendation

- I. That Nos 26-146 and 45-163 Church Road together with Nos 6-16 Spring Lane identified in Appendix I be included as an Area of Restraint Policy in respect of non-family dwellinghouse uses and adopted as Supplementary Planning Guidance and incorporated into the UDP general review process.
- II. That this report be referred to Erdington Ward Sub-Committee for information.



DIRECTOR OF PLANNING & ARCHITECTURE

CONTACT OFFICER:

Graham Mitchell - 303-3208
Planning Control Policy & Co-ordination Group

Background Papers

17th July 1996. Erdington Ward Sub-Committee resolved to request Director of Planning & Architecture to investigate the possibility of creating a further Area of Restraint in Church Road and Kingsbury Road, Erdington.

15 letters received in September 1996 including from Councillor Renee Spector in support of an Area of Restraint in Church Road.

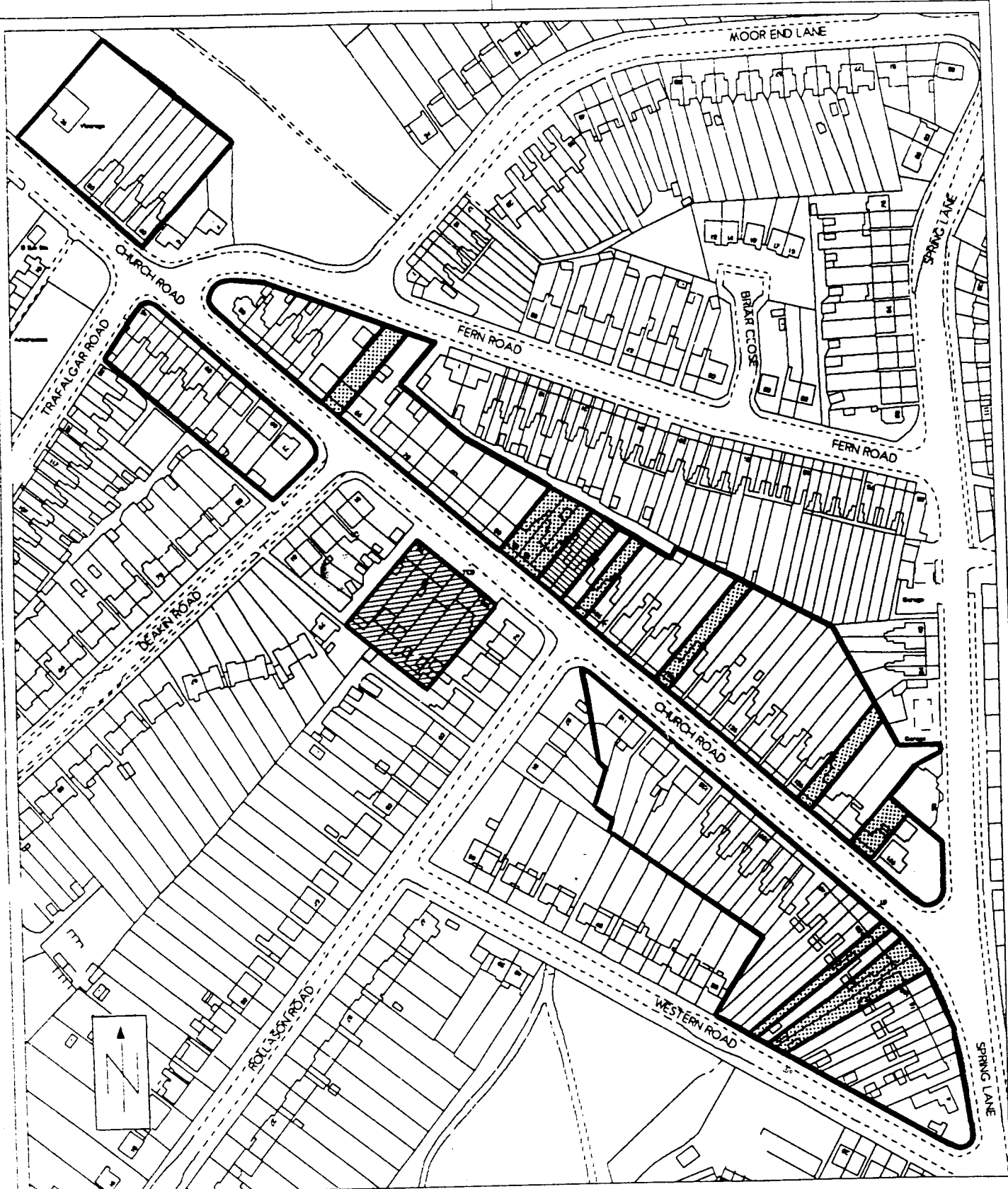
19th July 1996. Planning Committee resolved that the Director of Planning & Architecture consider an Area of Restraint Policy in Church Road.

17th July 1997. Planning Committee resolved to adopt on an interim basis for public consultation purposes an Area of Restraint in Church Road, Kingsbury Road and Wheelwright Road, Erdington and Stockland Green.

September and October 1997. 5 letters received in respect of draft Supplementary Planning Guidance Area of Restraint Policy, Church Road.

Memo - Director of Social Services dated 23rd September 1997.

Appeal relating to 155 Church Road - N/02180/97/FUL.



BASED UPON THE ORDNANCE SURVEY MAP WITH THE PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE LA:076104

CHURCH ROAD, ERDINGTON

-  HOUSES IN MULTIPLE PAYING OCCUPATION / FLATS
-  SHOPS WITH FLATS ABOVE
-  CURRENTLY UNDER INVESTIGATION

DATE: JULY 1997
SCALE: 1:2000 Z.L.
P.O. BOX 28
BASKERVILLE HOUSE
BROAD STREET
BIRMINGHAM B1 2NA

APPENDIX 2

PUBLIC CONSULTATION COMMENTS DRAFT AREA OF RESTRAINT POLICY

CHURCH ROAD, ERDINGTON

Occupier of 135 Church Road:

Too many rented properties cause social problems, noise, disturbance from loud music and domestic disputes.

The occupier lists 4 properties recently rented out.

Supports Area of Restraint Policy.

Occupier of 146 Church Road:

Supports Area of Restraint as there have been many vehicle accidents caused by extra parking on street.

There should be double yellow lines on both sides of Church Road junction with Spring Lane.

Alterations to properties for non-dwellinghouse use has caused loss of amenity.

Occupier of 136 Church Road:

There are too many multi-occupied premises in the road, parking is a problem due to number of car owners in each of the premises.

Many of the multi-occupied premises have been purchased in rows or close proximity to each other.

Occupier of 140 Church Road:

Too many multi-occupied premises in this road to maintain a reasonable balance between this type of use of dwellinghouses.

Further change should be resisted.

Conversions encourage late-night noise and parking problems.

Consultation comment of Director of Social Services

States that he understands that policy should not affect existing registered care homes being able to continue to operate.

He understands that if existing registered care homes applied to extend operation then the policy could affect them.

PC/P/GM/SC/GM1

The contact details within this leaflet have been updated since its publication. Please use the contact details below.

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