

Edgbaston

1. *Every local planning authority—*

a) *shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and*

b) *shall designate those areas as conservation areas*

2. *It shall be the duty of local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their areas should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.”*

2.4 Paragraph (2) of Section 69 of the Act is clear that the local planning authority must review both the existing conservation areas as well as consider if further areas need to be designated on a regular basis. Standard practice within the discipline is that this should be around every 5 years. A review of all conservation areas in Birmingham has now been undertaken in order to meet this statutory requirement.

3. Recommendation

3.1 The findings of the review identified a number of issues, set out below, which address potential cancellation (de-designation), variation (merging, reducing and enlarging) and possible adoption of new conservation areas.

Cancellation (de-designation)

3.2 Following the initial review of all 30 conservation areas, two appeared to be in a condition where the survival of historic fabric is so poor that they no longer meet the criteria or standard for designation. This assessment triggered the need to undertake detailed survey work in both areas to generate clear data under which a sound recommendation could be reported to Planning Committee Members.

3.3 The first area is the Austin Village Conservation Area. This area was designated on 17 July 1997. A condition survey was undertaken on 14 June 2016 which identified the loss of and significant change to historic fabric:

- 95% of properties have lost all (or most) of the original windows in favour of UPVC windows;
- 93% of properties have replaced the original front door;
- 45% of properties have added a porch;

- 39% of properties have over clad the timber of the bungalows or rendered the brick houses on the front elevation;
- 47% of properties have over clad the timber of the bungalows or rendered the brick houses on the side elevations;
- 37% of properties have cement tile roofs; and
- 87% of properties have modern driveways.

3.4 Austin Village has an Article 4 direction that was put in place in 25 September 1998 removing 'permitted development' rights (development that otherwise would not require planning permission). In the process of de-designation the Article 4 direction would need to be revoked. During various meetings with representatives of the community (the Austin Village Preservation Society) a strong desire has been made for the Article 4 direction to be lifted.

3.5 The second area is Ideal Village Conservation Area which was designated on 18 October 1990. A condition survey of the area was undertaken on 6 October 2016 which identified the loss of and significant change to historic fabric:

With regards to housing:

- 98% of properties have lost all (or most) of the original windows in favour of UPVC windows;
- 96% of properties have replaced the original front door;
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- 91% of the shops have lost the original domestic door entrance (to the flat above).

3.6 As with Austin Village an Article 4 direction was put in place in Ideal Village following designation in order to control changes to properties and preserve and enhance the areas character. The Article 4 direction was lifted on 6 May 2009. The report to Planning Committee Members at that time stated the following:

‘Whilst the overall plan form of the Ideal Village remains unaltered and the general built form may still be of interest, there has been considerable erosion of original detail, largely through significant investment in housing. To the extent that the existing Article 4 (2) Direction is rendered almost meaningless.’

3.7 Considering the significant loss of historic character in these two areas the ‘special architectural or historic interest’ in each has now been lost and officers’ recommendation is that the Council must consider the process of cancellation (de-designation). Without de-designation the planning department must continue to process planning applications being mindful of heritage implications that are largely now absent.

Variation (boundary amendments)

3.8 Other conservation areas have changed in form, either through significant loss of historic character around their periphery (much in the way that has happened more extensively in Austin Village and Ideal Village). However, the nucleus of these areas either remains intact and still offers something of architectural or historic merit that has not been altered so greatly as to warrant cancellation. Considering this aspect of boundary change, the opportunity of expanding a conservation area to take in areas that contribute positively to the designation should also be considered.

3.9 The first area is Barnsley Road Conservation Area where the condition was seen to be so poor that a full condition survey was undertaken on 13 September 2016 identifying the loss of and change to the historic fabric:

- 75% of properties have lost all (or most) of the original windows in favour of UPVC windows;
- 38% of properties have rendered or painted over the brickwork;
- 38% of properties have replaced the original slate or tile roof with a synthetic slate or concrete tile; and
- 70% of properties have removed the boundary wall and inserted a modern driveway or hard-standing.

3.10 It was identified that a small area concentrated around the east side of Barnsley Road itself might survive as a greatly reduced conservation area. Should this be considered, then an Article 4 direction would need to be put in place to safeguard the character of what survives and

the Act). These proposals themselves need frequent reviewing and therefore if areas are merged this allows for them to be more soundly managed and resources better utilised.

3.15 Edgbaston contains three conservation areas that abut one another and share similar geography, street plan and domestic 18th and 19th century architecture. These are the:

- Edgbaston Conservation Area;
- Ryland Road Conservation Area; and
- Lee Crescent Conservation Area.

3.16 The Digbeth and Eastside area of the city has two conservation areas that dovetail one another and s(ons)4c

- 3.21 The first of these areas is in Acocks Green. This area comprises a suburban area of mixed late 19th and early 20th century housing. The community representatives have determined a boundary and undertaken an initial survey of the area to consider what should constitute a conservation area and an associated Article 4 direction. Officers are working with the community to understand the significance of the area, with a mind to present more detailed proposals to Planning Committee Members following the review of these wider proposals.
- 3.22 The other area under consideration is Weoley Hill. This area comprises an outer suburban district of early 20th century housing built as part of the Bournville Estate. The community are in the early stages of considering what the conservation area might comprise and how an Article 4 direction would serve to protect the current character of the area.
- 3.23 In order for these areas to be effective conservation areas, Article 4 directions will need to be put in place. This would remove the 'permitted development' rights of householders. Significant community support will be necessary in order to ensure that these areas can be appropriately and properly managed, as the community would effectively be gifting away their right to alter aspects of their properties without planning permission. It is this issue that has led in part to the de-designation of other areas and therefore the designation of new areas and the accompanying Article 4 needs to be substantially supported by the community.
- 3.24 In both these cases it is important to note that detailed survey work and comprehensive consultation with the local community will be central in determining if either of these areas become conservation areas in the future. At present no view has been taken as to whether these areas would meet the criteria for designation.

4. Requirement for review of appraisals and management plans

- 4.1 The Act states under Section 71 that:

“(1) It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.

(2) Proposals under this section shall be submitted for consideration to a public meeting in the area to which they relate.

(3) The local planning authority shall have regard to any views concerning the proposals expressed by persons attending the meeting.”

4.2 The legislation does not specify the nature of the 'publish proposals for the preservation and enhancement' of a conservation area and in Birmingham there is a combination of:

- Article 4 directions;
- Guidance leaflets; and
- Conservation Area Appraisals and Management Plans.

4.3 It is important that as conservation areas evolve and change that the associated published documents to manage them are also reviewed. This is also for the case for conservation areas that will not necessarily change.

4.4 A number of new and revised management plans (comprising one or more of the options set out above under paragraph 4.30) will therefore be necessary and will be forthcoming as part of this strategy. It is, however, anticipated at

areas. It is naturally regrettable that some of the existing designations no longer meet the standards to be conservation areas, however the better administration of other areas, through merging, and the potential of new areas being designated ensures that Birmingham promotes the best of its historic environment in a positive light, where the designation of a conservation area truly reflects the best of the city's historic environment. As such this Conservation Area Review has been undertaken to manage this process.

5.2 That the Deputy Leader, with the Corporate Director, approves the review along with support for officers to commence public consultation on the changes proposed to the city's conservation areas. The process would be a phased exercise in line with the following sequential approach:

- Cancellation (de-designation) of the Austin Village Conservation Area and revocation of the Austin Village Article 4 direction;
- Cancellation (de-designation) of the Ideal Village Conservation Area;
- The variation (reduction) of the Barnsley Road Conservation Area, formation of an Article 4 direction and adoption of a conservation area character appraisal and management plan;
- The variation (reduction and expansion) of the Jewellery Quarter Conservation Area in conjunction with the revocation of the existing Jewellery Quarter Design Guide SPG and adoption of a Neighbourhood Plan. The revocation of existing, and adoption of a new conservation area appraisal and management plan;
- The variation (expansion) of the Colmore Row and Environs Conservation Area and revocation of existing, and adoption of a new conservation area appraisal and management plan;
- The variation (reduction) of the Lozells and Soho Hill Conservation Area and adoption of a Conservation Area Appraisal and Management Plan;
- The variation (merging) of the Edgbaston, Rylands Road and Lee Crescent Conservation Areas revocation of existing (Edgbaston), and adoption of a revised conservation area character appraisal and management plan;
- The variation (merging, reduction and expansion) of the Warwick Bar and Digbeth, Deritend and Bordesley High Street Conservation Areas revocation of existing (both), and adoption of a revised conservation area character appraisal and management plan;

- The possible designation of a conservation area in Acocks Green and preparation of a Conservation Area Appraisal and Management Plan and Article 4 Direction;
- The possible designation of a conservation area in Weoley Hill and preparation of a Conservation Area Appraisal and Management Plan and Article 4 Direction; and
- The preparation and publication of proposals for the 'preservation and enhancement' of these and other conservation areas.

5.3 Considering the scale and coverage of conservation areas across Birmingham, this review is extensive and it cannot be confirmed at this time that the proposed recommendations in their present form are complete and conclusive. As the work progresses other issues may be generated that may need further approval from the Deputy Leader with the Strategic Director along with continued public consultation. This will most likely be the need to review and possibly amend the boundary of other conservation areas not discussed in this report.

6 BACKGROUND PAPERS

10.1 List of Background Documents used to compile this Report:

- Plans of boundary changes; and
- A link to existing conservation area designations, along with designation reports and Article 4