Great Barr Hall (GBHall) and a large slice of historic landscape, including the two lakes, woodlands and agricultural land, was bought by Manor Building Preservation ‘Trust’ (MBPT) for £866,000 from the Official Receiver in September 2003. We are seriously concerned about their recent planning application for two lakeside houses for a number of reasons. A leaflet about the MBPT application was distributed in your area a week or so ago. If you didn’t receive a copy please telephone 07713 163082 and we will happily deliver one.

MBPT first showed an interest in the Official Receiver’s land over two and a half months. They told everyone they wanted to restore GBBall for their own use as a single-occupancy family home and ‘Trust’ headquarters. Since they now want to convert GBBall to eleven apartments they must have been deceiving us. The remarks they made in their previous Supporting Statement will haunt them for ever:

“The Hall will not be split up into 11 self-contained private units, with the negligible benefit that would entail to the wider community. Sub-division into multiple units mitigates against general maintenance, good husbandry, and on-going repairs to the whole structure and communal areas, and excludes involvement by any but a privileged few.”

MBPT is run principally by Mr Cyril Smith and his two sons. At one point we were assured by Mr Smith, in front of independent witnesses, that MBPT had a charity number and was registered under the Charities Act. We now know this was untrue. A similar statement was made to a Walsall resident who wrote to Walsall MBC about it.

In February 2003 we compiled a list of extant Building(s) Preservation Trusts in England and Wales. Not a single other instance could be found of a BPT operating without charitable status. The average time from incorporation as a limited company to being accepted on the charity register (always the progression) was approximately three years and a half months. MBPT were set up over four and a half years ago and are still not a registered charity. Revealing correspondence between this Action Committee and MBPT has been posted on our website www.greatbarrhall.com

It is very worrying that MBPT have declared in correspondence: “…our charitable status or otherwise, is completely irrelevant to the restoration of Gt Barr Hall.” Sorry, but this is just not the case. As a charitable trust they can join the Association of Building Preservation Trusts which provides its members with many benefits, including help with projects, information, guidance and support. Because of close links with the Architectural Heritage Fund, ABPT members have first call on funding and loans. It seems eminently sensible to seek membership.

In addition, charity status brings with it very significant benefits: 80% rate relief, tax and VAT privileges, access to the Heritage Lottery Fund, other grant aid, and so on.

You can now see that attaining charitable status is highly important as MBPT are seeking ‘enabling development’, which is allowable development within Green Belt to provide essential funding for restoration of a listed building and its associated elements. Wimpey Homes is their partner in this. Enabling development inevitably has a disbenefit to the community, particularly those living nearby, so it is vital all possible avenues have been explored to lower the financial burden. This includes looking at alternative options for restoration which are more appropriate and less costly. There is more on this overleaf.

There is a presumption against enabling development unless it meets specific criteria. It should always be seen as a funding source of last resort. This is all laid down in the very comprehensive English Heritage publication: Enabling Development and the Conservation of Heritage Assets [which you can download from the EH website]. Many safeguards are built into the model: the applicant must be capable of delivering the promised result; the public gain must outweigh the public loss; a quantified schedule of works must be provided, and so on.

The all-important Enabling Calculation has to come from MBPT. They must supply detailed costings for the restoration of GBBall and the landscape to justify the size of the development. MBPT have ‘calculated’ that it will be necessary for 53 houses to be built by Wimpey Homes on Chapel Lane to foot the bill. We vigorously challenge this figure for a number of reasons.

This leaflet is issued by Great Barr Hall Action Committee. This organisation was formed in December 1987 to resist insensitive development of the Great Barr Hall Estate (which includes the redundant St Margaret’s Hospital site) and to share its unique knowledge and resources with interested parties. Membership is made up from Beacon Action Group and other Residents’ Groups, Walsall Local History Society, Barr & Aston Local History Society, Conservation Organisations and Private Individuals with Special Interests. Visit www.greatbarrhall.com.
Bovis envisage non-developed areas of the old hospital site being managed through a new landscape trust - St Margaret's Hospital Trust - which would be drawn from local stakeholders, including local residents' associations, nature and wildlife trusts.Walsall MBC, Forest of Mercia Community Forest and the National Urban Forestry Unit. All very encouraging, but there is one big snag: this management trust would be operating only on one side of the estate. Mr Cyril Smith says MBPT will also be setting up a similar management trust—a "trust within a trust" as he puts it. Ownership of the lakes and parkland on their side would be retained. We could end up having two trusts operating independently on the same parkland! Clearly this is a nonsense.

Much of the long-term restoration of the parkland would be accomplished through voluntary labour. But who is going to sweat and toil for an organisation which is privately owned? People must demonstrate their services for the common good, not to enhance a commercial asset.

In their Supporting Statement, MBPT "...have as a goal the reintegration of the remainder of the Gt Barr Park into one homogenous ownership under the Trust's control." They really are itching to get their hands on the rest of the historic landscape. We beg Bovis to hold off assigning further development options until MBPT have shown themselves able and trustworthy.

**OBJECTION: THE ENVIRONMENTAL ASSESSMENT IS FLAWED.** It does not mention the presence of endangered species and was conducted out of season.

An ecological and environmental assessment has been carried out which demonstrates that the development "...will not have a detrimental effect on the wider biodiversity, habitats and ecology of the site and its immediate surroundings." But there is no mention of a study which showed the presence of endangered species associated with one, and possibly both, of the ponds very close to the proposed development.

There are also serious concerns that the one-day survey took place on 3rd February, when the flora and fauna were quiescent. This would give a limited indication of the ecological value of the site.

**OBJECTION: THERE IS NO APPLICATION FOR LISTED BUILDING CONSENT.** This is required if part of the boundary wall is to be removed.

Wimpey would need to construct a road to the proposed development from a position near to Coronation Road. This would require the demolition of a sizeable length of boundary wall, which dates from the early nineteenth century. As this is part of the curtilage of a listed building, namely Great Barr Hall, Listed Building Consent is required before demolition can go ahead. The Wimpey application does not make a request for this permission.

**OBJECTION: PART OF THE ENABLING DEVELOPMENT IS VERY CLOSE TO ELECTRICITY PYLONS WHICH IS A HEALTH RISK.** A report in 2001 from the National Radiological Protection Board established an increased leukaemia risk for children living close to power lines.

Some campaigners want a mandatory 50-metre "buffer zone" each side of power lines; quite a number of the proposed properties come within this range. Others claim "hissing" cables (well-known on this site) can extend the risk several hundred metres from power lines. In the US, legislation prevents new homes being built near power lines. Professor Denis Henshaw, a physicist from Bristol University, estimates that power lines notch up the following grim tally each year: eight cases of childhood leukaemia, 14 cases of skin cancer, up to 400 cases of lung cancer, several thousand cases of illnesses associated with air pollution, 9000 cases of depression and 60 suicides [The Times 12/3/2001]. So why are Bovis exposing children and adults to unnecessary risks?

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**OBJECTION: THERE IS NO OVERALL PLAN FOR THE MANAGEMENT OF THE PARKLAND.** Present proposals will lead to two independent landscape trusts operating on the parkland.