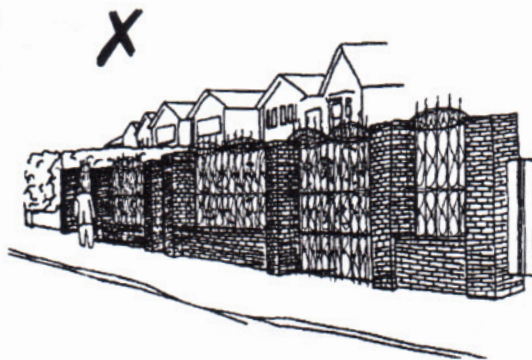


Great Walls of Moseley

Produced by The Moseley Society September 2001

Moseley has had its fair share of "planning" matters which have been the source of interest, discussion (sometimes heated) and outright controversy - conversion of single dwellings to "institutional uses", widespread installation of solid roller shutters to shop fronts, the seemingly ever increasing number of public houses, restaurants and take-aways in Moseley Village. As far as many residents are concerned nothing has had more effect than the proliferation of new *boundary treatments to residential properties*. The Council's Planning Department could certainly confirm that it has been bombarded over recent years by complaints about, and applications to build, new garden fences or walls in Moseley. Before getting to grips with the real problem, i.e. the aesthetics [the design of the fence or wall and the materials used] perhaps it would be helpful to explain the legal background to the need, if any, for planning permission to erect a fence, wall or gate.



WHAT THE LAW SAYS

Whilst the 1990 Planning Act is the major piece of legislation, the legal requirements for domestic fences and walls are defined in the Town and Country Planning (General Permitted Development) Order 1995.

High brick walls, or a series of railings and pillars are totally out of character with the established style of boundary treatment in Moseley.

Part 2 of Schedule 2 of this Order states what height of fence, wall, railing, gate or pillar ("means of enclosure") can be erected **WITHOUT** needing planning permission:-

a) means of enclosure adjacent to a highway used by vehicular traffic up to 1 metre above ground level.

b) any other means of enclosure up to 2 metres above ground level.

Whilst there are other legal provisions, particularly with regard to buildings listed as being of historic or architectural importance, the essence is that planning permission for walls etc. is needed for structures above 1m adjacent to a road and 2m elsewhere, including boundaries with your immediate neighbours.



Low walls often with hedges above, have been retained and reflect the well established character of the area.



When a wall is situated at or astride the boundary between properties, construction or alteration is subject to The Party Wall etc. Act 1996.

Fences should be kept relatively low with no significantly tall posts or pillars



These recently erected fences are low (less than 1metre high) with pillars used only to define gates and entrances.

references are made to the need for good design to ensure the character and quality of an area is maintained. Local authorities can refuse planning applications on the grounds of poor design, especially if the design is inappropriate to its context, out of scale, or incompatible with its surroundings.

So now it's back to the beginning and no need to sit on the legal fence - the problem is the design of the wall, fence, pillar or gate and the materials used in their construction.

THE MOSELEY SOCIETY VIEW

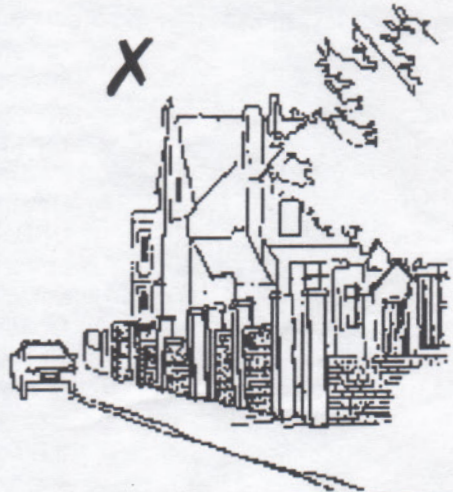
The Moseley Society is the registered Amenity Society for the area, and as a charity. Its objects are:-

- to promote high standards of planning and architecture in or affecting Moseley;
- to educate the public in the geography, history, natural history and architecture of Moseley;
- and to secure the preservation, protection, development and improvement of features of historic or public interest in Moseley.

LOCAL AUTHORITY POLICY

Whilst specific advice on design issues for fences and walls is virtually non existent, the Council's Planning Department has recognised the importance of Moseley's established character in the adopted Unitary Development Plan [UDP] for Birmingham.

The City Council is, therefore, keen to maintain and enhance the very pleasant residential environment of Moseley and their aim is supported by Government advice given in Planning Policy Guidance No. 1 - General Policy and Principles, where a number of



Massive pillars dwarf adjoining walls

Moseley is a unique area with architecture and "enclosures" which reflect and represent its development over the last 100 years or so. It is an environment that deserves respect and new structures should be seen to enhance the well established character of the area. In particular :-

- **walls should be simple and constructed in materials that reflect the immediate surroundings - usually stone or red brick.**
- **tall pillars should normally be restricted to gate posts.**
- **scalloped walls, built from several different brick colours, some with iron fencing infills are certainly inappropriate and incompatible with the established surroundings.**

Occupiers should be encouraged to recognise the character of Moseley and build new walls etc. accordingly. As explained above some 'enclosures' do not require planning permission and may be built without reference to a legal authority, neighbours etc. In these cases friendly persuasion, if the opportunity arises, is the answer; after all, everybody wants the same thing - a more pleasant place to live, work or shop.

Where planning permission is required the formal opportunity arises to make views known to the Local Authority. Neighbours and interested parties must be informed and can make comments to the City Council. It is important to use your comments to encourage the Development Committee to follow Central Government advice and the contents of its own UDP. This would result in developments which enhance, maintain and protect the well established high quality environment of Moseley.



Low stone walls with hedges above are appropriate outside late Victorian and Edwardian houses.

Every case is worth pursuing if improvements can be achieved, or bad schemes refused, as this sends out a strong message to encourage everyone to work at securing environmental improvements; who knows, with better walls, a new car park and "Village Green", some of the shutters may go and new shop fronts appear. The City Council maintains a list of Approved Contractors for work in conservation areas. For an up-to-date list please contact 0121-303-4506