

EXETER CITY COUNCIL**EXECUTIVE
15 JUNE 2010****NEW CONSERVATION AREA
AT ROSEBARN PARK****1 PURPOSE OF REPORT**

- 1.1 To consider designation of a new conservation area at Rosebarn Park.

2 BACKGROUND

- 2.1 Rosebarn Park was designed by Devon architectural practice Mervyn Seal Associates in the early 1960's. The estate won several awards including a Civic Trust Commendation and a Good Design in Housing Award; both received in 1969.
- 2.2 The proposal to designate the development as a Conservation Area has come about because of a renewed interest in the architect's work and recognition of the high quality of the landscape, townscape and architecture.
- 2.3 The initial appraisal (Appendix 1) identifies the estate as an excellent example of place making. The layout and the architecture itself sits comfortably within a high quality landscape and the 1960s architectural style strengthens the sense of place. It is a rare example of a design which retains much of its original character.

3 KEY CONSIDERATIONS

- 3.1 The Planning (Listed Buildings and Conservation Areas) Act 1990, defines a Conservation Area as "an area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance, to ensure its value is retained for future generations to enjoy."
- 3.2 Section 69 of the Act states that "*every planning authority shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance and shall designate those areas as conservation areas*".
- 3.3 Within Conservation Areas, it is the character of the area as a whole that is important and, unlike listed buildings where the decision to list lies with the Secretary of State, judgement is made by the Local Planning Authority on the basis of local and not national criteria. In setting these criteria, it is essential that the "specialness", in the local or regional context, is recognised and the City Council has sought to establish a consistent and responsible approach when considering the extent of designation and its adequacy across the whole of the city. Failure to do so can seriously devalue the status of Conservation Areas and whilst designation can be a legitimate response to a real or perceived threat to the character or appearance of an area, it is still essential to consider first whether an area is of sufficient architectural or historical interest to warrant designation.

- 3.4 The Council's normal approach to the designation of a new Conservation Area is to apply the following criteria:
1. The special interest must relate to an area, not only its buildings, but overall townscape and vistas.
 2. It is desirable to preserve or enhance the features in the area that define the special interest.
 3. The area has special architectural interest, because either:
 - a) It has good surviving architecture of a particular period or style, or
 - b) It was designed by an architect or practice of local or national repute, or
 - c) It has significant good quality architecture which contributes to local distinctiveness, or
 - d) Its buildings have a layout or townscape which contributes to local distinctiveness.
 4. The area has special historic interest, because either:
 - a) It illustrates a significant phase of the history and development of the district, or
 - b) It has associations with historic event/s, or people of significance, or
 - c) It has historic landscape interest or archaeological significance.

To merit consideration for designation, the area **must** satisfy criteria 1 and 2 and either 3 or 4.

4 CONCLUSIONS

- 4.1 The area is of special architectural or historic interest for the reasons outlined in the initial appraisal and is considered to be under immediate or long-term threat of development that could cause harm to its character or appearance.
- 4.2 Conservation Area status would bring all major demolitions and alterations under planning control, thereby allowing any archaeological, building and townscape issues to be discussed and conditioned, where necessary.
- 4.3 Under the Act, the Council has the power to designate a conservation area on the basis of an officer recommendation. The designation is required to be advertised in the local paper and the London Gazette but there are no other formal requirements. However, the City Council's normal procedure is to include public consultation in the designation process.
- 4.4 Executive will be asked to agree the draft appraisal as a basis for consultation on the proposed conservation area. There will be a period of not less than six weeks for public consultation and due to the small scale of the proposed area and lack of suitable venue, all residents and other interested parties will receive a copy of the draft document and a consultation questionnaire. Additionally, the draft will be posted on the Council's website.

5 PLANNING MEMBER WORKING GROUP

- 5.1 A report to Planning Member Working Group on 11 May regarding the proposed designation of Rosebarn as a Conservation Area. One member questioned the significance of the estate and another reported back from a member site visit and supported the view that it does have landscape and conservation interest.
- 5.2 Members agreed to support Executive to agree the draft document for public consultation.
- 5.3 Further discussions are to be held with the owners of the site prior to Executive and the results of these will be reported verbally at the meeting.

6 RECOMMENDATION

- 6.1 To agree the draft appraisal as a basis for public consultation.

**RICHARD SHORT
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Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling this report:
None