

A CRITICAL APPRAISAL OF THE
PRACTICE OF URBAN CONSERVATION

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M.Sc. University of Edinburgh 1970



SUMMARY

This M.Sc. thesis presented at Edinburgh University is an attempt to analyse a particular branch of planning, conservation planning, as defined by Part 1 of the Civic Amenities Act, 1967. For reasons of ease of designation, increased environmental awareness and scope for public participation, conservation is now a much used technique. Because of strong financial pressures and a certain misunderstanding as to its use, however, much has still to be achieved, and this thesis suggests the future directions to follow.

Chapter 1 argues the case for conservation in terms of environmental, aesthetic, social, psychological and financial considerations. Conservation is seen as a way of preserving environment from the effects of new development and traffic. Moreover it is argued that conservation is required at a more basic level, in that environment conditions human beings, their habitat greatly influencing their character, and the more diversified the habitat the more resilient the character. Problems of economic viability are examined in the light of associated benefits together with the structure of a conservation area. Conservation emerges as a two level system, requiring a place both in a general planning strategy and in a detailed design scheme.

Chapter 2 set the scene for a discussion on the practice of conservation planning. The technique was introduced by the Government primarily to save money, so that whilst physical aspects of area delineation are well featured, financial aspects are not. The dilemma is that practical conservation is based on area policy, whereas financial conservation is based on individual buildings, and until this is rectified then progress must necessarily be slow.

Chapter 3 describes the practice of urban conservation. Although problems of famous historic towns are noted, the real problem exists in the ordinary towns of Britain where pleasantness of environment is their only advantage - and this is consequently where protection is most needed, but still not forthcoming. Reports are analysed in detail as to content and once again the isolationism of conservation schemes to other planning strategy, and the negative attitudes of control are noted. For the future, it must be realised that "conservation" is only another word for planning in an historic environment, that negative attitudes should cease as financial provisions are increased (as they surely must be), that conservation planning should be regarded as planning for its own sake and not an exercise in public participation, and that some form of rationalised directives as to detailed policy be made available to enliven conservation from its present mediocrity.

ACKNOWLEDGEMENTS

A thesis cannot be compiled in isolation, it must benefit from the knowledge and help of individuals and organisations. To this end I have had discussions with local authority planners as to the operation of conservation planning, particularly those associated with the Central Border Counties of Scotland, Peeblesshire, Roxburghshire and Selkirkshire. Moreover, of a large proportion of local planning authorities throughout Britain who replied to a questionnaire circulated to them my thanks must go, especially to those contributing books and pamphlets referring to their schemes.

Particular thanks must go to my tutor, Mr D.H. Stewart, Director of Graduate Studies in the Department of Urban and Regional Planning, Edinburgh University, who has contributed timely advice on many occasions. Finally, thanks must also go to friends, both in and out of planning, for providing the criticism so often necessary.

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INTRODUCTION

Concern for the destruction of historic areas had been shown since the Second World War, and this was crystallized with the formation of the Civic Trust in 1957. For thirteen years this organisation, supported by voluntary contributions, has tried to improve the appearance of environment. Many schemes have been initiated to brighten and tidy up streets all over Britain, and with the help of volunteers, many eyesores have been removed from the countryside. By conferences and reports attention is focussed on current problems of planning and architecture, and a system of awards for good development of all kinds is widely regarded and anxiously sought after. Through local branches the Civic Trust acts as a watchdog on the work of local authorities. Largely by pressure from this organisation, especially its President, the Rt. Hon. Duncan Sandys, M.P., a Bill was introduced into Parliament in early 1966, and received support on both sides of the House of Commons. The Civic Amenities Act, 1967, was the outcome of this pressure, gaining the Royal Assent on the 27th of July and coming into force on 27th August, 1967. This Act provided for the establishment of conservation areas to preserve and enhance areas of special architectural or historic interest. Previous legislation had been concerned only with individual building preservation, but this was recognised as not going far enough, the important consideration must be buildings in their environment.

Urban conservation is a method of protecting the character of built environment. This character is developed from townscape, the interaction of historic, social, geographical, political and topographical influences. Few buildings are outstanding in themselves, and towns gain their identity not from these, but from a distinct organisation

of buildings and spaces which combine to form a whole. The essence of conservation is not the preservation of old buildings, though this will be included, but to allow the presentation of a visual image to the best advantage. Worskett in "Character of Towns" examines the difference between preservation and conservation. Consideration of individual buildings, together with their immediate surroundings can make preservation desirable (a dominant church spire, for example), but preservation in this case creates a near static situation in which only essential work of internal modernisation, external repair and environmental improvement can be undertaken.

The approach to general visual qualities must be less rigid, to create a less static situation. The word preservation is no longer applicable. We are dealing with a visual environment which is continually subject to change. What matters is how, and where, change takes place... Conservation must therefore aim both to preserve the most valuable architectural aspects of our towns and discipline or inspire what is changing.*

Conservation is thus a logical extension of preservation in a dynamic society. Dynamism is produced by pressure for physical change, expressed as growth. This growth, if sustained, leads to pressure for redevelopment, which in turn leads to a change in the physical appearance of towns. The built environment of settlements has a ready-made capacity for carrying traffic and absorbing new development, once this capacity is exceeded, character will be altered - change can be absorbed up to a limit, but beyond that point change must be

* Worskett, Character of Towns, 1969, p.32.

diverted.

Conservation is only part of a planning process, it is to be used in place of the word "planning" rather than instead of, denoting a type of planning applying to historic areas. To attach a mystique, or set apart from overall planning, would be to defeat the object, as no planning can function in isolation. As will be stressed in the main body of the thesis, there is no general recognition that conservation is part of a process. Schemes are considered in isolation from surrounding areas, and many are no more than a public relations exercise by the local planning authority. Conservation is a powerful weapon to protect environment if used properly, with positive action. At present, however, despite pressure from Central Government and pronouncements by local authorities, conservation does mean little more than preservation, a negative approach. This is debasing the technique into mediocrity, which does not do justice to the idea as originally conceived.

The aim of this thesis is to examine the present state of urban conservation in Britain. Urban conservation is to be defined as pertaining to towns and larger villages that have 'urban' characteristics, but is not aimed directly at the famous historic towns. The Ministry of Housing and Local Government, in 1966, commissioned four conservation reports on Bath, Chester, Chichester and York, and when published in 1969, gave clear evidence of how the task of conservation might be positively tackled. But these reports are, at present, far removed from most schemes in operation. This thesis examines local planning authority conservation policy, the theory, legal background and practice, to assess in what ways modification,

if any, is needed for the future.

In the following body of the thesis, little use is made of visual aids. Although an intensely visual subject, conservation as presented by local planning authorities is colourless and frequently devoid of maps, other than the boundary designation (see Appendix 2), and any appraisal must reflect this impression. Indeed, it is a major criticism of conservation that so little use is made of visual aids, and more positive results should be achieved in the future. Moreover, as conservation is such a new subject constant changes occur, and although the thesis is up-to-date as far as May 1970, new legislation, directives and general information is constantly being added. Throughout the thesis, all legislation is that of Central Government for England and Wales only, Scotland, however, differs only slightly from this, mostly in detail and timing.

CHAPTER 1

Conservation planning is a new technique involving both tried and tested, and untried methods. It exists to enhance pleasant environment by careful surgery rather than large-scale development. As with many new techniques it is evolutionary, in that lessons can continually be learnt from analysis of present progress. Chapter 1 is the first of three chapters to assess this progress. Three major sections evaluate the relevance of conservation to modern planning and examine characteristics of historic areas in order to answer basic questions - Is conservation area planning necessary? Does it matter that historic environment is being destroyed? Is the past of relevance when dealing with the future? What are the basic issues involved? By analysis, the chapter explores how physical beauty of historic areas is eroded by traffic and modern architectural practice, the infra-structure of a historic area in terms of its inhabitants, a section on the influence of environment on behaviour patterns, and the financial difficulties arising from a consideration of social cost. All have a role to play in the establishment of what exactly is "conservation".

ENVIRONMENTAL AND AESTHETIC CONSIDERATIONS

The Civic Amenities Act, for the first time, gave a lead to the principle of positive environmental control. All previous planning legislation had used the individual building as the basic unit of preservation. When the 1947 Town and Country Planning Act was passed it contained provision for the listing of buildings of architectural and historic interest, thus giving them some measure of protection. Now after twenty years the inadequacy of this provision is realised. It is not merely that the machinery of Government has failed to work, although this has had serious consequences in the loss of buildings,

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but that the sights were not set high enough.

It is being increasingly appreciated by all concerned with preservation that to decide on the preservation of individual buildings is not enough. In the first place, preservation of buildings must be related to their environment, in the sense both of the immediate townscape and of the area or town of which they form part.*1

Environment is the key word, the environment presented by historic buildings. Yet this does not mean that historic areas must contain only old structures - rather, that buildings must have an affinity to each other in terms of design. A designated conservation area can provide the appropriate setting for an important historic building, for example, the cathedrals of York, Lincoln and Worcester, or group of buildings such as the Georgian developments of Bath and Edinburgh, and the mediaeval townscape of Stamford. Too often consideration has been for the individual building, not for its setting, resulting in its diminution as a townscape element. Examples are numerous, the Bargate at Southampton surrounded by traffic and inferior development;*2 All Souls' Church, Langham Place, Upper Regent Street, visually submerged by the British Broadcasting Corporation extension;*3 and the historic environment of Holy Trinity Church, Gosport, Hampshire, destroyed for a housing estate,*4 these being but three of the well publicised ones. In the last example it is interesting to note that the square around the church contained 50 out of the town's 130 buildings listed as worthy of preservation under the planning acts,

*1 MHLG Circular No. 61/68, Para.12, p.5

*2 A.J. January 18th 1967, p.178

*3 *ibid.* p.179 and T. Sharp, Town and Townscape 1968, p.141

*4 *ibid.* p.126-27 and *ibid* p.20-21

yet despite assurances in the County Development Plan (approved 1955) that "every endeavour will be made to preserve buildings and places of archaeological, architectural, historic and scientific interest",*5 not one remained standing in 1966.

The concept of a conservation area cannot be conceived in isolation from the overall planning process of the whole settlement. It should be considered in the context of an overall plan, such as an approved development plan, or town centre map or village plan. "It is the overall plan which will basically determine the validity and prosperity of the conservation area".*6 Particular reference can here be made to the removal of traffic from older areas, to ensuring that uses which are undesirable in a conservation area are provided for elsewhere, and, conversely, that suitable uses are guided to them. The Town and Country Planning Act, of October 1968, sets out legislative procedure in accordance with the Planning Advisory Group's recommendations (1965) for reform of the planning process. The basic policy framework map for a local authority area is to be known as a structure plan, about which more detailed schemes will centre. These more detailed maps, to be known as local plans (to be called action areas if designated with a structure plan) will deal with individual areas, and it is here that a conservation study can be integrated into overall policy.

Moreover, conservation is further capable of being applied at a sub-regional level.

The demand for buildings, whether old or new, and consequently their economic viability, directly reflects the social structure of the town, and its regional function. At present

*5 Quote, Hampshire Development Plan (1955) in A.J. January 18th 1967 p.127

*6 MHLG Circular No.53/67 Memorandum on Conservation Areas Para.6, p.9.

conservation policy is seldom considered outside the immediate vicinity of an area of historic buildings.

Early assessments, however broad, should be made of conservation needs, so as to produce aims for testing against, and for compatibility with, other planning requirements at regional level.*7

In order to protect an historic town from adverse economic pressure it might well be possible to channel this growth or change to another town in the same area. However, the problem is a more difficult one than to select towns to preserve and those to change. For example, many towns will have proposals in the pipeline which cannot be halted, and local rivalry between settlements is a strong political weapon.

It has been said that "England's most important contribution to the visual arts is her architecture".*8 Certainly the historic towns are major tourist attractions, not only for foreign visitors, but also for British holidaymakers. They come to see "our unique attractions; ... culture, tradition, pageantry and history".*9 The national heritage of Britain is based on its vernacular buildings in their environment, subject to continual slow change. Today, with development increasing at an ever quickening pace, this vernacular architecture has all but disappeared. A house today in one part of the country is much the same as in any other, and, as "system-built" housing gains favour, standardisation increases. In history, the design of buildings varied not only from period to period but also from place to place. It is this regional variation in styles and

*7 Worskett, Character of Towns, 1969, p.36

*8 MHLG, Preservation and Change, 1968, p.11

*9 L.J. Lickorish (British Travel Association) 1966 quoted A.J. January 18th 1967, p.128

material, more than anything else, that gives towns their particular character and identity, and is a basic characteristic to be preserved in conservation areas. "It is not a question of retaining a few old buildings, but of conserving..... a major part of the heritage of the English-speaking world, of which this country is the guardian".*10

The most pressing need for conservation in towns is centred around the prospect of physical change. For centuries population growth was slow, allowing changes to be absorbed into the existing fabric. In the Victorian era, however, with the coming of the Industrial Revolution, and a high population growth rate, towns were no longer able to accommodate the forces of change, and many areas were irretrievably spoilt. But the process did not stop, it has continued at an ever quickening pace, and although great steps forward have been made, technical development and rapid population growth have produced a social and economic climate that is still detrimental to the physical environment and it is in the context of historic towns that environment is being most threatened.

Since the Buchanan report on traffic in towns, major emphasis has been placed on the inter-relationship between vehicles and environment. The needs of the car are now so great, in terms of space for movement and storage, that amenity is being destroyed. In an historic area, however, this amenity cannot be destroyed, so that traffic capacity is limited not only by available money, but also by the buildings themselves. Again, townscape is appreciated only by slow movement through the town with unimpeded views, it is not at its best when seen from a closed motor vehicle, which is too fast and too low for all but the most general effects. In historic areas there is,

*10 Buchanan, Traffic in Towns, 1963, p.197

then, a strong case for pedestrianisation, and although writers prophesy the dangers of increasing vehicle ownership and use, little has yet been achieved with regard to its limitation.

Consideration has so been given only to the effect of moving vehicles on environment, but they are equally damaging in a stationary position. The street-scene is all important in historic areas, and is what many of the car owners have come to see, yet it is often destroyed by the very cars in which they come. The scale of these areas is such that it cannot readily accept a large influx of cars, and this, combined with the nuisance of parked and moving vehicles to the pedestrian in a confined space, makes the car incompatible. The provision of off-street parking must also be handled with increased care, especially in the positioning and screening. The sight of parked cars in great numbers is not visually compatible with a conservation area, and the car parks themselves are often derelict sites of mud, stones and water-filled potholes. Allied to the problem of the motor vehicle is the increasing number of signs needed for its control. These proliferate on countless poles at every junction, and as new traffic regulations are required. Road surfaces were once inviolate, but now both yellow and white lines abound, and the older surfaces, granite setts, cobbles and gravel, are gradually being replaced by tar.

The second major influence on the physical environment is that caused by new development, and its integration into a conservation area. Conservation not only means preservation of the existing fabric, but enhancement - the area must not be left to become a museum piece. In the past, architecture was limited by the local materials. This

placed limitations on what could be done structurally, such as load-bearing frames, giving a consistency of character to towns, even though many different architectural periods were represented. Today however, vernacular architecture in Britain has all but disappeared, in that 'style' is now national, or even international, rather than regional. This makes for real problems in the integration of new buildings and allied works.

New buildings should not, except in selected special cases, mimic the old.

We are not building for people who lead a Georgian way of life, and the materials with which we build are utterly different from those of the eighteenth century. To distort the satisfaction of our needs and to deny ourselves the benefits of our own technology in the supposed interests of conservation is to embark on a course which seems morally indefensible, and which, if pursued generally, would lead to the stultification of architectural progress.^{*11}

Yet their design must have a close affinity to the area in which it is situated. Too often, today, building design is a fanciful whim of the architect, rather than a related element of overall townscape. There is a general trend away from narrow streets to wider spaces, less directional and enclosed, with buildings taller, and less related to the city streets.

Among the more common difficulties are buildings inappropriate for their setting, because of scale, proportion, details or external

*11 Buchanan, Bath Conservation Report, 1968, p.129

treatment. Height of buildings, and consequently their scale, is important in areas of architectural and historic importance as there is a tendency for uniformity, broken only by a few major taller structures.

Height and skyline dominance in earlier days were an index of social importance in buildings. Today they are often merely a marker for the highest site values, and a symbol of high return property investment.*12

High buildings, today, are often at variance with historic areas because of their dominant nature and unsympathetic building methods. Pressures for using them are so great, however, especially in town centres by commercial enterprises, that the problem of integration has to be faced. If successful, a tall building can be a stimulating addition to the townscape, for example, the new County Council building in Aylesbury.

Coming down to street level, the problem of the scale of new building is again apparent. New buildings are larger, taller and less varied in their appearance compared with older buildings. The result is a bulkier apparent unit size which produces an entirely different rhythm in the street. Rhythm is established by the repetition of one or more architectural details along a street, giving a sense of unity to the scene. This has been achieved over many years as a direct result of the structural limitations of vernacular architecture - such as their inability to support large window openings. It has been broken, firstly by the ability of modern architecture to introduce long-frontage buildings into a predominantly

*12 Insall, Chester Conservation Report, 1968, p.37

short-unit frontage, and secondly by changes in detailed design. These have had a marked effect on perspective, with the introduction of horizontal rather than vertical emphasis, and have tended to produce a drab uniformity with large areas of plate glass and plastic panelling, all to standard specifications. Designs of this type are being produced all over the country, even though the dangers to environment caused by this development are now recognised by all planning authorities. "There is nothing more dampening to the interest of a romantic street than uniform facade height and a universal lining-up with everything."*13

Donald Insall, appointed by the Government as consultant for the Chester conservation report, suggests that the building line regulation should not be imposed in a conservation area. He argues that it tends to produce a flat street of little interest which seems anxious to hurry the visitor through, rather than a street of broken frontages, with recesses and projecting buildings, which holds their attention. This policy would require strict design control if it were to be operative, and building-line policy has often been lax in the past. Similarly the choice of facing material for a building has been left primarily to the architect and his client. This has often meant the cheapest, rather than the most suitable, external treatment has been used, to the detriment of the street scene. There is still today a wide choice of building material and their sympathetic use is essential. As a general rule, however, exposed aggregate and shutter-faced concrete is acceptable, whereas coloured glass and plastic panelling is not - and there is a constant danger from architectural gimmicks of all kinds.

*13 Insall, Chester Conservation Report, 1968, p.38

If there is to be enhancement of an area then demolition of specific buildings will take place. There is a tendency, after a building has been knocked down, to use the site temporarily (or not so temporarily) as a car park, or just to leave it derelict as a rubbish dump until the new development is started. Moreover, buildings are often demolished with no proposals for rebuilding on the site. This is very harmful to the environment, especially in the perspective view of the street, and can completely change the spatial layout of a town if the area is large enough.

Allied to the assimilation of new buildings into the existing fabric is the problem of street furniture placement - especially traffic signs and advertising on buildings. The Buchanan report (1963) pointed out the multiplicity of signs needed to control, direct and advise traffic, and since then the problem has worsened. Traffic signs are designed to specific standards, and do not take into account local differences, and, moreover, are not the responsibility of only one department. This has led to confusion to the road user, and often to visual chaos; similarly lighting is designed to traffic rules and regulations, regardless of environment. "Lighting is not a matter of designing poles, but the art of presenting cities by night."^{*14} The visual effect and practical necessity of all features, traffic signs, lighting fixtures, shelters, kiosks, walls, fences and overhead wires should be studied and if intrusive then consideration should be given to their redesigning or resiting. Advertising is subject to statutory controls laid down by the Town and Country Planning (Control of Advertisements) Regulations

^{*14} Insall/H.M.S.O., Chester Conservation Report, 1968, p.63

1960. This allows for considerable variety within a given range of limits. In the enactment there is also provision for the designation of areas of special control, under which advertisements can be strictly regulated as to type and position. This legislation is already in use in some conservation areas.*15

Aesthetic appreciation is a difficult subject about which to write, as it is intensely visual. Indeed, to be subjective on any of its aspects is difficult, because its very nature depends on public taste. One of the major considerations for the evolving of conservation areas is that someone has to be "the arbiter of public taste" in aesthetic matters - to judge what is "good" or "bad" design, whether architecture or layout. This "arbiter" must be extremely careful that personal preferences, and more importantly, prejudices, do not cloud relevant issues. How this person is chosen, and who is most qualified to make the decision are questions as fraught with danger as who should decide what is good or bad design, yet they are central to the discussion. It may be that what is necessary is a "new breed" of planner, specially skilled in conservation planning, to make such decisions, but this would be a luxury that most local authorities, who must bear the brunt of conservation implementation, could not afford, especially with the present economic stringency. In the end the decision-maker must be someone with a "feel" for environment and an "awareness" of beauty.

SOCIAL CONSIDERATIONS

1. Social Characteristics and Housing Conditions

The phrase "planning is for people" has often been used by politicians and planners in their speeches, yet it is only in recent years that

*15 See Chapter 2

social factors have come into prominence in the consideration of planning decisions. Schemes were prepared for the benefit of the community by the planner, with little or no direct contact with the general public. Today, this is changing, much more is known about man in relation to his habitat - the environment in which a person lives having a marked effect on how he behaves, and how happy he is with his everyday life. Because of its diverse nature, both in terms of juxtaposition of old and new and its historical associations, a conservation area has a more marked effect than is usual on the characteristics of its population. Some people derive great intrinsic satisfaction from living in such an area and in addition the townspeople as a whole may associate themselves with the conservation area to give a basis for their pride of the place in which they live - for instance the author associates himself with the Cathedral area of Lincoln, and particularly the building itself, as a focus of civic pride.

Generalisations about a number of small areas of towns, especially based on the 1966 ten per cent sample survey as the following are, do not produce definite conclusions as to the nature of conservation areas. But the characteristics of all areas studied are so strikingly similar that it is possible to generalise, to a certain degree about the social hierarchy in a conservation area. A conservation area can be any area that a local authority wishes to designate, but so far, in practice they have mostly been in the centre of villages and small towns or the old centres of larger cities. In these areas there is a tendency for low household size, that is, the average number of persons per household, than both for local and national figures. Edinburgh New Town

Conservation Area, Zone 1^{*16} has an average household size of 2.2 persons per household, compared with 2.94 persons per household in the whole of Edinburgh and 3.05 persons per household in Great Britain (3.23 in Scotland). Similarly a proposed Lincoln conservation area^{*17} has figures of 2.77, 2.9 and 3.05 respectively, and Chichester conservation area^{*18} figures of 2.0, 3.1 and 3.05 respectively. This is a direct result of the areas having firstly large numbers of older people, especially female: in Edinburgh New Town 20% of the heads of households are over 65 and 40% are over 56, and secondly, a large number of males and females in their early twenties. The figures result directly from the type of accommodation available. There are usually many large houses sub-divided into flats and bed-sitting rooms, accounting for the high proportion of younger people and elderly women who are normally associated with this type of housing, combined with an absence of "family size" houses, that it is present day terms of two or three-bedroom suburban accommodation. In addition, conservation areas in the centres of towns and cities have their ground floor level taken by shops, and other central area facilities, leaving their upper storeys either unused, for storage or as flats - these again being small in area. Indeed, recommendations for York and Bath^{*19} suggest that these upper storeys could well be fitted out for student accommodation, as their need is for one and two person flats.

Age and sex differences are usually quite marked in the conservation area studied. Not only are there emphasised physical characteristics but also individuals within the areas can, to some extent, be differentiated by their socio-economic grouping. These are analysed (Figure 1)

*16 Henceforth called the Edinburgh New Town

*17 Johnson, Lincoln: Historic Core, unpublished thesis 1968, Nottingham School of Planning

*18 West Sussex C.C., Chichester Conservation Report 1968, p.99

*19 Buchanan, Bath Conservation Report 1968, p.50
Esher, York Conservation Report 1968, p.203

Figure 1 Comparative Occupational Distribution of Heads of Households
Between City and Conservation Area

(A) Edinburgh New Town : Conservation Area Zone 1

Occupation		City	Conservation Area
Professional	I	6.8	13.9
Employers and Managers etc.	II	10.5	9.9
Foremen, Skilled Manual etc.	III	35.2	12.9
Personal Service, Semi-Skilled Manual etc.	IV	21.8	16.8
Unskilled Manual	V	13.7	5.1
Widows, Retired, Housewives, Disabled	VI	9.5	31.6
Others	VII	2.4	4.7

Source : Conservation Report : Zone 1
Edinburgh New Town 1968

(B) Lincoln Conservation Area Zone 1

Occupation		City	Conservation Area
Professional	I	3.2	9.6
Employers and Managers etc	II	7.0	14.0
Foremen, Skilled Manual etc	III	43.6	28.4
Personal Service, Semi-Skilled Manual etc.	IV	19.3	22.1
Unskilled Manual	V	17.3	15.6
Widows, Retired, Housewives, Disabled	VI	7.1	7.0
Others	VII	2.6	3.3

Source : Unpublished Thesis Lincoln : Historic Core
1968 I.E. Johnson, Nottingham School of
Planning

for two conservation areas, Lincoln and Edinburgh New Town. These clearly show the emphasis in conservation areas towards the professional and managerial classes (I and II), retired or other non-workers such as housewives and persons with private means (Class VI), and a smaller emphasis on Class IV into which category are typists, clerks and shop assistants, jobs associated with the early twenties age group. Particular reference can be made to classes I and II in Lincoln where the combined figure for the city is 10.2% of the total against 23.6% in a proposed conservation area; and Class VI in Edinburgh as a whole having only 9.5% of the total, whereas the figure leaps to 31.6% in Edinburgh New Town.

Statistics emphasise that in the conservation areas studied there is a tendency for a socially unbalanced community: having higher wage earners, a higher proportion of older and younger people than the rest of the community as a whole. Indeed, these are the very people a conservation area most attracts. On the one hand there is real status appeal, whilst on the other the frequency of flats, and their convenience of maintenance as opposed to a house and garden, makes them ideal for people less inclined to spend, or physically unable to spend, unnecessary time at home. First impressions of a conservation area are that it is a typical middle-class enclave with its own particular values, yet this is not the case.

The first essential of a conservation area, that it is part of the history of the settlement, necessarily means that the houses are of a good age. Although many have been restored and renewed throughout history to an acceptable modern standard there are pockets in most con-

ervation areas where both good structural condition and household amenity are lacking. Figures to support this come from Edinburgh New Town, where 20.2% of dwellings have no bath and 10.5% have no hot water supply, and, even more striking in Lincoln where the comparative figures for a proposed conservation area and county borough are 29.4% (against 18.7% in the city) with no bath and 18.8% (against 13.1%) with no hot water supply. It is in these houses that the poorer elements of society live;

The blocks which have more than twice the average percentage of class V households (household in which the head, according to his occupational grouping in the census, is an unskilled manual worker) tend to be those blocks having the worst provision of amenities. *20

It seems a national characteristic that in recognised physically attractive villages, towns or parts of towns, such as the villages of the Cotswolds, Devon and Cornwall, High Street in Edinburgh and the mediaeval buildings in York, decaying property exists. It is the class of people living in these conditions who are the hardest hit when conservation is proposed. On the one hand it could mean considerable expense for rehabilitating their property, which cannot be afforded by the occupier, or removal to another part of town, and on the other hand, with an increase in amenity after conservation, there will in all probability be a corresponding increase in rent and rates. It is the low income family that is not able to bear the burden of conservation costs, yet it is their property that is in most need of improvement, as old, inexpensive premises, often sub-standard, help to reduce the cost of living for this group. With the renovation of older

*20 Edinburgh Planning Dept., Edinburgh New Town Conservation Area 1 1968, p.25

property, and the consequent increase in price, only a certain class of people can afford to live in a conservation area, giving a greater social imbalance than before. "For those of us who favour, no doubt idealistically, as great a social mix as possible, this is an unpleasant thought (try listening to a pub conversation in a successful conservation area without getting deeply depressed)."^{*21} The question of a good social mix in an area being necessary is open to debate, yet it would seem unfortunate to deny everybody, except the rich and able, the opportunity of living in a conservation area simply because of the expense involved. To deny the poorer elements of society the experience of living in such an area is wrong, and it may be that they could gain more psychological benefit in their association than could the middle classes who often live in such areas simply because of social necessity.

An associated problem noted in the Edinburgh New Town is that the low income group is indifferent to the fact that the New Town is designated as an area of architectural and historic interest, the main attraction being accommodation at the right price, and the shortage of such elsewhere in the city. It is the higher income group who are most likely to be interested in, and financially capable of, preserving and maintaining the Georgian buildings. In the conclusions to the social survey chapter of the report it states:

There was no sentiment of solidarity and none of that community of interest necessary before a true neighbourhood may be said to exist. Class position, judged in terms of occupation and income appears to be the most significant factor

^{*21} TPI Town Planning Summer School, Manchester 1968
Discussion Group on Conservation Areas (leader R. Worskett) p.62

under-lying the differences in material assets,
and attitudes to the area.*22

This attitude exists in many conservation areas, and it must be the role of the planner not only to create a proper setting for historic buildings, but also for the people for whom they were built.

Consideration has so far been given only to social characteristics within the conservation areas studied. Yet the effect of an historic area in a community reaches not only the citizens of the area, but to the townspeople as a whole. This is collectively known as civic pride, a sense of belonging to one group of people who are unique, and it finds expression in association with historic buildings and areas more readily than with anything else, except, perhaps, football teams. Conversely towns are known to people in other towns and countries by some outstanding architectural or historic feature or area, such as Edinburgh Castle, or the Georgian terraces of Bath.

Most people today find pleasure and satisfaction in an ancient city which possesses visible physical evidence of its individual origin, growth and purpose. It is a unique and personal expression of the activity and life within. An urban environment of this kind is deeply felt; the inhabitants subconsciously respond to specific visual experiences with a sense of belonging, identification and affection. Civic beauty, as a whole, is consciously shared and does much to induce feelings of loyalty, pride and patriotism. So strong are these visible features of urbanity that even a stranger, a visitor cannot escape their impact.*23

*22 Edinburgh Planning Dept., Edinburgh New Town Conservation Area No.1 1968, p.37

*23 Chermayeff & Alexander, Community and Privacy, 1966, p.51

Little research on this topic has been attempted, yet it seems that citizens associate themselves with their town's historic areas because it gives them a sense of place in a continuing process. A community is a living organism, it exists from generation to generation, and although the people within it continually change, events that happened years ago are now part of the settlement's heritage. "Sentiments arising out of a shared misfortune may be both exclusive and lasting. The Ashton riots of 1893 when two men were killed and many injured are still part of the community's consciousness of being a community."^{*24} When a move is made to another town or city then that person will be regarded as an outsider by the indigenous townspeople, and if the community is very close knit then he may never be accepted.

2. Socio-Psychological Influences

During the past decade there has been a growing awareness of the psychological stresses attached to modern living, produced by outward influences. This has led to research being carried out, usually in the United States, but occasionally in this country, as in the work of Terence Lee at Cambridge and later Dundee University, into the effect of environment on human behaviour. In the main this has taken the form of research discourses concerning the more violent stress phenomena - anti-social behaviour of all kinds (from hooliganism to murder), mental disorders and complete psychological breakdown - and their causation, especially with reference to slums. Discussion of such broad issues in a thesis on conservation requires some elaboration. Yet as has been seen in Part I, and will be seen in Part III of this first chapter, the preservation and enhancement of old buildings and areas cannot be answered on purely aesthetic or economic grounds, there is something other

^{*24} Frankenberg, Communities in Britain, 1966, p.116

than hard fact to be appreciated.

Historic areas seem to be associated with sub-standard housing and environmental condition (see previous section), and their retention would often be unable to be substantiated, save for three-dimensional townscape elements with which these areas abound, and their historic association. These two features, however, cannot alone give cause for preservation, it is more the psychological image produced by these physical impressions that allow us to feel attached to these areas, and give them a hidden quality, which other areas, especially modern housing layouts, do not have. It is in this context, the imagery of an area and its effect on human behaviour patterns that is important in the context of conservation planning.

The conditioning of the physical and mental personality by the environment has long been recognised. The environment and ways of life determine in fact not only the conditions under which men function, but also the kind of person their descendants will become.

The physical form of a city has a sensuous impact that profoundly conditions the lives of its people, and this is often ignored in the task of city building.^{*25}

Now we insist on sanitation, light, air. Old houses become what we call substandard, and we compel people to move into hygienic living conditions, although their new environment may be ugly, lonely or downright inconvenient. It is your lungs and stomach that are looked after in the modern world, along with your teeth: your soul can look after itself.^{*26}

*25 Herbert Gans; Planning - and City Planning - for Mental Health in Taming Megalopolis, Ed. by E.W. Eldredge, 1967, p.900

*26 A.J. Youngson; Britain's Historic Towns, in Conservation and Development, Ed. by P. Ward, 1968, p.4.

Once behaviour patterns are developed to respond to an environmental condition they can become anchored with an individual's personality, and may be retained even after a change in environment.*27

Environmental factors have most effect on the young, as early life is experienced. The infant develops his mental and physical individuality as he responds to the stimuli that impinge on him during early life, thus, the physical appearance and mental characteristics of adults are the result of environmental responses as a child. Furthermore the effects of such early influences commonly persist through the whole life span.

A child brought up in Florence is constantly exposed to the sights, sounds and smells characteristic of this beautiful city; his development is conditioned by the stimuli derived from palaces, churches and parks. He may not be aware of the responses aroused in him by these repeated experiences. But they become part of his biological make-up and render him lastingly different from what he would have become had he developed in London, Paris or New York.*28

It is therefore important that a sufficient diversification of environment is produced to provide a variety of stimulating experiences for the young. Man has survived by being the least specialised creature on earth, for example, his diet, habitat and community activities, indeed he is the most adaptable. History shows that many highly

*27 Kevin Lynch; Cities as Environment in Cities (Scientific American Report) Ed. by Alfred Knopf, 1966, p.193.

*28 Rene Dubos; "Man Adapting: His Limitations and Potentialities", in Environment for Man, Ed. by W. Ewald, 1967, p.18.

specialised, efficient societies have rapidly collapsed as conditions changed, notably the Greeks and Romans, as a highly specialised society is rarely adaptable. "Adaptability is essential for social as well as biological success, therein lies the danger of the standardisation and regimentation so prevalent in modern life. We must shun uniformity of environment as much as absolute conformity in behaviour."*29

The monotony of technology is paralleled by the monotony of our behaviour, taste, patterns of education and mass communication. A deliberate effort must be made to create as many diversified environments as possible, so that "the duplication of uniformity must yield to the organisation of diversity" (Dubos). Awareness of the fact that environment does have a profound effect on human physical and mental characteristics is based largely on "untutored observation" rather than scientific study. However, recent studies have revealed that in animals, especially rats, early influences condition growth, longevity, behaviour, resistance to stress and learning ability.*30 As knowledge of the subject is increased it may no longer be necessary to hesitate when applying this research work to humans.

Another aspect of the effects of environment on human behaviour has arisen in the work of Dr. Terence Lee, in Britain, into environmental perception.*31 As a psychologist he sees a relationship between physical and social environment and changes in human behaviour, even arguing that in changing and reorganising environment the planner and architect have the power to change human behaviour. Lee argues that all human behaviour is governed by a combination of learning and innate tendencies, the same in aesthetics as in any subject. Man, using all

*29 *ibid* p.19

*30 see report on his own research work, John Calhoun; "Population Density and Social Pathology" in Urban Condition, Ed. by L.J. Duhl 1963.

*31 (a) Terence R. Lee; Paper 1, "Environment and Man" in Symposium on Residential Environment, undated.
 (b) Terence R. Lee; "Psychology and Living Space", T.B.S. Vol. 2 1963-64 p.23.

his senses, gains an image of the environment that is built up gradually in the mind, known as "the schema" - a complex picture presented to the brain by means not only of sight and sound but by general stimulation of the nervous system. In applying the schema to neighbourhoods there is a continuous input of sensory information from physical and social objects in the locality arising from repeated transactions with other people and objects. These impressions are not stored "ad infinitum", but sorted into those that are rejected (the majority) and those to be retained. Each person thus prepares for him or herself a mental image of what the environment is like, and the more impressions the clearer the image. These schema are not only personal, but each person has one for differing environments - from a single room to a country, and are not governed by whether the environment is good or bad. Moreover they are affected by social consequences such as age, social class, length of residence and place of husband's work as well as physical environment.

These studies show how much emphasis is now being placed on the relationship between human behaviour and environment. Man is capable of infinite adaptation and as the environment changes for good or bad, so will the physical and mental characteristics. Human beings can adapt to almost any conditions, polluted air, urban blight, treeless streets, overcompetitive societies, but one way or another they have to pay for the adjustments made to undesirable conditions.

In recent years the science of psychology has paid increasing attention to the problems of modern living, indeed has probably developed so rapidly because of it. In some countries a visit to the psychiatrist

(someone versed in the medical treatment of diseases of the mind) has become a way of life. The people who go are not mentally ill in the accepted sense, but suffering from stress, "the stress of life" (Selye). Research has shown that a human being has psychological limits, as these limits are approached there are characteristic signs of stress - apparent harassment, increased errors in action, general confusion, and an expressed desire for escape.*32 These phenomena are brought about by contact with, and the influence of, environment, and have their effect in attitudes towards environment, and towards fellow human beings (anti-social behaviour). Increasingly, however, design theorists are realising that the city, although the correct vehicle for human expression, have somehow become "de-humanised", and for the sake of the sanity of mankind must be brought under control. Lewis Mumford in his critique on the Death and Life of Great American Cities by Jane Jacobs argues that:

Beauty, order, spaciousness, clarity of purpose may be worth having for their direct effect on the human spirit, even if they do not promote dynamism, increase turnover of goods, or reduce criminal violence....*33

The psychological impression left by environment on a young child, and the importance of its diversification so as to present a coherent whole, has already been stressed. More fundamental, however, is the physical expression of environment, three-dimensional space and its effect on the human psyche. In psychological terms, the basic description of environment is "necessary objects within space"*34 - the space being the degree of separation of each object allied to a time

*32 Richard Meier; "Measuring Social and Cultural Change in Urban Regions." JAIP Nov. 1959.

*33 Lewis Mumford; "Home Remedies for Urban Cancer", essay in Urban Prospect, Lewis Mumford 1968, p.203

*34 T. Lee; Psychology of Spatial Orientation, article AAQ July 1969.

factor based on a purely personal metric. These objects have an inherent attraction or come to acquire a certain desirability which gives each a differing reward value, either positive or negative. Whenever there is a need to attain one, effort must be extended to cross the space, and this cost must be set against the reward value of arriving. The purpose of environmental design, therefore, is to so stimulate the senses that the effort needed to cross space is greatly reduced, making almost any reward value of arriving greater. The route chosen must be as visually stimulating as possible, and if not then a particular stress can occur known as psychosomatic fatigue, about which very little is known, although examples are prevalent: walking behind is always more tiring than walking in front of a group, to relieve this positions should often be changed (Norwegian custom);^{*35} similarly a route with interest and limited visibility ahead seems shorter and less tiring, although it is in fact longer than a straight route with the goal always in sight; and the fact that some cities are more wearying than others, just as journeys to work through varying environments can be pleasing, or non-pleasing depending on the environment through which they pass.

In this section emphasis has been placed on the relationship between environment and human happiness, yet manipulation of the environment to give pleasure is not new. Urban three-dimensional space has been used to enhance settlements from the earliest times, and the concept of the relationship between human satisfaction and three-dimensional space has been developed by many designers. Environmental techniques, use of squares and other breaks of continuity in street, have been stressed, but largely subjectively.

Our aim is to manipulate the elements of the

^{*35} A.E. Parr; Problems of Reason, Feeling and Habitat, article AAQ July 1969.

town so that an impact of emotions is achieved. A long straight road has little impact because the initial view is soon digested and becomes monotonous. The human mind reacts to a contrast, to the difference between things, and when two pictures are in the mind at the same time, a vivid contrast is felt and the town becomes visible in a deeper sense. It comes alive through the drama of juxtaposition.*36

"Townscape", the book by Gordon Cullen, is one such example of subjective design criteria, describing, as it does, the basic ingredients of environment and showing how they are used in existing towns. But the study is based on the personality of one man, albeit with an acute awareness, and design parameters cannot be attached to his judgment alone. Indeed, in a series of articles for the Alcan Company, Cullen attempts to derive a common language for environmental interpretation, so that at least a start can be made to provide objective conclusions. Surely there is a limit under given circumstances where an opening becomes too wide to be appreciated, a covered mall becomes so low as to be oppressive, a vista so long as to be boring and a route so tortuous as to be unused? The fusing of psychology and planning could well help to stimulate at least some general conclusions to these questions.

The reason for placing emphasis on good environment and human behaviour is two fold. Moving to a poor environment can be a horribly depressing experience initially. Although as new friends are made this initial impression fades and the place appears less gloomy, in

*36 G. Cullen; Townscape, 1964, p.11.

another area the people may be just as friendly and the environment pleasing, creating a bonus for living at that place. Similarly, as redevelopment takes place settlements become increasingly alike in terms of social and economic amenity and opportunity, and as movement of raw materials becomes less demanding and costly so the only distinguishing feature between settlements is environment, and the settlement with the better environment is going to attract more people than its more unfortunate neighbours. This trend is already at work.

..... It is becoming clear that employees, especially better paid employees, are much more easily attracted to or kept in areas which have what might be called incidental amenities....

Of course wages are still tremendously important, as is housing; but in the long run, especially as the standard of living continues to rise, the town with something distinctive, something cultural to offer, is going to be at a progressive advantage. *37

It is no coincidence that a new IBM centre for Europe is located on the Côte d'Azur.

The patina of life is changing. The continuous personal identity with people, things and nature that was, and still is, prevalent in pre-industrial societies is rare, it is becoming a synthetic world, impersonal and overdramatised - what could be more dehumanising than living in a cell in Archigram's "Plug-In City". Everywhere there is conflict, what was once commonplace - to be able to find privacy - is becoming impossible.

*37 A.J. Youngson; Britain's Historic Towns in Conservation in Historic Towns and Cities, ed. by P. Ward 1968, p.7-8

Focusing on the exciting and the extreme, man is becoming indifferent to average dimensions, although these are the dimensions of human-kind. The charm of the small has been transformed into the cult of the cute; indifference has become contempt.... Overstimulation at the high, loud, fast end of the spectrum of experience, and deprivation at the low, quiet, slow end is robbing man of balanced variety.*38

Words such as sentiment and nostalgia have gained a faintly derogatory tone if used in the context of urban design, because they imply softness in a hard economic world. Yet it is the need for these feelings that the social psychologists and biologists are emphasising to overcome the stress phenomena. The Civic Amenities Act applies environmental conservation to old areas, this section points to a reassessment of all environment to allow further research into aspects of human behaviour, there is already a great questioning of the benefits of uncontrolled progress.

Possibly science will find that (this) balanced variety is not essential to man's physical well-being, but it seems unlikely. Equilibrium provided in nature for living organisms appears to be a compound of contrasts in a dynamic relationship. The man-made world must provide at least the same.*39

Perhaps, in Britain, conservation areas are needed much more than was previously thought to help with the problem of living. Perhaps we would do well to recognise the fact.

*38 Chermayeff and Alexander, Community and Privacy, 1966, p.77-78

*39 ibid, p.78-79.

ECONOMIC CONSIDERATIONS

Economic pressure is more likely to cause the demolition of an historic area than purely physical decay. The buildings represent a certain stage, or stages, in the social and economic evolution of the settlement that may now be obsolete. This obsolescence is expressed by two contrasting pressures, firstly, that there is too much demand, and secondly, there is insufficient demand, for a particular site. Too much pressure means that the site must be ultra-efficient in the performance of its function, and as the conversion of old buildings never really compares in efficiency with a purpose-built structure, demolition is demanded. Too little pressure and the area falls into decay through lack of interest and has to be demolished as it rapidly becomes unhealthy and unsafe. In between these two extremes, historic buildings and area retention exist on a balance between economic viability and decay usually on personal tastes of the owner or owners.

Much of the pressure has been brought about by changing space standards. Space in towns and cities is now at a premium. Industry and warehousing at a small scale in the centre of cities is disappearing to be replaced, not in the centre, but on industrial estates on the outskirts, closer not only to traffic exits, but also to employee sources, the new fringe housing estates. Offices are tending to congregate in purpose-built blocks close-by the centre, and moreover to be attracted to the larger towns that are able to cater more fully for their growing ancillary services. However, the most far-reaching change has been in retail trading, from the small shop to the supermarket. The phenomenon of the supermarket, like its counterpart the out-of-town shopping centre, reached Britain from North America. Shopping efficiency is most often

expressed as a ratio between shopping and storage space, the more shopping space (the part that makes money) provided, and the less storage space (from which there is no direct return), the better the efficiency of that shopping unit. Generally, there is a basic limit in over-the-counter sales shops above which the shopping space could not rise without jeopardising sales. Supermarkets, however, have no such limit as they store directly in their shopping space, moreover, space is no longer needed for counter service, indeed shops can be any size, dependant only on the number of check-out points. Most historic town centres have small-scale shop units, not compatible to supermarket development, so that if a centre is to remain economically viable, demolition and rebuilding have been seen as the only alternative, breaking the visual harmony of streets. The immediate problem is to find a balance between physical heritage and the level of functional activity.

All obsolescence caused by decay of buildings can be remedied by the expenditure of money. At first it was thought that conservation would pay for itself, but from a very early stage this was negated, and the recent consultants' reports add weight to this. York advocates the spending of £2.1 million, Chester £1.6 million, Chichester (over a much smaller area) £225,000 and Bath, although not giving a direct figure, over £1.5 million is needed for the "Cut Route" alone. It must be emphasised that these figures are in small conservation areas, and not for the town development programme as a whole. The costs incurred are totals within the study area, and in defence of their apparent exorbitance it must be said that certain schemes that help conservation would be done anyway. These include provision of car parks, essential road works, traffic management schemes, slum clearance,

rehabilitation, tree planting, repaving, and many others. But there are certain things that would not be undertaken: acquisition and relocation of non-conforming users in order to improve the environment of historic buildings, and the sale or leasing of cleared sites; acquisition, conversion and re-sale of properties in need of upgrading, where the need arises; repair grants to classified buildings on the scale proposed; and street works designed to improve the setting of historic buildings. To these direct costs should be added the fact that it will almost certainly be necessary to give parts of the road programme outside the particular study area abnormal priority and thus incur additional expense.

The true cost of conservation could be taken to be the net expenditure (cost minus return) over and above the inevitably minimum measures that would need to be undertaken for York to compete on level terms with its neighbouring cities, whether as a conserved centre or otherwise.^{*40}

Economic viability is the criterion by which city centres are judged worthy of redevelopment, yet in historic areas this will almost certainly mean the defacement of environment. If conservation policies are to be effective the problem of economic viability must be minimised. This can be accomplished in several ways. An effective technique achieved without unnecessarily high expenditure is environmental management, essentially based on an improved distribution of traffic. It was developed out of the study of future transport problems in urban areas instigated by the Minister of Transport in

^{*40} Esher; York Conservation Report, 1969, p.199

1961 (better known as Traffic in Towns - Buchanan Report). This states,

Environmental management would comprise, essentially, the delimitation of potential environmental areas, the removal of extraneous traffic from such areas, and the reorganisation of the system for internal movements by vehicles and pedestrians.*41

Implications for conservation areas are obvious. Traffic is the major debilitating factor. With the removal of through traffic by judicious road closure and a rationalisation of local movement, both pedestrian and vehicular, an immediate improvement in environment could be effected. However, the idea is not an end in itself, merely an inexpensive start to managing traffic movement leading gradually to the execution of more capital works as a more sophisticated system is adopted. The process has, thus, two major purposes, to improve circulation efficiency, and bring about a steady reduction of the adverse effects of motor traffic on the environment by their confinement to roads and streets capable of accepting heavier flows, and which are less important visually and environmentally.

There is a limit, however, to what can be done by the reorganisation of existing resources, sooner or later public, or private money has to be spent.

We see absolutely no reason to suppose that the area will rehabilitate itself if left to its own devices under normal operation of the property market. Everything points to the need for some public subvention to get the process of rehabilitation substantially started.*42

*41 HMSO/MOT, Traffic in Towns, 1963, para. 469, p.197.

*42 Buchanan, Bath Conservation Report, 1969, p.57.

	Listed Buildings		Population	Rateable Value £'000s	Population per Listed Building	Rateable Value per Listed Building
	Grade I & II	Grade III				
Bradford-on-Avon	277	158	6,000	190	14	437
Ludlow	301	168	7,000	217	15	463
Wells	280	108	7,000	287	18	740
Bath	1786	1032	80,000	3,185	28	1130
Warwick	385	216	16,000	854	27	1421
Salisbury	356	298	35,000	1,694	53	2600
Edinburgh	2998	473	468,000	12,379	135	3560
York	632	288	104,000	3,614	113	4000
Oxford	660	310	105,000	6,560	108	6763
Cambridge	259	423	95,000	6,375	140	9350
Newcastle	470	600	269,000	12,185	251	11390

Figure 2 Comparative Relationship between Listed Buildings, Population and Rateable Value as an Indication of Shortage of Resources for Conservation

Source : Bath : A Study in Conservation, Buchanan, C., 1968

Tardiness in the spending of money for generally uneconomic, but socially justifiable, schemes is at the root of the problem of the development of historic areas. This is based partly on the type of town most affected, and partly on the attitude of both local and national government. Conservation was introduced to stem the destruction of cities by comprehensive redevelopment, and it was assumed that it would also reduce the cost of expensive central area schemes at a time of economic stringency. In fact the cost of conservation can often be more than that required for a complimentary redevelopment scheme, especially in a small town, and, unlike redevelopment, will be a continuing item in the budget as restoration of property needs to be periodically examined to prevent further deterioration. In July 1965, the Council for British Archaeology produced a list of 324 historic towns in Britain whose qualities needed noting, 51 of these towns were considered to be of special importance. Of these 51, no less than 41 are below 50,000 population, 34 are below 20,000 and 27 below 10,000.*42 The towns most in need are those unable to help themselves as they are part of a larger local authority. Some effect of the problems affecting small town conservation schemes can be seen in Figure 2, where the relatively low ratio of population and rateable value per listed building is an indication of the shortage of resources.

Conservation is not necessarily the cheapest form of renewal, and unlike most other development has frequently recurring costs. Yet the more money spent at the outset, the less likelihood of enormous expense in the future. The crux of the matter is to base conservation on economic considerations. The anti-conservationists argue that money should not be spent on restoring old buildings that will never

*42 Buchanan, Bath Conservation Report, 1969, p.57.

fulfill their function as efficiently as a new building, and where there is no probability of financial gain. The debate concerning financial gain is paramount in all planning schemes. In the private sector a developer's surveyor will estimate the revenues which are expected from a particular commercial investment and compare these with the costs that are likely to be involved; by calculating the present value of both costs and revenue at an appropriate interest rate, it can be decided if the project is viable. In the public sector, however, though a project is not financially viable it may still be worth considering because it generates certain social or other benefits that could not be taken into account.

In the private sector it is quite clear who is making the investment and who will benefit therefrom. In the public sector, however, a particular development may be a good or bad thing depending on whether you are looking at the interests of people on the spot, people nearby, the people in Scotland generally or in the United Kingdom as a whole... It is the interested parties who should bear the costs and reap any benefits.*43

But the dilemma is that neither the public, nor the private sector, whilst acknowledging the urgent necessity of a conservation programme, wants to be first in testing the economic theory. Both complain of a lack of Government incentive, and in the light of present legislation this is a valid argument. All four consultants' reports require some change in legislation, either to implement their proposals, or to improve planning technique. The Chichester study gives three reasons

*43 Report of an address to Scottish T.P.I. by P.H. Miller, Estates Officer S.D.D., September 1968.

for a lack of action: the conservative nature of the property market with regard to new planning techniques (notably pedestrianised shopping streets); the fragmentation of legal interests often gives no incentive for either landlord or tenant to carry out improvement works; and general apathy of an owner who may never have given serious thought to changes in a system that may have served him well for decades, and if still prepared to carry on, be faced with a battery of consents to be sought and forms to be filled.*44

Local authorities are restricted, not so much by legislation, as a severe cut-back in all but the most necessary expenditure. Although this is inclined to be used as an excuse for lack of action in some cases, there is no doubt that it has had, and will continue to have, serious effects on renewal programmes.

Positive action is needed if conservation is to be encouraged in this country, and this action has to be in the form of economic subsidy.

"Inevitably I suggest that without further specific financial inducements conservation measures will continue as before - patchy and pathetic.... designation alone will lead to stagnation."*45

It has been noted in many historic areas that owners and occupiers are often willing to undertake considerable expense to improve their property despite little official financial assistance. This has usually been achieved by an interest being taken by the local authority, or by their willingness to invest small amounts in environmental planning around rehabilitated houses. Mention must here be made of the valuable work of civic societies, notably the Civic Trust and its offshoots. Their constant pressure on local authorities and on local owners have produced a climate in which many schemes have been produced from what, at first sight, seemed hopeless cases. All this being achieved with

*44 West Sussex C.C., Chichester Conservation Report, 1969, p.160-165.

*45 Report on an address to Scottish T.P.I. By P.H. Miller, Estates Officer, S.D.D., September, 1968.

little outside financial assistance.

In 1967, with the introduction of the Civic Amenities Act, nationwide public attention was drawn to the plight of Britain's historic areas. Many local authorities realised, some for the first time, that there did exist a certain amount of legislation that provided financial assistance for these areas, and moreover, various semi-official and private organisations and trusts also willing to help. Planning is capable of going some way to stimulate the use of historic buildings and areas by judicious schemes of environmental improvement, but there is a limit to what can be achieved in this way. In the end there will be a residue of buildings to which the community will have to make some financial contribution for retention, through either central or local government funds. There are several advantages in local authorities investing more money in their historic buildings. The bridging of the difference between cost and value, if it can be done, increases considerably the number of people able and willing to occupy these houses. At present, many historic buildings are maintained by one section of the community, partly on environmental grounds, but more particularly on a matter of cost. Retention of historic buildings is likely to be easier if demand can be increased by a reduction in cost. Another advantage in investment of public money in historic buildings is that local authorities would be much keener on retaining them where they have a financial interest, and also on taking steps to improve their environment.

Yet financial help is available. Local Government lethargy in the spending of money for environmental improvement in historic areas can often be traced directly to a recalcitrant council rather than to an

impoverished central Government refusing to loan money. Party politics is too much embroiled in local government to allow completely rational decisions: this is not to accuse councils of duplicity, merely to suggest that they, too, are only human, subject to the same pressures and desires to succeed as everybody else. A council would not happily increase the rates, which is almost certain to happen if a major conservation scheme is proposed (Esher estimated a 6d rate increase for the implementation of conservation in York), especially close to an election, and inter-party wrangling may hold up a scheme indefinitely. Donald Insall in the Chester Study remarks that it is difficult for local authorities to initiate successful projects of long-term benefit whose advantage may not be attractive to the present councillor, or the electorate.

There are several major sources of finance for historic buildings and areas; these can be categorised as public and semi-public, and private. Public sources are described fully in Chapter 2, they include financial provisions of the Historic Buildings and Ancient Monuments Act (1953), Local Authorities (Historic Buildings) Act (1962) and the Housing Act (1969). Within this broad framework there exist smaller less important sources such as housing associations and trusts, which have been used very successfully to renovate old property. In the private sector there are two major grant sources, both supplying mortgages for house buyers: building societies and the local authority. By the Small Dwellings Acquisition Act (1923), as amended, a local authority can advance a loan for assistance in house purchase. Up to 75% of the purchase price can be advanced, and the repayment period must not exceed 25 years, indeed is mostly 10 to 15 years. The scheme is directed to filling the gap left by building societies, also to improve the housing

stock within the town and encourage house ownership.

The policy of building societies^{*46} is based on the fact that they are private profit-making organisations looking at property against a commercial background of whether or not the money of its investors is likely to be safely invested in loans on particular securities, and also that the money of the would-be purchaser is secure. In theory there is no distinction between old and new property, each house being considered on its own merit after a valuer's report, but in practice there is the well-known difficulty of mortgages for old houses. This is because there are limits below which mortgages are no longer sound investments, and therefore difficult to obtain. The house usually has to be self-contained, and comprise at least three rooms and a bathroom, as it is unlikely to be accepted without indoor sanitation: there must also be the need for a substantial loan, usually at least £2,000. Limitations are thus placed on many properties, especially flats, in historic areas, and, as has been said before, local authority loans only in part bridge the gap.

As has been emphasised throughout this section financial assistance to conservation areas is limited, indeed taken at face value it is non-existent, as nearly all grants are for individual historic buildings. It is significant that all four conservation studies commissioned by the Minister of Housing and Local Government suggest improvements or alterations to existing financial provisions. With the arrival of the Civic Amenities Act (1967) and Part V of the Town and Country Planning Act (1968) there is a physical basis for conservation, what is now needed is a new grant structure. Several methods of finance are discussed in the four reports, these falling broadly into two cate-

^{*46} Based on correspondence with the Halifax Building Society, and Appendix II of Edinburgh Zone 1 Conservation Report, p.80-81

gories: the setting up of a central, administrative body to allocate resources to conservation areas, and a relaxation of the present property laws. West Sussex County Council (Chichester Report) argue that what is needed is something less disastrous than compulsory purchase, but which must fulfill three conditions. First, empower the carrying out of works which appear to be necessary for the success of a conservation scheme without the need to require a legal interest in the property. Secondly, provide for the payment of compensation for any diminution in the value of the property affected. Thirdly, provide for the implementing organisation to recover betterment to offset the cost of the scheme.*47 Buchanan (Bath Report) sees a more flexible approach to the interpretation of land-use zoning to attract more demand for historic buildings.*48 Esher (York Report) assumes that the preservation of such a physically attractive city as York should be of national concern, and paid for as such, as well as taxes on all tourist accommodation and attractions in the city.*49 In the Chester Report, Insall advised the setting up of a Government body, backed by considerable funds to purchase suitable properties, and to sell or lease them for development. He argues that given additional financial backing this could be achieved under the Land Commission (a point raised by West Sussex County Council), although some new vehicle, such as a Historic Towns Corporation, may be more appropriate.*50 These are just some of the recommendations for the financing of conservation in this country, it serves to show how much has to be done.

A discussion of economic considerations for conservation would not be complete without reference to tourism. The historic towns and cities provide the background for an ever increasing tourist trade. This country lacks the basic conditions, sea and sun, for cheap package holidays, but the richness of its cultural heritage is attracting many

*47 West Sussex C.C., Chichester Conservation Report, p.

*48 Buchanan, Bath Conservation Report, p.48 and p.57-60

*49 Esher/HMSO, York Conservation Study, 1969, p.199-205

*50 Insall/HMSO, Chester Conservation Study, 1969, p.65-68, p.246

visitors, especially those whose families formed the vanguard of colonial expansion, the Americans and Australians. The British Travel Association estimates that £295 million was spent by four and a half million foreign visitors in 1969, and by the 1970's this amount will be over £500 million. The amount spent by British holidaymakers and visitors is difficult to estimate but a figure of £2,500 million per annum is given for spending on travel and all forms of leisure. Tourism is thus a growth industry, earning nearly 8% of all visible exports in 1967, and although a larger proportion of British holidaymakers are assumed to visit the coast rather than the inland historic towns, for overseas visitors the reverse seems to be true. The latest complete figures available (1967) show that a foreign visitor spends on average £67 for a holiday of 30 days, a sum of £2+ per day. British tourist figures are available only for individual resorts, where the average expenditure is usually between £15 and £20; day visitors spending amounts between 10/- and 15/- per head per day.^{*51} In 1964 a survey of Scottish tourism^{*52} gave the average per capita expenditure as £20.6 for Scottish holidays and £16.5 for holidays elsewhere in Britain. With this level of capital influx it must be recognised that for many towns tourism is a major revenue source, and has been growing steadily for many years as mobility increases. To preserve our cultural heritage is thus no more than economic common sense, and the suggestion of Esher's York study, that retention should be a national concern is to some extent proven, though, conversely, it is the individual town that in the long-term benefits from large numbers of visitors. In either case, however, the money gained from tourism could well be used not only to improve tourist facilities (especially hotel facilities^{*53}) but to conserve what the visitor wants to see.

*51 All figures from British Travel Association, Digest of Tourist Statistics, 1969

*52 Audrey Hunt, A Survey of Scottish Tourism, 1964, p.9

*53 Sunday Times, October 19, 1969.

CONCLUSIONS

Realisation that individual buildings are no longer the key to historic identity within a community, together with apprehension at the benefits of swift, dramatic, large-scale, urban improvement, has led to an invigorated appreciation of environment - the backcloth to the functioning of each community. Good environment is first visual, then social and psychological, an amalgam of ideas modified by time. It has its most perfect examples in areas where visual harmony and historic association have, over decades, created both character and atmosphere - expressed as townscape. Townscape is by definition a composition in micro-scale - major changes tending to destroy visual harmony - yet modern development is increasingly typified by the grand scale, the lack of feeling for detail, standardisation.

The essential character of an area, whether urban or rural, is subject to continual and increasing pressure for physical change, in terms of rapid technological development, population growth and motorisation never before experienced. Attractive physical environment is wantonly being destroyed, firstly by the individual in his struggle towards personal goals and secondly, by adverse economic pressure from large organisations. Moreover, negative change, such as depopulation, is just as destructive through neglect. The effect of conservation planning on visual amenity, by statutory control can ameliorate much of the thoughtless development that technology seems to produce. dwf

Arguments for the retention of historic environments stress the intangible issues, and unfashionable words such as nostalgia and sentiment are used, for many of the problems associated with conservation are essentially psychological - in the stimulants that are produced by and

good environment, namely historic association, cultural heritage, civic pride, a sense of place in a continuing community, indeed pleasantness of living environment generally. Evidence is beginning to show that perhaps change to the new is not what people want, nor might it even be beneficial to their health and mental stability in terms of increased stress. Allied to this is the visual stimulation given by a pleasant street scene, as well as the very real tourist potential that historic centres offer.

Essentials of historic areas seem to be old buildings, with the possibility of dereliction, narrow streets inadequate for present-day traffic, and inefficient facilities generally, all of which makes the likelihood of redevelopment possible. Given too much pressure the old buildings cannot cope with the full capability of the area, and demolition and redevelopment is demanded; not enough pressure and the area falls further into a decay rectified only by demolition and redevelopment at a more profitable level. In historic areas this is not possible if pleasant environments are to be retained, because destruction of physical environment often means the end of visual amenity. Redevelopment must necessarily be piecemeal, not comprehensive, and therefore not profitable over large areas, or at least not as profitable as complete rebuilding.

Social environment¹¹¹ is as marked as physical environment. It is characterised by extremes of population age, the emphasis being on young people in their early twenties, and older persons over 45, but especially over 65. The socio-economic groupings reflect this, having a higher proportion of professionals, managers, retired and non-workers, typists, clerks and shop assistants. This is a direct result of the

accommodation offered, usually either small and large flats or expensive period houses - thus giving what would at first glance seem to be a typical middle-class community. Concealed within these generalisations, however, is the fact that there are also a large number of lower class groups. They inhabit the older, sub-standard property which again is a feature of historic areas. With pressure for renewal or restoration these groups are hardest hit, no longer being able to afford the increased rates or rents of the new or improved property.

As is seen in this chapter, and will be examined in greater detail in Chapter 3, conservation exists at two levels. Firstly, the problem of absorbing new with old and the creation of pleasant environment - a detailed design policy; but secondly, and more fundamentally, the integration of conservation into a rationalised planning policy to allow for maximum stimulated growth in any given area. The former is the problem of finding sympathetic designers and the exercising of strict control over development, and is gradually being more successfully applied, the latter is, to all intents and purposes, non-existent because of the present state of conservation planning. In any debate on conservation planning process the crux of the issue is not whether attractive physical and social environment is more important than complete economic viability, but rather how planning policy can control the economic pressures for redevelopment, so as to avoid unnecessary change in historic areas, except at a level in sympathy with the environment.

CHAPTER 2

Chapter 2 is an appraisal of the law relating to conservation planning, the second of three basic introductory chapters, to assess the problems and possibilities of conservation. Any planning process must have a background of acts and orders to enable unsatisfactory development to be controlled, and positive schemes to be produced. Conservation is shown as a logical development from the protection of ancient monuments through protection of individual historic buildings generally, to a full appreciation of environment. Present law assisting conservation areas is found in varying statutes, not only related to planning but also to the associated disciplines of housing and highways - this chapter drawn together the major sources of control. In Chapter 1 conservation was assessed as to the problems faced by historic areas and the necessity of their survival. It was stressed that complete redevelopment was often too drastic a measure for many historic areas, but usually more economic unless grants were forthcoming to upgrade outworn buildings. The source and scope of the grants available, under both planning and housing legislation are examined to assess the potential capital available to help conservation. Similarly, associated advertisement control and public participation are examined as to their relevance for conservation.

DEVELOPMENT OF PLANNING LAW

Town and Country Planning grew out of the Public Health code and Housing code of Victorian England. The population explosion at the beginning of the nineteenth century occurred concurrently with, or was actuated by, a mass movement into the cities, whose new industries were desperately short of labour. Attracted by the high wages, people came in such numbers from the countryside that adequate accommodation was unable to be provided, cheap and insanitary dwellings being hurriedly erected,

usually as close to the factory as possible, to provide shelter. Building by-laws relating to these dwellings were non-existent, and there was little regard for sanitation or ventilation, if indeed these "technicalities" were fully understood, so that consequently disease was rife. By the 1840's, however, several towns had evolved a series of local acts to deal with these unsanitary conditions, which were then enacted generally first by the Public Health Act 1848, but more successfully by the Public Health Act 1875. These Acts successfully stopped the buildings of unhealthy dwellings, but they did not deal with the problem of the thousands of unsatisfactory properties already in existence. This was left to the Housing code.

In 1890 the first of a long series of acts, relating to the improvement of housing, and housing conditions, was instigated, the Housing of the Working Classes Act. It was passed with a view to remedying the deficiencies of the public health law with regard to poor quality housing, allowing for the removal of insanitary dwellings and for a supply of new houses. It began a series of enactments that culminated first in the consolidating Housing Act 1925, which was followed by further consolidating acts in 1936 and 1957. This latter act still forms the basis of legislation under the housing code, but further acts in 1958, 1961 and 1964, and the recent 1969 act have amended various sections, though the new act brings into being new legislation concerning improvement areas. These housing acts allow for the setting up of housing authorities by local authorities to provide for the inspection and repair of individual unsanitary houses, and their removal or closure if incapable of being made fit at a reasonable expense, laws relating to slum clearance, and financial provisions for local authorities proposing these works.

At an early stage it was realised that neither the public health acts nor the housing acts could be used to control the basic disposition of land uses, that is land use zoning, the main contributory factor to most of the sub-standard housing that existed, so that in 1909 the first act to deal with town planning came into force, the Housing, Town Planning, etc., Act. This act proved cumbersome in operation and was entirely on voluntary basis so that in 1919 another Housing, Town Planning etc., Act was passed putting at least some local authorities under compulsory obligations to produce schemes. There was a consolidating act in 1925, and in 1932 all previous legislation was repealed and town planning law rewritten. In 1932 Town and Country Planning Act, for the first time, brought all land, whether built upon or not, under planning control and provided for the instigation of "planning schemes". After a time it was realised that these schemes were too rigid and that they

became out of touch with what were for the time being the best ideas in planning, (and) it could only be remedied by some further planning scheme made in accordance with the involved machinery established by the 1932 act for that purpose.*1

Several planning acts came on to the statute books during the period 1932 to 1945, but none made any serious contribution, and were soon to be repealed when the famous Town and Country Planning Act 1947 was enacted. This act, combined with its four amending acts of 1951, 1953, 1954 and 1959 is now repealed, and planning law is based partly on the consolidating 1962 Town and Country Planning Act, and partly on its major amendment the 1968 Town and Country Planning Act. This is the basis upon which all planning law exists, and provides the framework for an examination of legislation for historic buildings and areas.

*1 D. Heap; Outline of Planning Law, 1963, p.8

THE DEVELOPMENT OF HISTORIC BUILDINGS AND AREAS POLICY

The history of the law relating to historic buildings and areas is an evolutionary process, based on public awareness of the pressures exerted by development. It started in Victorian Britain with a concern for ancient monuments, moved through concern for all buildings of architectural and historic interest, to the present consideration of conservation areas.

The late nineteenth century saw the first legislation in the protection of old structures. It was a time of great interest in ancient cultures and architectural treasures so that in a country liberally sprinkled with relics of early ancestors it was natural there was public concern over the fate of these monuments, all of which were in private hands, and were beginning to need much expensive maintenance to protect them from dilapidation. The Ancient Monuments Protection Act, 1882, was the first major attempt of Central Government to act as protector over old buildings and structures. This act appointed Commissioners of Works to become guardians of ancient monuments which were either bought outright, given by deed, or bequeathed to the Commissioner of Works by their present owners. Furthermore, money was to be provided to look after these monuments, and a person found damaging or defacing one could be punished. The act was amended by the Ancient Monuments Protection Acts 1900, in which any monument by reason of its historic tradition or architectural interest could have guardianship, and the Ancient Monument Protection Act, 1910, when all laws relating to ancient monuments in 1882 Act were applied to those of 1910. All this legislation was finally consolidated in the Ancient Monuments (Consolidation and Amendment) Act, 1913, which is still law today, although in amended form.

Town planning legislation commenced with the Housing, Town Planning, etc., Act 1909, when for the first time control was possible over all building development, not just individual buildings. In addition, "town planning schemes" could be prepared for any land likely to be developed with the object of securing sanitary conditions, and the protection of amenity. To help local authorities the Act set out, in its Fourth Schedule, basic considerations to be taken into account when producing a scheme - one of these being "the preservation of objects of historic interest or natural beauty". As in later enactments there was no compulsion attached to this preservation, but by the time of the Housing, Town Planning, etc., Act 1919, the issue was important enough to be brought into the main body of the act: local authorities when preparing, and the Local Government Board in approving any scheme having to take into account, and as far as possible, preserve existing erections of architectural, historic or artistic interest. In addition there was growing concern that development could adversely affect not only historic buildings, but also their environment. By the Housing, Town Planning, etc., Act 1923, the law was further strengthened, requiring town planning schemes to be produced on account of the historic value of a locality, in order to preserve the inherent character and even lay down standards as to density, design of spaces, the height of buildings and their architectural detailing. This consideration was reiterated in the Town Planning Act 1925, which consolidated all previous legislation. The Town and Country Planning Act 1932 which repealed all previous legislation did not continue the laying down of design standards, simply stating that a planning scheme could be carried out to preserve existing buildings of historic or architectural interest. It did, however, give the



power to prevent the demolition of any building of special architectural or historic interest, by a ministerial order, the first time this specific preservation policy was enacted.

From 1909 to 1932 planning law was in its infancy, the inter-war years being the testing ground for new techniques and ideas in planning. As such invaluable experience was gained, but at the time seemed only to frustrate. All legislation was based on the "planning scheme", this allowed simple objectives, for example prevention of the incompatible mixture of land uses, and the provision of standards of amenity and convenience, to be achieved. The 1909 Act laid down the fundamental issue that each parcel of land had to be treated as part of a greater whole, each act after this tried to cure the weaknesses of its predecessor by providing for a pattern of rational land usage. Statutory planning, however, failed to conform to the ideals of planning theory - planning schemes being too rigid and development control non-existent. Here was the dilemma, power was needed to enforce and control yet nearly all acts up to the Town and Country Planning Act 1947 were purely permissive.

..... Too often schemes were largely academic in character. The control was negative, on the assumption that initiative would come from private developers and, moreover it was weak. Compensation was payable when property was adversely affected, but the mechanism for recovering betterment from owners whose property was enhanced in value was defective. In consequence the few schemes that came into operation were hesitant, if not timid, in the restrictions they sought to impose.*2

*2 Haar, C.M., Law and Land 1964, p.6

In this climate detailed policy statements such as the control and design of historic areas, and the preservation of old buildings, were almost impossible to achieve, and it is regrettable that many old buildings were lost, or their environment destroyed.

By 1941 it was realised that planning as it stood had ceased to be effective and that there would have to be drastic changes after the war. A conference of the Town and Country Planning Association in that year, ostensibly to discuss the proposals of the Barlow Report (Distribution of Industrial Population) not only did this, but also set down many of the associated problems, not least of them being that of control during the interim development stage, the period between the announcement of a scheme and the presentation of the plan.

During the Interim Development stage, such matters as are not the subject of specific proposals in schemes, e.g., the design of buildings, can be ignored entirely, so that the interim period may well be long enough to secure the ruination of the amenities and mis-development of a particular district.*3

This was still the position at the end of the war, but already what has been labelled by Desmond Heap "the most drastic and far-reaching provisions ever enacted affecting the ownership of land"*4 were in preparation to become the Town and Country Planning Act 1947. In this act not only general planning but also specific controls were set down with such forceful legislation that an owner of land had nothing more than a bare right to go on using it for its existing purpose. Furthermore, legislation concerning buildings of historic and architectural interest at last began to get some form of protection.

*3 Heck, H.W.J., speech Replanning Britain Conference, 1941, ed. F.E. Towndrow, p.138

*4 Heap, D., Outline of Planning Law, 1963, p.12

The 1947 Act, later supplanted by the Town and Country Planning Act, 1962, containing the same provisions, provided for two basic protective measures, firstly by a building preservation order, and second, by the listing of special buildings. A building preservation order could be made with regard to any building of historic or architectural interest, whether it appeared on a statutory list or not. The effect of the order was to prohibit the demolition or serious alteration of a building without consent from the order-making authority - this had then to be confirmed by the relevant minister. There were rights of appeal to the minister against refusal of consent, or the granting of a consent subject to conditions. Payment of compensation was allowable in certain circumstances, though it was not payable where consent for demolition was refused. The owner could, however, serve a purchase notice on a local authority to buy his interest if the building, following a refusal of consent to demolish, was incapable of reasonably beneficial use in its existing state. A building preservation order did not require the owner to carry out any repairs or maintenance, and the only sanction against wilful neglect was compulsory purchase, which has rarely been used.

The 1962 Act which re-enacted the 1947 ^ligislation, placed the ministers concerned under a duty to compile and issue lists of buildings of special architectural or historic interest for the guidance of local planning authorities. In the proposals for future development, and in normal planning control, the local authorities must have regard for listed buildings, and their claims to preservation. Their normal powers of development control, however, do not extend to works of demolition or alterations to the interior of a building, or to works to the exterior, except where they would materially alter the external appearance

of a building. To give protection to listed buildings in these categories at least two months notice must be given to the local authority before any of these works are undertaken, except in the interests of public safety and hygiene. Any person contravening these provisions is liable to a maximum of £100 fine. Furthermore, the local authority may require the reinstatement of a building to its original condition if works have been done without authority, though this would be impossible if the building has been demolished.

Legislation rested on the building preservation order and statutory listings for twenty years. During that time severe limitations were found not only in historic buildings law, but in the general approach to the planning process. The basis of this dissatisfaction with the existing laws was that planners felt themselves to be fighting from a position of weakness, that planning was negative, rather than positive in its ability to control. This is exemplified by the controls that might be used to prevent the destruction of the historic environment, which although in theory gave protection in practice were found to be wanting. This criticism resulted first in the Civic Amenities Act 1967 and secondly in the Town and Country Planning Act 1968, both of which refined the planning process to a more positive approach, the first one dealing specifically with historic areas. These two acts form the present day legislation for historic area planning.

Criticism levelled at the previous legislation falls broadly into six categories. 1. The listing of buildings naturally tended to put emphasis on the building itself. Yet, so often it is not the building itself that matters so much as the wider scene of which it forms part, and to which it contributes. 2. Consideration for preservation only arose when an owner gave notice of demolition or alteration. As such

it was not a positive action by the local authority but a negative one, with the initiative firmly on the side of the developer. Indeed, preservation was only thought about when change was ensuing, and forgotten about at other times. 3. The building preservation order was found to be almost unworkable because of the reluctance of local authorities to use it. There was a tendency to use it only to try and prevent a listed building from demolition, not when any historic building (not necessarily listed) became vulnerable. 4. It was found that fines for demolishing or seriously altering a building without giving advance notice were no deterrent, the penalty for non-compliance being £100. The local authority had the power of reinstatement of a building to its former condition - a reasonably effective penalty where alterations had been carried out, but difficult to accomplish where a building has been demolished. 5. There were no sanctions against an owner who wilfully damaged a building, or who simply neglected it, until it was beyond hope of restoration. 6. The time allowed for the local authority to consider a notice of proposals to demolish or alter listed buildings, and to make a building preservation order with immediate effect without confirmation by the minister (two months) was considered too short to allow the full processes of law to be carried through.

PRESENT HISTORIC BUILDINGS AND AREAS LAW

With the introduction of the Civic Amenities Act 1967 these grievances largely disappeared. The Act was a direct result of public pressure, especially through the Civic Trust, whose President, the Rt. Hon. Duncan Sandys, M.P., introduced the bill into Parliament. The basis of the legislation is to provide "for the protection and improvement of buildings of architectural or historic interest, and of the character of areas of such interest."^{*5} For the first time, provision is made for the preservation of areas as distinct from buildings. All local

^{*5} Preamble, Civic Amenities Act, Chap. 69, 1967

authorities must determine which part of their areas are of such interest, and designate them as conservation areas. Once an area is so designated it becomes the responsibility of the local authority to pay special attention to character and appearance when carrying out normal planning routines. Designation procedure is not laid down, but once an area is agreed upon, then notice has to be given to the Minister with sufficient particulars to identify the area. This notice has further to be published in the London (or Edinburgh) Gazette, and at least one newspaper circulating in the local authority area. There is no need of ministerial confirmation.

Designation of a conservation area is only the first step in the process of conservation planning. The essential part is to preserve and enhance the character by positive works and control, not just within the area, but in the town or district as a whole. The overall plan can help in solving local problems such as traffic congestion and the diversion of harmful economic pressures. Development control must be strong, to retain the best of the old, and its essential character, whilst ensuring that new development fits in to the special visual quality. This can be achieved by the planning authority asking for detailed plans and drawings of any proposed development, including elevations that show the building in its setting, instead of giving permission in outline form. They can do this under article 5(2) of the General Development Order, 1963. Proposals for new development likely to affect the character of conservation areas can be a matter of general public concern, especially if there is a local Civic Trust or preservation society. In Section 1(6), Civic Amenities Act, a planning authority is now required to advertise such applications, and take into consideration such representations as are received in formulating the decision.

Stress is put, in the memorandum to Circular 53/67 (Civic Amenities Act 1967, Parts I and II) on the need to control all forms of development. The General Development Order 1963, gives permission for certain classes of development (known as permitted development) to be undertaken without the necessity of applying for planning permission. This system was devised partly to save both the developers and Local Authority's time in dealing with minor matters, usually concerned with minor extensions and alterations. Under Article 4 of the order, however, the Minister or local planning authority may make a directive specifying any development which they wish to remove from the permitted development classes. This is felt to be very necessary in conservation areas, where attention to detail is of major importance: for instance the Class I tolerance covering additions to existing dwellings may be seen as a potential threat to the character of an area.

Provision of increased development control powers for a conservation area is strengthened by new legislation concerning historic buildings. The Civic Amenities Act proposed changes in the timing of decision-making and for increased monetary and penal fines for non-compliance. Section 2(1) of the Act extends from two months to six months the period of notice which must be given when demolishing or altering a listed building: section 2(3) provides substantially increased penalties for contravention of building preservation orders, and failure to give notice of demolition or alteration: section 3 provides a new penalty for acts of wilful damage to listed buildings: section 7 gives power of compulsory acquisition for listed buildings, and buildings subject to a building preservation order, if reasonable preservation steps are not being taken: section 10 enables local authorities to make building preservation orders with immediate effect, and continuing up to six months (instead of two months as before) without

prior confirmation of the minister. This legislation attempted to make building preservation orders more acceptable to local authorities, and in Circular 53/67 emphasis is placed on their use. However, so much mistrust of them had built up that in the Town and Country Planning Act, 1968, they are abolished, and replaced by a new system based on the Ministerial list of buildings of special architectural and historic interest.

Procedure concerning the new historic buildings law is found in Part V of the Town and Country Planning Act, 1968, and the Town and Country Planning (Listed Buildings) Regulations, 1968 (Statutory Instrument No. 1968/1910). A listed building means any building included in a list approved by the Minister under section 32 of the Town and Country Planning Act, 1962. This has been in operation since the Town and Country Planning Act, 1947, but to this has now been added all historic buildings not on a statutory list but subject to a building preservation order - which is now abolished. It is an offence to carry out any demolition, alteration or extension of a listed building, or forming part of the land attached to a building, for example a cobbled courtyard. Work can only be carried out if the owner has written consent from the local planning authority or the Minister (known as a listed building consent) and if demolition is involved, one month's notice has been given to the Royal Commission on Historic Monuments to enable them to record the building if they so require.

The procedure for making an application for listed building consent is similar to that for making an application for planning permission. The application is made to the local planning authority who either refer it to the Minister, or have the power to give a decision themselves. In the first instance the local planning authority are required to advertise in a local newspaper for 21 days minimum, any application for

listed building consent which involves demolition or alteration saying where plans and documents can be inspected, and also to display a notice containing the same details as the advertisement for at least 7 days on or near the site. They must take into account any representations received in coming to their decision. In addition, notification should be sent to the local amenity society. Where an application for listed building consent involves the demolition of any listed building, or work affecting the interior or exterior of a Grade I and Grade II* building, or the exterior of a Grade II building, or the interior of a Grade II building aided by a grant under the Historic Buildings and Ancient Monuments Act 1953, and the local authority want to grant consent then they must first notify the Minister, and may not determine the application for 28 days from the date of notification. A listed building consent can be granted unconditionally subject to conditions or refused. Notice of the decision is sent to the applicant, along with details of any conditions that may be necessary. Any person carrying out works to a listed building in breach of the conditions with which it was granted is committing an offence, punishable by fine or imprisonment, or both.

Where, on application for listed building consent, consent is refused or is granted subject to conditions, or if the listed building consent is revoked or modified, then the owner may claim that his land is incapable of reasonably beneficial use, and may serve on the local authority a purchase notice (known as a listed building purchase notice).

The decisive feature is that the land must be incapable of reasonably beneficial use, not whether it is of less use to the owner in its present state than if developed. It should not therefore be assumed that a refusal of listed building consent will necessarily be followed

by a successful purchase notice. If the application for listed building consent is for alterations or extension, rather than demolition, and it is refused, then in certain instances compensation will be paid to the owner.

It is an offence to demolish, alter or extend a listed building without first getting a listed building consent. If unauthorised works are carried out then the local planning authority, in addition to taking proceedings for the offence, may serve upon the owner a listed building enforcement notice, specifying the contravention and requiring such works as are necessary to restore the building to its proper state. In the event of non-compliance with the specified terms there are stiff penalties, and furthermore the local planning authority may enter the property, do the necessary work, and recover all expenses from the owner. If the building is not listed, but the local planning authority thinks that it is of special architectural or historic interest, and is in danger of demolition or alteration they may serve on the owner a building preservation notice, which subjects the building, for a maximum of six months, to the same protection as if it were listed. During this six month period the local planning authority asks the Minister to consider including the building in a Section 32 (1962 Act) list. This he either confirms or refuses, but upon either decision the building preservation notice ceases to have effect.

The final major provision of the 1968 Act is that local authorities may acquire compulsorily any listed building which is not being properly preserved. If this is the case then a "repairs notice" is served on the owner. This notice must specify the work which the council consider necessary for the proper preservation of the building, and pointing out that if repairs are not carried out proceedings will be initiated for compulsory purchase. If the notice has been served, and after two

months steps to preserve the building still have not been taken, the council can begin compulsory purchase proceedings. Anybody having an interest in a building so affected has a right of appeal to the magistrates court, within 28 days. If the compulsory purchase order is successful then the owner is entitled to compensation. For the purposes of assessing compensation it should normally be assumed that listed building consent would be granted for any demolition, alteration or extension works. The effect of this assumption is to disregard the generally depressive effect of the fact that the building is listed, so that the general provisions of the Land Compensation Act 1961 come into play, and compensation can be assessed at full market value. If, however, it can be shown that the listed building has been deliberately allowed to fall into disrepair for the purposes of justifying its demolition and the development, or redevelopment, of the site then the compensation payable may be reduced. A local authority, in this case, when making a compulsory purchase order include an application to the Minister for a "direction for minimum compensation". The effect of this is to exclude all development value in the assessment of compensation, that is at a price that disregards any profit which might have accrued from the redevelopment of the site.

FINANCIAL PROVISIONS RELATING TO HISTORIC BUILDINGS AND AREAS

1. Planning Legislation

The first attempt at financial help for historic buildings in general was provided by the 1953 Historic Buildings and Ancient Monuments Act, which was a direct result of the Gowers report, "Houses of Historic and Architectural Interest", 1950. This brought into being the Historic Buildings Council to advise on the giving of grants in respect of buildings of outstanding historic or architectural interest. The

emphasis must be placed on "outstanding" as there is a limit to the amount available from the Exchequer for this purpose, so that buildings would normally have to be of national importance. The total sum available to the Historic Buildings Council is £575,000 per annum. This compares with such figures as £5½ million for the Hyde Park Corner scheme, and £4½ million for the Euston Road scheme, and the £1.4 million Birmingham Corporation spends on the upkeep of its parks.*6*7 This money is granted for the repair of outstanding buildings, either singly or as it has been interpreted, it can be used for buildings which although not outstanding in their own right, are part of a group which taken together is of outstanding historic or architectural interest. This latter power has initiated a fund source known as a "town scheme".

The town scheme enables a local authority and the Ministry of Housing and Local Government, advised by the Historic Buildings Council, to jointly allocate agreed sums over a period of years to be used for making grants for the repair of specified buildings in a specified area which are agreed to form groups of outstanding historic or architectural interest. The cost of the repairs is normally shared 25% by the Ministry and local authority, and 50% by the owner. So far, however (February 1970), only seventeen towns have taken advantage of this method of finance. These are, with reference to size of the project*8:-

<u>Large</u>	<u>Medium</u>	<u>Small</u>
Bath	King's Lynn	Abingdon
Cheltenham	Salisbury	Bradford-on-Avon
York	Stamford	Bewdley
	Winchester	Faversham
		Harwich

*6 AJ, 18 January 1967, p. 211.

*7 Guardian article, 21.5.70, increase to £575,000 and probably to £1.5 million by 1973.

*8 Civic Trust, Conservation Progress, February 1970, p.3

The Ministry of Housing and Local Government is particularly keen to implement new town schemes.

The use of such town schemes is particularly valuable because, with the expenditure of a relatively modest sum annually, it is possible for an authority to restore the character of an historic area; such concentration of effort produces an impact which enables the public to appreciate the potentialities of conservation and, by improving the quality of the environment, other owners are encouraged to rehabilitate their property at their own expense, since a general rise in property values can be expected to make it economic for them to do so.^{*9}

The York scheme is a typical example of how this method of grant aid has been applied.^{*10} In January 1965, a preparatory meeting was held between representatives of York City Council and the Historic Buildings Council to interest the city council in the project. They jointly agreed to instigate a study, a visual survey of the streets in the central area of York, which would provide the basis for the proposed scheme. The streets that were selected necessarily had to have a large number of listed buildings to fulfill the conditions of the Historic Buildings and Ancient Monuments Act, and the final pattern accepted had over 400 listed buildings within the area. In July 1965, the Ministry of Public Building and Works (the responsibility was later transferred to the Ministry of Housing and Local Government) informed York Corporation it would be willing to grant £7,500 for a trial period of two years from April 1966 (later extended by another year). The City

*9 MHLG, Circular 61/68, Sect. 15, p.6-7.

*10 J.M. Hargreaves, "Town Scheme for York", July/August 1968 p.347-351.

Council agreed to do likewise, so that a total of £30,000 would be available each year. It was also agreed that the scheme should be related to the streets previously defined, but that 20% of the allotted figure should be made available to buildings of outstanding merit outside these streets. The scheme was explained to the planning committee and York Civic Trust, and a sub-committee of the planning committee was formed (the historic buildings sub-committee) to administer its running. It was finally announced to the press and general public at a public meeting, and a free leaflet sent to all owners affected. In the first year of operation grants were approved on 13 properties, the grant money involved being £12,460 in total (that is, paid by the Council and the Ministry of Housing and Local Government). By mid-February 1968 the total was £19,272 granted for 31 separate dwellings.

There are two major difficulties in the administering of the act at present. The first is the pricing of the work, as it has been found that there are hidden difficulties in the preservation of old buildings, owing to defects not coming to light until renovation is in progress. To overcome this a low and high tender is submitted, and the grant notice contains the proviso "50% of the cost of works to a maximum of £x, whichever is the smaller". In practice it has been found the sum is somewhere below the high tender, above mid-point. Secondly, and more seriously, there are long delays in the time between the receiving of an application, and the applicant finally being offered a grant. The historic buildings sub-committee is called only when four applications are ready for consideration. It then goes to the Ministry of Housing and Local Government, who invariably take at least a month to come to a decision. Having agreed to make the grant the application is returned to the city council, and the town clerk prepares the informal notice

of offer of a grant. By this time, if it is an emergency, more serious damage could have been done to the building by deterioration, yet there seems no way of speeding up the process. Nevertheless York City Council and York Civic Trust seem pleased with the results so far, and have been interesting other local authorities in the idea.

The second major grant source for historic buildings is the Local Authorities (Historic Buildings) Act 1962. Previous to this the provisions of the Town and Country Planning Act, 1947 (re-enacted by the 1962 Act) enabled local authorities to control or prevent proposed works which would seriously affect the character of listed buildings, but gave no power to compel or help owners keep the buildings in good repair. The only positive action open to the authorities under the 1947 Act was to acquire the buildings either by agreement, or in certain cases, compulsorily. The Local Authorities (Historic Buildings) Act enabled authorities to contribute towards the cost of the repair and/or maintenance of a building of architectural or historic interest by means of a grant or loan. Information is not available on the use that has been made of these powers generally, but from the few figures available the response seems to be derisory. Some figures made available to the Civic Trust^{*11} are Kesteven (Lincolnshire) annual expenditure (1964-65) works out at £118. 3. Od. per thousand population, Worcestershire at £7. 18. Od., Somerset and Staffordshire at 2/- each. Some actual sums are Gloucestershire County Council, 1965-66 £550, estimated 1966/67 £8,000: Hampshire County Council, average over two years (1965-67) £450: Lancashire County Council, average expenditure over three years (1964-67) £4,000. Northamptonshire County Council spent £2,000 annually (1967 figure) in conjunction with the local authority concerned on a 50/50 basis, giving a total annual outlay

*11 AJ; January 17th 1967, Organisation, Management, Finance, p.211

for the county of £4,000. Surrey County Council since 1962 (to 1967) has spent £15,805 on 110 listed buildings, in the same period £5,360 has been spent by the borough and district councils on thirty listed buildings. Of the 48 counties in England, 29 made no use of their powers in the year 1963-64, and during the following year (1964-65) the corresponding figure was 21.

The effectiveness of the 1953 and 1962 Acts has been severely limited by the present conservation area laws. These two acts are the only ones directly relating to the financing of enhancement in historic areas, yet their available funds are now much too limited to satisfy all but a few demands. With conservation not an economic proposition for private developers it would seem that financial assistance will have to come either from increased taxation within the town concerned, and this could well develop into a local political issue, with all its possible repercussions, or as a direct grant from central government.

2. Housing Legislation

Within the last three years in the field of town planning there have evolved many new techniques, two of these are conservation planning and general improvement area designation. The Government realised that too much capital was being taken by expensive redevelopment schemes, and in a period of economic stress it might be more feasible to rationalise existing resources - especially the attractive, historic environment and structurally sound housing lacking some or all basic amenities. This thinking produced the Civic Amenities Act, 1967 and the Housing Act, 1969, the former to protect areas of pleasing environment, the latter to remove the bias between improvement and redevelopment and total redevelopment. From the outset it was envisaged that financial

assistance contained in the 1969 Act could well be applied to primarily residential zones in conservation areas, and thus provide a grant source. The relevant sections of the Housing Act are Part I, financial assistance towards the cost of improvement and conversions, and Part II, general improvement areas. Basically the act enables a local authority to approve general improvement areas for the upgrading of housing and environment, and, for both social and economic reasons, extend the economic life of older housing, and to provide financial assistance to accomplish this.

Improvement areas have three governing factors. First, it must be an area not destined for early redevelopment or structural change: second, a physical potential is needed - the houses should lack the basic amenities and require repair and/or improvement, but be structurally sound and not yet at the end of their economic life; and third, there must be a responsive attitude of co-operation by the property owners.*¹²

For guidance, Circular 65/69 says that improvement areas would steer a middle course between the too good area, where money for renovation is already being attracted in, and too bad areas, those subject to slum clearance. There is no statutory limitation on size (though Circular 65/69 suggests a figure of between 300 and 500 houses), condition or character of an improvement area except that it must be predominantly residential and must not include any buildings subject to clearance action under Part III of the Housing Act, 1957. Before approving, the local authority must be satisfied that living conditions ought to be improved and that Part II of the 1969 Act will do this. Designation is simple, a notice of the council's resolution is placed in at least two local papers describing the area and saying when and where the plans can be inspected. Further steps must be taken to inform residents and

*¹² MHLG, Circular 65/69, paras. 7-12, p.2-3

owners of property in the area by means of explanatory leaflets, and a copy of the resolution, together with a suitable map, sent to the Minister. A report must be prepared to help in the decision making process. This has to include a general summary of the three governing factors above, and also the number of dwellings classified by age, fitness, standard amenities, need of repair and tenure, road and traffic function, car ownership and existing and future parking provision, and the location of the site relative to the town centre, shops and schools.

The Act enables local authorities to carry out improvement of the amenities in a general improvement area, and to acquire land for that purpose. Improvement can include such things as tree planting, play spaces, grassed or paved areas, parking spaces and garages, and may also include repairing and renewing fences, street lighting, repair of road surfaces, exclusion of through traffic and conversion of a highway to a footpath.^{*13} Simultaneous action of slum clearance and improvement can be used, with unfit buildings included in the designated area so as to be demolished and their land used for environmental purposes.

Central Government will grant to a local authority a loan sanction, for a period of usually twenty years, which will be equal to half the total cost of the works. The figure for the expenditure for environmental improvement is £100 multiplied by the number of dwellings in the area at its declaration, or the number which it appears will be in the area when it has been approved. The grant-aided cost must not, however, include anything revenue-producing, for example garages, nor anything that is regarded as normal maintenance, such as the resurfacing of streets, nor anything that is to be paid a grant under other powers, for example the reclamation of derelict land under the Local Government Acts, but there is no limit on the amount a local authority can spend.^{*14}

*13 MHLG, Circular 65/69, para. 22, p.6-7

*14 *ibid*, para. 30, p.9

Because the aim of area improvement is to realise the potential of the houses within the area, there is a necessary corollary to area improvement, which is included in Part II of the 1969 Act. This is that as most improvements sought after come within the framework of a twelve point standard of fitness devised for improvement grants,^{*15} so that these grants are to be applicable in general improvement areas. It is for this reason that local authorities are not required to make standard grants in improvement areas, although they may do so.

Part I of the Act deals with grant-aided improvements for individual houses under three specific heads - Improvement Grants, Standard Grants and Special Grants. Improvement Grants are made towards the cost of works required for either the provision of dwellings (for example the conversion into flats of a house or other building) or for the improvement of existing dwellings, other than by the mere provision of lacking standard amenities. The total cost must not exceed £1,000 (£1,200 for a conversion of a house or building of more than three storeys) and must be above the minimum of £100. The local authority determines the amount the work would cost (known as the approved expense of the works) and the grant is for not more than 50% of the approved expense. An improvement grant must be for a building providing at least 30 years accommodation (not less than ten years if specified by the local authority for any socially desirable reason) and conforming, when work is completed, to the twelve point standard of fitness.

*15 12-point standard of fitness that dwellings must comply with, after the completion of works under an improvement grant. The building must be in good repair and free from damp; each room properly lighted and ventilated; adequate internal water supply; adequate efficient means of supplying domestic hot water; internal (or readily accessible external) water closet; a fixed bath or shower; a sink and a system of waste water disposal; proper drainage; adequate gas and/or electricity points in each room; adequate heating facilities; satisfactory facilities for preparing and cooking food, and facilities for the storage of food.

The standard grant is obtainable by owners as of right, except in general improvement areas, for the installation of standard amenities in cases where the dwelling has an estimated life of at least 15 years.

The standard amenities for which the grant is payable are:-^{*16}

fixed bath or shower	£30
hot and cold water supply at fixed bath or shower	£45
wash hand basin	£10
hot and cold water supply at wash hand basin	£20
sink	£15
hot and cold water supply at sink	£30
water closet	£50

A local authority can make a standard grant up to a maximum of £450; this must be for a building built before the 2nd of October, 1961.

Conditions of approval are that when work has been completed the dwelling must be provided with a complete set of standard amenities for the exclusive use of its occupants, it is in good repair (having regard to its age, character and locality), and is fit for human habitation. Again, as for Improvement Grants, the local authority will grant half the sum necessary to complete the works.

A Special Grant is available, at the discretion of the local authority, for the installation of standard amenities in houses of multiple occupation. This is a similar grant to the Standard Grant using the same costing principles, but will be limited to a few larger urban authorities that have this type of housing. The grant will be for the provision of standard amenities only, not ancilliary works as before, with the proviso that it need not only be for the exclusive use of one household,

^{*16} MHLG, Circular 64/69, Appendix A, para. 15, p.11

if conditions do not allow.

Similar provisions apply to housing authorities and housing associations as to private owners, except that the Minister pays the contribution instead of the local authority. The Minister pays the cost incurred by the housing authority or association in the provision of dwellings by the conversion of houses and other buildings, and any other general improvement of dwellings. Such a contribution is referred to as the standard contribution if the cost is incurred only in the improvement of dwellings by the provision of the standard amenities which they lack, or an improvement contribution in any other case. The Minister will determine the allowable cost when considering the application, and the amount payable by him will be half the total amount required to carry out the necessary work for the provision or improvement of dwellings, plus the cost of acquiring the building or dwelling if necessary. The cost will be assessed up to a maximum of £1,000 per dwelling (£1,250 if the dwelling has to be acquired). Local authority grants to private owners, housing authority and housing association grants are all contributed to by the Minister. The contribution is to be a sum payable annually for twenty years equal to three-quarters of the annual loan charge referable to the amount of grant (with regard to private owners) or to the allowable cost (with regard to housing authorities or housing associations).

At present grant sources are limited to the protection of historic buildings rather than areas themselves, and this has had the most profound effect on conservation planning. Money ~~is~~ not given to an area, it is for individual buildings or groups of buildings, and moreover, these buildings must often be of some historic or architectural signifi-

cance. In many cases the time taken to establish a grant claim and be recompensed is so long that greater deterioration has taken place. The Local Authorities (Historic Buildings) Act, 1962, enables local authorities to contribute to the cost of a repair by grant or loan, but in times of Government pressure for economic stringency these are likely to be slow in forthcoming. The relevant council has to assess conservation in the light of all other financial considerations, so that the relative claim has to be established against the claims of housing, education, roads and other public works and services. If conservation is to be positive, some form of block grant has to be given for work in conservation areas, not necessarily spent on individual buildings, but on improving environment generally. Eventually it is the general public who will benefit from conservation areas by an increase in demand, and therefore price, for their property. It would seem only fair that owners and occupiers should bear at least a part of the financial burden, rather than all finances be provided by Central and Local Government. In addition, the Housing Acts can provide an ideal opportunity to improve basic standards of individual residential property in a conservation area, together with amenity. But there is, as yet, no Ministerial guidance as to the use of these acts in conservation areas where there is usually a complicated mix of land uses, rendering much property unsuitable for grants.

ADVERTISEMENT CONTROL

Advertisement control is achieved by the use of the Town and Country Planning (Control of Advertisements) Regulations, 1960 (as amended by the Town and Country Planning (Control of Advertisements) (Amendment) Regulations, 1965). Although the display of advertisements constitutes development under the Town and Country Planning Act, 1962 (thus requiring planning permission), no application for planning permission is required

providing the display of advertisements is in accordance with the Advertisement Regulations. The word "advertisement" is strictly defined, it means

any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction (excluding any such thing employed wholly as a memorial or as a railway signal), and without prejudice to the foregoing provision includes any hoarding or similar structure used or adapted for the use for the display of advertisements, and references to the display of advertisements shall be construed accordingly.*17

These provisions apply to the display of advertisements on all land, except (a) advertisements on "enclosed" land, not readily visible from outside the enclosure (b) advertisements within a building, not visible from outside that building (c) advertisements displayed upon or inside a vehicle (d) advertisements incorporated in, and forming part of, the fabric of a building. Control under the Advertisement Regulations falls broadly into two categories, areas under special control and any other areas. As a general rule, no advertisement can be displayed without consent granted by the local planning authority, but there are a set of advertisements where consent is deemed to be granted. These are known as Part IV Advertisements*18:-

Class I Functional advertisements of local authorities, statutory undertakers and public transport undertakers, for example bus stop signs

*17 S.I., 1960/695, Town and Country Planning (Control of Advertisements) Regulations, Reg.2(1)

*18. ibid, reg.2(1)

and signs indicating the way to museums, art galleries, etc.

Class II Miscellaneous advertisements relating to land on which they are displayed, for example professional, business or trade plates attached to premises.

Class III Certain advertisements of a temporary nature, for example "for sale" notices.

Class IV Advertisements on business premises relating wholly to the business carried on, or the goods sold or the services provided, together with the name and qualifications of the person carrying on the business, or selling the goods, or providing the services.

Consent deemed to be granted by these Regulations is subject to the following conditions as to size and illumination.

(a) no such advertisement, other than an advertisement of Class I, shall contain letters, figures, symbols, emblems or devices of a height exceeding two feet six inches.

(b) no such advertisement, other than an advertisement of Class I, shall be displayed so that its highest part is above fifteen feet from the ground level.

(c) no such advertisement should be illuminated except advertisements of Class I, and be illuminated in such a manner reasonably required to achieve the purpose of the advertisement, or advertisements of Class II and IV for the purpose of indicating that medical or similar services or supplies are available at the premises on which they are displayed.*19

In an area of special control, however, there is a prohibition of the use of some kinds of advertisements, in general all those commercial advertisements not related to the premises on which such advertisements are displayed. It also reduces the scope of the exempted advertisements referred to before. This is achieved by lowering the height at

*19 *ibid*, Reg.12(2)

which "exempted" advertisements may be displayed from 15 feet to 12 feet: by reducing the size of lettering permitted from two feet six inches to one foot: and by imposing a limit of one square foot per foot frontage on the area which may be used on business premises without express consent. It can readily be seen that this legislation is ideal for conservation areas where the additional control can enhance environment. Some specified categories of existing advertisements would be permitted to continue to be displayed, but other existing advertisements within the area covered by the order would have to be removed within a period of six months from the coming into force of the order, or where specific planning consent had been granted, normally for five years, they would have to be removed at the end of the term of consent. Many of the conservation area reports suggest the creation of an area of special control for advertisements, and some have already done so.

A new statutory instrument (1969 No. 1532) controlling the display of advertisements came into operation on 1st January 1970. This new measure, the Town and Country Planning (Control of Advertisements) Regulations 1969, replaces the regulations of 1960 and 1965 and institutes some important changes in the scope of the law. Advertisements displayed within a building but visible from outside are now included. Advertisements within one metre of an external door or window through which they are visible may be subject to a discontinuance notice. This will enable authorities for the first time to control the display of brightly coloured window stickers frequently affixed to the inside of supermarket windows.

Where consent is deemed to be granted for an advertisement (Part IV Advertisements) a local authority can require that advertisement to be made the subject of an application for their express consent to the

continuance of its display. This is known as the challenge procedure, and the notice of challenge must contain a full statement of the reasons why the local planning authority have issued the challenge - this must be only in the interests of amenity and public safety. In considering questions of amenity the local planning authority are to consider the general character of the locality, and special consideration is to be given to features of historic, architectural, cultural or similar interest. Again, several local authorities are using this technique successfully in conservation areas.

ASSOCIATED HIGHWAYS LAW

Highway law has always run parallel to both housing and planning law, the reason being that very little major development can be completed without at least some change in the basic road pattern. The common law rule is "once a highway always a highway", and therefore existing highways can only be stopped up or diverted under express statutory authority. This power is available in a variety of acts: Highways Act 1959, Town and Country Planning Acts, 1962 and 1968, and the Housing Act, 1957, together with several less obvious enactments.

Part VI of the Highways Act, 1959 deals with the procedure for the stopping up and the diversion of highways. In this, under section 108, the highway authority may apply to the local magistrates on the ground that a particular highway is "unnecessary or that it can be diverted so as to make it nearer or more commodious to the public", and ask for it to be stopped up or diverted. This does not apply to trunk or special roads (as defined by the Act), in this case the Minister has first to make an order that the road shall cease to be a trunk or special road, then procedure is as below. Notices must be sent by the applicant authority to all interested parties so that

they may be entitled to be heard before the magistrates, who may suggest that the site be viewed by two or more of their number. The order of the magistrates, when made, does not require any further implementation other than the fact that if a highway is diverted then the new one must be completed before the old one is stopped up. Section 110 provides special machinery for the stopping up of footpaths and bridleways. An extinguishment order is made by the local authority when it seems to them that the path in question should be stopped up on the ground that it is no longer needed for public use. There are provisions for an inquiry in cases of dispute.

So that development can proceed in accordance with planning permission under Part III of the 1962 Planning Act, the Minister of Transport may authorise the stopping up or diversion of highways. This procedure has been increasingly used because of the cumbersome nature of conditions under the 1959 Highways Act, and is popularly known as the "planning" method of closing or diverting public streets and roads, being found in Section 153 of the Town and Country Planning Act, 1962. Any Order doing this may contain compensating provisions for the provision or improvement of any other highway. Before making such an order the Minister of Transport must advertise his intentions, and if objections are made, he must hold a local inquiry, and take the objections into consideration. By Section 155 the Minister may by order extinguish any public right of way over land held by a local authority for planning purposes if he is satisfied that an alternative has been, or will be, provided, or is not needed. If there is an objection then an inquiry must be held under the previous conditions. In order to achieve the provisions of Sections 153 and 155 the Minister of Transport or the local highway authority may acquire land compulsorily under the rules

of the Acquisition of Land (Authorisation Procedure) Act, 1946.

Sections 89 to 97 inclusive of the new Town and Country Planning Act, 1968, now form an appendage to Part IX of the 1962 Act (stopping up and diversion of highways). Where development requires the closing or diversion of a public highway an order is made under Section 153 of the 1962 Act. Under the 1962 Act this power is vested only in the Minister of Transport, but now under the 1968 Act if the highway in question is a footpath or bridleway the order can be made by the Minister of Housing and Local Government. Also under the 1962 Act the Minister can only act after planning permission for the development has already been granted. However, in the 1968 Act it was enacted that the proceedings for an highway order and for planning permission can go forward concurrently, thus saving a lot of time, with the only condition that the highway order cannot finally be made unless and until the related planning permission has been granted.

Contained within the 1968 Act are two new grounds for the closing or diverting of highways. Where planning permission is granted for constructing or improving a highway, and some other highway crosses or enters the route of that highway, an order may be made stopping up or diverting the intruding highway if it appears to the Minister that it is expedient to do so on the grounds of safety or in order to facilitate traffic movement. Secondly, in the Act, provision is made whereby for the purposes of improving amenity an order can be made by a Minister changing a highway that carries vehicles as well as pedestrians into one carrying pedestrians only. This will form the main legislation in the closing of streets for conservation, and pedestrian shopping streets.

PUBLIC PARTICIPATION

The Town and Country Planning Act, 1968, lays the foundations of a new planning system. The reasons for its existence were the defects revealed in basic town planning law as defined by the Town and Country Planning Act, 1947 (consolidated by the Planning Act of 1962) after twenty years of operation. Three major defects were isolated.

First it (the previous system) overloaded and subject to delays and cumbersome procedures, second, there has been inadequate participation by the individual citizen in the planning process, and insufficient regard to his interests. Third, the system has been better as a negative control on undersirable development than as a positive stimulus to the creation of good environment.*20

Public involvement in planning has always been given much emphasis, yet, in effect it had got little further than representations made at public inquiries into planning proposals - there has been no public participation in the actual planning process. Command 3333 laid the foundation, not only for the new legislation but also for a new approach to public involvement. Moving the second reading of the Bill for the 1968 Act, the Minister of Housing and Local Government (Anthony Greenwood) said:

Above all I am determined that there shall be more real public participation in planning. I want people to have a much better chance of being involved in the planning of the area they live in and of influencing it. Planning is for people and about their activities - not just about areas...

*20 Command 3333: Town and Country Planning, June 1967

I want to make sure that people can get to know what the planning authority is proposing to include in its plans before attitudes harden...

But there is a good deal more to it than a provision in a statute. In some places attitudes have got to change. We must get rid of the idea that the planners and the plan are on different sides of the fence and we must study ways of getting them talking together. Some authorities, perhaps, will need advice on this.*21

The advice they were to receive came in a report of the Committee on Public Participation in Planning, published by the Stationery Office in 1969, "People and Planning" - the report of the Skeffington Committee, after its chairman, the Rt. Hon. Arthur Skeffington, M.P. The committee was set up in March 1968 with the following terms of reference: "To consult and report on the best methods, including publicity, of securing the participation of the public in the formative stage of the making of development plans for their area."*22 This report lays down where public participation can be integrated into all aspects of the planning process. This is to be achieved by the stimulation of the population with publicity, and the creation of opportunities for participation by the local planning authority: the setting up of community forums, exhibitions and the like. Whether involvement works, however, must finally rest with the public, who must

*21 Hansard, H.C., Vol.757, col.1362

*22 MHLG/Skeffington Committee, People and Planning, 1969, p. / para. /

respond constructively to opportunities to participate, must realise that change is inevitable and that success is not only measured by things that are stopped and join in any public debate that affects them, or where they feel they have something to contribute. Without this, the opportunity will be lost.

Conservation areas are the source of much civic and local pride, so that the introduction of public participation is particularly easy, indeed much has already been done. In historic areas of towns and cities there has always been a certain realisation amongst the owners that they are guardians of the town's heritage. Even where little physical improvement was attempted change was so slow that little damage was done. Today, with the changing role in town centre land ownership - to companies rather than individuals - and the increasing size of shop and office units, the old streets and buildings are subjected to increasing pressures to redevelop to modern standards. Fortunately, with this increasing pressure has come an increasing awareness amongst the population that something positive has to be done, and has led directly to a great increase in local and national societies specifically for the protection of buildings. There are now over 600 local civic and amenity societies, compared with 150 to 200 ten years ago. *23

The local societies' main task is to canalise local concern for changes that are regarded as detrimental to historic character. The Civic Trust, the largest of the amenity organisations with its many local off-shoots, sees the role of these societies in the following terms:

1. act as a watchdog and create a fuss when they see something going wrong;

*23 AJ, January 18th 1967

2. watch for town planning applications that will vitally affect conservation areas, and protest or give views on them to the planning authority or at appeals;
3. use their members' specialist local knowledge to keep records and maintain archives, to survey buildings and areas worthy of conservation;
4. apply first-aid to buildings themselves through purchase and restoration, or through initiating campaigns which focus money to the same end;
5. undertake or sponsor positive schemes of improvement;
6. influence the wider public by producing guides and handbooks, by exhibitions and lectures, walks, plaques on appropriate buildings and in a multitude of other ways.*24

In these ways the public, through an interested society, can be drawn into participation, indeed, central Government regards their help both vital and essential for good conservation planning.

Good public relations will be an essential part of the operation, and local authorities will want to consider how they can best set about enlisting public support for their conservation policies. Collaboration with local civic societies may be particularly helpful in this connection.*25

*24 AJ, January 17th 1967, Conservation Areas Private and Voluntary Effort, p.198

*25 MHLG, Circular 53/67, Memorandum on Conservation Areas, Para 15.

And again

The Ministers wish again to emphasise the importance of securing the greatest possible measure of public participation in conservation; and in particular that local authorities should co-operate with voluntary bodies, both national and local, concerned with the protection of historic buildings and the preservation and enhancement of amenities.*26

This was stressed in the report of the Skeffington Committee which although found that there was a case even for the amenity societies to be given statutory recognition, nevertheless concluded that their interests could best be served by acting in an advisory capacity, provided they are adequately informed. The Committee also stressed that some survey work, such as surveys of trees, street furniture, buildings of historic and architectural interest, buildings of particular local significance, is particularly appropriate to local societies and schools and that their help could be invaluable.*27

In Circular 61/68, the Minister suggested that local authorities should set up conservation area advisory committees, including persons not members of the authority, and refer to them for advice all applications which would affect the character of the conservation area. Nominations to serve on such a committee should depend on the particular area considered, but there should be a basic level of skill. Several local authorities have already established, or have resolved to establish, such a committee. Committee membership is similar in all these areas, being made up of representatives of the Council itself, local

*26 MHLG, Circular 61/68, para.18, p.7

*27 HMSO/Skeffington Committee, People and Planning 1969, p.35, para.184

and national professional and amenity bodies, and local business organisations. For example, the following are represented on Worcester City Council Conservation Area Advisory Committee: Royal Institute of British Architects, Town Planning Institute, Worcester Civic Society, Worcester Chamber of Commerce, Worcester Trades Council, and the Worcester Archaeological Society. The committee advises the City's Town Planning Committee "on ways and means of encouraging general care and maintenance of conservation areas" and it is "making proposals for enhancement as well as advising on certain planning applications."*28

CONCLUSION

Legislation for conservation planning is adequate. Historic development of a policy for preservation shows a logical progression and would seem now to be substantially complete, though as is the case with many new techniques, details are still being evaluated. The establishment of a conservation area and the protection of historic buildings from unnecessary change by statute has enabled areas to be preserved from further destruction. However, to differentiate between preservation and conservation there has to be enhancement, and though a legal framework for this process exists, financial backing is at present limited because of economic stringency. Help for conservation, both legal and financial, comes from various sources, and most general planning conditions apply. With the complex legal background, rational programming is somewhat difficult. In addition, conservation lends itself to public participation, though the amount it is used must vary with local authority policy and the professionalism of participating groups. The development of a rationalised financial policy must be a primary aim in any future conservation legislation.

*28 Civic Trust, Progress in Creating Conservation Areas, No.12, May 1969, paras. 119 and 120.

CHAPTER 3

Chapter 3 examines in detail the state of conservation planning as it is practiced. Chapters 1 and 2 provide generalised background material as to aspects of conservation, this chapter assesses the achievement of Central Government and Local Planning authorities in their handling of the new policy. Study of the four consultants' reports on conservation prepared for the Ministry of Housing and Local Government suggest that conservation should be tackled comprehensively, but at a local level this has not been achieved. A typical conservation policy document is analysed to stress the successes and failures in attempting the interpretation of statutory documents, with little outside Ministerial help. Such detailed study is necessary - any appraisal must examine the ideology on a broad front, but the ideology is often so far removed from practice that to get a balance both must be examined.

During its short period of operation, since August 1967, conservation are designation under the Civic Amenities Act has become widespread, and indeed, has probably caught the imagination of both planner and planned more than any other single piece of planning legislation for many years. A report by the Civic Trust reveals that by February 1970 the number of areas designated was 860 and the estimated total number of designations about 3,000, could be realised within the next two years.*1 The reason for such apparent enthusiasm must lie not only in the planning authorities' willingness to protect good environment, but also the comparative ease of designation and the subsequent improvement in public relations. Note must be made here of a certain vociferous section of the public, albeit a minority, whose sole aim is to bring environmental destruction to notice by means of letter-writing to newspapers. Their attention to detail has led to many apparent lost causes being further discussed and decisions reversed, for example, the

*1 Civic Trust, Conservation Progress, Spring 1970, p.2

reference

correspondence in "The Times" concerning the Abingdon gas holders. In this post-Skeffington era, planners are becoming increasingly sensitive to public criticism, and conservation to a planning authority is sound business sense, gaining much goodwill that spills over into other, perhaps more controversial, projects.

At a local level, therefore, conservation is much affected by personal prejudices, local influences and rivalries, and the analysis of problems in depth, creating many varied solutions. However, because of the newness of conservation planning, great interest in all aspects is being taken by Central Government, particularly the Ministry of Housing and Local Government, in order to ascertain future trends and requirements, and to advise local authorities. The development of a conservation strategy in Britain is thus progressing at two different levels, local and national, and the divergence at the present time seems great.

CENTRAL GOVERNMENT STRATEGY

In conjunction with the progress through Parliament of the Civic Amenities Bill during 1966 and 1967 the then Minister of Housing and Local Government, the Rt. Hon. Richard Crossman, M.P., asked Lord Kennet, Joint Parliamentary Secretary to the Ministry, to convene a Preservation Policy Group to oversee all aspects of conservation, both then and in the future. Specifically their work was to fall in two parts. The first part, concluded in the Spring of 1967, consisted of examining changes in law which would improve the national system for the conservation of historic buildings and towns; the second part was to consider the recommendations of the four consultants' reports on historic towns, whose study had been commissioned by the Ministry and which today form the background to most conservation theory.

The Minister of Housing and Local Government in 1966 invited four planning consultants to study practical problems in the treatment of historic towns. The main purpose of the study was to discover how to reconcile the many old towns of this country with the twentieth century, without actually knocking them down. Only two basic objectives were given,^{*2} firstly to produce solutions to a set of specific local problems, and secondly to learn lessons of a general nature to apply to all historic towns. Subsequently the broad object of the policy was stated as being "to preserve and where possible promote and enhance the architectural and historic character of the area studied in order to maintain its life and economic buoyancy."^{*3} After much deliberation as to resources available in each major historic town, and the reduction in the number of study towns from five to four with the exclusion of Kings Lynn, Bath, Chester, Chichester and York, were finally chosen and Colin Buchanan and Partners, Donald Insall and Associates, West Sussex County Council and Lord Esher and Associates, respectively, given the task of preparing the reports. When published in early 1969, after a long pre-publication delay, these reports presented a detailed study of the problems and possibilities in the planning of historic city centres.

Study of the four consultants' methods reveal striking similarities. All contain historic appraisals, detailed land use and accessibility sections together with sophisticated architectural and townscape studies. Also there is considerable emphasis on the financial, legal and administrative questions raised by the policy and attempts are made to suggest new legislation that might be required. Problem areas are approached in a very positive way, environmental enhancement being preceded by a rationalisation of vehicular movement, and the importance of not considering study areas in isolation from the rest of the city is

*2 Preface to all four conservation reports by the Rt. Hon. Anthony Greenwood, M.P.

*3 Terms of Reference for all four consultants.

stressed. The amount of detailed information amassed in the reports is exceptional and presentation is outstanding, yet there are a number of criticisms that can be levelled both at the reports, but more fundamentally, at the concepts behind their appearance.

The major criticism is that the four cities chosen do not represent the conservation problems prevalent in the country, being extremely similar to each other. All are noted historic towns, and centres of a considerable hinterland thus combining historic buildings, regional shopping facilities and transport and parking problems. Moreover all protection and retention is of prime importance in the attraction of foreign visitors, so that it could be argued their conservation might well be financed by Central Government. Yet of the total designated conservation areas, up to and including February 1970, the breakdown by type of settlement, reveals that nearly half are located in villages, a further 20% in small towns (of less than 30,000 population), and over 80% in an area other than a town centre or major urban shopping district,^{*4} so that the four studies are non-representative. To be effective residential areas, quays, harbours and waterfronts, cathedral precincts should have been included, or further examined, together with villages and small towns in a country-wide strategy.

The four consultants' reports are in an advisory capacity only, in that the local authority is under no obligation to consider any of their proposals, indeed York City Council have been publically hostile to some of Lord Esher's proposals for their city, especially with regard to cost and pedestrianisation.^{*5} Lord Kennet has only recently announced^{*6} that he is inviting the local authorities of Bath, Chester, Chichester and York to discuss the possibility of carrying out pilot general conservation schemes in those cities. Thus any hope of pro-

*4 Civic Trust Index of Conservation Areas, February 28th 1970

*5 Article, The Times, October 22nd 1969

*6 Article, The Times, May 21st 1970

viding general information for the benefit of local planning authorities has been lost, as no results can now be forthcoming before conservation policy throughout the country is substantially complete. In addition, most studies prepared by local planning authorities do not have the benefit of large suitably qualified staffs, as did the Ministerial reports, so that more guidance would have been appreciated from the outset.

In conjunction with the Civic Amenities Act, 1967, the Ministry of Housing and Local Government produced a book entitled, "Historic Towns: Preservation and Change." Its publication ended a long delay, some general guidance on how to reconcile historic cities and rapid change was promised in Planning Bulletin No. 1, "Town Centres: An Approach to Renewal", in 1962. Unfortunately, the book produced is lamentably superficial on a subject of such importance. Originally the text was to be a fundamental reasoning of how and why changes in use are taking place in historic towns. By doing this, however, so much criticism of local authority planning was going to be involved that Ministry administration would not publish. The outcome of this decision was twofold. Roy Worskett, the author of this version, was encouraged to publish the work under his own name, the "Character of Towns" being the result, and an advisory committee under Lord Holford re-organised the "Historic Towns" book. The book as published contains only 50 pages, and is of little use except as a very basic introduction. In four sections a theme is developed, that change is now taking place so rapidly that buildings and environment are being destroyed, so that policy should be to conserve. Conservation must centre on the identity of towns and this must be established by means of townscape survey. Any proposals must allow for the improvement of environment, but must be based on financial evaluation.

Ministerial help in outlining policy, apart from being available in the form of commissioned studies, is largely dependant on Circulars and Statutory Instruments (S.I.) sent to local authorities by the appropriate Ministry. To assist in conservation planning Ministry of Housing and Local Government Circulars 53/67, Civic Amenities Act 1967 Parts I and II, and 61/68, Town and Country Planning Act 1968, Part V Historic Buildings and Conservation, define basic Government policy. These lay down the broad base upon which conservation strategy is built. Paragraph 1 of the memorandum on Conservation Areas states:-

Clearly there can be no standard specification for conservation areas. The statutory definition is "areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance", and these will naturally be of many different kinds. They may be large or small, form whole town centres to squares, terraces and smaller groups of buildings. They will often be centred on listed buildings, but not always; pleasant groups of other buildings, open spaces, trees, a historic street pattern, a village green, or features of archaeological interest, may also contribute to the special character of an area. It is the character of areas, rather than individual buildings, that Section 1 of the Act seeks to preserve.*7

This paragraph illustrates the very general nature of the information given and although later paragraphs give further advice on conservation

*7 MHLG, Circular 53/67, Memorandum on Conservation Areas, para.1

area designation in the context of an overall planning framework,, the control of development and measures needed to improve environment these are limited in scope and liable to varying interpretations. Similarly Circular 61/68, although primarily concerned with the provisions of the 1968 Act with regard to historic buildings in England and Wales, does stress the need for a comprehensive approach to the preservation of buildings with regard to their townscape value, suggests the setting up of Conservation Area Advisory Committees (see Chapter 2) and give advice on what should be taken into account in determining applications for development in conservation areas. Reading the two Acts and their associated Circulars emphasises the generalised nature of the information and much has to be read into the Acts, so causing something of a dilemma for Local Planning Authorities.

To establish a possible conservation area is at present very much a subjective evaluation. The subjective element can, however, be lessened by basing any appraisal on a definition of what exactly is the basis of a conservation area, as exemplified by the Ministry of Housing and Local Government. Factors and criteria which should be taken into account in the definition must stem from the statutory wording of the Civic Amenities Act, Section 1(1); "areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance", or from the types of area illustrated in Paragraph 1 of the Memorandum on the Designation of Conservation Areas (Circular 53/67). Therefore, whilst a conservation area is primarily a "method for strengthening action to promote the character and appearance of areas",^{*8} that character must rest upon component parts having special architectural or historic interest. With reference to the Civic Amenities Act, 1967, Section 1, subsections 1

*8 County Planning Officers' Society, Conservation in Town & Village, 1969, p.18, para. 2/25.

(see above) and 5 (reference to special attention to character and appearance of conservation area in the exercise of normal planning powers) there can be no doubt that the core of any conservation area must be listed buildings; or, with reference to Part V of the Town & Country Planning Act, 1968, particularly Section 54, buildings which the local authority think should be listed or sites of historic interest. The latter need not necessarily be scheduled ancient monuments but can also include historic street plans which contribute to character. For the purposes of a conservation area designation therefore two conditions only must be fulfilled. Firstly, there must be the existence of a nucleus of buildings, or a street pattern, of historic or architectural quality with some element of individuality in its particular context, and secondly, some special environmental quality, either hidden or readily apparent, capable of preservation and enhancement. The conservation area should be a place of identifiable character, not simply a group of pleasant buildings. Its distinctive characteristics must therefore be character and homogeneity.

The effectiveness of conservation areas depends on the Civic Amenities Act 1967, Section 1(5) and 1(6) which require: firstly that special attention be paid to the desirability of preserving or enhancing character or appearance of a conservation area in the exercise of normal planning powers, and of grant provision available for the support of historic buildings; and secondly that public participation should be encouraged by publicity for applications for development which are likely to affect the character or appearance of an area. A designated conservation area, therefore, conveys no additional powers upon a planning authority, although it may be said to endorse the use of existing powers in a specific way for preservation and enhancement. The principal virtue of a conservation area is that by

designation a sympathetic climate for conservation is established, and secondly there is now some statutory backing for stronger control measures. The Act itself makes little mention of the powers of control, indeed it is left to the accompanying Memorandum on Conservation Areas with Circular 53/67 to give guidance as to controls and enhancement; together with additional remarks contained in Circular 61/68, which is mainly concerned with the new preservation powers for historic buildings under Part V of the Town and Country Planning Act, 1968. In the following paragraphs a broad outline of Ministerial suggestions is included, these must form the basis of any conservation area policy.

1. The proposals and policies to be considered in a conservation study should form part of an overall plan for the settlement, as the overall plan ultimately determines the prosperity of any conservation area proposed. Measures to be examined should include the reduction of traffic congestion in and around a conservation area by traffic management schemes, road improvements, the provision of off-street parking and the introduction of pedestrian ways. The plan should also suggest the use of buildings and land within a conservation area, and provide for harmful redevelopment pressures to be diverted elsewhere.*9

2. Control of development must play an important part in conservation areas. The major consideration must be to assess how far new development should or should not be permitted. Emphasis will be on control rather than preservation, for only in that way can the area remain alive and prosperous, whilst ensuring that any new development respects the special architectural or visual qualities. Importance is placed on the building with its related setting, and planning authorities are advised to ask for detailed plans, elevations and drawings of the proposed development, and its setting, instead of giving permission for a particular use in outline form only.*10

*9 MHLG, Memorandum on Conservation Areas, Circular 53/67, para. 6

*10 *ibid*, para. 8

3. Section 56 of the Town and Country Planning Act 1968 allows the Minister to give direction to local planning authorities on matters which are to be taken into account in determining applications for planning permission in conservation areas, if he so chooses. At the present time, no formal directives are given, but a suggestion that special regard be paid to such matters as bulk, height, materials, colour, vertical or horizontal emphasis and grain of design is included.*11
4. In any major application for planning permission within a conservation area, advertisement of the intention in a local paper and on the site is strongly advised. This will allow representations from interested parties to be considered in coming to a decision. Public concern is a strong weapon in conservation planning and its correct use can afford a planning authority much goodwill and may well lead to voluntary action.*12
5. Some development of a minor nature is not subject to planning permission, being a "permitted" class of development under the General Development Order, 1963. In a conservation area even minor works can be a potential threat to the character, so that "deemed consent" could well need to be revoked, by applying for a direction under Article 4 of the Order to do so.*13
6. The preservation of listed buildings and any others of special interest will be essential for the success of a conservation area. As soon as the areas are designated, planning authorities should consider what powers are needed to protect such buildings from demolition and dereliction by use of Part V of the Town and Country Planning Act, 1968.*14
7. In Circular 61/68 emphasis is placed on the importance of a co-ordinated grant system for the protection of buildings of historic or architectural interest. Powers to give grants are available under Local

*11 MHLG, Circular 61/68, para.22

*12 MHLG, Memorandum on Conservation Areas, Circular 53/67, para.9

*13 *ibid.* para.11

*14 *ibid.*, para.12

Authorities (Historic Buildings) Act, 1962, Historic Buildings and Ancient Monuments Act, 1953, and under the Housing Acts (see Chapter 2)*15

8. More positive measures than mere negative controls on development should be considered. Anything that can be done to raise the environmental quality of an area following its designation as a conservation area may stimulate efforts to preserve buildings, and planning authorities may be able to help more directly by paying grants for repairs or by taking a lead to restore buildings in their care. A few demonstrations of successful restoration or conservation by the local authority tends to encourage others to follow suit, and stimulates a general improvement of the area, and a renewal of confidence in its future.*16

9. Other methods of preservation and enhancement involve the selection of street furniture of appropriate design, the removal of unwanted direction signs, unsightly advertisements and miscellaneous clutter, planting trees and encouraging collective "facelift" schemes for streets. It is to be hoped that definite schemes involving these will be established, and that co-operation between other departments of the Council, for example highways and statutory undertakers, will produce beneficial results.*17

10. New uses for old buildings may often be the key to their preservation, and under these circumstances it may be possible to relax control of use zoning, density, plot ratio, daylighting and other controls where this would enable a historic building or group to be given a new lease of life.*18

11. Good public relations are stressed as an essential part of the operation, and planning authorities will want to consider how best to set about enlisting public support, and it is in this connection that

*15 MHLG, Circular 61/68, paras. 13-15

*16 MHLG, Memorandum on Conservation Areas, Circular 53/67, para.13

*17 *ibid*, para.14

*18 MHLG, Circular 61/68, para.24

collaboration with local civic societies may be particularly helpful.*¹⁹

The above eleven considerations for a policy statement are based on the suggestions, rather than directives, of the Ministry of Housing and Local Government, but their statutory influence is still strong. A conservation policy statement is not a rigid document, but will vary from planning authority to planning authority. It must be developed early to show the kind of controls to be expected after designation, detailed enough to give advice on the preparation of development and redevelopment schemes, but not so detailed as to stultify progress. The four policies it must include, however, are some recognition of the need for conservation areas to be part of total environment, a statement of definitive development controls, a detailed account of all financial provisions available and some method to allow the full use of public participation. All this is explicit within the circulars of the Ministry of Housing and Local Government, and in the light of these considerations, local government strategy is examined.

LOCAL GOVERNMENT STRATEGY

Within the framework of Central Government policy, local planning authorities have the task of interpreting general conclusions to produce detailed strategies for their areas. As conservation is a new planning exercise and because of a shortage in both staff and time variation in quality and quantity is marked. Of the 860 conservation areas now designated, 141 are in greater London, 658 in the rest of England, 47 in Scotland and 14 in Wales.*²⁰ Analysis of the detailed lists reveals that some 28% of the conservation areas listed in England outside London are situated in three counties, Essex (69),

*¹⁹ MHLG, Memorandum on Conservation Areas Circular 53/67, para.15

*²⁰ Civic Trust, Conservation Progress, Spring 1970 p.2

Hertfordshire (74) and Warwickshire (51), and that such noted historic counties as Dorset, Norfolk, Shropshire and Somerset have no formal designations.*21 In Wales and Scotland the situation is even more disturbing with a large number of towns and villages without protection, notably the City of Edinburgh. Any estimate of the total number of designations must be purely speculative, but a figure of 3,000 is frequently used by the Civic Trust.*22 An idea of the scope presented by Britain's historic towns alone, and the associated conservation requirements, is found in a list published by the Council for British Archaeology in 1965. The Council's list contained 324 towns, of which 51 were considered of special importance. The inclusion of any town on the list was regarded as

an argument for preparing for it a comprehensive survey of the historic environment, illustrating its layout, its historic buildings, its urban quality and any other special characteristics. This "heritage plan" should, with the transportation plan suggested in the Buchanan report, form an obligatory part of the development plan process and should make specific provision for conservation of the features emphasised by the survey.*23

To date, a total of 111 (34%) have at least one conservation area designated, and of the 51 towns regarded as "so splendid and precious that ultimate responsibility should be a national concern", only 27 (53%) have been similarly designated. It must be noted that to obtain 324 historic towns the Council for British Archaeology pro-

*21 Civic Trust, Index of Conservation Areas, February 28th 1970

*22 Civic Trust, Conservation Progress, Spring 1970, p.2

*23 Council of British Archaeology, Historic Towns, 1965

duced an initial list of 660, and this was subsequently reduced. When it is remembered these are towns only and that many will have more than one conservation area, together with all the possible village conservation areas, the task is seen as immense.

Local Authority Conservation policy falls broadly into two categories. Firstly, those authorities that produce detailed schemes as and when a priority arises, and secondly, those that produce blanket coverage for their whole area in outline form before a consideration of detail. County Councils and County Borough Councils use both methods, though there is a tendency for County Councils to adopt the latter. The two processes stem from two Ministerial pronouncements in Circulars 53/67 and 61/68 that would appear contradictory.

The introduction of the Civic Amenities Act, 1967, gave local planning authorities power to determine which parts of their area are of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and to designate such areas as conservation areas. In the accompanying Memorandum on Conservation Areas, however, this definition was considerably broadened to include many types of ordinary, as opposed to special, environment.

(Conservation Areas) may be large or small, from whole town centres to squares, terraces and smaller groups of buildings. They will often be centred on listed buildings, but not always; pleasant groups of other buildings, open spaces, trees, a historic street pattern, a village green, or features of archaeological interest, may also contribute to the special character of an area.

It is the character of areas, rather than

individual buildings, that section 1 of the Act seeks to preserve.^{*24}

This is not to say that so-called ordinary environment is not worth preserving but that "special" has taken on the conotation of "particular or peculiar to" the locality of the designation. The Minister, in the above quotation, seemed to have broadened substantially the statutory definition of conservation areas. Whilst this broadening process was to a certain extent inevitable and desirable, there was a risk that unless some common ground could be established, different authorities would interpret the definition in ways differing so widely as to debase or invalidate the concept completely.

In the following paragraph, however, local authorities are assisted by a suggestion as to the methodology needed to promote conservation. The ministers hoped that all local authorities would take early steps to establish conservation areas, and should do so

one by one, starting with areas in which conservation measures are most urgently needed because of pressures for redevelopment or because of neglect and deterioration, instead of waiting until they are ready to move on a broad front. The need is very urgent in many historic towns.^{*25}

This directive produced the first crop of area designations, but sixteen months later there came a Ministerial change of attitude, that produced not only a new methodology but also considerably speeded up the designation process. Circular 61/68, although primarily concerned with historic buildings, does have several pertinent paragraphs on conservation areas, paragraph 12 being particularly relevant.

*24 MHLG, Memorandum on Conservation Areas (Circular 53/67) para.1

*25 *ibid* para.2

The Ministers expect those authorities who have still not designated all their conservation areas to complete this process as quickly as possible; and they wish to have from each local planning authority by 31st May 1969 a statement showing the proposed conservation areas still under consideration and the date by which it is intended to take a decision on their designation.*26

* The inference of this statement is a clear directive to local authorities to produce a list of conservation areas as soon as possible with little thought, for the moment, to their future enhancement, though this should proceed as soon as designations are complete.

The reasons for this change of attitude are not readily apparent. There was a certain slowness in designation, that has now been rectified, but whether this was caused by the procedure laid down in Circular 53/67 or a natural reluctance to try something new and moreover a lack of staff to accomplish the task, is difficult to ascertain. Although the statutory process leading to designation is simple, there are considerable administrative processes to be completed, and, in addition, with public participation seeming to be a necessary corollary to designation, speed is not always possible. Conservation is a method whereby environment is enhanced, differing from preservation where environment is merely retained. It is not enough to draw a line round an area to be conserved, a positive policy must ensue, and that policy must blend with the general planning of the settlement in which it is situated. The Minister's directive may have caused an acceleration in designation, but it also produced considerable ill-will.

*26 MHLG, Circular 61/68, para.12

Many local planning authorities may regard this as an undesirable attempt to stampede them into designation and this seems particularly undesirable not only in view of the financial implications of designation, but also because of the cumbersome administrative procedures which now arise on applications for development within conservation areas.*27

and again,

The considered view of the Society is therefore that this Ministerial pressure for total designation of conservation areas is wrong, and impairs the fundamental need for proper priorities in all aspects of planning administration - of which conservation area designation is only part.*28

This is a justifiable criticism, but there is also no doubt that if conservation designation had continued at its pre-December 1968 level there could have been some considerable losses in amenity, through action not being taken swiftly. Both policies and procedures, therefore, produce some basic problem. The answer to what would be the best method for conservation area designation would seem to lie in an amalgam of the two concepts.

LOCAL AUTHORITY CONSERVATION STUDIES: AN ANALYSIS OF METHOD

Information for this section has been gathered from two major sources. Firstly, a digest of conservation news, published by the Civic Trust, under the title of "Progress in Creating Conservation Areas"; and secondly by a circularised letter to 72 local authorities (see Appendix 1)

*27 Kesteven (Lincs) County Council, County Conservation Policy 1969 p.6

*28 County Planning Officers' Society, Conservation in Town and Village 1969, para.2

both county borough councils and county councils in England, Scotland and Wales, requesting information under four basic headings.

- (a) The stage that the implementation of the Civic Amenities Act has reached (in that particular local authority) - in terms of conservation areas designated, and to be designated.
- (b) The criteria used to define conservation areas.
- (c) The general principles adopted for the control of development.
- (d) If any plans have been prepared for the enhancement of conservation areas.

Of the 72 letters sent out, replies were received from 66, a response rate of 92%. A broad resumé of the answers reveals that Question (a) did not provide full enough answers for any major conclusion to be drawn, except that designations would appear to be about half complete in the authorities contributing to the survey. The criteria to define conservation areas (Question (b)) show a remarkable lack of originality in that only a quarter of the replying authorities conducted surveys to produce conservation area boundaries, but over 90% had adopted general principles for the control of development within conservation areas (Question (c)). Question (d) found that only 24% of local planning authorities replying had any plans for the enhancement of conservation areas, supposedly a major feature of the Civic Amenities Act. The most striking aspect of the replies is their similarities to each other, especially with regard to designation and controls for development. There is also little of the experimentation expected of a new technique, and the reports published bear little resemblance in detail or quality of survey to the four Ministerially commissioned studies. In the following paragraphs a digest of all conservation area reports received is developed. This compendium is typical of many, but is not based

on one particular pamphlet, and so includes most of the concepts prevalent in conservation planning today (see Appendix 2 for three typical examples).

A conservation report can be divided into a number of sections.

(a) An explanation of the term conservation area together with the statutory definition of the important passages in the Civic Amenities Act, 1967, and Part V of the Town and Country Planning Act, 1968 (1969 in Scotland).

(b) The designation procedure.

(c) General policy statement as to action both for protection and enhancement.

(d) A list of areas to be designated.

Variation of individual reports comes in the detailed appraisal rather than in the content of the statement.

The first part is usually a reiteration of the relevant parts of the two acts together with their associated circulars for the benefit of the general public. This gives the statutory requirements of the various related laws so that any potential developer can see at a glance what procedure he must follow to obtain permission, and if necessary, what redress there is in case of default. The second section gives the designation procedure adopted by the local planning authority. This can be strictly as to the statute, with designation, preceded only by consultation with district councils in the case of county procedure, following a published notice in the London Gazette and one or more local newspapers, together with notification of the Minister. Some authorities, however, chose to publish a provisional list which is presented to the general public and interested societies and organisations for discussion, before final approval of areas. To establish areas

suitable for inclusion in a conservation policy some form of objective assessment must be included. As has been noted (see previous page), only a quarter of local authorities replying to the questionnaire conducted any surveys to produce conservation area boundaries. A large majority, relying on local knowledge, drew a line intuitively on a map around an important environmental area. A minority examined basic historical background, common identity areas and produced superficial townscape analyses before designation, and even fewer prepared criteria to assess conservation areas in value terms.

The most significant section of all the reports, and the section usually allocated most space, is that devoted to the policy statement. This can have five basic elements; general policy, planning control, enhancement, financial measures and public involvement. While a majority of reports include a section relating to policy, contents vary considerably and many do not go beyond a list of proposed development controls together with a statement that enhancement and control of traffic are essential. The general policy statement makes reference to the terms of the Act, in that the local authority will endeavour to preserve and enhance conservation areas by a policy of "Positive creative planning" rather than merely negative control. In addition reference is made to co-ordination with other planning policies, such as a development plan, to ensure there is no conflict of criteria.

Planning Control covers a wide range of topics. All policies and action in a conservation area must be directed towards preserving and enhancing the special qualities of the environment. To protect the area from deterioration positive development control is essential. This takes the form of measures dependent upon administrative action

or decision by public authorities, together with much co-operation, goodwill and effort by voluntary bodies and property owners. Because of the varying types of local planning authority throughout the country, both large and small, rural and urban, there is hesitancy in giving detailed prohibitive conditions statutory recognition. In order not to be too restrictive and time-consuming certain development standards have been laid down where permission has been "deemed to be granted". Conversely, certain orders have been instigated, supplementary to the basic acts, providing additional power when dealing with particularly sensitive areas. These two facets of Central Government legislation are extremely relevant to conservation area planning where the key factor is environment retention. Detailed control by statute and order is effected through various channels: these include individual building preservation notices and compulsory acquisition of listed buildings in need of repair (from Part V, Town and Country Planning Act, 1968); revocation of "permitted development" as allowed by the General Development Order 1963 by means of an "Article 4" directive; definition of the whole or part of the area as an "Area of Special Control" under the Advertisement Regulations, thus bringing under control advertisements exempted by the Town and Country Planning (Control of Advertisements) Regulations, 1960; Discontinuance of Use Orders to secure the removal of any uses adversely affecting the special character of the area, from Section 28, Town and Country Planning Act, 1962; and the making of Tree Preservation Orders in accordance with Section 29, Town and Country Planning Act 1962 as amended by Part II, Civic Amenities Act, 1967.

Control of development is also effected through the normal planning permission procedure, in that a local authority is able to lay down conditions within which development will be considered. Because of

the special character of a conservation area new uses or changes of use out of keeping with, or harmful to, environment must be excluded. This involves stating broad criteria in the preparation of plans for a new building or change of use concerning scale, massing, character, height, building line, position, plot ratio, materials, design and colour of individual buildings or groups of buildings together with the treatment of surrounding ground surfaces. To facilitate this, under Article 5(2) of the General Development Order, 1963, local authorities can require all developers to submit applications for new buildings or extensions in the form of detailed plans and drawings, including elevations showing buildings in their settings, instead of in "outline", as is usual. Some local authorities also stress the need for control of development on the edge of or outside conservation areas, especially with regard to building height and views both in and out.

Local planning authority conservation reports excellently cover planning control, the negative aspect of conservation, but are less certain about enhancement of environment, the positive aspect - the circularised questionnaire found only 24% of responding authorities had any plans for enhancement. Reasons for slowness are given as shortage of staff, no financial assistance to encourage work to be undertaken or the Government's policy of requiring total designation before the detailing-up of individual schemes. However, some authorities have attempted enhancement of conservation areas and in their reports include analyses of considerations, usually in the form of a statement of intent. As was noted in Chapter 1, within areas suitable for designation there are unused sites and outworn buildings detrimental to the character of the area. Policy should be to encourage satisfactory redevelopment of these areas and ensure the rehabilitation of neglected buildings and sites. In addition

developers would be encouraged to restore existing buildings in sympathy with the area rather than redevelop. Within the broad principles of planning control any new development might be included in a conservation area and the local authorities would act as a catalyst to improvement by the preparation of enhancement schemes, firstly to encourage statutory undertakers to rationalise or remove wires or offensive street furniture of all kinds, and secondly, to demonstrate to the public, by means of attention to property in their care, how painting and general rehabilitation can improve buildings.

The concluding sections of a policy statement are concerned with an explanation of financial measures and the stressing of the importance of public participation. In Chapter 2 the availability of grants from various sources, Historic Buildings and Ancient Monuments Act, 1953 ("town schemes"), Local Authorities (Historic Buildings) Act, 1962, various Historic Buildings Trusts, as well as the Housing Act, 1969, were explained, and these are reiterated for the benefit of the general public in the conservation reports.

Public participation is in its infancy. The Civic Amenities Act lays down procedure for consultation of the public in that applications for planning permission for any development affecting the character of a conservation area must be advertised in local newspapers and an opportunity given to the public for inspection of the plan and other documents. Only after a period of at least 21 days may the authority make a decision and must bear in mind any representations made to them during that period. This is a minimum condition, and most local planning authorities choose to go much further in their public consultation. Provisional lists of conservation areas are published for comment, amenity societies and other voluntary bodies are asked to comment or

even help prepare initial surveys, meetings are held in the designated area to amplify policy and people are encouraged to take an active interest in forming associations to prepare "facelift" schemes for particular streets. Some local planning authorities have set up conservation Area Advisory Committees to advise on applications affecting character or appearance - as suggested by Paragraph 21, Circular 61/68. Ideally, members would be drawn from such national bodies as the Royal Institute of British Architects and Town Planning Institute, local archaeological, historical, civic and amenity societies together with representatives of residents associations, Chambers of Trade, Trade Union Councils or any other semi-official local body.

To complete the report a list and description of designated local conservation areas is included; boundaries are shown, and broad appraisals of the reasons for designation. Often there is a distinction between policy and areas designated, with the consequent production of two or more reports. This is especially the case for county planning authorities, where there might be large numbers of conservation areas. For presentation, most reports come in a thin bound volume with a minimum of photographs and maps. In addition some local authorities supply to all owners and occupiers in the area a free leaflet, most reports cost a few shillings, setting down the broad principles as contained in their detailed policy statement. Few authorities have made an attempt to stimulate public support by attractive presentation, and as one of the major aspects of conservation is public participation, and as it is such an intensely visual subject, this is rather surprising.

LOCAL AUTHORITY CONSERVATION STUDIES: A CRITICISM

"Conservation" is a term that so far has not been adequately defined for planning purposes. As a result there are growing misconceptions

caused by the confusion between the use of the expression in its general sense, as in "European Conservation Year", and the use in its particular sense, as defined by the Civic Amenities Act, 1967. Conservation may, perhaps, mean nothing more than a rational use of existing resources to maintain and improve the quality of environment. In this general sense the definition of areas of high landscape value, an urban high buildings policy and the initiation of a grant scheme under the Local Authorities (Historic Buildings) Act, 1962, are all constituent elements of conservation policy for town or country. However, the term "conservation areas" has a specific meaning, having been defined in Section 1 (i) of the Civic Amenities Act as "areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". It should be clear, therefore, that formal designation of a conservation area is only an incidental instrument of policy and is not the fundamental basis of either county or county borough conservation policy or urban strategy. In other words general conservation policy must come first and should ideally include a complete appraisal of a particular local authority's environment.

The confusion over terms is further exacerbated by the fact that conservation planning, as defined by the Civic Amenities Act, exists at two very distinct levels: firstly as an essential part of national, regional, sub-regional, city wide or local policy; and secondly as detailed strategy within the conservation area itself. At present, local planning authorities concentrate on the second, whilst only paying lip-service to the principles involved with the first. Conservation planning is looked on as something special, a new technique to be used divorced from, or even instead of, usual planning practice. Each local authority prepares individual schemes for individual areas

paying scant attention to the fact that by controlling development pressure in one area, it is created or increased in another, and whilst that might sometimes be desirable, it also might not; for example the intensification of traffic on certain routes after street closures. Attention has already been drawn (Chapter 1) to the importance of conservation at a regional level in allowing the pressure on towns and villages of environmental value to be channelled into settlements more suited to expansion. This policy applies equally in urban areas, if one part of a town is to be preserved then another part must be allocated for change, for example, where an existing High Street would be spoilt by further development, new sites must be provided on which to build shops. An example of this kind of control is exhibited by Kent County Council in actively keeping the planned population of Tenterden at about 5,000 so that increased facilities in the centre would not become necessary and thus spoil environment.*29

To be fully effective, conservation areas should be regarded as action areas within the framework of the new structure plans, and not as a separate entity. In this instance the Minister's directive in Circular 61/68 is confusing and unwise. To rush local authorities into designation means that conservation areas are mere boundaries on maps, and although having some relevance to the planning of settlements as units in that this should be taken into account, logically conservation areas can only be used at the structure stage of a strategy, and be defined in relation to expansion possibilities elsewhere. Some local authorities have followed the Government's lead in instigating blanket declarations, but many have not, preferring to move from one to another as the priority arises, as suggested by Circular 53/67. Although seemingly a more sensible approach, it does leave local authorities

*29 Kent County Council, Tenterden Explored, 1967
 Kent County Council, Tenterden: A Plan for the Town Centre, 1967

open to criticism in that possible conservation areas are not given adequate protection, and there is a danger that if a crisis arises then conservation proposals cannot be completed in time. A policy is needed to integrate the proposals of the two conflicting circulars, 53/67 and 61/68.

Confusion over methods of designation, and conservation area policy is merely the presentation of a line on a map, has led to a divergence from the statutory definition, "to make further provision for the protection and improvement of buildings of architectural or historic interest and of the character of areas of such interest".*³⁰ Conservation area designation is at present a negative control. Within a given boundary a series of very strict rules are laid down, often as detailed as the colour of paintwork, to control any work done by owners, or future work or schemes by potential developers. This was not the intention of the Civic Amenities Act, "the Ministers attach particular importance to the designation of conservation areas, which represent a shift in emphasis from negative control to creative planning for preservation"*³¹ This negative attitude has meant that although there is considerable public sympathy for conservation, the owners, and potential owners, of property within a designated area are presented with yet another set of rules and regulations. Conservation is essentially visual, much of its viability lies with a stimulation of interest, by the Local Authority, of the property owners, for it is they who will ultimately have to contribute, both in time and capital, to any scheme produced. Conservation cannot be completely financed by local authorities or Central Government, there are so many that at least part of the financial burden must fall on the owners, indeed their properties may well be enhanced in value by positive schemes. To obtain, and retain, their good-

*³⁰ Preamble to Civic Amenities Act, 1967

*³¹ MHLG, Circular 53/67, para.4

will interest must be shown to be taken by the preparation of tidying up operations, landscaping treatment or other forms of visual improvement. Only in this way will there be any hope of persuading owners to carry out improvements for themselves. An example from the City of Lincoln illustrates the point. Within a designated conservation area, Lincoln No. 1, there exists several acres of land, cleared some fifteen years ago, of sub-standard housing; it is still empty and overgrown, an eyesore owned by the Corporation. Letters to the press recently have come from owners of surrounding property who are reluctant to carry out any "facelift" scheme to their properties until the authorities clean up their land by redevelopment. This is a typical example of the frustration caused by a negative approach to conservation planning.

Another aspect of blanket conservation designation and the consequent formal boundary line is that, in general, conservation proposals are not related to surrounding areas, in the sense that in nearly every scheme there is one single line denoting the area to be controlled, there is little consideration for the effects of designation over the settlement as a whole. In a conservation area the conservation area/town/landscape relationships are as important as townscape within. Development of the settlement should be assessed to identify the most important features of the existing visual relationship between the above elements, the appearance and massing of the built-up area as a whole, the assessment of high buildings and the establishment of areas where high buildings will not detract from the skyline or where positive new skylines might be created.^{*32} A policy such as this would necessitate considerable extra work for a local authority, indeed the work should act as a basis for planning the settlement as a whole. To assist in

*32 See Worskett, Character of Towns, 1969, p.231-236

more meaningful designation, therefore, conservation should include some assessment of important views, corridors of vision, and also indicate areas surrounding a conservation area where special attention must be paid in any future development so as not to attract from the inherent visual beauty. This, at present, is not done.

Conservation planning is essentially an exercise in public involvement, yet this can go too far. In Paragraph 21 of Circular 61/68 the Minister suggests the establishment of Conservation Area Advisory Committees to give advice upon applications affecting the character or appearance of a conservation area, and many local planning authorities have acceded to this suggestion. These are nominated committees with purely advisory powers, and as such add nothing to the efficiency of schemes. A decision on a planning permission is required within two months of its receipt, in a conservation area just as anywhere else. During the two months, one month is taken by advertisements in local newspapers and on the site, and any representations made during this period must be taken into account before a decision is given - the advisory committee would be simply another administrative burden on an already tight schedule. Indeed, a local planning authority, in all probability, will seek advice from amenity societies on any major decision, but otherwise the planning staff should be able to make a competent decision without outside help. The committee, however, does allow for public participation, though there is a danger, in that planning programmes and decisions are invariably retarded by excessive participation procedures, and this particular role would seem unnecessary.

Again on the administrative side of conservation planning is the problem of presenting a comprehensive approach. Paragraph 13 of Circular 61/68 advocates all forms of action, including financial help, be made available

for preservation. Local authorities are urged to use all powers, in addition to taking statutory action, in a co-ordinated way. Although some enhancement schemes have been produced using the availability of loans and grants under Local Authorities (Historic Buildings) Act, 1962, Historic Buildings and Ancient Monuments Act, 1953, the Housing Acts and other sources, together with help of such bodies as Civic Trust, Council for the Protection of Rural England, and the Society for the Protection of Ancient Buildings, many have not. Whilst criticising the establishment of an Advisory Committee as not relevant, it must be remembered that many organisations can fruitfully help in the preparation of schemes, and these are not being taken advantage of at present by local authorities: too many authorities mistake co-operation and participation for interference.

CONCLUSION

Conservation planning is at a watershed. The criticisms highlighted in this section are beginning to produce a reaction from the more technically advanced local authorities. Much has been achieved, but conservation is still too self-contained and too parochial, used as a means of gaining support for a local authority by popular action rather than positive policies: even the word "conservation" is not adequately defined. Government policy is to make conservation positive, yet nearly all the achievements so far have been in the field of negative control. Property owners have been alienated by the controls on their property, and the lack of incentive shown by planning authorities; intuition has produced results, rather than data-based assessments; protection to historic areas is not always provided quickly enough; administrative procedures are constantly increased with no consequent improvement in method; and co-ordination, both inter-departmental and with the public,

is achieved only rarely. All these problems must be solved before conservation planning can continue, the lack of a recognised logical planning process is putting into jeopardy the environment of many towns and villages.

CONCLUSION

The aim of this thesis is to examine the present state of urban conservation and to assess the ways in which modification is needed for the future. The subject is related to all environment, not just that of special architectural or historic significance. Three major sections examined the theory, legal framework and practice of local authority conservation policies, and highlighted various problems and possibilities. Conservation, environment and townscape are inexorably linked. Townscape produces environment which is in turn protected and enhanced by conservation policies; any discussion of conservation must therefore revolve around environment and environmental protection.

That conservation is necessary is now beyond question. It exists to protect environment in any redevelopment proposal, not completely by negative control, although this plays a part, but by positive action. Conservation differs from preservation by this very action; an area has to live and expand, not be preserved as a museum-piece. The protection of environment, especially pleasant environment, is necessary for the psychological stimuli it is capable of releasing. Historic association, cultural heritage, civic pride, a sense of place in a continuing community, indeed, pleasantness of living condition generally all make urban conservation vital. The problem is that in a modern world, evaluation is in financial terms, the profit margins, and there is no doubt that if all decisions were based on these monetary considerations, few historic buildings and areas would survive. Too much pressure on an area and demolition and redevelopment is called for, too little pressure and the area falls into decay remedied only by demolition and redevelopment. If conservation of environment is essential for human good, not only must a balance of pressure be achieved, but also the realisation established that benefits accruing from living in pleasant surroundings must be involved in the quantification process

of redevelopment, together with some form of grant assistance if necessary. Conservation also makes economic sense in that the rapidly growing British tourist industry is based almost entirely on people visiting historic environments, so that to protect our heritage must be of prime concern.

Conservation exists at two levels; firstly, the problem of absorbing the new with the old and the creation of pleasant environment, and secondly, the integration of conservation into a rationalised planning process. Conservation cannot be conceived in isolation from the settlement in which it is situated. The pattern of development established is directly related to prosperity, this prosperity must be protected: if there is also pleasant environment, then this too must be protected by change elsewhere. The idea of one area complementing another in terms of intensity of development is not new, it is essential to planning. Since the introduction of "Development Plan" planning, the potential of one area for change against another has motivated planning. All that conservation has done is to allow the emphasis to change. In assessing areas for development potential concern was for buildings rather than their setting, now concern is for buildings in their setting. Unfortunately this has largely gone unnoticed by local authorities who have taken conservation as a policy to use in a specific area without relevance to surroundings. The other level of conservation is detailed design, and here policies have been more successful. The major difficulty is to find the right kind of "practitioners", aesthetics being an intensely personal subject, ideas of visual stimulants are related to personal "schema", making objective analysis difficult. In practice, however, both planners and architects have used their personal criteria, and would seem to have been successful, though it must be emphasised that little positive thinking has yet emerged in conservation planning.

The legal background of conservation gives adequate support for the development of policies. The Civic Amenities Act, 1967, allows for the creation of conservation areas and the enhancement of environment; Part V of the Town and Country Planning Act, 1968, gives support in the preservation of historic buildings. Conservation areas can thus be designated and policies prepared for control and enhancement. The difficulty arises on examination of the financial framework, revealing a serious deficiency. Whilst legislation is concerned with areas, finance is still concerned with individual buildings or groups of buildings, and even here the process of obtaining money is slow. It would be wrong in times of economic stringency, as the local authorities are facing, to suggest that grandiose schemes for environmental enhancement should be initiated, but it has been stated that conservation in purely monetary terms is not economic, so that to become viable some form of grant is necessary. As to what form the grant takes, it is essential to have as wide a coverage as possible, so that a block grant for one town, or even one conservation area, would seem ideal, to be spent at the local authorities' discretion. Only in this way can forward policies be pursued.

The practice of conservation at a local level needs reappraisal. Conservation is merely the planning of historic areas. More integration with other planning policies and schemes is necessary, even to a regional and national level, so that resources can be allocated to the most deserving areas. A technique, or techniques, must be developed for conservation planning. If environment is important then it is not enough to hastily draw a boundary line round an area, produce all the statutory restrictions on advertisements and minor developments, and conclude that this will protect environment from harm, it is very likely to have the opposite effect. More should be done by persuasion, less

by resorting to the force of law. Public participation should be involved at an early stage to decide which areas need protection, after this has been established it should be possible to resort to designation procedure and enhancement only as it becomes necessary. Every action area for a town, or county, is not prepared at once, but taken one at a time as priorities arrive; conservation area designation should be no different. In cases of emergency the law is simple enough to apply quickly. Schemes should be prepared only if something positive will be the outcome, and negative controls of important environment can be a positive policy. With the lessening of administrative work by the reduction in designation and control procedures, and the reduction of statutory enforcement, not only will the process of conservation be speeded up and energies diverted to the creation of positive schemes, but also less statutory control will be enforced on owners and occupiers who will probably be more amenable to spend their own money if something positive is being done by the local authority.

Conservation lends itself to public participation. Care must be taken, however, that participation is used at the proper time, when something of value can be achieved. The establishment of conservation Area Advisory Committees, as suggested by the Ministry of Housing and Local Government would seem to have no reason for existence, merely duplicating the work of the planning authority, involving extra time. Public interest can be aroused by talks, films and discussion groups, and by allowing amenity societies and school children to undertake some survey work. In addition, full consultation should be established with residents of a proposed conservation area. These are the correct methods of participation, and need to be tailored to the particular needs of each individual conservation area.

Conservation is degenerating into an exercise in planning control. Policy is too slow in establishing possible conservation areas, too quick in establishing negative controls, intuitive in approach, not dynamic enough in results, lacking in finance. On the credit side, however, many buildings and areas have been protected against destruction, and the relevant Acts have increased the general awareness of environmental problems. This thesis has analysed conservation from all directions, to assess what is wrong and establish pointers for the future. It is the first stage of a series, the next must be the development of a conservation process, or the development of a general process that includes conservation. How boundaries are defined? What criteria establish a conservation area? At what level must conservation be applied? The understanding of good environment has been heightened, environmental destruction is at last being recognised and forcefully combatted. Further reserach is necessary on the psychological effects of planning and architecture on people. The future of conservation lies with local planning authorities. It is doubtful whether the four commissioned studies of Bath, Chester, Chichester and York will be implemented before all other conservation designation is complete at the present rate of progress. It is the local authorities who must be given every assistance in establishing urban conservation as a positive, forward-looking technique.

APPENDICES

APPENDIX 1

A list of all local planning authorities to whom a questionnaire was sent requiring conservation details.

Aberdeen C.B.C.	East Riding (Yorkshire) C.C.
Ayr L.B.	East Suffolk C.C.
Bath C.B.C.	East Sussex C.C.
Barnet L.B.C.	Essex C.C.
Bedfordshire C.C.	Exeter C.B.C.
Berkshire C.C.	Gloucester C.B.C.
Birmingham C.B.C.	Gloucestershire C.C.
Bristol C.B.C.	Greenwich L.B.C.
Buckinghamshire C.C.	Hackney L.B.C.
Caernarvonshire C.C.	Hampshire C.C.
Cambridgeshire & Isle of Ely C.C.	Haringey L.B.C.
Camden L.B.C.	Hastings C.B.C.
Canterbury C.B.C.	Herefordshire C.C.
Cardiff C.B.C.	Hertfordshire C.C.
Cardignashire C.C.	Huntingdonshire & Peterborough C.C.
Carlisle C.B.C.	Kent C.C.
Chester C.B.C.	Lambeth L.B.C.
Cheshire C.C.	Lancashire C.C.
Coventry C.B.C.	Leicester C.B.C.
Cornwall C.C.	Lincoln C.B.C.
Darlington C.B.C.	Lincolnshire (Kesteven) C.C.
Derbyshire C.C.	Lincolnshire (Lindsey) C.C.
Dunfermline L.B.	Liverpool C.B.C.
Durham C.C.	Midlothian C.C.
Ealing L.B.C.	Newcastle C.B.C.
East Lothian C.C.	Northamptonshire C.C.

Nottingham C.B.C.

Surrey C.C.

Nottinghamshire C.C.

Warwickshire C.C.

Oxford C.B.C.

Westminster L.B.C.

Oxfordshire C.C.

Westmorland C.C.

Plymouth C.B.C.

West Riding (Yorkshire) C.C.

Renfrewshire C.C.

West Suffolk C.C.

Ross and Cromarty C.C.

Wiltshire C.C.

Roxburghshire C.C.

Worcester C.B.C.

Staffordshire C.C.

Worcestershire C.C.

Stirlingshire C.C.

York C.B.C.

C.B.C. - County Borough Council

C.C. - County Council

L.B. - Large Burgh (Scotland)

L.B.C. - London Borough Council

APPENDIX 2

Three examples of typical conservation policy documents

1. City of Chester - An example of urban conservation designation in a city centre.
2. East Suffolk County Council - A general policy statement covering all towns and villages liable to conservation proposals.
3. Surrey County Council - A general statement of conservation aims presented to local residents as a free leaflet to promote participation.



City of Chester

Civic Amenities Act 1967 Conservation Area

**A. D. Statham M. Eng., C. Eng., M. I. C. E., M. I. Mun. E.,
City Engineer & Surveyor**

**49 Northgate Street
Chester CH1 2HN : Tel. 27554**

Introduction

Chester is one of the towns selected by the Ministry of Housing and Local Government for a special study of the implications of a conservation policy for the historic centre, with the broad object of preserving and where possible promoting or enhancing the architectural and historic character of the area in order to maintain its life and economic buoyancy.

Chester's history dates from the middle of the 1st Century A.D. when a Roman Army encamped on the site where the City now stands. Traces of the Roman Walls remain as part of the larger circuit of the Medieval Walls which date from the 10th Century A.D.

Subsequent centuries each left traces upon the Roman basis which results in the present heritage of historic Chester.

A feature of the City is the street architecture unique in this Country known as The Rows which exist in the five major shopping streets in the City centre and comprise a double row of shops, one at street level and the other at first floor level, the latter being set back about 10 feet and approached by flights of steps. This is protected by balustrading and a sloping floor known as the "row stalls".

There are in the City over 350 buildings in the Provisional List of buildings of Architectural or Historic interest prepared by the Minister of Housing and Local Government under Section 32 of the Town and Country Planning Act 1962 and the Conservation Area contains over 300 of these.

The Council propose to adopt a positive policy within this area to ensure that listed buildings are preserved wherever possible and these should set the scale and environmental character of any new development.

The policy will consist broadly of the following:-

Control

In considering applications for planning permission in the Conservation Area, the City Council will not generally regard outline applications as satisfactory, but will at the earliest possible stage require detailed plans and drawings including elevations showing the proposed buildings in relation to their surroundings.

New buildings proposed to replace listed buildings which are wholly beyond repair will not be judged as separate entities but will be required in terms of scale, character, and materials, to respect the character of other buildings comprising part of the same visual entity.

In cases where the Council consider that there is a special need to bring under control any particular class or classes of development within the Conservation Area which would normally be "permitted" development they will apply to the Minister of Housing and Local Government for a Direction under Article 4 of the Town and Country Planning General Development Order 1963, requiring that particular class to be the subject of a planning application.

The Council will interpret rigidly the definitions of development contained in Section 12(1) of the Town and Country Planning Act 1962 and will take full advantage of the provisions of Section 33 of the Act (as amended by Section 2 of the Civic Amenities Act 1967) with a view to securing maximum control over development likely to seriously affect the character of buildings listed as being of special architectural or historic interest.

The Council will consider the making of Building Preservation Orders where necessary.

Careful consideration will be given to the type and the amount of new development which may be allowed in the Conservation Area and wherever possible the Council will encourage developers to restore buildings which conform to the area rather than redevelop.

With regard to any proposals for new development that are in the opinion of the Council likely to affect materially the character of the Conservation Area or any part thereof, the Council reserve the right to advertise the proposals and take into account any representations they receive before making a decision on the application.

The Council will seek the approval of the Minister to define the whole of the Conservation Area as an area of Special Control under the Town and Country Planning (Control of Advertisements) Regulations 1960. In considering all applications for advertisements within the area the Council will give special attention to their position and purpose, and will seek to achieve the highest standards of design of all advertisements with a view to such features being used to make a positive contribution to the general amenity of the area.

New advertisements must be properly related to the architectural design of the buildings on which they are displayed and any containing material other than the name of the firm and the type of business will be discouraged. Particular attention should be paid to the scale of lettering and dignified styles should be employed with illumination restricted to the lettering only.

The Council will not hesitate, when it is thought necessary, to use the powers of the Town and Country Planning (Control of Advertisements) Regulations 1960 to secure the removal of existing advertisements but will prefer to seek the co-operation of owners and tenants to this end with reference to advertisements that are out of keeping with the character of any particular portion of the Conservation Area.

Preservation and Enhancement

The Council will consider the provision of financial aid either by way of grant or loan under the Local Authorities (Historic Buildings) Act 1962 towards the cost of repair and maintenance of listed buildings.

The formation of street or area associations wishing to carry out co-ordinated improvement schemes for whole streets or areas will continue to be welcomed by the Council.

The Council intends to continue its policy of tree preservation and will normally require replanting to be undertaken when permission is given for the felling of a tree. They will also investigate the possibility of planting new trees in suitable locations to enhance the landscape within the Conservation Area generally.

Particular attention will be paid to the siting and design of street furniture within the area under the control of the Council.

The Development Plan will, it is expected, be revised on the lines of the Town and Country Planning Act 1968. It will be directed towards preserving and enhancing the environmental advantages of the area so as to achieve the maximum convenience and pleasure in shopping, working, playing and living.

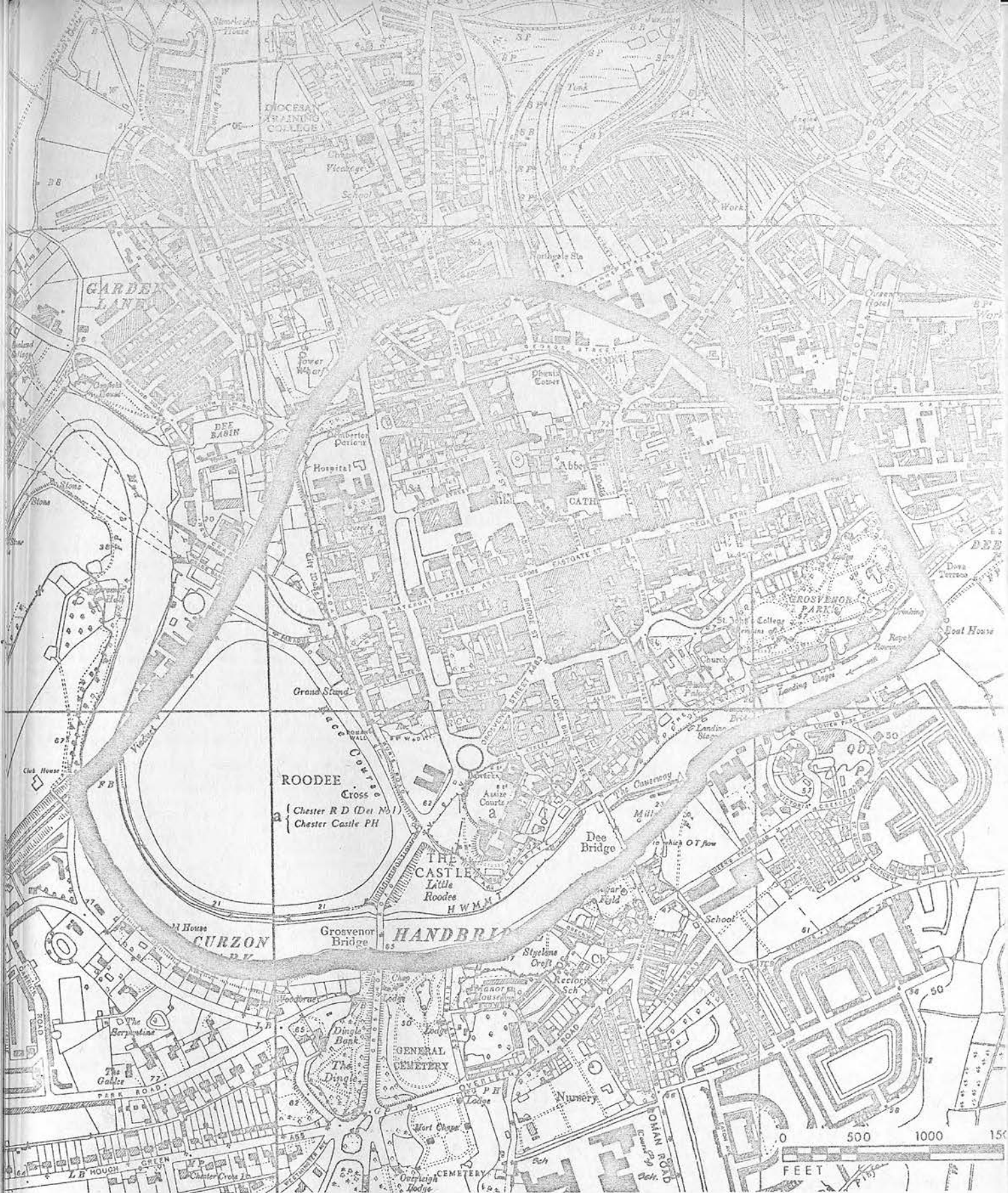
Its proposals will include measures designed to reduce traffic congestion in and around the Conservation Area by traffic management and road improvements, such as the completion of the Inner Ring Road, the provision of off street parking and the introduction of additional pedestrian ways.

The overall plan will also prescribe the land uses within the Conservation Area and beyond and will provide for diversion elsewhere of harmful pressures for redevelopment within the Conservation Area.

Description of the Conservation Area

The Conservation Area comprises an area bounded on the North by the Inner Ring Road and on the East by the line of the proposed North Eastern Section of the Inner Ring Road to its junction with Foregate Street; thence in an easterly direction to the junction of Dee Lane and The Bars; thence along Dee Lane to the River Dee, across the river and thence along the south bank to a point where the railway line crosses the river; thence following the eastern boundary of the railway line to the Inner Ring Road.

Cover Photograph reproduced by kind permission of the "Cheshire Observer".



City of Chester
Civic Amenities Act 1967
Conservation Area

Civic Amenities Act 1967

Policy for
CONSERVATION AREAS

C.W. Smith, M.T.P.L., A.R.I.C.S., County Planning Officer,
County Hall, Ipswich.

Introduction

Under the terms of the Civic Amenities Act 1967 the County Council is required to designate areas of special architectural or historic interest as Conservation Areas. The Minister of Housing and Local Government expects firm action to secure the preservation of buildings that contribute materially to the quality of the environment of a town or village. The aim is to place emphasis on creative planning and this can only be achieved through a wide understanding of the meaning of conservation and sympathy with its objectives.

The County Council has considered its position in this context and after careful consultations a policy has been drawn up setting out the means by which the County Council intend to meet their new responsibilities.

This policy should serve as a guide to property owners, prospective purchasers, local authorities, amenity societies, statutory undertakers and all those concerned in any way with those towns and villages having special charm and character. The list of towns and villages for which Conservation Area plans have been or are to be drawn up represents the County Council's present intentions and will be revised from time to time.

C. W. SMITH, MTPI, ARICS, County Planning Officer,
County Hall, Ipswich.

January 1970

The Need for Conservation

1. A Conservation Area is defined in the 1967 Act as 'an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.' It may include many buildings listed statutorily as being of architectural or historic interest; equally it may include many buildings not so listed, together with other elements which combine to make the character of an area.
2. In general, an area chosen for conservation is one where the pattern of streets and enclosed urban spaces, the scale of buildings, their silhouette, the massing of groups of buildings, makes a coherent visual unity that has not been spoilt by insensitive development or redevelopment. These areas often have an historic value in that they may be the culmination of centuries of development when the technological and stylistic background did not change as rapidly or with such disruptive effects as it has done in the past fifty years. These areas have an intrinsic value and visual qualities that are irreplaceable. The scale and character of modern developments, roads and buildings, has changed so much and must meet so many demands of economics, traffic and function that they cannot recreate the character of these areas and a special compromise must be made.
3. Thus it can be seen that the County Council's intention is to preserve and enhance priceless assets which have evolved over many years, but which can so easily be eroded by 20th century needs, insensitivity and the lack of a firm policy. From this it must not be supposed that the intention in these areas is to inhibit development as a matter of course. They cannot become museum pieces and change is frequently both desirable and inevitable. The important thing is that new development should be

sympathetic to the aims and objectives which have been declared, and should be skilfully carried out.

Designation

4. The procedure of designation is simple and straightforward but the County Council must consult the District Council within whose area the Conservation Area is included. After consultation it is necessary to publish a notice in the London Gazette and one or more local newspapers, and to notify the Minister. The published notice should describe the area as clearly as possible, and ideally be supported by a map.
5. The Minister's confirmation is not required and there is no statutory provision for objections or representations to be made or heard. For this reason the East Suffolk County Council consult widely before making their decisions.
6. The boundary of a Conservation Area is selected with great care, but it should be appreciated that it is only a broad indication of the area of concern -- large structures, whether they are water towers, farm buildings, electricity pylons, or other commercial buildings can make their impact felt for a considerable distance, often further afield than the immediate surroundings of the street scene which is the subject of conservation. Thus many developments proposed beyond the Conservation Areas will have to be carefully examined with the same objectives in mind.
7. Following the designation of any Conservation Area the local planning authority will pay special attention to preserving or enhancing its character in the exercise of their powers under other legislation such as the Historic

Obligations of Designation

Buildings and Ancient Monuments Act, the Local Authorities (Historic Buildings) Act and the Planning Acts. A site notice will be displayed and the proposal advertised where an application for planning permission is made for development (whether in the conservation area or not) which the local planning authority feel will affect the character or appearance of the area. The advertisement and notice will state where plans may be inspected. The planning authority may not reach a decision before three weeks have elapsed, and they must then take into account any representations made during the advertisement period.

8. This latter step represents a very important aspect of the Civic Amenities Act 1967, which seeks, in common with general planning thought today, greater public participation in planning. Conversely it will be appreciated that yet another process has been introduced into an already complex system and inevitably some delays will occur, particularly where controversy arises.

9. This then is the direct impact upon the individual applicant within a Conservation Area. His social responsibility will be open to wide interpretation but if the qualities which designation of a conservation area seeks to conserve are to be retained and enhanced, then it will be essential for there to be the closest co-operation between owner, developer, designer, local authority and the County Council as highway and planning authority. Furthermore the safeguarding or enhancement of the character of a Conservation Area could involve an individual developer in extra expenditure, especially when conditions are imposed which require among other things the use of particular materials.

Areas to be Designated

10. A list of those areas where the designation of a Conservation Area is thought to be warranted has been compiled following

the deliberations of a Special Working Party set up by the East Suffolk County Council to review the question of the preservation of historic buildings. This Working Party comprises representatives of the Suffolk Preservation Society, the Suffolk Association of Architects, the Suffolk Institute of Archaeology, the Local History Council, the County Archivist and other officers of the County Council. Consultations have also taken place with District Councils, the Suffolk Preservation Society and the East Suffolk Parish Councils Association. The result has been enthusiastic support of the principles of conservation and the drawing up of a list of proposed conservation areas. (See Appendix I).

Action in Conservation Areas

11. In considering a relevant policy and course of action for a Conservation Area thought will have to be given and individual policy statements will be prepared. The purpose of these detailed individual policy statements will be to make people notice and think about the area. They will be compounded of criticism as well as praise so that the lessons of the past, good and bad, can be learned. Towards this end the following check list has been prepared, although not all the measures suggested will be applicable in every case. The list does not pretend to be exhaustive, and it does not differentiate between administrative measures or decisions by public authorities and those actions which would depend upon co-operation and effort by voluntary bodies and property owners.

Check List for Action in Conservation Areas

12. (i) The safeguarding of all listed buildings and other buildings which contribute to the character and appearance of the area by use of the appropriate powers given in the Town and Country Planning Act, 1968.

- (ii) The use of discretionary grants for improvement under the Housing Acts and in special cases the making of grants or loans towards the repair and maintenance of important buildings.
- (iii) Making Tree Preservation Orders and initiating additional tree planting where necessary.
- (iv) Making Article 4 directions to bring under planning control those classes of otherwise permitted development which may be seen as a potential threat to the character of the area.
- (v) Uses generating noise, other nuisance, excessive traffic, or likely to result in untidy sites will not normally be permitted, and existing uses of this nature may not be allowed to expand. In some cases power may be sought to require the discontinuance of uses which adversely affect the character of an area.
- (vi) The definition of 'Areas of Special Control' under the Advertisement Regulations, the challenging of existing displays which may be offensive, and the exclusion of some or all of the specified classes of advertisements, the display of which may be undesirable without control.
- (vii) Outline consent for building development will not always be given; detailed or sketch plans including elevations showing the new development in its setting, with particulars of the colour and type of materials to be used may be required before even the principle of development can be accepted.
- (viii) Particular care will be exercised to safeguard against the introduction of inappropriate materials or colours, and design criteria will be adopted for new buildings including materials, building lines, height, etc.
- (ix) The District Councils are to be consulted in the drawing up of each Conservation Area. In this context it is important to emphasise the significance of the many details which make up the whole character of any conservation area. Street furniture, signs, lighting, walls and trees, all contribute to or detract from the aesthetic qualities of an area. Equally important is a willingness to adapt policies towards rehabilitation or demolition, towards flexibility in the application of building regulations, planning controls and building or improvement lines, and in making grants and loans for improvement and rehabilitation.
- (x) Statutory undertakers will be encouraged to give priority to minimising clutter and unsightliness in connection with their works and Eastern Electricity's programme of improving selected areas should be associated with this conservation policy.
- (xi) Local civic societies and the Suffolk Preservation Society, together with local and professional associations can be of assistance by providing acceptable and enthusiastic additional expression of public interest. The Beccles and Woodbridge Societies together with the Suffolk Preservation Society have already given valuable assistance in defining the Beccles and Woodbridge Conservation Areas.
13. From this list it will be evident that the designation of a Conservation Area is simply a prelude to positive effort and a great deal of time and money, from both public and private sources, will have to be devoted to the cause of conservation — certainly more than has been available in the past.

14. The size of the task in East Suffolk will be considerable and the programme will be lengthy, but the job will have to be tackled if conservation is to have any meaning in a County where the subject is of such real and vital importance.

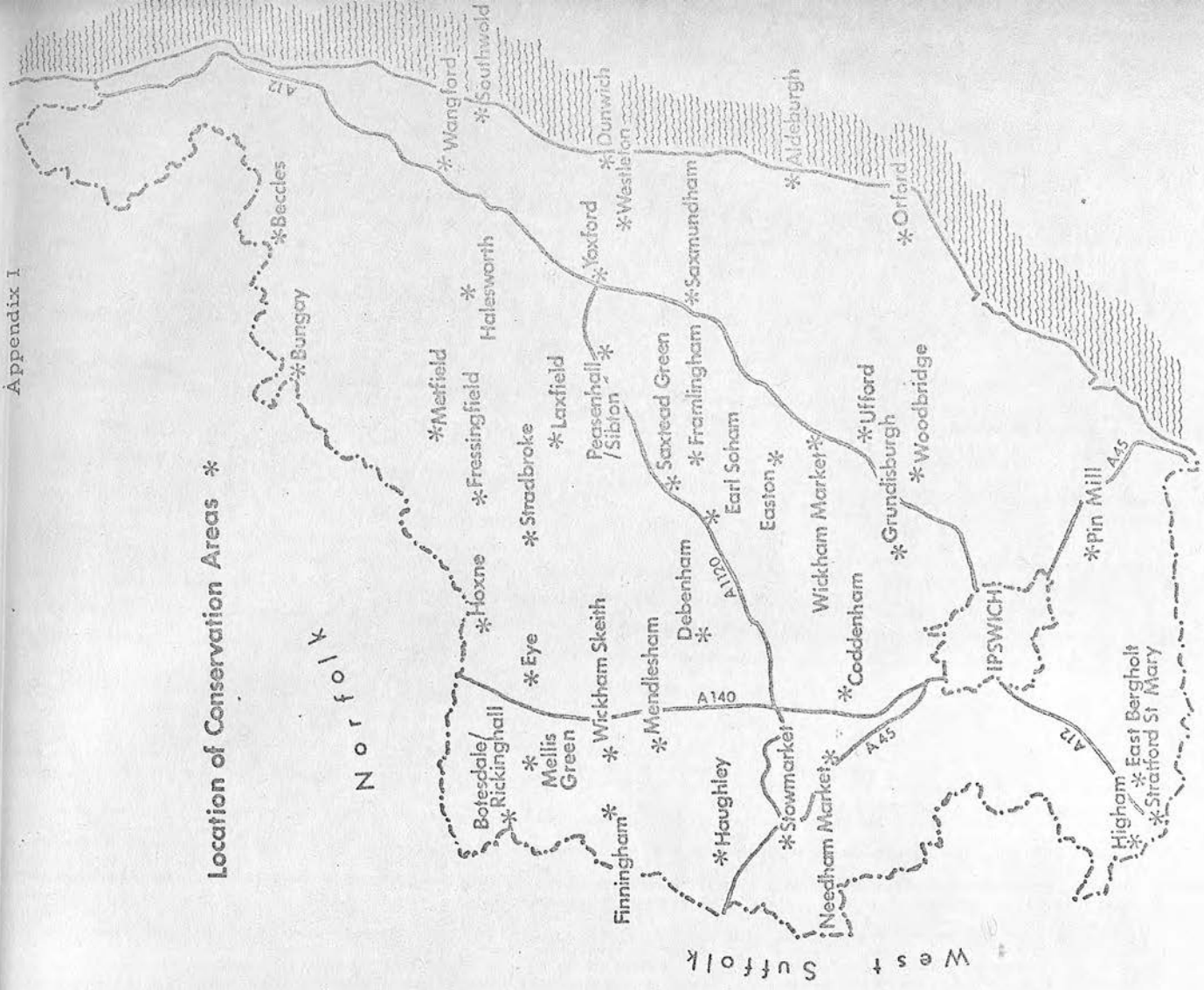
NOTE:- Individual reports will be prepared for each of the areas listed in Appendix I, and these will follow the same format as the document already published for Eye. These individual reports should be read in conjunction with this general policy statement.

PROPOSED CONSERVATION AREAS -- EAST SUFFOLK

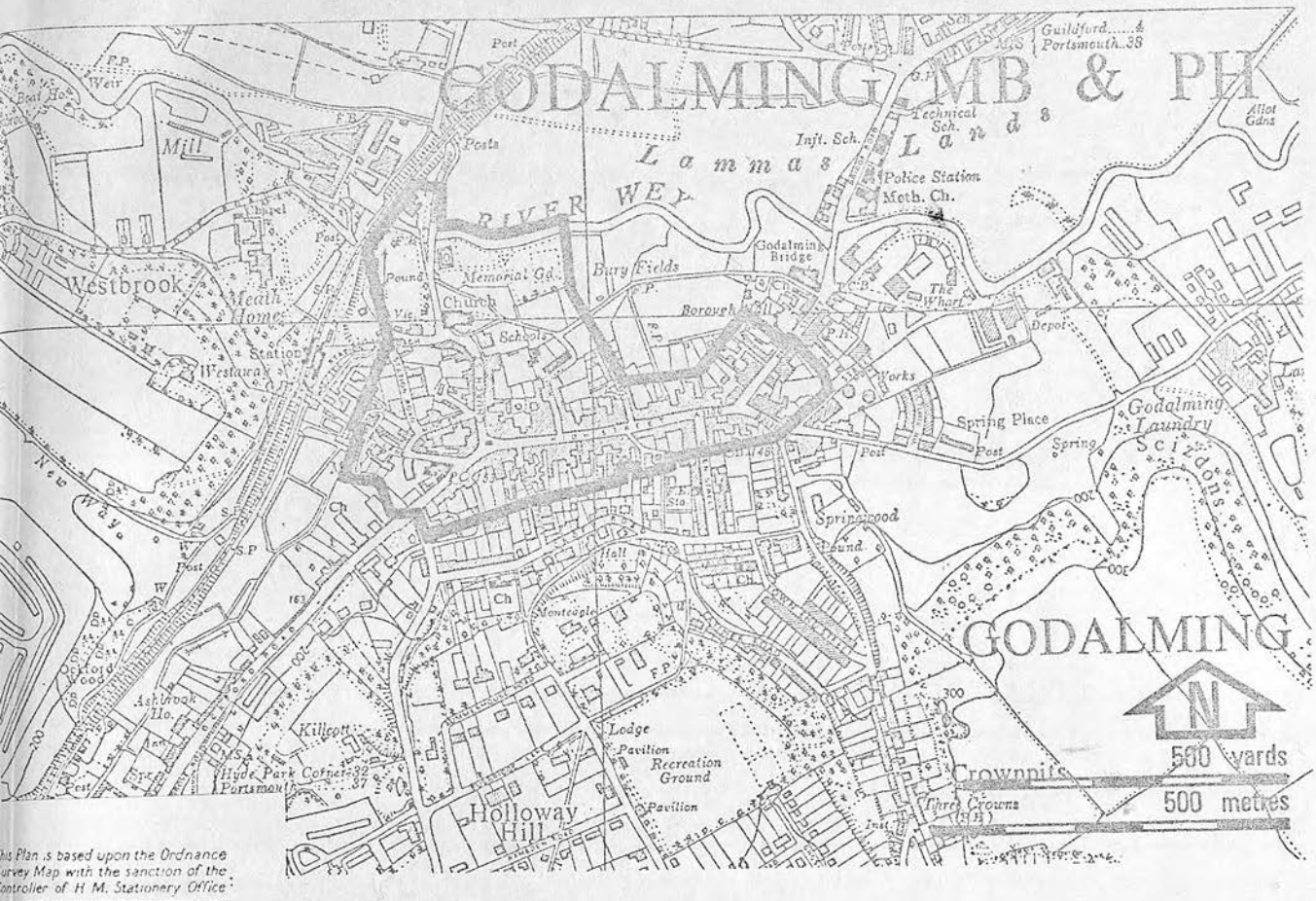
TOP PRIORITY		OTHER IMPORTANT SETTLEMENTS	
1. Beccles	-- already designated	1. Earl Soham	Blyth RD
2. Woodbridge	-- already designated	2. Easton	Blyth RD
3. East Bergholt	-- already designated	3. Peasenhall/Sibton	Blyth RD
4. Aldeburgh		4. Saxtead Green	Blyth RD
5. Bungay		5. Westleton	Blyth RD
6. Eye		6. Yoxford	Blyth RD
7. Halesworth		7. Grundisburgh	Deben RD
8. Saxmundham		8. Ufford	Deben RD
9. Southwold		9. Haughley	Gipping RD
10. Stowmarket		10. Botesdale/Rickinghall	Hartismere RD
11. Woodbridge (extension of approved area)		11. Finningham	Hartismere RD
12. Dunwich	Blyth RD	12. Fressingfield	Hartismere RD
13. Framlingham	Blyth RD	13. Hoxne	Hartismere RD
14. Orford	Deben RD	14. Laxfield	Hartismere RD
15. Wickham Market	Deben RD	15. Mellis Green	Hartismere RD
16. Coddanham	Gipping RD	16. Mendlesham	Hartismere RD
17. Debenham	Gipping RD	17. Metfield	Hartismere RD
18. Needham Market	Gipping RD	18. Stradbroke	Hartismere RD
		19. Wickham Skeith	Hartismere RD
		20. Wangford	Lothingland RD
		21. Pin Mill	Samford RD
		22. Higham	Samford RD
		23. Stratford St. Mary	Samford RD

Note: these are not necessarily listed in order of priority

Location of Conservation Areas *



Draft Stage Conservation Area No.11/1 GODALMING



Boundary of Conservation Area suggested by The Surrey County Council Town and Country Planning Committee in accordance with the Civic Amenities Act 1967.

THE FOLLOWING STATEMENT OF POLICY IS REPRINTED FROM CONSERVATION IN SURREY PUBLISHED BY THE SURREY COUNTY COUNCIL TOWN & COUNTRY PLANNING COMMITTEE IN JULY 1968.

It is intended pending formal designations under the Civic Amenities Act, 1967, to control development with the aim of securing conservation. At the same time the County and District Councils will consider ways of enhancing the areas and controlling traffic in the interests of the amenities which they possess. Every effort will be made to preserve the best buildings and groups upon which the character of Conservation Areas depends. However, development of various kinds will need to take place from time to time so that the areas and its buildings can be adapted to changing modern needs. Development Control within the listed areas will be exercised, bearing in mind the following heads of Conservation policy:—

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|---|--|
| <p>(a) IN REDEVELOPMENT EXISTING BUILDINGS MUST NOT BE REPLACED BY SUBSTANTIALLY LARGER BUILDINGS. This would generally tend to alter the character and general appearance of the area.</p> <p>(b) MATERIALS MUST NOT BE USED IN REDEVELOPMENT WHICH REPRESENT A CLEAR DEPARTURE FROM THE TEXTURE AND COLOUR OF TRADITIONAL MATERIALS USED IN EXISTING BUILDINGS IN THE AREA. The "palette" used by architects must pay homage to traditional materials used in the past. New materials must be capable of blending with the old and must not strike a new note.</p> <p>(c) THE DESIGN OF NEW BUILDINGS OR ADDITIONS MUST BOTH IN ITS BROAD FORM AND DETAILS BE IN HARMONY WITH THE CHARACTER OF EXISTING BUILDINGS AND GROUPS.</p> | <p>(d) ALL DETAILED SCHEMES FOR THE TREATMENT OF THE CURTILAGES OF NEW BUILDINGS—HARD SURFACES, PLANTING, WALLS, ETC.—MUST SIMILARLY IN TERMS OF USE OF MATERIALS AND DESIGN BE ABLE TO FIT INTO THE HISTORIC SCENE.</p> <p>(e) DEVELOPMENT NEAR TO THE INTENDED CONSERVATION AREA AND VISUALLY RELATED TO IT MUST BE DESIGNED IN TERMS OF ITS SIZE, FORM, AND MATERIALS, TO BE IN HARMONY WITH BUILDINGS AND GROUPS WITHIN THE INTENDED CONSERVATION AREA.</p> <p>(f) IN EXERCISING DEVELOPMENT CONTROL REGARD MUST BE HAD TO THE AMENITIES AFFORDED BY THE REAR GARDENS OF HOUSES AND OTHER RESIDENTIAL BUILDINGS.</p> |
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ENCOURAGEMENT TO PRIVATE INITIATIVES IN CONSERVATION. The Council's main objective will be to create favourable circumstances for private initiative in conservation. Protection of the area under the appropriate statutes is aimed to give private interests the confidence necessary for efforts to recondition old buildings and to adapt them for modern use.

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