

Dr Mervyn Miller
CHARTERED ARCHITECT AND TOWN PLANNER
11 Silver Street, Ashwell, Baldock, Herts SG7 5QJ (01462) 742685
Email mervarch@aol.com

MOOR POOL CONSERVATION AREA

Wentworth Gate, Site Ei App Nos. S/00873/08/FUL and S/00871/08/CAC
Ravenhurst Road, Site C App Nos. S/00874/08/FUL and S/00870/08/CAC
Ravenhurst Road, Site A App Nos. S/00872/08/FUL and S/00869/08/CAC

1. This Report has been prepared at the request of the Moor Pool Residents' Association. I visited Moor Pool on 29 June 2009, and was shown around the development, including the proposed building sites by Rob Sutton, Chairman of the Residents' Association. I should emphasise, however, that this Report presents an independent opinion, both of the significance of Moor Pool as an early 20th century Garden City type residential development, within its context of the time, and also on the specific development, which has been proposed.
2. As a Chartered Architect and Town Planner, I have 37 years experience of the interface between planning and the historic built environment. Having attained degrees in both architecture and urban planning from Durham University and the University of Illinois, I also embarked upon a part-time PhD at Birmingham University Centre for Urban and Regional Studies, 1978-81. This drew together my experience in the 1970s as Principal Conservation Officer of North Hertfordshire District Council, when I was involved in the designation of the Letchworth Conservation Area and a study of its landmark buildings up to 1914. In 1979 I was appointed the Royal Town Planning Institute Director on the Board of the Hampstead Garden Suburb Trust, and after 21 years service, I was created the Trust's first Honorary Life President in 2000. I thus have a deep background in both the history and management of Garden City communities. In respect of this, I served as an advisor to the Town and Country Planning Association/English Heritage study on the future of Garden City communities (2005-2008) and I am currently writing a book for English Heritage, *Introducing English Garden Cities and Suburbs*. I have also written detailed histories of Letchworth Garden City and Hampstead Garden Suburb.
3. I have known Moor Pool for many years, having first visited when I was a part-time student at the Centre for Urban and Regional Studies. I have returned several times over the years as I have close friends nearby in Harborne. As already noted, my most recent visit was on 29 June 2009.

Historical Background

4. Moor Pool owes its existence to the initiative of Councillor John Sutton Nettlefold, of Birmingham City Council, who took a close interest in housing reform in the city, and served as Chairman of its Housing Committee. He engaged in the reconditioning of much terraced housing, which would otherwise have been cleared, and also kept abreast of the latest reforms in company housing, notably, Bournville, developed by the Cadbury company from 1895 onwards, with innovative Arts and Crafts architecture designed by W. Alexander Harvey, and his successor J. Edward Tylor.

Together with the slightly earlier Port Sunlight, Bournville represented the democratisation of design for modest housing, some of it occupied by company employees, which would otherwise have been met by speculative regimented bye-law terraces, of the type which were developed at the same time on the fringe of Bournville.

5. In 1901, a new vehicle in the provision of what would now be regarded as social housing came into being. This was the Co-Partnership Movement, which began operations at Brentham, near Ealing in West London. However, the design of the early housing at Brentham was a continuation of standard bye-law terrace type. Nevertheless, the development was successful in demonstrating that co-operative financing, with limited dividends (successors to the Victorian Housing Trusts with their 'five per cent philanthropy') could be developed and incorporate a means of tenant investment and commitment to the success of the development company.
6. The original Co-Partners changed the style of their housing in 1905/6, when Raymond Unwin was appointed consultant at Brentham. Unwin had already demonstrated the success of small Arts and Crafts-influenced houses at New Earswick, north of York, the Rowntree Company equivalent of Bournville, which Unwin planned about 1902, and the first phase of which was commenced shortly afterwards. However, Unwin's most significant achievement at this time was, with his partner Barry Parker, master planning Letchworth, the First Garden City, in 1904, followed by Hampstead Garden Suburb in 1905-7. At both these landmark developments, branches of the Co-Partners, developed a significant amount of artisan and working-class housing through local offshoots – such groups and estates Eastholm and Westholm, Birds Hill and Pixmore at Letchworth, and the internationally acclaimed 'Artisans' Quarter' at Hampstead Garden Suburb (1907-9) were important examples.
7. John Nettlefold would certainly have been aware of the significance of the above developments in creating a new style of modest sized houses for the 20th century. Local Government control had got little beyond the regulatory function of bye-laws and drainage under the Public Health Act, a major law approved in 1875, followed in 1890 by the Houses of the Working Class Act. As Chairman of the City of Birmingham Housing Committee, Nettlefold saw the then current limitations of local authority intervention in housing. He met Henry Vivian, leader of the Co-partners and a Liberal MP, and discussed the possibility of founding a Co-Partners development in Birmingham. A site at Moor Pool, close to the developing nucleus of Harborne was selected.
8. The site layout plan by the Birmingham architects, Martin and Martin, was sophisticated in that it broke entirely away from hard paved byelaw grid of streets alleys, flanked by continuous terraces, but ran a series of gently curving roads through the 23 acre site which stretched from the Harborne Branch Railway, westward towards Lordswood Road, which ran through an agricultural district. The area between the Hagley Road and the Moor Pool site was open farming land until the 1930s. The Moor Pool site had a central valley and stream running through it, which constrained development of the lower, eastern part to the valley sides, and involved adjustments in levels between the tree lined roads and housing. The central area between The Circle, which was a bold planning feature containing shops and, a little later, the Tenant's Hall, and the acute angled junction between Moor Pool Avenue

and Margaret Grove, at the east end of the estate was reserved as a public park, on both sides of Ravenhurst Road, which ran north-south through the estate. Other open spaces included allotments and playgrounds, and the density of the development was about 9 houses to the acre.

9. The layout plan was prepared by 1907/8 by Martin and Martin, architects. Comparatively little is known about this practice, but Frederick William Martin (1858 or 9/1917) was presumably, the principal partner, who became a Licentiate of the RIBA in 1911. The practice may have grown out of an earlier partnership between William Martin (1828-1900) (who may have been the father of F W) and John Henry Chamberlain (1831-83) who laid out Corporation Street in the 1870s and designed many civic and religious buildings, and 41 Board schools throughout the city. The practice was also responsible for commercial buildings in Colmore Row, where the Martin and Martin practice was located at the time of the design of Moor Pool. They also designed the Bell Edison Telephone Building in Newhall Street, central Birmingham, and also the large Hollymoor Mental Hospital, built at Northfield in 1896-1905.
10. The Moor Pool layout plan indicates that F W Martin was well aware of contemporary Garden Cities and Suburb plans including New Earswick, Letchworth Garden City and Hampstead Garden Suburb, and also the redesigned Brentham layout, Unwin (1906) and G. L. Sutcliffe (the Co-Partners architect, 1911). The quality of the Moor Pool layout plan was reflected its selection by Raymond Unwin for inclusion in an important exhibition held by the Royal Institute of British Architects at the Royal Academy in 1910, in connection with an international Town Planning Conference.
11. It is evident that detail in the early plans varied as development proceeded and that the original, largely semi-detached houses, shown schematically on the early layouts, were succeeded by short terraces, adjusted to the undulating road lines, as development proceeded. In a survey of Co-Partners schemes published in *The Case for Town Planning* (Henry Aldridge, 1915), it was shown that Moor Pool had largely completed its 500 house target, a remarkable achievement at a time when many of the Co-Partners developments were incrementally proceeding at a slow pace.
12. The varied house designs in Moor Pool are characteristic of their period, with the use of gables and projecting porches to articulate the groups. The original pair of houses, on the acute angled site between Moor Pool Avenue and Park Hall Road, for construction of which the sod was turned by Mrs Nettlefold in 1907 (the same year that development of the Artisans' Quarter at Hampstead Garden Suburb commenced) closely resembled a central pair on Westholm Green, Letchworth, designed by Parker and Unwin in 1906 for Garden City Tenants, the local Co-Partners branch. The use of gables on the longer blocks also generally resembled types used by Unwin in 1905-7 at New Earswick. The cottages are a mixture of dark red brick and roughcast (now painted), which prevents any monotony of design, which, as I have also mentioned above, is assisted by the casements along the road frontages and the impact of levels on this site, which cannot have been easy to build upon in the early years. Indeed, dramatic changes in level resulted in the remarkable blocks of flats, now listed, on Ravenhurst Road, framing the approach to the valley site (A), which has been under consideration for development.

13. Altogether, I consider that Moor Pool originally represented, and still reflects, best practice in Garden City style housing and development. It has a coherent plan, within a boundary which gives it identity and integrity, and the feeling of a self-contained neighbourhood. The housing design is innovative, without being unduly self-conscious as is sometimes the case. The central circle with its shops and Tenants' Hall makes a logical heart of the community, as do the landscaped area around the Moor Pool and the remainder of the valley site (A) across Ravenhurst Road. The more intimately located smaller green areas, many used productively for allotments, is a similar layout concept to that found in the Artisans' Quarter at Hampstead Garden Suburb. The layout also emulates parts of Brentham, where the Unwin layout plan reserved green areas for allotments and recreation in the centre of residential quadrangle blocks around the roadside perimeters. The planting of avenue trees compounded the integration of greenery with the housing and remains an important characteristic of all Garden City developments. Street profiles, including reservation of grass verges with planting was a key feature of all Garden City community layouts.
14. Nettlefold was an enthusiastic advocate of town planning, introduced on a discretionary basis in the 1909 Housing and Town Planning Act, which gave local authorities the power to regulate suburban development. The Quinton, Harborne and Edgbaston Scheme and the East Birmingham Scheme were the first to receive approval from the Local Government Board. Moor Pool fitted neatly into the former, affirming its accordance with the objectives of the pioneer legislation. Among contemporary Garden Suburbs and Co-Partnership communities, Moor Pool rates highly, both for planning and architectural values and is the finest of its genre in the Midlands being more extensive and better designed than either the Bulmer Garden Village in Hereford, which is little more than a few streets, or the Anchor Tenants' scheme at Humberstone outside Leicester, which, despite Unwin's involvement in the layout plan and community centre, was inferior in design to Moor Pool, and is not well preserved.

The present situation

15. Moor Pool today has retained much of its integrity, although inevitably, there have been alterations, including the widespread installation of UPVC windows. However, this has not impaired the overall characteristics of the development, which was rightly designated as a Conservation Area as early as 1970. The foresight of Birmingham City Council, in with respect, is to be commended, although it took a great deal longer for an Article 4 (2) Direction to be made which would have controlled re-fenestration and other details more effectively and earlier on. Maintenance of the green areas and trees was originally carried on by Harborne Tenants, who were also proactive in receiving rents and managing public facilities on the site. They have long gone, and were succeeded by a variety of companies, including, I understand, the Bradford Property Trust, before Grainger plc acquired Moor Pool a few years ago. Similar withdrawals from Co-Partnership development in its original form have occurred in both Letchworth Garden City and Hampstead Garden Suburb, and most of the houses are clearly privately owned. However, I have observed that not all is well with the management of some of the open spaces, particularly on the valley site (A), where the garage blocks are now in many cases in a state of terminal decay. The low profile of these buildings does not seriously impair the green setting, nor are they fundamentally

harmful to the character and appearance of the Conservation Area. It is areas like this that have formed the basis of Grainger's approach to planning further development as part of what they publicised as regeneration of Moor Pool, through a series of leaflets circulated to residents.

16. I have noted that a more ambitious development plan was initially proposed, but has been scaled back to three sites, which are the subject of the current applications. The designs have gone through several incarnations in an attempt to make them compatible with the distinctive character of the existing houses. However, a constant proposal has been to develop the valley site (A) for additional housing. I consider that this represents a fundamental challenge to the integrity, character and appearance of the Moor Pool Garden Suburb Conservation Area as a whole.
17. In development plan terms, it is unfortunate that the valley site (A) together with other pockets of open space throughout the estate, are regarded as, already developed – or brown land, under the terms of PPS 3. This appears to have been used as a principle of acceptability of development and, indeed, is stated as such in the three Committee Reports recommending approval of development on the three remaining sites now involved. I do not consider that this assumed principle should override the statutory duty of the Council, as the planning authority, to secure the preservation or enhancement of the character or appearance of Moor Pool as a conservation area, as required under the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990. **The key issue involved in all sites, and particularly the valley site (A), is not whether the development proposed would preserve or enhance the character or appearance of the conservation area, but whether any development would harm the conservation area were development to take place at all.**
18. The existence of the derelict blocks of garages is no reason for concluding that the valley site (A) in its undeveloped state makes no contribution to the Conservation Area. The low height of the garages and their discrete location does not have the visual impact that blocks of houses, totalling twelve dwellings, would have by reason of their scale, location and footprint. No amount of tweaking the design will lessen their physical impact because they are the size that they need to be to fulfil their function as dwellings built to acceptable spatial standards. Their development will involve a profound physical change at the heart of Moor Pool, which I consider would irreversibly harm the character and appearance of the site and its setting within the Moor Pool Conservation Area.
19. I am aware that the various historic plans of Moor Pool proposed development of at least part of this land. However, virtually nothing occurred, apart from the two blocks of flats (now statutory listed) at the west end, fronting Ravenhurst Road, and, at the east end, low down, the pair of cottages facing east over the tennis courts, with no buildings between other than the aforementioned blocks of garages, many of which appear to date from the 1960s. The remainder of the site appears to have been left in its natural state, with luxuriant greenery, and allotments, some of which could benefit from sensitive management. The winding track down from Ravenhurst Road gives the impression of an old lane and, indeed, some of the hedgerow close by the site of one of the now listed blocks of flats, which frame the vehicular access, may possibly be a remnant of an old field boundary. The rear gardens of the adjoining houses slope down towards this land and they presently have views across the site which are not

interrupted by development. This uninterrupted view has been long established and is, I believe, an integral part of the character and appearance of this area, and also in general terms of the Conservation Area as a whole. I feel sure that the basic standards of overlooking will have been investigated by the proposers of the new development, but that they have not sufficiently recognised the contribution of the open land to the character and appearance of the surrounding area. Through breaks in some of the terraces on Moor Pool Avenue, and Margaret Grove, through views are visible and these would also be compromised. I understand that footpaths from these roads down into the area, which is convenient to those who rent the garages is to be blocked off by the new development, compromising the physical as well as the visual permeability.

Policy Considerations

20. The pair of ingeniously designed historic blocks of flats fronting Ravenhurst Road are now statutory listed. Preservation of their setting is a matter to which the Council must give consideration. Indeed, while no listed building consent is involved, planning authorities are required to 'have special regard to the desirability of preserving the building or its *setting* [my emphasis] or any features of special architectural or historic interest which it possesses' (ss. 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990) . I do not consider that the proposed access to the valley site (A), which would be considerably enlarged would secure appropriate respect for the setting of these two blocks. Nor am I convinced by the sections through the ramp down into the site that all would be well with respecting the topography of the ground. While considerable structural work was necessary alongside some of the roads when the estate was first developed, along the upper western reaches of Moor Pool Avenue, for example, any new hard edged structures and surfaces would remove the feeling of continuity of the greenery across the setting of Moor Pool on the western side of Ravenhurst Road.
21. Conservation Area Advice is contained in PPG 15: *Planning and the Historic Environment*. Para. 4.4 states that the special architectural or historic interest that justified designation should be clearly defined and recorded in order to provide a sound basis for local plan policies and development control practice. Consequently, advice from English Heritage has always been in favour of preparation of conservation area appraisal documents, which was reiterated by the reissue of the old Conservation Area Appraisal and Conservation Area Practice leaflets in more detailed form in 2006. As noted above, Moor Pool Conservation Area was designated in 1970. However, I have not seen any document issued by the Council which provides an appropriate detailed appraisal of the special interest of this settlement, both in architectural and historic terms. Little appears to have been done to define the basic elements which contribute to the character and appearance of the area including not only its historic development and architectural significance, but also building materials, the character and hierarchy of spaces, the quality and relationship of buildings, and also of trees and other green features.
22. I understand that a Conservation Area Appraisal document, which should now also be accompanied by a Conservation Area Management Statement, has been under preparation for some time in the Birmingham City Council Planning Department. However, it does not appear that this has been forthcoming, and indeed, if it were, it would be subject to consultation with local residents before being adopted as

supplementary planning guidance under the Development Plan, or emergent Local Development Framework. PPG 15 states that the more clearly the special architectural or historic interest that justifies this may be defined and recorded, the sounder will be the local plan policies and development control decisions as well as for a formulation of proposals for the preservation and enhancement of the character or appearance of the area (Para. 4.4). It is also stated that an authority's justification for designation is reflected in its assessment of an area's special interest its character appearance is a factor which the Secretary of State will take into account in considering Appeals against Refusals of Conservation Area Consent for demolition and Appeals against Refusals of Planning Permission (Para. 4.5). Apart from the general policies in the Birmingham Development Plan, which are not buttressed with place specific policies, there appears to be no consistent and comprehensive statement of the character of the Moor Pool Conservation Area. It is quite likely that different parties, for example the applicants or the Residents' Association, will have different concepts of the character or appearance of the area, which is reflected in the concern over the present applications in terms of their likely impact on the character or appearance of the area should they be approved and built.

23. My own appraisal, given above, is built on longstanding familiarity with the historic emergence of Garden City communities in their original social and developmental context, and the practicability of their management over the past 37 years. However, while this is at present a value judgement in terms of the specifics of Moor Pool, I believe it is an informed value judgement which is soundly based, both on Moor Pool within its architectural and historic context, and through longstanding experience of the policy framework for regulating change in the historic environment.
24. The use of planning powers in Conservation Areas is based on the imperative of Section 72 of the Planning (Historic Buildings and Conservation Areas) Act 1990, which requires that special attention shall be paid ... to the desirability of preserving or enhancing the character or appearance of a conservation area. Para. 4.16 states that the emphasis will generally need to be on controlled and positive management of change. However, this does not imply that development of a key site should be permitted in principle. Nor, is the valley site (A) in the category described in Para. 4.17 of a gap site, or buildings that make no positive contribution to, or indeed, detract from the character or appearance of the area. I believe that the central location of the valley site (A) at the heart of the Conservation Area, within which it has remained undeveloped ever since designation, and indeed since about 1915, when much of the estate was largely completed, fundamental to its character and appearance. The key matters focus on whether the proposals would result in the preservation or enhancement of the character or appearance of the area. Para. 4.19 of PPG 15 states that if any proposed development would conflict with that objective, there will be a strong presumption against granting planning permission, though in exceptional cases the presumption may be overridden in favour of development which is desirable on the grounds of some other public interest. I consider that the valley site (A) should remain undeveloped or preserved and enhanced in a way that does not involve building residential units on it, particularly given the extent and impact of the proposed development. I therefore consider that the public interest justification is invalid and should not apply.

25. Finally, the interpretation of 'preserve or enhance' is that there is no requirement that conservation areas should be protected from all development which does not enhance or positively preserve. The proposed development of the valley site (A) does not preserve the area nor, I consider, does it enhance the area through development. I consider that the proposals would have a harmful impact on the Moor Pool Conservation Area and thus should be Refused.
26. I have given full consideration in this Report to the central valley site (A). The other two sites are smaller and more peripheral although neither have proposed development that is satisfactory in terms of keeping the required preservation or enhancement of the character or appearance of the area. Like my colleague, David Davidson, Architectural Adviser to Hampstead Garden Suburb Trust, I believe that there is scope for modification of the development proposed for the sites C and Ei which would significantly improve their design and lessen their detrimental impact. However, on Site A, I see no alternative but Refusal of the present application on the basis which I have extensively discussed above, that I do not consider that this should be recognised as a development site with potential to fulfil the statutory obligation of preserving or enhancing the character or appearance of the Moor Pool Conservation Area, other than localised management of what exists, refurbishment of the garage blocks, and retention of the footpath accesses, and continued and expanded use as allotments, as in the proposals by the Moor Pool Residents' Association.
27. I should be grateful for this Report to be circulated to the appropriate officers and members, and for receipt of information about the Decisions, in due course.

Dr Mervyn Miller
30 June 2009

*Mervyn Miller PhD BA BArch (Hons) MUP March RIBA FRTPI
VAT Registration No. 476 1152 49*