



PLANNING CONTROL

Document Title: **Conservation Area 15. Edgbaston**

Date of Designation: 4 September 1975
Date of Extension: 13 December 1984
Date of Further Extension: 17 September 1992
Date of Further Extension: 10 December 1992

Date of Press Notice: 20 January 1976
Date of 2nd Notice: 3 January 1985
Date of 3rd Notice: 23 October 1992

Contents: Planning Committee 4 September 1975 report and map
Planning Committee 17 September 1992 minutes, map and report
Planning Committee report 20 December 1984
Conservation Areas Advisory Committee report 24 June 1975
Planning Committee 10 December 1992 report and minute



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

The City Planning Officer presented the following Report:

CITY OF BIRMINGHAM

PLANNING DEPARTMENT

PLANNING COMMITTEE

4th September, 1975

Proposed Conservation Area No.15 Edgbaston

In November, 1974, a Public Exhibition was held, which suggested five options for a Conservation Area in Edgbaston. Comments were invited from the public on the proposals and the options were also considered by members of the Conservation Areas Advisory Committee.

Reaction was largely in support of option 3 which broadly embraced an area bounded by Hagley Road, Chad Road, Harborne Road, Edgbaston Pool, Bristol Road, The Lee Crescent and Ryland Road Conservation Areas and Islington Row. From this a "common denominator" area was produced which took into account the preferences of the Conservation Areas Advisory Committee and public sources. This area was then inspected, road by road and a further plan prepared based on the following terms of reference:-

1. A large part of Edgbaston qualifies as a Conservation Area on grounds of scale and character. The area is really a good quality environment with outstanding "islands" of architecturally important development. Conservation of Edgbaston could either be limited to these islands or as a comprehensive area.
2. Conservation Areas require extra vigilance in terms of administration and it is possible that as a result of legislation this extra vigilance will become more important in the future. The boundaries of the Conservation Area should not be too far-reaching because of these administrative obligations.
3. Much of Edgbaston is new development, some of it multi-storey. Amenity and landscaping is of high standard, but as designation is to be considered on the basis of character and scale, modern development should generally be excluded where it is not closely integrated with older development. The area now proposed takes this fact into account.



(ii)

The plan was considered by the Conservation Areas Advisory Committee on the 24th June, who agreed the area subject to the possible inclusion of some part of the area bounded by Hagley Road, Vicarage Road, Harborne Road and Highfield Road. As a result, a block of 6 Regency houses in Vicarage Road has been added to the basic area which is now contained within Harborne Road and part of Vicarage Road, Richmond Hill Road, to follow the boundary of playing fields and allotments south of the Botanical Gardens, to take in the Worcester and Birmingham Canal, to Somerset Road, Edgbaston Park Road, along the west boundary of Edgbaston Park and Pool to Bristol Road. Bristol Road to Sir Harry's Road, Wellington Road, Charlotte Road, Elvetham Road to the Middle Ring Road, Middle Ring Road to Five Ways.

It is considered that the area now proposed for designation has crystallised the essential vernacular of Edgbaston without producing an area too extensive to administer.

RECOMMENDATION:

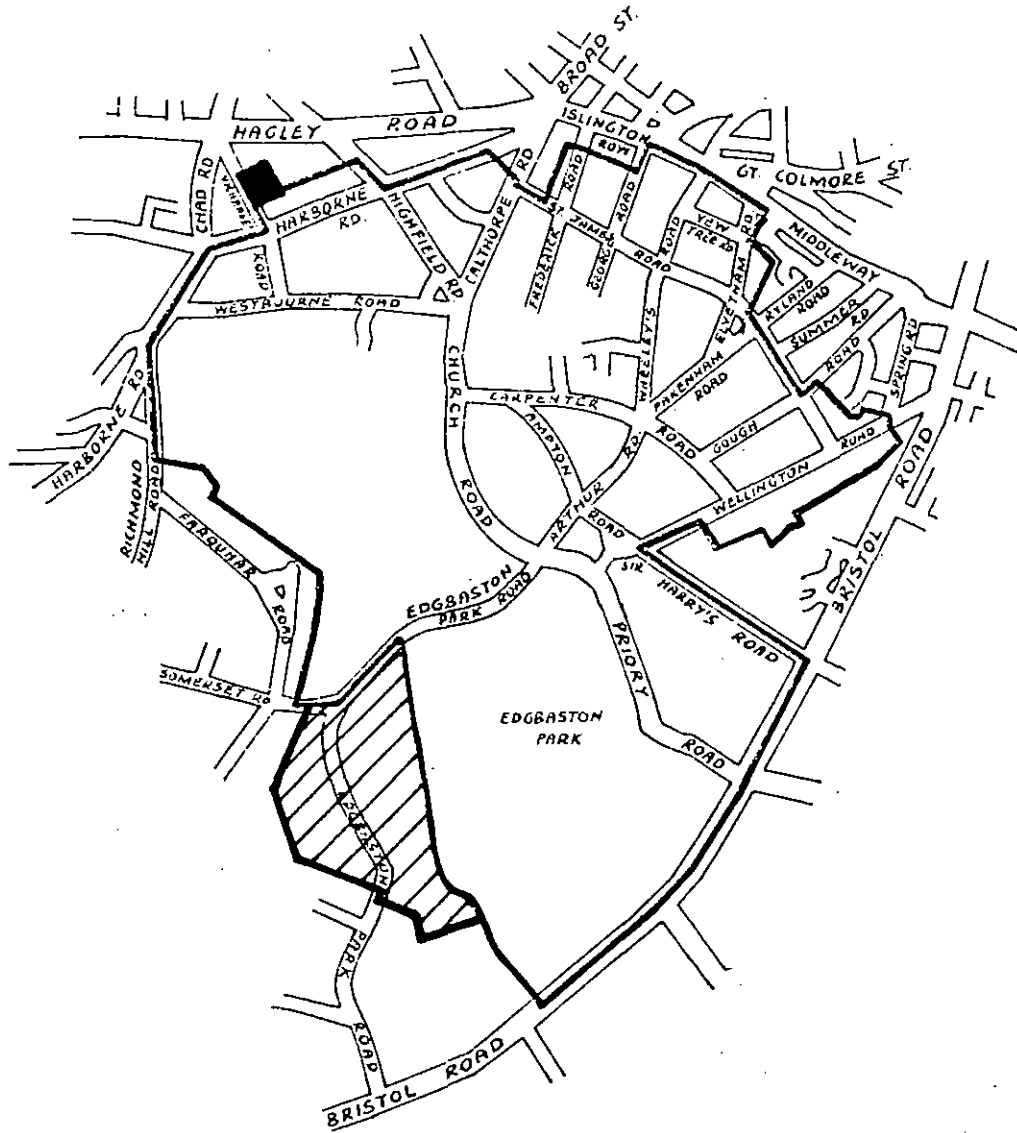
That your Committee designate as a Conservation Area under Section 277 of the Town and Country Planning Act, 1971, the area of land more particularly delineated in the plan annexed to this report entitled "Edgbaston Conservation Area" and numbered P.13229.



Graham Grayle

CITY PLANNING OFFICER

PB/GHC

SP.



-  Area deleted on request of Birmingham University
-  Addition on request of C.A.A.C.



EDGBASTON CONSERVATION AREA

CITY PLANNING DEPARTMENT

120, EDMUND ST.
BIRMINGHAM B3 2RD 021 235-9944

SCALE 3 inch to 1 mile DATE 22.8.75

BASE NEG: P.24592 ORIGIN M.A.T.

P24592

(B) Planning (Listed Buildings and Conservation Areas) Act, 1990 - Proposed Extension to Edgbaston Conservation Area

Hereon, Councillor Renee Spector declared a non-pecuniary interest, being a representative on the University Council. Councillor Eve Brook declared an indirect, insubstantial non-pecuniary interest.

An oral presentation was made in connection with the report confirming that the schedule of properties in Bristol Road (set out on page 5 of the report) should be amended to include number 359. An explanatory note is appended to the report at interleave No 4.

The Assistant Director (Urban Design) proposed an amendment to recommendation 1, which was accepted by members.

135 RESOLVED:- (1) That this Committee designates under Sections 69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990 an extension to the existing Edgbaston Conservation Area in accordance with the boundaries shown on Plan No P13229B; and

(ii) that further public participation takes place so that the Bristol Road/Wellington Road site might be included in the boundary extension.

(C) Land adjacent to 33 Bordesley Close, Bordesley Green

The Assistant Director (Planning Control) advised that the Committee should note, rather than concur with, the proposals.

136 RESOLVED:- That this Committee notes the proposals to advertise the intended disposal of land adjacent to 33 Bordesley Close, identified as site A on the attached plan, No PL/URG/91/52, currently used as public open space for residential development.

(D) Planning and Advertisement Applications

Oral presentations were made in connection with reports Nos 5, 8 and 10. Explanatory notes are appended to those reports at interleave No 4.

137 RESOLVED:- That the recommendations set out in reports Nos 1-4, 8, 11 and 12 be adopted.

Report No 5 : Old Handsworth Baths, Grove Lane and site of 101 Hinstock Road, Handsworth

An oral presentation was made in connection with the report reiterating objections of local residents, including Councillor Ahsan. An explanatory note is appended to the report at interleave No 4.

Councillor Manku, with support from Councillor Hudson, requested a site visit. Councillor Walker then gave the Assistant Director (Planning Control) a letter, in the form of a petition, that had been forwarded to several members of the Committee regarding this application.

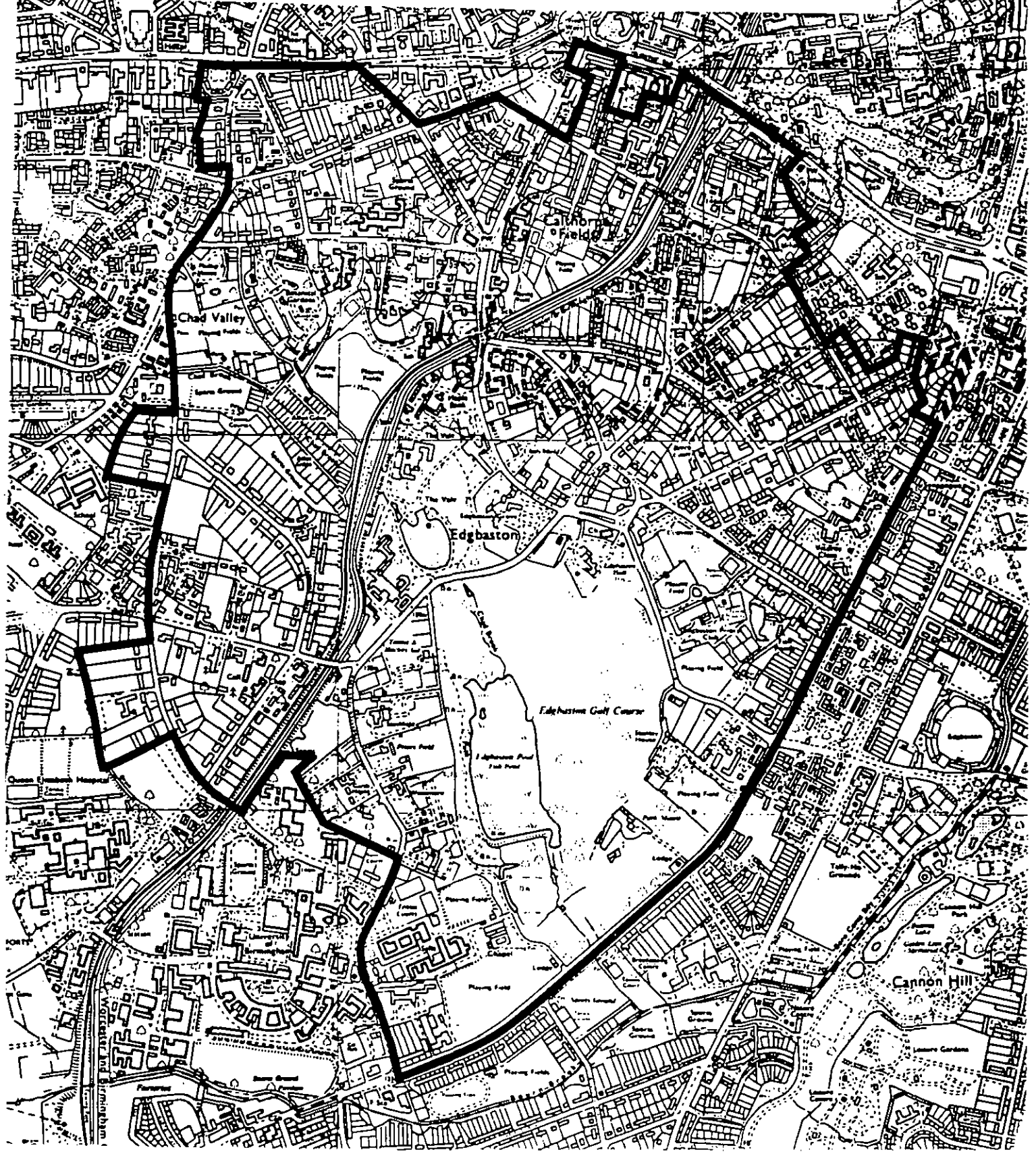
138 RESOLVED:- That consideration of the application referred to in report No 5 be deferred pending a site visit.

EDGBASTON CONSERVATION AREA

CONSERVATION AREA BOUNDARY

DESIGNATED 17TH SEPTEMBER 1992

PROPOSED EXTENSION TO THE BOUNDARY 



BIRMINGHAM CITY COUNCILREPORT OF DIRECTOR OF PLANNING & ARCHITECTURECONSERVATION AREAS ADVISORY COMMITTEE
PLANNING COMMITTEE

15th September 1992

17th September 1992

Planning (Listed Buildings and Conservation Areas)
Act 1990Proposed Extension to Edgbaston Conservation AreaPurpose of the Report

1. To inform your Committee of the results of the recent public participation exercise related to the proposed extension as set out below and on the plan attached.
2. To consider a further amendment to the Edgbaston Conservation Area boundary to include 49-75 Bristol Road and 86-90 Wellington Road following the public participation exercise.

Background

Designated in September 1975 and extended in December 1984, Edgbaston Conservation Area comprises much of the Calthorpe Estate and includes other areas of architectural significance and high environmental quality. In the UDP (Modifications 21st October 1991) Birmingham City Council made clear its commitment to the regular review of its Conservation Areas. The proposed modifications state that "There will be a periodic review of the extent of Conservation Area coverage to determine whether any additions or amendments should be made." (para 3.21)

This objective is supported by the statement in the Conservation Strategy (June 1992) that "A review will also be undertaken of further areas which merit designation as Conservation Areas or Conservation Area extensions." (para 7.2)

In May 1992 Planning Committee considered a proposal to demolish four large Victorian houses (Nos. 349-359 Bristol Road) and develop the site. It was considered that the loss of these buildings would detract from the visual character of the area.

Further development pressures on land adjoining Edgbaston Conservation Area have included infill development of land around Spring Cottage, off Wellington Road which has been the subject of a number of recent applications.

It is also anticipated that major development will take place on the land presently occupied by the Midland Nerve Hospital which has been released by the Health Authority. This site adjoins Ryland Road Conservation Area No. 1, Lee Crescent Conservation Area No. 14 and Edgbaston Conservation Area.

These pressures have prompted the review of the conservation boundary, supported by Councillor Foster's suggestion at the Planning Committee meeting of 6th May 1992 that the Conservation Area be extended to include the site of Nos. 349-359 Bristol Road and other areas of interest where there is a need to protect buildings and landscape elements.

In June 1992 Conservation Areas Advisory Committee endorsed the proposal to review the Conservation Area boundary and to include these buildings within it. At the same meeting the Committee also authorised that a public participation exercise be undertaken.

Public Participation

Leaflets were delivered to all properties situated within the proposed Conservation Area extension. These leaflets informed residents of the proposals, explaining the implications of designation and inviting them to discuss any queries they had with officers from this department. Residents were also given the opportunity of writing in with any comments. A number of major landowners, such as the University and King Edward VI School chose to come and discuss the implications of designation with officers.

As part of the public participation process a small exhibition was staged at two venues, one at the Quaker Meeting House, St. James Road, Edgbaston on 1st July 1992 and the other at the Nature Centre, Pershore Road, Edgbaston on 2nd July 1992. Both events were open to the public between 4 p.m. and 8 p.m.

Over the two evenings, sixteen people attended the exhibitions. At both venues questionnaires were available for residents and non residents to register any comments regarding the proposed Conservation Area boundary.

The response was as follows:-

Of the eight questionnaires completed and returned, six were in favour of the boundary and two were against it. These objections focussed on the inclusion of Nos. 236-262 Bristol Road.

Of the six in favour of the proposed boundary, four thought that the proposal was the right size and two thought it was too small. One of these suggested the inclusion of Duchess Road up to Plough and Harrow Road and the other suggested the total inclusion of the University site.

Pertaining to the proposals various letters have been received by this department. A precis of these letters is as follows:-

- i) Letter from Chapman Warren representing A & J Mucklow & Co Ltd objecting to the proposed extension on the grounds that ".....there is....no justification for the extension in terms of the need to preserve and enhance what is not considered to be an area of special architectural or historic interest." 8.7.92.
- ii) Letter from Chesterton representing The King Edward School Foundation advising the latter to "object strongly" to the proposals. 6.7.92.
- iii) Letter from Miss Watts expressing her approval of the boundary extension 29.6.92.

- iv) Letter from the Calthorpe Estate office questioning the inclusion of 236-262 Bristol Road. They were also of the opinion that the properties at the junction of Bristol Road and Wellington Road (49-75 Bristol Road and 86-90 Wellington Road) should be included in order to form a "more logical boundary to the Conservation Area." They also thought that their inclusion would provide a stimulus to the improvement of this particular area.
- (v) Letters from the University expressing reservations.

The full responses are attached as Appendix A.

Observations

Resulting from comments on the questionnaires and individual letters a number of areas of concern arose. However it is considered that the proposed boundary as set out below is both logical and defensible.

1. Bristol Road and Edgbaston Park Road

The extension of the boundary along Edgbaston Park Road and northwards along Bristol Road, bringing within the Conservation Area the following buildings.

- a) King Edward VI High School and School for Girls.
- b) University House.
- c) 349-359 Bristol Road. Although these buildings were threatened by demolition at the outset of this exercise, an Article 4 Direction has now been imposed and will continue until 30th January 1993 or until the Conservation Area designation has been confirmed.

On 3rd August 1992 officers met with Mr. Wood and Mr. Smith of the University who although had no real objection to the extension of the conservation area to include University House stated that they would vigorously resist any attempt to further extend the conservation area into the main campus.

236-262 Bristol Road. The public participation exercise revealed that the majority of residents in this block were initially opposed to being included within the Conservation Area. The strength of feeling was such that the officers of this department recommend its exclusion from the proposed boundary.

2. Area bounded by Bristol Road, Sir Harry's Road and Wellington Road

The inclusion of Viceroy Close was widely supported and the inclusion of Greville Drive was supported in order to maintain the logical boundary.

In response to comments from the Calthorpe Estate it is suggested that your Committee approves the continuation of the boundary to include Nos. 49-75 Bristol Road and 86-90 Wellington Road. This will create the opportunity of enhancing this prominent corner site on a major route into the City.

3. Spring Road. Although many of these properties are listed it was felt that their inclusion within the boundary would provide a continuation of the logical boundary.

4. Gardens to Midlands Nerve Hospital, Corner of Charlotte Road and Ryland Road

It was considered appropriate to include this piece of land, in order to protect its amenity value.

5. Properties at Five Ways on the corner of Islington Row and Calthorpe Road

It was generally agreed that the properties known as Calthorpe Mansions, together with the bank and the block of flats known as Copthorne Court should be included in the boundary.

It was considered that the design of Five Ways Tower built since the designation of the conservation area was unsympathetic to the character of the Conservation Area. For this reason Five Ways Tower has been excluded from the revised Conservation Area.

6. Hagley Road, from Highfield Road to Kenilworth Court

This is a stylistically mixed area which includes a number of listed properties. It was felt that the continuation of the boundary along Hagley Road would not only rationalise the boundary, but could also bring within it Kenilworth Court, a crescent of flats built in the 1930's, which are undoubtedly worthy of protection.

The proposed boundary would also include Belmont House (No. 40 Vicarage Road). Although this is a modern building it was felt that its inclusion could be justified because of its unusual design and its exceptionally well landscaped site.

As none of the trees in this area are protected by a TPO it was considered essential that the landscape, so characteristic of Edgbaston, should be protected on this arterial route into the City.

Financial Implications

None have been identified other than those implicit in the Conservation Area.

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

None have been identified.

Recommendation

1. That your Committee designate under S69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990 an extension to the existing Edgbaston Conservation Area to include the properties outlined below.

Bristol Road

North side 349, 355-357 odd. 161-181 odd. 89-103 odd.

Calthorpe Road

East side 2-7 consecutive.

Chad Road 2

Edgbaston Park Road

East side King Edward VI High School for Girls & grounds.
King Edwards School & grounds & chapel.
University House.

Frederick Road

East side Five Ways Tower EXCLUDED

Greville Drive all properties

Hagley Road

South side Kenilwroth Court - all properties.
Hartley Place - all properties.
76 - 106 even.

Highfield Road

West side 2-7 consecutive, Crest House, Lee House.

Islington Row

South side Calthorpe Mansions, Blocks A-D

Keveston Close all properties

Ryland Road/Charlotte Road

Land adjoining Midland Nerve Hospital.

Sir Harry's Road

East side 58-73 consecutive

Spring Road

North side 23-28 consecutive

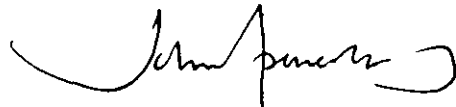
Vicarage Road

East side 40 (Belmont House)

Wellington Road

South side Shaen Lodge, Dorset House
Spring Cottage, Lodge to Spring Cottage.

2. It is also recommended that further public participation takes place so that the Bristol Road/Wellington Road site may be included in the boundary extension.



for DIRECTOR OF PLANNING
AND ARCHITECTURE

Background Papers

Report of joint meeting of Edgbaston/Harborne/Quinton Ward Sub
Committees 22.6.92.
Various correspondence.
Completed questionnaires.
Resolution of Planning Committee 11.6.92.

Contact Officer - David Davidson - 235 2323

COXON/MAW

The City Planning Officer presented the following Report:

CITY OF BIRMINGHAM

PLANNING DEPARTMENT

CONSERVATION AREAS ADVISORY COMMITTEE 11th December, 1984

PLANNING COMMITTEE 20th December, 1984

Edgbaston Conservation Area - Proposed Extensions

Introduction

The Edgbaston Conservation Area, when designated on 4th September, 1975, was one of the largest designated Conservation Areas in Britain, comprising a total of 688 acres (278 hectares). Some 18 months ago, Edgbaston Conservation Area Action Group (E.C.A.A.G.) requested the consideration of extensions to Edgbaston's existing Conservation Area, which total a further 243 acres (98 hectares). This request, together with a detailed report, was submitted to your Committee on 13th December, 1983, when it was decided that this proposal should, in the first instance, go through a public consultation exercise. However, some concern was expressed at the proposed boundary lines and it was felt that some amendments should be made.

Details of proposal

The public participation exercise was held at the beginning of October. The three possible options suggested for further conservation in Edgbaston are as follows:

Option 1 - to maintain a 'status quo' and not expand the existing Conservation Area.

Option 2 - to include two extensions suggested by the Planning Department, namely part of Chad Road to the north, and Edgbaston Park Road to the south of the existing Conservation Area, and all or part of the smaller area proposed by E.C.A.A.G., which broadly covers Farquhar Road, Somerset Road, Pritchatts Road and Richmond Hill Road.

Option 3 - to include Option 2 with the addition of all or part of the second extension proposed by E.C.A.A.G. - which broadly follows the line of Westfield Road.

Public Participation

A total of 109 people attended the exhibition, of which 77 responded to the questionnaire posed by Birmingham City Council. Of these, 65 people are in favour of Option 3, of which only 32 live in the areas concerned, 17 live in the existing Conservation Area and 16 do not live in either the existing or proposed Conservation Areas. 7 people are in favour of Option 2, 6 of whom live in the areas concerned.

Two questionnaires included comments asking for the whole of Edgbaston, as broadly defined by the Calthorpe Estate boundary, to be designated a Conservation Area.

The 6 responses opposing the designation of any further Conservation Areas in Edgbaston, although statistically smaller in number, represent important sectional interests whose views must be given consideration.

The Calthorpe Estate considers more extensive designation to be a devaluation of the significance of Conservation Areas, and feels that the inclusion of development of various periods, ranging from Victorian to contemporary, would represent a museum approach of preservation, rather than conservation. Inevitably, Calthorpe Estate comments take financial considerations into account, the designation of a Conservation Area extension obviously constraining further developments or redevelopment. However, the Estate Office is fully supportive of the Chad Road extension proposed by the Planning Department. They did not wish to comment upon the area around Edgbaston Park Road, as it is largely in the ownership of Birmingham University.

Some of Calthorpe Estate's comments are echoed by Mr. Graham Winteringham. He considers that the existing Conservation Areas in Birmingham are already deteriorating, and these need more attention and greater resources before any further areas should be designated Conservation Areas.

Birmingham University objects to the proposals, as it feels that it can control development or redevelopment to a satisfactory standard, without additional controls that Conservation Area status offers. It considers that Conservation Area designation would produce another layer of bureaucracy, and also present further burdens to management of their properties. The University reiterates that the area around Edgbaston Park Road was withdrawn, at its request, from the original area for designation in 1975. It feels that their record in terms of care, patronage and quality of design is such that a high quality area would be assured.

In addition to these objections, two residents, who both live outside the suggested extensions, are against further designation.

At a meeting of Edgbaston Area Sub-Committee on 26th November, 1984, the Sub-Committee resolved that the Conservation Areas should not be extended. The Sub-Committee felt that it is better to take care of that which is already designated than extend the area further, considering that the Conservation Area is already so large. As long as new developments in Edgbaston are sympathetic to the existing character, the Conservation Area boundary should remain as it is.

OBSERVATIONS

Additional objections can be raised to the proposals; namely that further designation could result in a dilution of the concept of both Conservation Area status and

(iii)

planning powers due to the very extent of the area concerned, coupled with the continuing pressure for redevelopment. It would almost certainly lead to an increase in the workload of the Planning Department.

Your Committees may recall that the Inspector in his observations on the proposal for Colmore Row & Environs Conservation Area extension in the Central Area District Plan Inquiry states that:

"To some degree at least the motivation for designation does seem to me to stem in this case not so much from any inherent character the area might possess but from a feeling of apprehension that, as redevelopment proposals come forward, perceived errors of the past may be repeated if the additional control on both demolition and design conferred by conservation area status is not available to the Council. In relation to such matters as scale and aesthetic control that view, in my opinion, significantly under-rates the powers currently available to the Council. With listed buildings scattered throughout the area and in close proximity to the two proposals currently under consideration I find it difficult to see why the Council if so disposed should not take a firm view of the need to protect the listed buildings and their settings when considering redevelopment proposals.

As Circular 23/77 makes clear there can never be a standard specification for conservation areas against which a particular locality can be judged. Two principles can however be derived from the statutory definition. First, any architectural or historic interest which the area possesses must be special and secondly, it is the character of the area rather than the individual buildings within it that Section 277 seeks to preserve or enhance."

On balance therefore I take the view that Westfield Road and the western extension suggested by E.C.A.A.G. is not of sufficient merit as to warrant inclusion in a Conservation Area, whilst accepting that it is a high quality residential development where wider proposals should be most carefully considered.

The part of the University Estate in Edgbaston Park Road is, I believe, of a particular character in terms of the quality of the buildings and their relationship to the landscape and tree cover which merits its inclusion in a Conservation Area, in spite of the University's objection and their record in the conservation field. I also take the view that in Pritchatts Road, Farquhar Road and Somerset Road there are a number of properties of intrinsic merit and this area should also be designated.

The small area of Chad Road is appropriate for inclusion in the Conservation Area and the Calthorpe Estate supports this view.

I therefore recommend that the areas as outlined in the foregoing report and defined on the submitted plan be

(iv)

designated as an extension to the Edgbaston Conservation Area under Section 277 of the Town and Country Planning Act 1971.

Recommendation

Conservation Areas Advisory Committee

That the views of your Committee on the proposals outlined in the foregoing report be made known to the Planning Committee.

Planning Committee

That your Committee designates as an extension to Edgbaston Conservation Area, under Section 277 of the Town and Country Planning Act 1971, the area originally referred to as Option 2, as more particularly delineated in the plan annexed to this report.

JD/GK

City Planning Officer

PROPOSED EDGECASTON CONSERVATION AREA

Edgbaston itself is an area of some 4 square miles, a high class residential suburb, unique in the fact that it commences less than 1½ miles from the City Centre. Historically, Edgbaston was incorporated in the City of Birmingham in 1838 and developed concurrently with the Industrial Revolution. Almost all of the old buildings in the area dated from the 19th Century.

Edgbaston is a pleasant area, notable for its fine trees, walls and careful landscaping of new development. Most of the buildings are "in character" but are not of generally outstanding architectural interest. (61 are listed in the district, the greatest concentration being within the Lee Crescent conservation area). However the effect is pleasant and the tree-lined roads link the more-mediocre areas with the better areas in a most satisfactory manner.

A conservation area is "an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance" (Town and Country Planning Act, 1971). On the basis of vernacular, scale and environment rather than pure architecture or historic interest it is accepted that the area in general is of importance and it is incumbent upon the Planning Authority to consider it in a conservation context.

The Insall Report of 1973 was prepared for the Calthorpe Estate which covers 1500 acres of Edgbaston (about 1/13 of the total area). This report suggested three separate conservation areas;

- 1) Calthorpe Road area
- 2) Gough Road/Wellington Road area
- 3) Carpenter Road area

Implementation of this report would result in 3 separate areas in the north-east section of Edgbaston.

In November, 1974, a Public Exhibition was held, suggesting five options for a comprehensive conservation area in Edgbaston. Public reaction to the proposal was largely in support of option 3. Your Committee individually suggested a majority preference for option 4 with extensions to include Edgbaston Park Road, Farquar Road, Somerset Road, Richmond Hill Road, Barlows Road, open land between Westfield Road and Pereira Road, both sides of Hagley Road (shown within option 4) and St. Augustine's "square" to the north of Hagley Road. The Calthorpe Estate did not support any of the options.

In reaching a decision on the extent of the area suggested for designation the following points were taken into consideration;

1. The definition of a Conservation Area within the Planning Acts cannot be regarded literally and it is felt that a large part of Edgbaston qualifies as a conservation area on the grounds of scale and vernacular. The area is really a very high class suburb with outstanding "islands" of characteristic development. Conservation of Edgbaston could be on an insular or comprehensive basis and it is considered that a comprehensive area would integrate those areas of high value with those of more mediocre value.

2. Conservation areas require extra vigilance in terms of administration and it is possible that at some time in the future, the Planning Authority may be obliged to provide financial help to owners of property in conservation areas. The implications of administration in terms of surveillance and of financial obligations must be taken into account at this stage. For these reasons, it is felt that the boundaries of the conservation area should not be too far-reaching.

3. Much of Edgbaston is new development, some of it multi-storey. Amenity and landscaping is of high standard, but as designation is to be considered on the basis of vernacular and scale, modern development must be excluded where it is not closely integrated with "character" development. The area now proposed takes this fact into account.

OPCSALS

The map on display at the meeting shows an area bounded in red which indicates the "common denominator" area - i.e. the basic area agreed by all persons consulted and, approximately, option 3 plus extras. The green line indicates the area proposed for designation, based on a survey of the "common denominator" area.

Approaching the area from Five Ways, the boundary of the proposed conservation area commences in Harborne Road, taking in Harborne Road, Richmond Hill Road, to follow the boundary of playing fields and allotments south of the Botanical Gardens, to take in the Worcester and Birmingham Canal, Edgbaston Park Road to King Edwards High School, along the northern boundary of the school and playing fields to Bristol Road. Bristol Road to Sir Harry's Road taking in Sir Harry's Road, Wellington Road, Charlotte Road, Elvetham Road to the Middle Ring Road, Middle Ring Road to Five Ways. This is to exclude certain commercial development on the northern boundary.

The proposed conservation area includes those parts of the Calthorpe Estate recommended as conservation areas in the Insall Report.

Certain areas within the "common denominator" area have been excluded i.e.:

1. The area generally to the north and south of Hagley Road bounded by Harborne Road, Chad Road, Plough & Harrow Road, Duchess Road and Francis Road, which contains a very high proportion of commercial development of mixed quality.

2. The area to the south-west including the lower part of Westfield Road, Yatley Road, the whole of Farquar Road and University Buildings on the north side of Pritchatts Road. It is felt that this area does not fall within the terms of reference for a conservation area.

3. The area bounded by Sir Harry's Road, Bristol Road, and the rear of properties on the south side of Wellington Road, which is mostly pre-war and new development.

In the survey an attempt has been made to crystallise the essential character of the Calthorpe Estate and bring it into the smaller area for designation as a conservation area. Most of the 19 Century houses which make up the character of the area have been included, (a number of which are statutorily listed), the Botanical Gardens and the open aspect to the south. The winding tree-lined roads defined by a variety of walls, hedges and gate piers, together with the feeling of spaciousness created by sensitive landscaping of new development, should blend together to create pleasing vistas and an environment not beyond economic and practical administration.

BRE/SP

CITY PLANNING OFFICER.

BIRMINGHAM CITY COUNCIL

REPORT OF DIRECTOR OF PLANNING & ARCHITECTURE

PLANNING COMMITTEE

10 December 1992

PROPOSED EXTENSION OF EDGBASTON CONSERVATION AREAPLANNING (LISTED BUILDING AND CONSERVATION AREAS)
ACT 19901. Purpose of Report

To inform your Committee of the results of the recent public participation exercise related to the proposed extension as set out below and on the plan attached.

2. Background

Edgbaston Conservation Area was designated in September 1975 and extended in December 1984 and again more recently in September 1992, during which time a public participation exercise was held. As a result of this exercise it was suggested that the inclusion of the corner of Wellington Road and Bristol Road would create a more cohesive boundary, to the Conservation Area.

3. Public Participation

Leaflets were delivered to all properties situated within the proposed Conservation Area extension. These leaflets informed residents and shop owners of the proposal and also explained the implications of designation. Owners and occupiers were given 28 days to write in with any comments. Only one letter has been received which was fully supportive of the proposal.

4. Financial Implications

None have been identified other than those implicit in the Conservation Area.

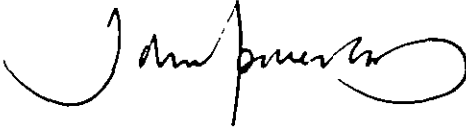
5. Implications for Women, People with disabilities, Black and Ethnic Minority people and Race Relations

None have been identified.

6. Recommendations

That your Committee designate under S69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990 an extension to the existing Edgbaston Conservation Area to include the properties outlined below.

<u>Bristol Road</u>	49-83 odd
<u>Wellington Road</u>	86-90 even


for DIRECTOR OF PLANNING & ARCHITECTURE

Background Papers

Resolution of Planning Committee 17 September 1992.

NC1/PEG

(B) Victoria Square - A and A Castings Limited

703

RESOLVED:-

That the action taken by the Director of Planning and Architecture, in consultation with the Chairman, in respect of A and A Castings Limited, as more particularly referred to in the report, be noted and endorsed.

(C) Conservation Grant Aid Scheme

704

RESOLVED:-

That the grants as recommended in the report be approved.

(D) Planning (Listed Buildings and Conservations Areas) Act 1990 - Tudor and Lyndon Roads, part of Park Road and of Upper Clifton Road and No 2 Tudor Hill, Sutton Coldfield - Article 4 Direction

Councillor Stacey noted that the report did not specify which properties were included from Park Road and Upper Clifton Road. The Assistant Director (Urban Design) apologised for that omission and withdrew the report in order that a schedule of addresses or a map showing the proposed boundary could be appended to the report.

Councillor Renee Spector requested that officers also provide details of those properties which were visible from the rear, particularly the railway line.

705

RESOLVED:-

That it be noted that the foregoing report has been withdrawn.

(E) Planning (Listed Buildings and Conservation Areas) Act 1990 - Edgbaston Conservation Area

706

RESOLVED:-

That approval be given to the designation under Sections 69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990 of an extension to the existing Edgbaston Conservation Area to include the following properties:-

49-83 (odds) Bristol Road and 86-90 (evens) Wellington Road.

F.A.O CHRIS

HOWRIE 3.1

BIRMINGHAM CITY COUNCIL

REPORT OF THE DIRECTOR OF PLANNING

DEVELOPMENT CONTROL COMMITTEE

8 FEBRUARY 2001

CONSERVATION AREAS ADVISORY COMMITTEE

20 FEBRUARY 2001

65-72 WHEELLEYS LANE, PROPOSED ARTICLE 4(2) DESIGNATION

1. SUMMARY

65-72 Wheelleys Lane comprises of eight mid Victorian houses, built in differing architectural styles. Appendix A contains an OS extract locating the eight houses. The houses are unlisted, but are of architectural merit still retaining original external joinery detail and complete boundary treatment. By introducing an Article 4(2) designation upon these properties, these important features could be safeguarded. Under present Conservation Area legislation, any owner could alter such features without the need for planning permission.

2. RECOMMENDATIONS

That an Article 4(2) Direction be prepared and served upon the properties 65-72 Wheelleys Lane.

3. CONTACT OFFICER

Steven King
Conservation Group
Telephone 0121 303 2323

Email: Steven.King@Birmingham.gov.uk

4. PURPOSE OF REPORT

65-72 Wheelleys Lane are intact Mid Victorian houses located within the Edgbaston Conservation Area. Article 4(2) designation would protect vulnerable external features from erosion. Photographs are provided as an appendix to this report.

5. BACKGROUND

5.1 The 1995 General Development Order gave the Local Planning Authority the power to impose an Article 4(2) Direction on a Conservation Area without seeking the approval of the Secretary of State. Under the Article 4(2) the following works to dwellings previously ceased as permitted development, would require planning permission.

- * Provision, enlargement improvement or alteration of a dwelling where the works would front a relevant location (ie. a highway, waterway or open space.
- * Alteration to roofs, including any change of roof material fronting a highway, waterway or open space.
- * Provision of a hardstanding fronting a relevant location.
- * Erection, construction, maintenance, improvement or alteration of gates fences walls or other means of enclosure, where the works would front a relevant location.
- * Painting of any part fronting a relevant location of the exterior of a dwelling or building or enclosure of its curtilage.
- * Erection of a porch fronting a highway waterway or open space.
- * The provision maintenance or improvement of buildings within the curtilage for the purposes incidental to the dwelling where any part of the new building or enclosure being maintained, improved or altered fronts a highway, waterway or open space.
- * A direction under Article 4(2) may also be made to restrict the erection, alteration or removal of a chimney on a dwellinghouse or on a building in the curtilage of a dwellinghouse, whether or not it fronts a relevant location.

5.2 Once a direction has been made, the Authority must then publicise it by inserting a notice in a local newspaper. The Authority must also serve a similar notice on the owner and occupier of every dwellinghouse affected by the direction. The direction comes into force in relation to any property on the date on which notice is served on the owner and occupier.

The Authority must then consider any representations made in response to the notices published. It may then confirm the direction not less than 28 days after the last notice was published and not more than six months after it was made. If the Authority does confirm it, it must give notice of the confirmation in the same way that it notified the making of the Order. If it does not confirm the Order within six months of making it, it will lapse.

- 5.3 With the exception of three windows the front elevations of these properties are remarkably intact, still illustrating traditional boundary treatment and garden layout. This architectural completeness within a continuous row of eight houses has great importance within the Edgbaston Conservation Area. Without Article 4(2) Designation however, the front elevations of these properties and detail could be seriously eroded.
- 5.4 Some of the houses are unoccupied and owned by the Calthorpe Estate.
- 5.5 Development Control Committee has recently granted planning permission for the creation of hardstandings to the rear of each property, providing parking space, which is accessed by an existing rear service road.
- 5.6 The Chief Legal Officer has confirmed that the designation of this Article 4(2) Direction will not be affected by the recent Human Rights Bill.

6. **IMPLICATIONS FOR RESOURCES**

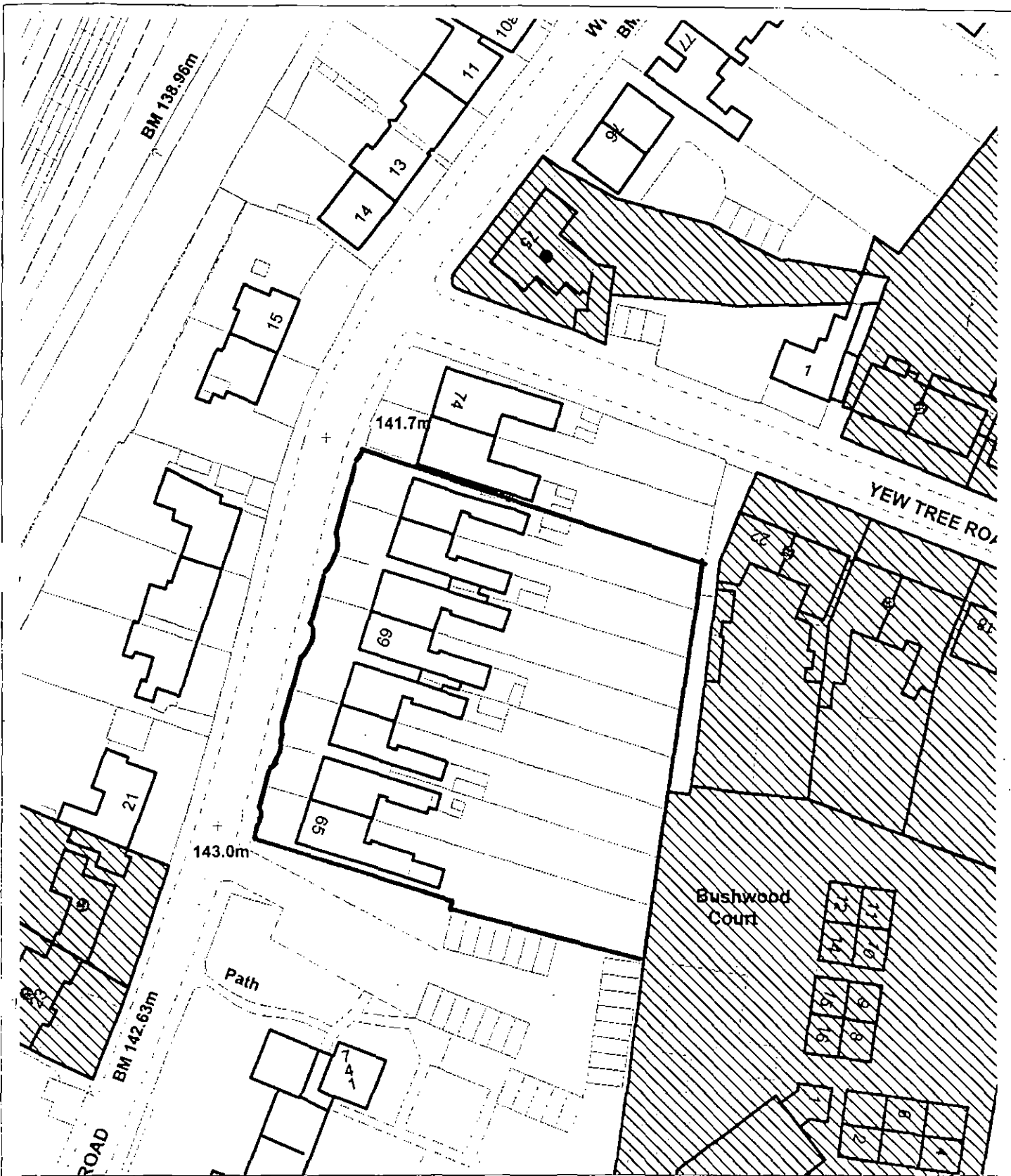
The Article 4(2) Direction may generate a small number of additional planning applications which do not attract fees. However, this can be accommodated within the Departments cash limited budget.

7. **IMPLICATIONS FOR WOMEN, PEOPLE WITH DISABILITIES, BLACK AND MINORITY ETHNIC COMMUNITIES AND RACE RELATIONS**

No planning implications have been identified.



EMRYS JONES
CHIEF PLANNING OFFICER



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Birmingham City Council
Planning Department

Planning Department
P.O. Box 28
Alpha Tower
Suffolk Street Queensway
Birmingham B1 1TU.

PLAN NUMBER.
SCALE.
DATE. 22/1/2001



Mr Sheedy, Legal Services, commented that the Authority could appeal against Inspectors' decisions but it was difficult to be successful in such appeals. He added the Human Rights Act would confer the right of appeal on third parties.

2054

RESOLVED:-

- (i) That the report be noted;
- (ii) that the guidance notes on security shutters in commercial situations be extended to include security shutters in non-commercial areas;

F. 65-72 Wheeleys Lane, Proposed Article 4(2) Designation

2055

RESOLVED:-

That an article 4(2) Direction be prepared and served upon the properties 65-72 Wheeleys Lane.

G. Additional Planning and Advertisement Applications

Report No. 12 – 97-100 Albion Street, Birmingham

Councillor Nicholls noting that the application site was in an industrial area, *questioned whether there would be noise and pollution nuisance.* He made reference to an application for residential development in the area previously considered by the Committee and noted members had wanted to refuse the application on noise nuisance grounds. The Assistant Director (Planning Control) indicated that the current application was in keeping with the policy, which allowed residential development in specific areas. He stressed that a noise survey had been carried out for both the current application and the previous one mentioned by Councillor Nicholls.

2056

RESOLVED:-

That the recommendations set out in the report be adopted.

Report No. 13 – 240 Holliday Street, City

Councillor Coulson was concerned that the street lighting in the area should be *improved and he queried whether this could be achieved by a legal agreement.* He was also concerned that the proposal would have an impact on local residential properties. The Assistant Director (Planning Control) indicated that the street lighting improvement could not be achieved by a legal agreement and

OTHER URGENT BUSINESS

The Chairperson ruled that the following items could be raised as matters of urgency in view of the need to expedite consideration thereof and instruct officers to act:-

A. REPORTS OF THE CHIEF PLANNING OFFICER

The following reports were submitted:-

(See document No. 2)

- 1. **Schedule Item - 372-378, 390-396 Stockfield Road, Acocks Green, B25 8JJ**

214506-
2200

RESOLVED:-

That the recommendations set out in the report be adopted.

- 2. **Schedule Item - 19-41 and 43-65 Trimpley Road, Bartley Green, B32 3PE**

2201

RESOLVED:-

That the recommendations set out in the report be adopted.

B. 65-72 WHEELLEYS ROAD, PROPOSED ARTICLE 4(2) DESIGNATION

Mr Sheedy, Legal Services Department, reported that, in Minute No. 2055, approval was given to the preparing and serving of an article 4(2) direction for 65-72 Wheelleys Lane. It now transpired that the road was Wheelleys Road and he requested approval for the change.

2202

RESOLVED:-

0685 m

That resolution No. 2055 be rescinded and that an article 4(2) direction be prepared and served upon the properties 65-72 Wheelleys Road.

EXCLUSION OF THE PUBLIC

203

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:-