

# WIMPEY WONDERLAND

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 £886,000 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 years ago. They told everyone they wanted to restore GBHall for their own use as a single-occupancy family home and 'Trust' headquarters. **Since they now want to convert GBHall 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 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](http://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.

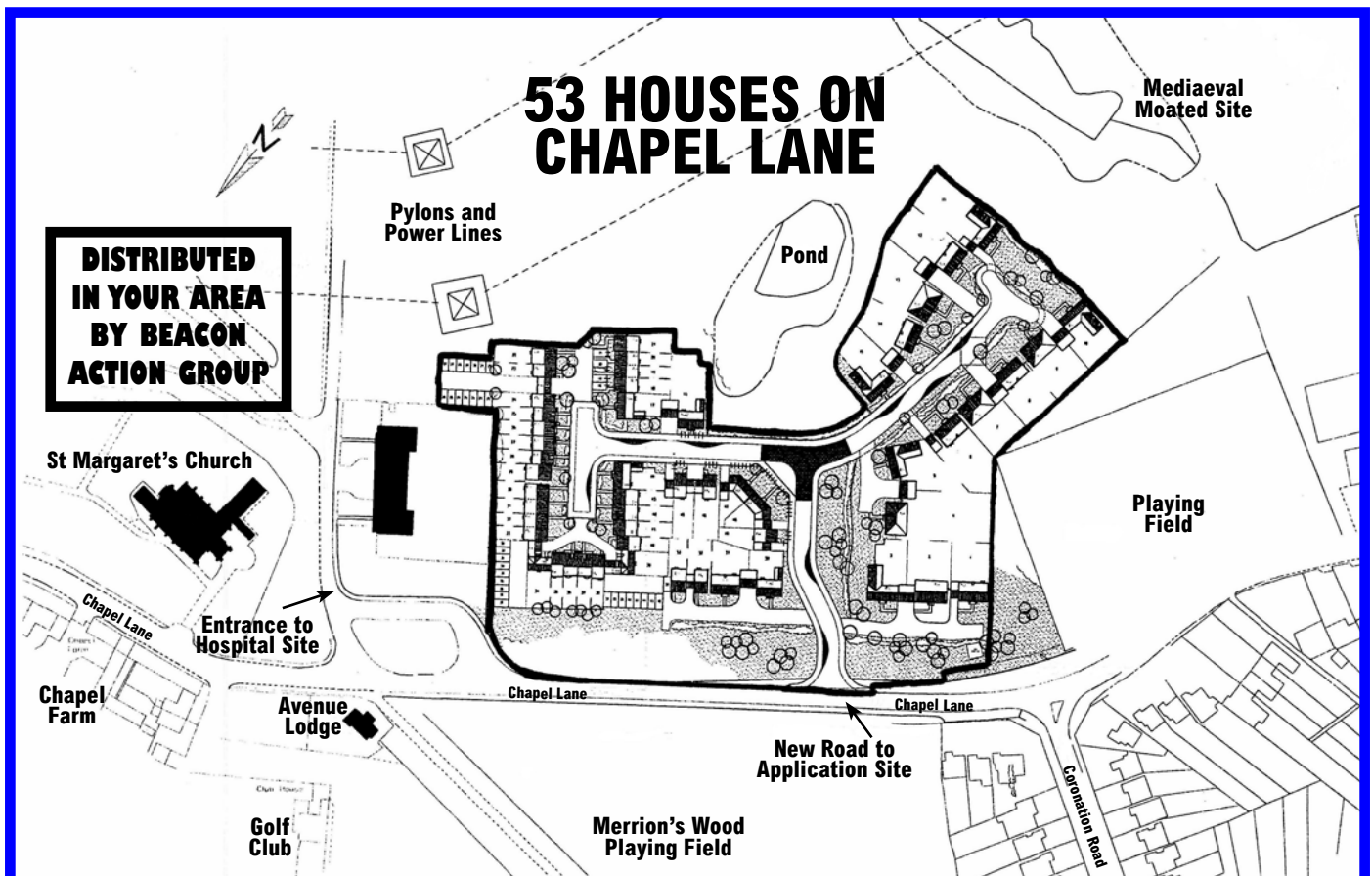
In addition, charity status brings with it very significant benefits: 80% rate relief, tax and VAT privileges, access to the Heritage Lottery Fund, other grant aid, and so on.

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 GBHall 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](http://www.greatbarrhall.com).**

**The benefit to the community in the restoration of Great Barr Hall and the historic parkland must clearly outweigh the disbenefit of having 53 new houses built on green belt fields in Chapel Lane.**

**I will be asking English Heritage and Walsall Council to thoroughly test these applications against the English Heritage model. Only applications that completely fulfil the requirements stipulated in this document should be considered.**

**Tom Watson**

**OBJECTION: THE DOCUMENTATION SUPPLIED BY MBPT IS INADMISSABLE.** They have appended expert reports submitted by previous applicants without first getting permission.

There is large-scale reference to documents submitted with earlier planning applications on this site which they claim "...are in the public domain." A long list is given in the *Supporting Statement* submitted with the application. Some of the documents cited are from the West Bromwich Albion planning application of 1999. Not only are the reports now out-of-date and largely irrelevant, but we do not believe any of the originators have given permission for their intellectual property to be used in this manner. **Documents in the public domain are still covered by the Copyright Act.**

At least one of the consultants who was made aware of the situation has expressly forbidden the use of their work in this manner. **This leaves MBPT with little or no relevant documentation to support this application.**

**OBJECTION: NO PROPER 'ENABLING CALCULATION' HAS BEEN SUBMITTED.** The application must be refused for this reason alone.

There is a *crucial* requirement for a thoroughly worked out *enabling calculation* to prove a conservation deficit: a situation which occurs when existing value plus restoration costs exceeds the value of the heritage asset afterwards.

It requires input from architects, quantity surveyors, building surveyors, structural engineers, landscape architects and other professionals. In addition, there has to be evidence the heritage asset has recently been market-tested to establish its current value.

**OBJECTION: GREAT BARR HALL SHOULD BE RESTORED TO ITS EIGHTEENTH-CENTURY FORM.** It will give us a complete, durable, more cost-effective building of enhanced historicity, and reduces the need for enabling development.

Forget any romantic notion of bringing GBHall back to the way it was in Lady Scott's time. There is no roof; the stucco and underlying brickwork are badly decayed; all plasterwork has gone; virtually all doors and fireplaces have been stolen; floorboards, ceilings and staircases have disappeared; windows and embellishments are missing; the servants wing, clock-tower, corner turrets and outbuildings have long since been demolished. In recent months the vaulted cellars have been badly damaged and stonework stolen from the 'Chapel'. Constant arson and vandalism have added to the misery. It is a derelict shell.

This is no Windsor Castle and any restoration will be entirely cosmetic. The end result will be a characterless parody of a building with very little historic "feel" or atmosphere and totally bereft of any original charm.

GBHall is in a considerably more perilous state than when planning permission was given for eleven apartments in May 2002. **As a result other options come into play.**

A much better and cheaper solution would be to reinstate the less-complex building of the late-eighteenth century. This would enhance the Lunar Society association and leave us with a *whole, durable building* with less maintenance worries. **It would also considerably reduce the need for enabling development.**

**OBJECTION: THERE WILL BE LITTLE OR NO BENEFIT TO THE COMMUNITY FROM THE ENABLING DEVELOPMENT.** Enjoyment of GBHall will, at best, be from a distance.

Local people will lose Green Belt and attractive views. They will experience increased traffic and noise and be generally inconvenienced. **What will they get for this sacrifice?** The benefits are not at all clear. Will they have unrestricted access to the site, as promised? *Perhaps not.* Will there be an entrance charge? *Almost definitely.* Will there be access to GBHall? *Almost certainly not, as it will be broken up into eleven apartments.*

**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.

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 mostly volunteer 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 options until MBPT have shown they are able and trustworthy.**

**OBJECTION: MBPT HAVE NOT SUPPLIED A DETAILED LANDSCAPE MANAGEMENT PLAN.** Is the original figure of £1 million for landscape restoration still relevant?

In the *Supporting Statement* for the earlier planning application in February 2003, MBPT set aside £1m from enabling funding to pay for landscape restoration, but gave no detailed costings to justify the figure. There is nothing on this in the *current Supporting Statement*. There is not a hint of a costed management plan. Just how is the money to be spent? Where are the detailed figures? We need to know.

Money generated through enabling development is akin to public funding. It is entirely unsatisfactory to pluck a figure out of thin air.

**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?