

Subject: Fallbarn Conservation Area Appraisal **Status:** For Publication

Report to: Cabinet **Date:** 19th March 2008

Report of: Executive Director for Regulatory Services

Portfolio

Holder: Portfolio Holder for Regeneration

Key Decision: Yes

Forward Plan

General Exception

Special Urgency

1. PURPOSE OF REPORT

1.1 The Fallbarn Conservation Area Appraisal assesses the special character or interest that makes Fallbarn worthy of Conservation Area status, and proposes methods and policies for the management of the area in order to preserve its future. This report is in order for the adoption of this document to be approved.

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)
- Keeping Our Borough Clean and Green (Environment)
- Promoting Rossendale as a cracking place to live and visit (Economy)
- Improving health and well being across the Borough (Health, Housing)
- 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 Planning (Listed Buildings and Conservation Areas) Act 1990, states "It shall be the duty of a Local Planning Authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are Conservation Areas". This document is a direct response to this and to not adopt this document would mean the Council is not fulfilling its duty in this respect.

4. BACKGROUND AND OPTIONS

- 4.1 Under the Planning (Listed Buildings and Conservation Areas) Act 1990, Local Planning Authorities have a statutory obligation to designate as Conservation Areas those areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.
- 4.2 National conservation guidelines (Planning (Listed Buildings and Conservation Areas) Act 1990) place a responsibility on the Local Authority to formulate and publish proposals for the preservation and enhancement of Conservation Areas and, in exercising their planning powers, to take into account the desirability of preserving or enhancing their character or appearance. The Fallbarn Conservation Area Appraisal is a direct response to this.
- 4.3 Fallbarn Conservation Area was designated by the decision of Rossendale Council on the 7th November 2007.
- 4.4 This appraisal of the Conservation Area describes the historical development of the area and its immediate surroundings, and describes the elements, which contribute to its special characteristics. It also considers aspects, which do not contribute positively to the area's protection and enhancement and puts forward actions and policies to remove or reduce their impact.
- 4.5 The initial impetus for the designations was the condition of Cherry Tree house and 3 and 5 Dam Top, and the owner's proposals for the site.
- 4.6 The draft Fallbarn Conservation Area Appraisal has been forwarded to all area residents and a meeting was held with the residents to discuss the appraisal on the 18 February 2008. Ten residents attended the meeting. There was general support for the appraisal's content at the meeting. However, the residents raised a long list of concerns including highway safety, access, parking and street lighting, and the condition of the river retaining wall. There was also some concern over the proposal for additional control over the alteration of dwellings, with a request that the Council consider assisting with the potential additional costs through grant aid. A full list of comments and proposed actions is included within the appraisal document.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

- 5.1 There are no immediate financial implications.

6. MONITORING OFFICER

- 6.1 There are no specific legal issues arising out of this Report. The report is welcomed and the hard work of the officers involved to be recognised. This is hopefully the first of many of the appraisals this Council will now seek to complete in its Conservation Areas.

7. HEAD OF PEOPLE AND ORGANISATIONAL DEVELOPMENT (ON BEHALF OF THE HEAD OF PAID SERVICE)

7.1 There are no Human Resources implications.

8. CONCLUSION

8.1 The Fallbarn Conservation Area Appraisal has been produced in line with national conservation guidelines. It is the responsibility of the Local Authority to publish proposals for the preservation and enhancement of Conservation Areas, which is what this document seeks to do for Fallbarn Conservation Area.

8.2 The appraisal, its policies and recommendations, and the proposals put forward by the community and the Rossendale Civic Trust, should form the basis of the future management plan for the Conservation Area. The management plan document can be produced by the end of June 2008, and it will represent the Council's commitment to the area. A number of bodies will be involved in the implementation of the management plan, and actual progress will be subject to their commitment and the resources available.

9. RECOMMENDATION(S)

9.1 To publish the Fallbarn Conservation Area Appraisal.

10. CONSULTATION CARRIED OUT

10.1 Ongoing consultation with the Rossendale Civic Trust throughout the preparation of this document. A meeting with residents was organised on the 18th Feb 2008, where several residents turned up to give their views on the draft document.

11. EQUALITY IMPACT ASSESSMENT

Is an Equality Impact Assessment required Yes

Is an Equality Impact Assessment attached Yes

12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required Yes

Is a Biodiversity Impact Assessment attached Yes

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Background Papers	
Document	Place of Inspection
Fallbarn Conservation Area Appraisal	Included as a separate file/document and will be available on the Council's website once published.