

**Subject:** Fall Barn Conservation Area

**Status:** For Publication

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**Report to:** Cabinet  
Full Council

**Date:** 19 September 2007  
7 November 2007

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**Report of:** Head of Planning Legal and Democratic Services

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**Portfolio**

**Holder:** Regenerating and Promoting Rossendale

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**Key Decision:** No

Forward Plan  General Exception  Special Urgency

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**1. PURPOSE OF REPORT**

This report requests the designation of the Fall Barn Conservation Area

**2. CORPORATE PRIORITIES**

2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective.

- Delivering Quality Services to Customers (Customers, Improvement)
- Delivering Regeneration across the Borough (Economy, Housing)
- Promoting Rossendale as a cracking place to live and visit (Economy)
- Well Managed Council (Improvement, Community Network)

**3. RISK ASSESSMENT IMPLICATIONS**

3.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

The Council should review its Conservation areas and failure to do so and designate new areas would be a failure to comply with Conservation Legislation

#### **4. BACKGROUND**

4.1 This report proposes the designation of a new Conservation Area, Fall Barn in Rawtenstall, and explains the reasoning and justification for this and, subject to Planning Committee's decision, recommends immediate designation. It is important that designation is followed by a period of discussion with the affected and interested parties together with continued assessment of the area's history and detailed character. This is essential to giving fully considered responses to all development proposals and to the area's future protection and enhancement.

#### **5. Conservation Areas**

5.1 The Borough has eight designated conservation areas. Designations in the past have taken place in response to both a threat to an area's character or the recognition of the architectural and historic quality of individual areas. Rossendale's conservation areas cover a range of historic periods from the 17<sup>th</sup> to the 20<sup>th</sup> century, and include urban, suburban and semi-rural environments. As the Borough continues to regenerate and prosper protection of its heritage will be central to its economic and environmental improvement and to the recognition of its valuable history and culture.

5.2 Legislation imposes a duty on every local planning authority to consider whether it should designate new conservation areas. The powers for designation are within the Planning (Listed Buildings and Conservation Areas) Act 1990. Designation should follow a process of survey and character assessment and the gathering of information on the area's history. Consultation is encouraged by government as part of the designation process, but there is no statutory requirement to do this at any stage. Consultation in advance of designation would normally be preferred but this can lead to delay in giving an area the necessary protection. This delay can be a problem if there is a real danger of the removal of buildings or other damage to the local heritage. However, in considering designation, it is important that the local planning authority is of the view that the area is of special architectural and historic interest the character and appearance of which it is desirable to preserve or enhance. Although further investigation of the area's history is proposed and a detailed assessment of the area's character will be required, there is no doubt that the Fall Barn area has sufficient architectural and historic interest to justify designation. This was confirmed in 2002 by English Heritage in stating that the area is clearly of considerable interest with the buildings forming an effective group representing the nineteenth century development of the area.

## 6. ISSUES

- 6.1 Planning application 2007/224 was registered on the 17 May 2007 . It proposed the demolition of Cherry Tree House and 3 & 5 Dam Top, a mid 19<sup>th</sup> century mock Elizabethan mansion and attached cottages built within an early 19<sup>th</sup> century (or earlier) settlement, and designed by a prolific and locally well respected architect. The planning application also sought outline planning permission for the building of 3 detached dwellings on the cleared site. A similar application, 2001/430 was considered and approved in 2002, but in this case 5 dwellings were proposed for the site. In 2002 English Heritage was requested to consider the protection of Cherry Tree House. The report of English Heritage's Chief Inspector stated that **'the building is clearly an important component of its locality, and of local historic interest. It could form a major component of a conservation area, together with the other buildings, a designation which would appropriately register its strong local significance'**. These comments were echoed by local residents and the Rossendale Civic Society. It is not clear what consideration was given to the protection by the Council at that time. However, in looking again at the site in connection with application 2007/224, the Council's current conservation advisor has confirmed that the small settlement around Cherry Tree House is, as a group, of sufficient special architectural and historic interest to warrant conservation area protection. The reasoning for this is outlined in the remainder of the report.
- 6.2 It is understood that the present owner of Cherry Tree House/3 & 5 Dam Top, the applicant, bought the property just before the 2001 planning application, but did not implement the approval, and that the buildings have now been empty for a number of years. At the time of the 2001 application there was comment that the building was suffering from dry and wet rot, but no independent evidence appeared to have been submitted by the applicant. The timber report submitted with application 2007/224 makes it clear that a significant amount of remedial work is required within the building. However, much of this problem is due to neglect and a total lack of maintenance for a number of years and this should not justify the building's removal. There was no structural report with the application, and comment within the submission covering the building's exterior does not raise issues about the structural stability of the buildings. From the conservation advisor's brief inspection, all external wall walls appear to be straight and true and free from movement. However, without a strategy for the repair and use of the building, it could deteriorate fairly quickly, and this should be addressed if the conservation area is designated.

- 6.3 The demolition of buildings in Conservation Areas requires the approval of Conservation Area Consent from the Council. Immediate Conservation Area designation will therefore stop the possibility of the premature removal of Cherry Tree House and 3 and 5 Dam Top. The designation puts on record the heritage value of the area and the need for this to be paramount in the consideration of any proposed development. Through both statute and guidance, the local planning authority has a duty to give priority to the area's protection and enhancement, and should not give greater weight to other factors. If designation were approved the way forward would be for the Council to engage with the owner of the property to investigate the restoration and re-use of the buildings.
- 6.4 On 10 July 2007 application 2007/224 was refused through the scheme of delegation. The reasons were (1) That the application and plans contained insufficient information and (2) The loss of buildings of local architectural and historic importance. Since that time discussions have been held with the owner and his agent about alternative proposals involving the retention of the buildings. Whilst these have been useful it is early in the process and no real conclusions have been reached. In this context, members are advised that it would be prudent to proceed with designation at the earliest opportunity.

## 7. History

- 7.1 Rawtenstall in the 1840s was not yet a town. It consisted of a series of small settlements, based either on agriculture or the beginnings of the textile industry. The construction of Bacup Road 1826 –1828 and the coming of the railway in 1846 were two of a number of changes that led to the rapid development of the town. Many of these settlements were absorbed as the town grew. Dam Top/Fall Barn appears to be an early settlement, possibly based on agricultural origins at the rising of a natural spring, and added to during the rapid expansion during the 19<sup>th</sup> century.
- 7.2 Fortunes were made during the rapid growth and increasing trade of the 19<sup>th</sup> century, and a number of local families dominated the town and the valleys around. Out of this wealth came benefactors wishing to provide new buildings for the education and welfare of the townsfolk. Some of the same benefactors also wished to confirm their own status by building their own mansions and impressive industrial buildings. It was not uncommon for successful industrialist in the north west to engage nationally well-known architects to design and build their legacies. The story of Dam Top/Fall Barn/Cherry Tree House is linked to such events.

7.3 The Hardman family were long established woollen manufacturers in Rawtenstall, living at Oak Hill, now Whitaker Park Museum. Richard Hardman of New Hall Hey brought the architect and builder Richard Williams to Rawtenstall during the 1840s. At that time he was working on the Houses of Parliament. His arrival may have had some connection with Hardman's wish to make an impact in competition with the Whitehead family. It appears that he may have been commissioned to build a small village at Fall Barn, responding to the success of the Whitehead's Holly Mount village. Cherry Tree House was designed and built by Richard Williams, and he is known to have lived there certainly from 1851 for a number of years. He is important to the history of the Borough due to both his level of output and quality of buildings. He designed and built a long list of industrial and residential buildings a few of which were - New Hall Hey Mill, Horncliffe House, Cliffe Tower, Springfield House, The Royal Hotel, Newchurch Unitarian Church, Hall Carr Mill, Alder Grange, Fern Villa, Victoria Mills, Forest Mill, Brougham Hall, Wesley Villa, and Heymount Mansion. He worked for all the important families during the second half of the 19<sup>th</sup> century and specialised in building on difficult ground, in this case a form of quicksand, which had previously made many parts of the valley bottom impossible to use. He had a particular and significant impact on the town and is important to the story of Rossendale.

7.4 Only parts now remain of the Dam Top/Fall Barn village. Cherry Tree House/3 and 5 Dam Top remain and are vacant. At the time of its building it was attached to the barn (ie Fall Barn, datestone 1846) and Cherry Tree House incorporates a datestone 1717, which may have been from the farmhouse (or possibly a copy of the original datestone) it must have replaced. It is known that Richard Williams also designed Alma Villas, 1851, a group of picturesque workers houses off fall Barn Road, now demolished. However, fronting Fall Barn Road remain two interesting and different terraces. Merry Trees which is number 49 to 55 (odd) Fall Barn Road and Albert Terrace, understood to be numbers 2 to 14 (even) and 57 to 69 (odd) Fall Barn Road. The front elevation has a datestone 1861 and initials either IAH or IHA, linked to either the Hardman or Ashworth families. It could be speculated that these terraces were part of Hardman's village designed by Williams but no direct evidence of this has so far been found.

**8. Area Character** (photographs of the area will be circulated at the meeting)

8.1 The area is a very tight group of buildings centred at the meeting of Fall Barn Road and the track leading down from Cherry Tree House. Merry Trees and Albert Terrace form the main public view of the group standing tall each side of the entrance track and facing the River Irwell in its stone walled cutting. Both are 2/3 storey bold Victorian properties built in roughly faced stone with tall slate covered roofs. Each has a stone plinth and railings to set them above road level. Merry Trees is finer in detail and decoration than Albert Terrace but the latter is much

deeper in its footprint and visually stronger. Merry Trees has good stone detailing around windows and doors, tall chimneys, and has the remains of ornamental gothic window frames.

8.2 Looking up between the two terraces the remainder of the group can be seen. First of all, Fall Barn is the main building in view, but on moving up the track the height and dominance of Cherry Tree House can be seen. The barn is c1800 and possibly altered at the building of Cherry Tree House. It is a good plain building constructed in coursed stone with a slate roof. The stonework and coursing is good quality with two arched barn doors and strong cornerstones. The stone bonding at the meeting with 3&5 Dam Top shows the evidence of being attached to a different building. The mullioned window at the rear is common in detail to others from c 1800 in the local area. Looking up the track to the left is a small stone house (Rose Cottage) built into raised ground and which, from parts of its walling, suggests an earlier date than 1800. Below this a spring and water trough set in a stone wall and arch. The stonework on this is contemporary with the barn. Around are details such as traditional stone and flagstone walls and gateposts, which add the special character of the area.

8.3 However, it is Cherry Tree House which is the dominant force in the group. It stands high above the barn, ranging from two to four storeys. It is built from pitched faced coursed stone with a steeply pitched slate roof. It is an austere copy of a 17th century mansion, built to a design common in the local area at that time. Parts of the house are of mixed heights, detailing, and jumbled rooflines. The front is symmetrical with a central 3 storey porch and mullioned windows to each side. The stone detailing is from the 17<sup>th</sup> century; including hood mouldings, stone window tracery, arches and lintels, cornices and verges; but being from the mid 19<sup>th</sup> century it is still sharp and not eroded. The Dam Top cottages provide the building bridge between the height of cherry tree House and the two storey Fall Barn.

8.4 The buildings are a small but concentrated record of the growth from the modest early 19<sup>th</sup> century farm based settlement to the bold and slightly romantic gothic Victorian style of residential development on the mid 19<sup>th</sup> century. The grouping of the buildings reflects this difference and is important to the area's character. This is enhanced by the way the land and the track rise up from Fall Barn Road and views of the buildings and the landscape are formed. The river in its cutting with the stone retaining and parapet walls, together with the spring and local details and features, are all part of this local scene.

## **9 COMMENTS OF THE HEAD OF FINANCIAL SERVICES**

9.1 There are no immediate financial implications

**10. COMMENTS OF THE HEAD OF HUMAN RESOURCES**

10.1 There are no Human Resources implications

**11. CONCLUSIONS**

11.1 It is concluded that designation of a Conservation Area is justified on the basis of the character and history of the area and designation would be effective in protecting and ultimately enhancing the heritage of the group of buildings at Fall Barn. The proposed boundary is shown on the attached plan. Designation would also greatly clarify the current situation in terms of the Council encouraging the retention of the all the buildings on the site rather than allowing demolition and redevelopment.

**12. RECOMMENDATION**

12.1 That Full Council be recommended to agree to the designation of the Fall Barn Conservation Area.

**13. CONSULTATION CARRIED OUT**

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**14. EQUALITY IMPACT ASSESSMENT**

Is an Equality Impact Assessment required? Yes