

# Moor Pool Residents Association.

64, Margaret Grove, Harborne, Birmingham, B17 9JL. Tel 07904 924 609

Email: rob@suttdes.freeseve.co.uk

www.moorpool.com

Mr Simon Turner.  
The Planning Department,  
PO Box 28,  
9th. Floor, Alpha Tower,  
Suffolk Street Queensway,  
Birmingham, B1 1TU.  
17<sup>th</sup> May 2009.

MRA/RS039

## **The Moor Pool Estate, Harborne.**

### **Planning Applications:**

S/00872/08/FUL  
S/00869/08/CAC  
S/00874/08/FUL  
S/00870/08/CAC  
S/00873/08/FUL  
S/00871/08/CAC

Dear Simon.

The Committee of the Moor Pool Residents Association have considered the reports submitted to the Planning Committee and wish to make the following comments. We also note the comments made in letters from the MRG and Moor Pool Allotment Association which we support and which can be taken as the views of the MRA too. In particular we should like the following points to be drawn to the attention of the Planning Committee and considered by them

1. Enclosed is a further submission from English Heritage. They have revisited the Estate twice bringing their specialist landscape architect and accompanied by one of your conservation officers. The view of English Heritage is now substantially different to previously and is supported by your conservation officer. In addition a clear point is made about restoration of the Valley Site and potential listing of the Estate. Clearly the Planning Committee must be made aware of the new opinion.
2. English Heritage guidance, published in 1997 and further updated in 2006, provides detailed advice for Local Planning Authorities to use in undertaking the assessments envisaged in PPG15. As there is no Character Appraisal, we would submit that there is insufficient information for the LPA to assess whether the applications either preserve or enhance the character and appearance of the Conservation Area. In view of the significance of the proposals we again submit that until this appraisal is completed the

applications should either be rejected or deferred. This point about the lack of a character appraisal is also made by both English Heritage and the Victorian Society. It would seem untenable that open space could be sacrificed and subsequently the character appraisal deem it an integral part of the design ethos of the Estate.

3. We do not believe the reports properly take into account the historical architectural reasoning behind the design of the Estate. Moor Pool was a practical example of how Birmingham's residential areas could be expanded without resorting to back-to-back style properties. This is very clearly indicated in the original prospectus showing the design as we have now, and the alternative. This development was promoted by Nettlefold who was first Chairman of the Town Planning Committee at the time. It therefore has great historical significance. This is a factor when looking at the dereliction which has been managed by the applicant and deciding whether a return to the original and intended open spaces or new development is the way forward. If you have any doubt as to this importance, Nettlefold books and extracts on planning principles are available on our website. There is nothing in the report drawing attention to these matters so it is difficult to see how members of the Planning Committee can make 'an informed judgement on the effects of the proposals on conservation area character'.
4. PPS1 states that design which is inappropriate in its context or which fails to take opportunities available for improving the character and quality of an area and the way it functions should not be accepted. The allotments were a function of the original design and any design should reflect this when considering development after demolition.
5. In our objection we requested the following conditions if demolition was approved. (1) The garages should be replaced or equivalent secure parking provided off street. Open parking off street which is not properly designed can lead to crime issues (2) That any space not used for replacement garages should be returned to community use for example either as allotments or amenity. In annex 12 we showed evidence according to a previous planning application that this was allotment area. There is no reason why this condition which pertains to land within the development area should not be attached to demolition in view of the previous use and historical importance. We note that whilst our suggested condition has been discounted, conditions have been agreed with the applicant which apply outside the areas of development and without the opportunity for consideration by residents.
6. We note that the conservation officer states the proposal would only have a 'neutral effect on the conservation area character and appearance'. It is our opinion that restoration will have a positive effect on the conservation area character and appearance and is therefore the better option.

7. The reports indicate that the applicant no longer intends to restore the Site B allotments and has agreed with you for a change of use to low key recreational use in a wildlife setting. The MRA does not support this proposal at all particularly as there has been no consultation with local residents, Councillors or apparently the Police. Site B is allotment area and should continue as such. The MRA will oppose any such proposal unless there is proper consultation. We have subsequently raised our objections with both the Police and local Councillors.
8. There is no increased amenity area as reported. All the allotments which the applicant proposes to restore exist already and the MAA have stated categorically that they will work with them as they are. Therefore there is a net loss of open space.
9. There is no indication how the access requirement from Margaret Grove down to the Valley Site which currently exists and necessary for crossing the valley to paths opposite and also to retained allotments will be retained.
10. There is no indication as to how usage of the garages has been evidenced. Many of the survey figures of the applicant conflict with those of the MRG.
11. The Moor Pool, bowling green and tennis courts are not 'publicly used open space'. They are private members only.
12. The allotments at Site A are not 'mostly in an overgrown and disused state'. Any that are, are as a result of the eviction notices and Graingers refusal to let them. Despite this, 'residents' clearly care enough about these allotments to have continued to 'maintain' them over the 2 years since the eviction notices. The MAA can evidence demand and it is public knowledge that there is a waiting list for allotments in Birmingham and those at Pereira Road are full.
13. The MAA has made its views known on the £5000. Taking those views into account, the net loss of open space and the inaccurate assessment of the state of the existing allotments the exceptional circumstances test is not met.
14. We submit that the data used in the flood modelling is flawed and cannot be relied on. We evidenced flooding which was not shown in the modelling. Modelling output is reliant on the quality of data input. We would suggest that before accepting the word of the applicant's consultant, you examine why such discrepancies exist. The response by Glanville says no data by ourselves has been presented to substantiate the seriousness of flooding. Well if this picture along with the others submitted is not enough then what is!



15. Regarding Site C the applicant proposes to repair and bring back into use 11 garages at the rear of the Square. What is proposed to happen to the other garages in this area?
16. We request that the Committee assess the practicality of walking from the Easterly end of the Estate where there will be negligible garage provision to these new garages behind the Square in order to assess the reasonableness of the provision.
17. We would contend on further examination that there is very little room to reverse out of the end open parking spaces on Site C where the road narrows and access out of the end drive is narrow, around a bend and extremely close to a pedestrian path. The position of the most Northerly displacement garage abuts the drive of House A. Is this considered practical and safe for vehicles reversing blind?
18. The width of the entrance road to Site C is 3m according to the applicants supporting statement. 3.7m is required to meet the requirements for fire appliance width and is reliant on future maintenance of the retained oak for height. The Oak has a major bough which straddles the path and which if removed would be very detrimental to the appearance of the tree. We would also ask that evidence be provided that the service road meets the turning circle requirement for fire appliances.
19. We have pointed out the flooding issues from site C which affects Margaret Grove. There is no clear plan by the applicant that specifies how this will be addressed. Indeed if the flood modelling is accepted at the brow of Ravenhurst Road, there is the possibility that more water will flow onto the site when the access splay is incorporated. This site slopes and residents should have the opportunity to properly assess the way in which drainage is to be achieved.

20. There is no indication that the drain at the bottom of Site C connects to a sewer. This area was developed well after the estate was built so it is difficult to see how it can be connected to a sewer and there is no indication of such on the sewer plans for the Estate.

We ask that you allow the Committee to consider all these points before any decision is made. They are extremely important and significant to Moor Pools future.

Yours sincerely,

Rob Sutton. Chair, Moor Pool Residents Association.