

Where Are We Heading?

John Dawes FISPE, March 2010

The recent 'What Goes Up *Might* Have to Come Down' item by Pat Church of Pools and Tubs, Brighton (Vol. 20 No. 3 October 2009) raises a rising issue. The footnote by the *Editor* asks whether there are more 'horror stories'? So began the hunt for what else might be going on, or rather, coming down, out or up.

Cliff high pool slammed

This time last year, a retrospective planning application for a £100,000 10x4m swimming pool, built one year before on a cliff top garden of a South Devon holiday home, was refused by South Hams Council. A neighbour had complained that the 2.2m high structure at the cliff edge in their AONB (Area of Outstanding Natural Beauty) was equivalent to 'four generously sized garages' and was unreasonable for the size of garden, especially as it failed to match 'the quality of this special area'.

At the hearing the Development Control Committee Chairman commented, "If this had been my patch, there would have been all hell let loose when it started – not when it got to this stage." Another local District Councillor condemned the pool as a "Carbuncle on top of the cliff." Inevitably, the Area Planning Committee authorised enforcement action to require the owner to demolish the pool. The planning site report had recommended that the Application be turned down pointing out 'the pool at the property could have been acceptable if it had been sunk lower into the ground and positioned nearer to the main house.'

After months of heartache and wrangling over the owner's failure to apply for Planning Permission before building, revision plans were resubmitted 'to include reduction of levels' which were 'Conditionally Approved'. Having thoroughly upset the neighbourhood and ignored local planning, the owner was fortunate to be granted a stay of execution, but no doubt there's more to this story than reported at present.

An Englishman's home is his castle (if he can have one)

Farmer Fidler of Redhill in Surrey, secretly built his castle home in 2002 and then lived in

it for four years concealed behind bales of straw. He never got round to having a secluded pool, but he did get spread around the TV news channels on being discovered. He claimed he was immune from planning enforcement control after four years of habitation in his progressively installed dwelling. The local council did not agree. They issued an enforcement notice in March 2007 requiring the building to be demolished on the grounds it had been erected without planning permission.

In May 2008, a Government planning inspector rejected Mr Fidler's subsequent appeal, saying "the removal of the straw bale camouflage constituted part of the building works" and the four year rule did not apply. This view was upheld in February 2010 in the High Court when the judge said, "The inspector's findings of fact make it abundantly clear that the erection/removal of the straw bales was an integral – indeed an essential – part of the building operations that were intended to deceive the local planning authority". Pritpal Singh Swarn, Mr Fidler's solicitor said, "An appeal was being considered as the case raised important issues of planning law." That is the legal question, 'When is a building substantially complete?'

The house has two castellated features formed from redundant grain silos, and there are turrets, ramparts and replica cannon, a stained glass lantern over the central hall or gallery, a conservatory, four bedrooms and ample services facilities. The forecourt or the patio offer scope, for an enticing water feature.

Mr Fidler has pledged to take his fight to the European Court of Human Rights, if necessary. He says, "This is a beautiful house that has been lovingly created. I will do whatever it takes to keep it."

Once again there is probably more to come.

Deadwood pools in Detroit

Foreclosure of US homes in metro-Detroit neighbourhoods, including those where in-ground pools and country club memberships are common, has burgeoned over the past three years. Almost eight per cent of

Michigan mortgages became delinquent at one time last year, according to a study by the Mortgage Bankers Association.

When homes are selling well, items such as swimming pools are an amenity. But at abandoned homes, they become a liability. Affected townships are forced to create new policies and spend more time and money sorting out thousands of properties left in limbo by foreclosure. Council crews now work overtime to keep the neighbourhoods looking healthy and hold property values stable. They then charge owners for the work done or place liens on the property in a process termed 'clean and lien'. But getting payment is not as easy.

Neighbours who remember the beautiful area they used to live in, point to empty homes with their deteriorating open pools, now partially full of coffee-coloured water, leaves and tadpoles. If the owner can't be identified, or a bank with possession won't address the problem, local governments have to get court orders granting them access to the property.

As the water is stagnant it can't just be dumped on the lawn. And in Arizona, pools become a habitat for mosquitoes, so there's worry about West Nile virus – which is an infection, shows as a fever and can become a neuro-invasive meningitis or encephalitis. Officials have begun to use fish to combat the mosquito problem since they eat the larvae. A potential scheme for urban fish farms maybe!

And the hereafter ...

Understandably, today in USA, there's a thriving new growth business in demolishing, removing and replacing pools. Enterprising companies offer their services, such as Kennah Construction in LA, who are 'a licensed and insured pool removal company known for reliability and competitive prices'. Their work is just the start of a new garden layout to transform the environment. One of their start-up or take-away jobs is illustrated in the photographs, then there is the landscape gardening to follow.



Going, going.....

Another enterprising de-pooling agent, Hometown Demolition Contractors, pre-screens swimming pool removal companies in Los Angeles and throughout America. Their mission statement, 'to make it simple to find an affordable and reliable pool removal service in your hometown.'



Gone!

The post-pool stage often completes with jewel-like garden designs that tend to reflect a pool outline in both hard and soft landscaped form ... but, that's another, entirely new trade fast taking off.

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