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A STUDY OF THE
BRITISH APPROACH TO CONSERVATION
WITH PARTICULAR REFERENCE TO EDINBURGH
AND A COMPARISON WITH FRENCH PRACTICE

A THESIS SUBMITTED IN FULFILMENT OF THE
DEGREE OF MASTER IN ARCHITECTURE

BY

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To my Parents.

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Thanks are also due to Ruth McCready, the typist for her competence.

Finally I dedicate this work to my family.

SUMMARY

The first part deals with the origins and development of conservation philosophy in Britain and in France

The second part looks to the changes and priorities in the legislation providing the conservation policy which reflects the change in attitude towards the buildings of the past.

The third part looks at the network of official and private organisations involved in conservation.

The fourth part deals with character since it is the most difficult factor to define in conservation philosophy.

Finally , two case studies are examined :

From Britain, Edinburgh particularly the Old Town

From France, the area of Paris known as "The Marais"

The conclusion considers the impact of the different natural approaches on the built fabric of cities with regard to conservation.

INTRODUCTION

It is universally admitted, nowadays, that the Conservation of Historic Buildings and the Protection of the Artistic Heritage of a nation is a worthwhile enterprise grounded in the public interest. There is in fact a genuine and sincere interest in the special character of towns. The appreciation of the results of earlier generations of artistic life and the necessity to conserve Ancient Monuments is justified by artistic and scientific consideration.

In Britain the power to preserve buildings of historic interest was only taken by the state after almost a century of discussion about the best way to protect and restore them. This discussion was often extremely heated but eventually the important principle of state protection of historic buildings was conceded.

The aim of this thesis is to try to look closely at the British approach to conservation and the changes brought into being by different Acts over the past one hundred years, and to put British approach into perspective it is preferable to make a comparison with another country, especially in philosophical and legislative approaches, for this part France will be the best example to take.

PART 1 - THE PHILOSOPHY

CHAPTER I

The British Approach and Historical Basis for Conservation. .

CHAPTER 1 - The British Approach and Historical Basis
for Conservation.

1.1 INTRODUCTION

In Britain it was perhaps James Wyatt* (1746-1813) whose bold way with the restoration of old buildings started the whole movement for the respect of historical reality in Architecture between 1770 and his death in 1813. He had gone through a good many castles and cathedrals in England and during the decade from 1787-1797 "he was responsible for four extensive restoration projects namely the cathedrals at Lichfield, Salisbury, Hereford and Durham" (1).

James Wyatt's restoration of Salisbury Cathedral occupies a pivotal position in the history of English and one may say, European restoration and conservation. This is because the work was directed by an architect of not unconsiderable stature in a radical way and at an early phase of modern restoration. In addition the restoration of Salisbury Cathedral evoked comment and criticism. Criticism was indeed varied. "In John Corter's (1748-1817) pen it was impertinent and malicious"(2). Wyatt's restoration was the result of a lack of scholarship since antiquarian publications had yet to make their appearance at any significant level. Also the eighteenth century sought symmetry and order in buildings including their crooked ancient buildings.

* James Wyatt (1746-1813) Architect, born at Burton Constable, Staffordshire. He went to Rome when he was just fourteen years of age, he stayed for three or four years, then he went to Venice where he spent two years under the architect and painter Antonio Vicentini. He returned to London about 1766.

1.2 THE BIRTH OF THE SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS.

The destruction of ancient buildings, which throughout the whole life of William Morris* (1834-1896) was going on almost unchecked, whether through careless ignorance or under pretext of restoration seemed to Morris to be something against which it was hopeless for anyone to fight. However the formation of a society devoted to the purpose of preserving ancient buildings appears to have occurred to Morris in 1876 as a result of two definite instances of restoration. One was that of Lichfield Cathedral and the other was the Parish Church of Burford near Kelmscott (3).

At the beginning of March 1877 an account of the proposed restoration of the Abbey Church at Tewkesbury roused Morris to take practical steps. In an article in the Athenaeum on the fifth of March he wrote as follows:

"My eyes just now caught the word "Restoration" in the morning paper, and on looking closer I saw that this time is nothing less than the Minster of Tewkesbury (fig.1,2) that is to be destroyed by Sir Gilbert Scott*... would it not be of some use once for all and with the least delay possible to set on foot an association for the purpose of watching over and protecting these relics"(4).

Morris' action was to care for old buildings. He stopped the pendulum. He saw that if generation after generation went on

* William Morris: born 1834 in Walthamstow, went to Oxford in 1853 as a member of Exeter College. He was interested in history, especially medieval history. He was influenced by John Ruskin Books and the works of Charles Kingsley. Wrote his first poem in 1855. In 1877 founded the society for the Protection of Ancient Buildings. In 1883 openly declared himself a socialist and became an active public lecturer on socialism.

* Sir Gilbert Scott (1811-1878) Architect, born in 1811 at Gawcott, Buckinghamshire. As a teenaged he showed a great interest in sketching churches. In 1827 he was articled to James Edmiston - better known as a poet than an architect. At Edmiston's office Scott got little encouragement in the style which afterwards made him famous. In 1865 Scott designed one of his finest works, the Station and Hotel at St. Pancras.

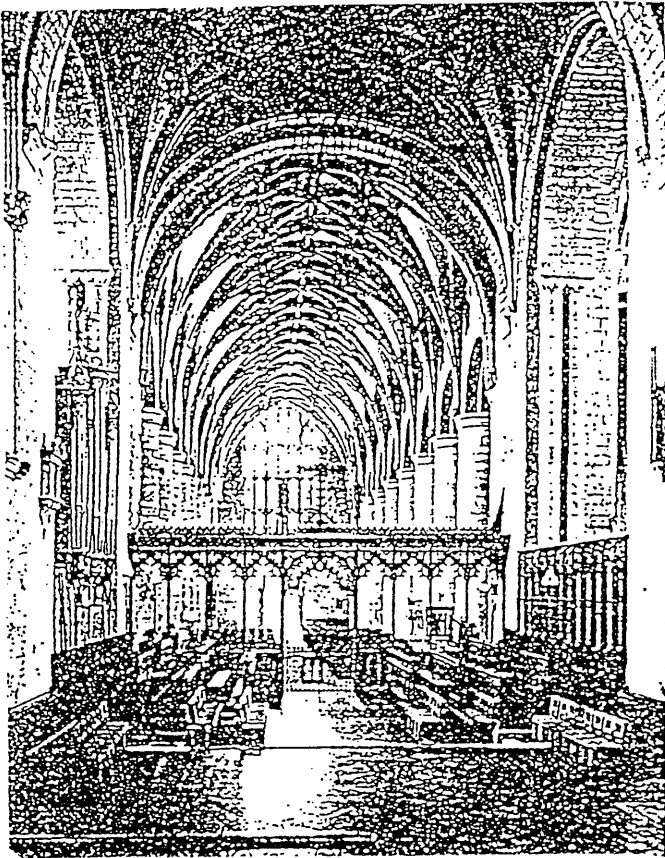


Fig.1
Tewkesbury Abbey Church choir
facing west, before restoration.
Scott was first consulted in
1864, work started in 1875.

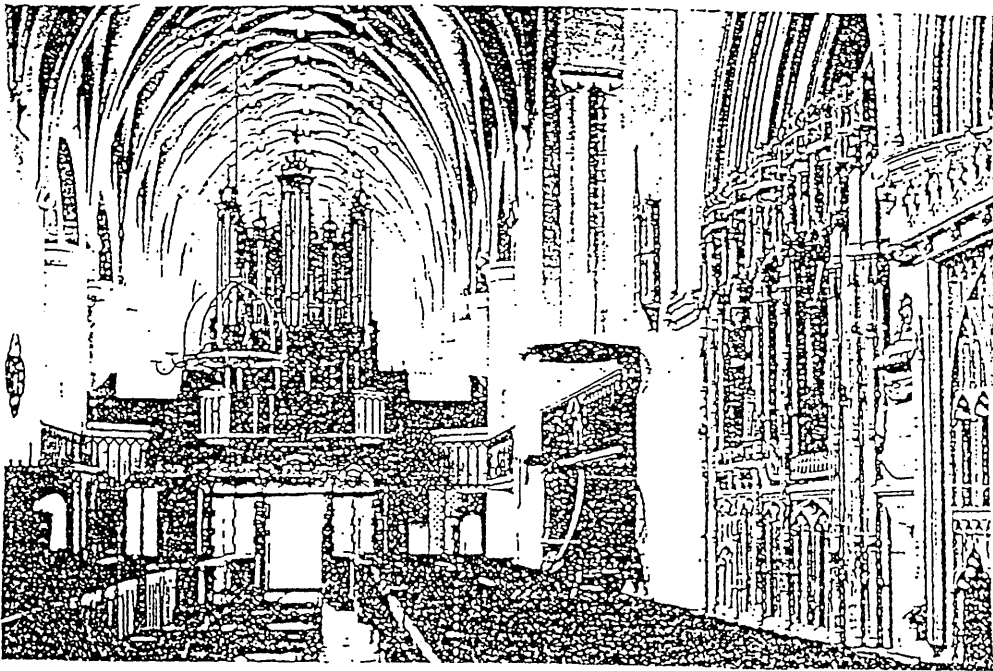


Fig.2
Tewkesbury Abbey Church, choir facing west, after restoration.

adjusting old buildings to confirm to their own ideas of the beauty or piety of antiquity there would be soon nothing left. He made it clear in the following statements.

"An association... to keep a watch on old monuments, to protect against all restoration that means more than keeping out wind and weather and... to awaken a feeling that our ancient buildings are not mere ecclesiastical toys, but sacred monuments of the nation's growth and hope"(5).

Describing the work done by Scott and his fellows, W. R. Lethaby, one of Morris's colleagues in the Society for the Preservation of Ancient Buildings, wrote "It is impossible to give any notion of the violences and stupidities which were done in the name of Restoration".

"... our ancient buildings were appearance of what was called styles, he could then provide thirteenth or fourteenth century "features" at pleasure and even correct the authentic old one... At St. Alban (fig. 3,4) eleventh century and fifteenth century work was both destroyed to satisfy the whims of a lawyer-lord..."(6).

Buildings were not being preserved or protected, but in the name of restoration, were stripped of their old stone work, divested of some of their most noble or beautiful features and transformed by ornate or unimaginative imitation to an idealised state of perfection. And later work was removed to achieve a unity of style!

The Society for the Protection of Ancient Buildings was attended by the success which customarily attended William Morris's enterprises, and it is still very much alive in the spirit of legislation or amongst Historical and Amenity Societies. It is the oldest preservation society in Britain, it is the direct parent of many societies, and perhaps the indirect progenitor of all the preservation societies there are in Britain.

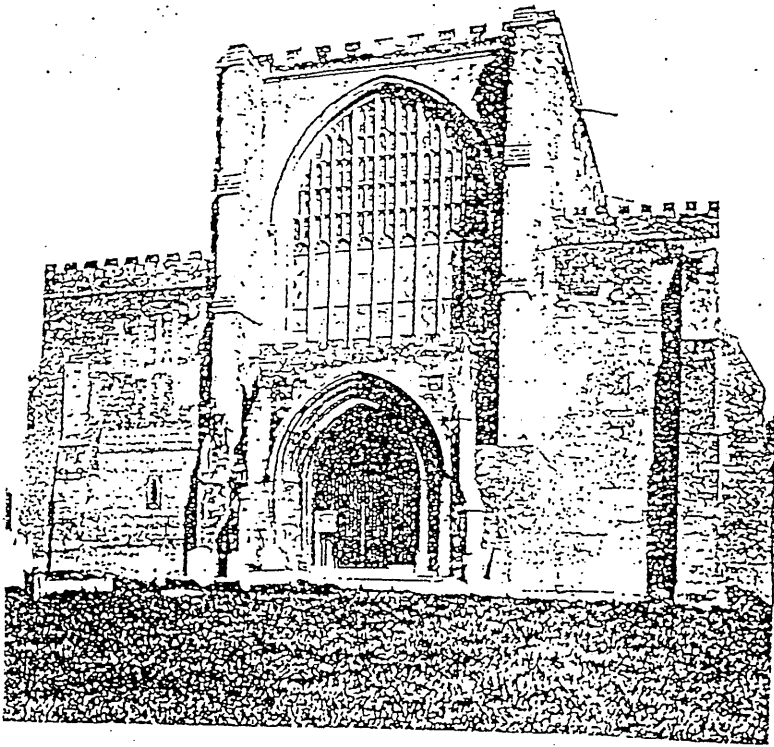


Fig.3

St Alban's Cathedral, west front, in 1832 the walls began to crumble and in 1856 the restoration began. Photograph taken before work started.

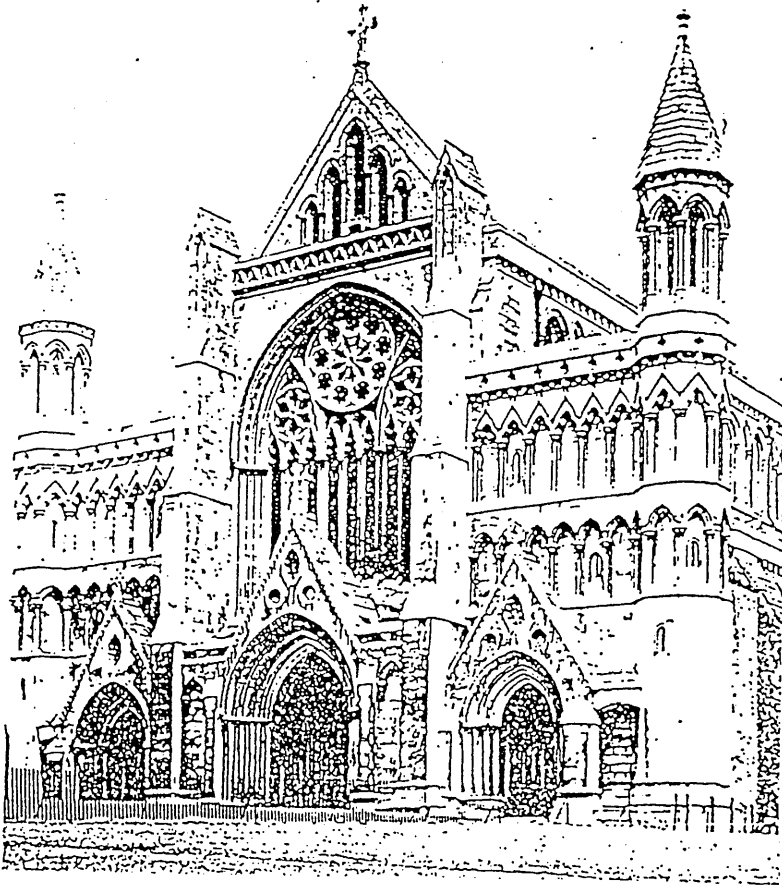


Fig.4

St Alban's Cathedral, west front after restoration. Gilbert Scott started the repairs in 1856-1877, Edmund Beckett continued and the west front is wholly his work.

1.3 THE NATIONAL MONUMENTS COMMISSION

Sir John Lubbock, whose remarkable career included being the founder of the present British preservation system. He introduced his National Monument Bill to the House of Commons from 1873 to 1879, it proposed to set up a National Monument Commission, consisting of the President of the Society of Antiquities of England, Scotland and London, the President of the Royal Irish Academy, the Keeper of British Antiquities at the British Museum, and the Master of the Rolls.

1.3.1 THE ROLE OF THE NATIONAL COMMISSION

The Commission could acquire by agreement with the owner either the freehold of or the right of public access to a historical building or monument. Once it owned the freehold, the Commission was expressively empowered to inspect or break open any monument. The Commission might spend money on restoring and preserving scheduled monument, though only with the consent of the Treasury, and the same for the Compensation in respect of acquisition of the right of restraint. And this can be seen in the 1882 which made it clear in saying that

"The State might if the owner agreed, purchase an Ancient Monument and look after it, or might take it into "guardianship" which meant the owner remained owner but lost his right to demolish or remove it in return for state aid in maintaining it" (7).

There was notice of Lubbock's proposal to give the Commission power to assume the right of restraint.

1.3.2 THE SCHEDULE OF MONUMENTS

There would be a schedule of monuments, meaning mounds tumuli

barriers and dykes, but they were clearly not to be ruins of architecture or even those mounds etc., which formed part of Castle or Abbey ruins, or stood in anybody's park or garden, were also clearly excluded.

1.3.3 THE POWER OF RESTRAINT

In the case of scēduled Monument the Commission could, after giving the owner notice, assume a power of restraint. If the power of restraint was operative, and the owner then wanted to injure a monument, he would have to serve a requisition on the Commission; who were then compelled either to consent or to purchase the monument.

1.4 THE BIRTH OF THE NATIONAL TRUST

In 1895 the National Trust was founded and in its early days it was concerned with open spaces. It actually came into being because Canon Rawnsley, a clergyman who loved the Lake District, and Sir Robert Hunter, solicitor to the Post Office, who loved the Surrey Commons, met Octavia Hill, who knew about setting up charities and good public relations. The principle of the National Trust was John Aubrey, who believed that "If you love it, it is best to own it"(8). So they began to acquire beautiful places, though it was many years before they acquired any old houses except in an incidental fashion. In 1907 Parliament conferred on the National Trust the right of holding land inalienably, that is to say, that nobody might acquire National Trust land without the permission of Parliament itself. This was forty years before

principal people likely to harm them, namely their owners. A case arose in 1911 which was dramatic enough to shake public opinion and hence the Government, into action. This concerned the famous old red brick Castle of Tattershill in Lincolnshire and the four sculptured stone mantelpieces which were made by its founder Lord Cromwell in 1440.

The Castle was acquired in 1911 by an American syndicate of speculators. The mantelpieces were removed from the Castle and sold to a London firm of art dealers. Without the sculpted mantelpieces the Castle was reduced in historic interest and action to prevent such vandalism was soon introduced.

1.6 THE FORMATION OF THE ROYAL COMMISSION ON HISTORIC MONUMENTS

The Royal Commission was set up under the Chairmanship of Lord Burghclere to make an inventory of Ancient and Historical Monuments and constructions connected with or illustrative of the contemporary culture, civilisation and condition of the people of England and to specify those which seem most worthy of preservation (10).

It published its first report on Hertfordshire in 1910. The Commission was a body of scholars without executive power and within four years of its foundation its chairman was complaining that the public believed it had power to protect historic buildings, instead of publishing them and assessing their importance(11).

1.7 THE INFLUENCE OF THE SECOND WORLD WAR

In 1940 the last all-out war between European states, including aerial bombardment, began to destroy the British heritage much more rapidly than anything had ever done before, targets were

often the centre of towns and here the ancient buildings were concentrated. German bombs did not take into account that a given building was of historic value or not. In 1944 Parliament empowered the Minister of Town and Country Planning (a post it was then creating) to prepare lists of buildings of special historic and architectural interest. These lists would no doubt be useful for planning the country after the war. They were intended partly as a record of what might be restored after the war is over and partly as a guide for local authorities in assuming their new planning function given to them by the Town and Country Planning Act of 1947.

PART 1 - THE PHILOSOPHY

CHAPTER II

The French Approach and Historical Basis for Conservation.

CHAPTER II - The French Approach and Historical Basis
for Conservation.

2.1 INTRODUCTION

By the end of the eighteenth century, France adopted a policy of conservation. During this period there was not any foreign influence concerning the conservation of monuments. On the contrary the official adoption of conservation policies in France attracted the attention of other countries and became the example to follow. In fact it was the French Revolution which brought the nationalisation of a huge number of public and private properties. This raised the question of the future of historic buildings and works of art.

Guided by noble principles, the Revolution decided to conserve for the nation its monuments, which until then had been the property of a privileged aristocracy, in order to protect them against the attack of rowdy behaviour and to hand them down to future generations. This generous intention of the Revolution brought its fruits. The idea of conservation of ancient monuments was born. Unlike in Britain conservation was not a reaction to over restoration but of the revolution.

2.2 THE CONSERVATION OF NATIONAL MONUMENTS DURING THE REVOLUTIONARY PERIOD

The conservation of ancient monuments, we have to go back to the period of the Revolution. Before this period there was no methodical approach to conservation. However the monuments had their natural protectors, their owners. There was no reason to provoke the intervention of the state.

The fine arts found in the legislature a passionate and eloquent defender who replaced the people in the place of the deposed king. The legislature wanted the art works to be not only the nation's property but also to be recognised and enjoyed by the people. One of the ambitions of the Revolution was to make ordinary people understand and appreciate art which would democratize it and make it a symbol of national liberty.

2.3 THE CONSERVATION OF HISTORIC MONUMENTS DURING THE FIRST THIRTY YEARS OF THE NINETEENTH CENTURY

In the beginning of the nineteenth century, the principles put forward by the Revolution had not seen any progress or continuity in the measures taken in favour of monuments, but on the contrary there was a sudden break in the official conservation. Official it was because, while the Consulate, the Empire and the Restorer let the damaging effect of (la bande noire)"the black gang" constituted in 1797 carry on, by which a guilty negligence put a huge number of monuments to their ruin, incompetent administration or simply stubbornness led to the demolition of others. Public opinion was actively in favour of conservation, however, the efforts of the Revolution were not in vain; the seeds planted then had quietly developed.

How could the idea of official conservation of ancient monuments, put in practice by the Revolution but rejected by the accession of a new form of government, see the light again?

What were the factors that sustained public opinion in its struggle with passive authorities?

What were the new and fertilizing principles that developed from

the primitive idea of conservation?

These are three points to analyse, in order to understand the philosophy of French conservation.

2.4 THE INFLUENCE OF LITERATURE

The idea of conservation of historic monuments is closely linked with the French literature of the first third of the nineteenth century. The complete understanding of the past, its popularization its honour after century of contempt and effacement were the essential points in the new literature programme.

"He who seeks the past thinks of Monuments"(11)

"If we want to ask the monuments we have to conserve them. By studying them we learn to appreciate them and the more we talk about them, the more we fall in love with them"(12).

2.5 THE INFLUENCE OF THEATRE

The second factor that stimulated the general public in the nation's history was the theatre. The double action of written works and their representation on the stage aroused the interest of the public.

Authors, playwrights and actors were obliged to become acquainted with the language, the costume and the monuments of previous epochs. When playwrights presented scenes and characters taken from the history of France, they had to respect the resuscitated events and present them in a French context, Greek temples and Roman ruins had to be substituted by Gothic, that is French.

This was a perfect opportunity to show churches from the Middle Ages, Castles, stately houses, and to present to the public

furniture, costumes and so on all related to an earlier age.

2.6 THE INFLUENCE OF THE HISTORY

History is the third factor and the most important one. It is the element which led to the understanding of the past and the fundamental one to consider in seeking the literary influence on the idea of conservation of monuments. One of the famous names from the history is Chateaubriand. After him came the historians of the Romantic School.

As mentioned above there was a break in official conservation. This is what provoked the literary factor to intervene. This was when Chateaubriand made a break in the Graeco-Roman barrier, when antiquity gave way to the Middle Ages. Literary influences on the idea of conservation of the monuments became visible.

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PART II - LEGISLATION

CHAPTER III

The British System of Legislation

CHAPTER III - The British System of Legislation

A: Ancient Monuments Acts

3.1 THE ANCIENT MONUMENT PROTECTION ACTS 1882

In 1881 Sir Lubbock returned to the House of Commons as Member for London University after having lost his seat in the 1880 Election in which the Conservatives were defeated and Gladstone came back with a new Liberal Government. Lubbock sought to commit the new Liberal Government to the statement that "it is desirable that the Government should take steps to provide for the protection of ancient monuments"(1). The formation was general and harmless and, since the Government had no plans of its own Gladstone agreed to consider any plan Lubbock might submit. It was thus under a Liberal Government that the first Ancient Monument Protection Act was passed in 1882.

The 1882 Bill said

"that the state might if the owner agreed purchase an ancient monument and look after it, or might take it into guardianship, which meant the owner maintains ownership but lost his power to demolish or remove it in return for state aid in maintaining it" (2).

3.2 THE 1900 ACT

This Act allowed County Councils to proceed in the same limited way as the 1882 Act had allowed the Central Government to proceed, and established the principle of public access to scheduled Ancient Monuments.

3.3 THE 1913 ACT

The 1913 Act is considered to be the keystone of modern legislation

on this topic. The Bill which became this Act was introduced into the House of Lords, the power of which the Liberal Government had recently trimmed in the 1911 Parliament Act. It was described on second reading as being "experimental and of a new character". It was concerned mostly with preventing neglect rather than with vandalism.

The Act secured the protection of Ancient Monument in four ways:

First, by establishing an institutional framework. An Ancient Monument Board was set up, with inspectors and the commissioners of works were required to prepare a list of monuments the preservation of which was of national importance and empowered to prepare a list of other monuments which were less than national importance but which should be preserved in the public interest.

Second, by the provision of advice and assistance.

Third, by public control, the Commissioners and Local Authorities were given the power to purchase monuments by agreement with the owners. A guardianship procedure was also established.

With the owners agreement, the Commissioners or Local Authorities could be constituted guardian with responsibility for maintaining the monument from public funds.

Fourth, by preventive measures Preservation Orders were introduced for monuments "in danger of destruction or damage from neglect or injudicious treatment" provided that the monument preservation was of "mutual importance". While a Preservation Order was in force the monument could be neither demolished or altered except with the consent of the Commissioners who had powers to constitute themselves guardians of the monument.

The 1913 Act, defined an ancient monument as:

"...Any structure or erection and any monument or part, or remains of a monument, the preservation of which is a matter of public interest by reason of the historic, architectural, traditional, artistic or archeological interest attaching hereto, and the site of any such monument or of any remains thereof.."(3).

3.4 THE 1931 ACT

The definition of an Ancient Monument in the 1913 Act was sufficiently wide to include the area surrounding the monument. Nevertheless, the provision of the 1913 Act was inadequate to prevent construction of tourists huts at Stonehenge. Therefore section 1 of 1931 Act provided for schemes to be prepared

"for the purpose of preserving the amenities of any ancient monuments... for any area comprising or adjacent to the site of the monument, being areas to which it is necessary or expedient that the scheme should apply. Such preservation scheme can prohibit, or restrict building, regulate height and screening, generally restrict the use of land within the scheme area"(4).

3.5 THE 1953 ACT

The next Act was the Historic Buildings and Ancient Monuments 1953 Act. By the earlier legislation, owners had for the most part been excepted from the provision which imposed criminal sanction for injury to monuments. This exemption was removed by the 1953 Act, and the 1953 introduced for the first time compensation for those adversely affected by Preservation Orders or by Interim Preservation Notices or by Guardianship Orders made during the period of a Preservation Order or an Interim Preservation Notice.

3.6 THE 1979 ACT AND SCHEDULED CONSENT

Part I of the 1979 Act contains a new scheme for protection of

Ancient Monuments. The purpose of the scheme is to bring protection of ancient monuments into line with the arrangement for protection of buildings of special architectural or historic interest under the Town and Country Planning Acts. To consider how this scheme works it should first be noticed that there is a new definition of Ancient Monuments. Ancient Monument means any scheduled monument and any other monument which in the opinion of the Secretary of State is of public interest by reasons of the historic, architectural, traditional, artistic or archeological interest attaching to it. A "monument" means any building, structure or work, whether above or below the surface of the land and any site comprising the remains of any such building..(5)

3. THE SCHEDULE OF MONUMENTS

The Schedule of Monuments is compiled and maintained for the purpose of the Act by the Secretary of State. The Secretary of state is obliged on first compiling the schedule to include therein any monument included in the last list published under the 1913 Act in a list to be published under the new (1979) Act. In addition to those monuments which must of necessity be included in the schedule, the Secretary of State may include any monument which appears to him to be of national importance.

Ecclesiastical Buildings

Definition: An ecclesiastical building which is for the time being used for ecclesiastical purposes or would be so used but for the works. In ordinary language many ecclesiastical buildings could properly be described as ancient monuments.

But from the outset of the establishment of a complete ancient

monuments code in the 1913 Act "ecclesiastical building for the time being used for ecclesiastical purposes"(6) have been excluded from the statutory definition of monument.

But the planning legislation applies in general to ecclesiastical building. Thus Planning permission is required for any development of an ecclesiastical building by reason of the general requirements of Section 22 and 23 of the Town and Country Planning Act 1971. For example such permission is required for the construction of a new ecclesiastical building, for the change of use of an ecclesiastical building. There is only one small, if important, area of the planning legislation which does not apply to ecclesiastical buildings. By Section 56 of the 1971 Act, the provision of Section 55 of the Act, the listed building consent provisions do not apply to works "for demolition, alteration or extension" of "an ecclesiastical building which is for the time being used for ecclesiastical purposes"(7). By Section 58 of the Act, such ecclesiastical buildings are also exempt from the provisions concerning the service of building preservation notices.

B: The Town and Country Planning Acts

3.8 THE TOWN AND COUNTRY PLANNING ACT 1932

In 1932 Sir Hilton Young, then Minister of Health and Housing, introduced the Town and Country Planning Act into Parliament. It got rid of the principle that a building of historic interest must be uninhabited or inhabited only by a caretaker. It allowed local authorities to make, vary or revoke a Preservation Order in respect of any building in their area which was of special architectural or historic interest. Each such order had to be individually approved by the Minister and he was bound to consider any representation made to him by the owner of the building or by any other person and to consult with the Commissioners of Works. Once the order was in force by the Minister's approval, the owner could still apply to the local council to vary or revoke it, and if refused could appeal to the Minister. The Act did not apply to buildings already covered by earlier Ancient Monument legislation.

There was a provision for compensation to any person whose legal rights in respect of the relevant property were infringed or curtailed by the Preservation Order.

3.9 THE 1944 ACT

In the Town and Country Planning Act of 1944, Parliament empowered the Minister of Town and Country Planning to prepare lists of buildings of special architectural and historic interest. They were intended partly as a record of what might be restored after bombing or might be still bombed, and partly as a guide for local

authorities in assuming their new planning function. The 1944 Act provided for the definitive listing by central government of buildings whether or not they were inhabited.

3.10 THE 1947 ACT

Under the 1947 Act a local planning authority made a Building Preservation Order restraining the demolition, alteration or extension. The Order requires confirmation by the Minister and compensation is payable in respect of damage or expenditure caused or incurred to any person in consequence of the order with a view to guiding Local Planning Authorities on the preservation of buildings of special architectural or historic interest the Minister has to compile lists of such buildings and supply copies of such lists to councils of the county boroughs, and county districts, affected.

The owner and occupier of a listed building have to be informed by the Minister that the building has been listed; but the Minister is not obliged to consult either the owner or the occupier before listing any building though he must consult with persons having special knowledge or interest in such buildings.

3.11 THE 1962 ACT

The 1962 Act continued the 1947 Act's provisions about historic buildings. In addition, it consolidated and improved much of the general system of planning in the country by empowering Local Authorities to make their own grants out of the rates for the upkeep and maintenance of any building, not necessarily a listed one, which they considered of architectural or historic interest.

3.12 THE 1968 ACT

The Town and Country Planning Act of 1968 effected a major change in the law of listing buildings. The changes in regard to listed buildings were broadly three. First, the statutory list became in effect a blanket preservation order on all buildings in the list. Second, a new form of permission was introduced namely that of listed Building Consent. Such Consent was hence forward required before any significant work could lawfully be carried out on a listed building. Third, Building Preservation Orders were abolished since the new provisions superseded them although all buildings then subject to such orders became listed buildings.

3.13 THE 1971 ACT

The essential is Section 54(1) of the 1971 Act. For the purpose of this Act and with a view to the guidance of Local Planning Authorities in the performance of their functions under this Act in relation to buildings of special architectural or historic interest, the Secretary of State shall compile lists of such buildings, or approve, with or without modification such lists compiled by other persons or bodies of persons, and may amend any list so compiled or approved.

3.14 CRITERIA FOR LISTING

The main criteria for listing can be summarized as follows:

1. Works of art - the products of distinct and creative mind.
2. Architectural curiosities and freaks.
3. Buildings which are part of a chain of architectural development, that would be broken if they were lost.

4. Outstanding compositions of fragmentary beauties, welded together by time and good fortune.
5. Example of technological development.
6. Examples of a lost way of life having sociological aspects.
7. Buildings associated with great people or events. (8)

The aim of listing is to prolong a building's useful life as long as possible. By being listed statutory buildings afforded protection. The principles of selection for listing buildings were drawn up by an "expert" committee of architects, antiquarians, and historians. These principles are broadly as follows: (9)

- 1) All buildings built before 1700 which survive in anything like their original condition are listed.
- 2) Many buildings of 1700 to 1840 are listed, though selection is necessary.
- 3) Buildings built between 1840-1914: only those of definite quality and character are listed and the selection is designed to include the principal works of principal architects.
- 4) A start is being made to list very few selected buildings of, 1914-1930

3.15 THE CIVIC AMENITIES ACT 1967

The Civic Amenities Bill was introduced into Parliament in June 1966 by Duncan Sandys, President of the Civic Trust. The Trust itself helped to draft it. From its inception this measure received the support of all parties in Parliament; it received Royal Assent on 27 July 1967. The Act deals with the preservation and improvement of areas of buildings of special interest, the preservation and planting of trees, and the removal and disposal of abandoned motor vehicles and other bulky refuse. The preamble to this Act made it clear that it was an Act "to make further provision for the protection and improvement of buildings of architectural or historic interest." The Act required that every local 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 such area as a conservation area. (10) The Secretary of State also has power (after consultation with the Local Planning Authority) to designate areas as conservation areas. Once an area has been designated it becomes the duty of local planning authorities and any other authority concerned, including the Secretary of State, to pay special attention to the character and appearance of the area.

3.16 CONSERVATION AREA

Until the middle of this century, measures for the protection of the built environment had largely concentrated on the protection of individual buildings against the possibility of

demolition. It was not until 1967 that the concept of area conservation found statutory acceptance in "the Civic Amenities Act". The size and nature of conservation areas vary considerably from small groups of buildings to whole town centres. A conservation area will usually be defined because of its overall architectural quality or historic associations. Those associations often give the area a significant historical and social relationship to the rest of the town.

The siting of the Conservation Area in relation to other areas of the town will have established its physical and social importance and changing the relationship can alter the significance of the area so in considering Conservation Areas they must be seen in the context of the whole town, both for historic and visual reasons and in order to provide a proper context in which to plan for conservation.

If we begin defining a conservation area by putting a ring round part or parts of a town where there are concentrations of historic buildings we shall arrive at very different kinds of conservation areas from town to town, both in size and function (Fig 5). There can consequently be no standard conservation area. (11)

The term Conservation Area must be taken to mean an area in which preservation will be a principal planning aim but in which some change, although small in scale, must take place. There will be different types of problems to be solved in different types of areas. In town centres large capacity car parks, service roads and other new development may be required to assist in preservation.

3.17 THE DESIGNATION OF CONSERVATION AREA

Local Planning Authorities have the duty to formulate and publish proposals for the preservation and enhancement of conservation areas from time to time and are required from time to time to make a review of their conservation area to determine whether any additional areas should be designated and to designate such areas.

Local Authorities are also advised to set up advisory committees for conservation areas consisting not only of local authority members but local members of the architectural and planning professions . Advisory bodies could be useful in identifying such areas and to monitor the effectiveness of enhancement policies.

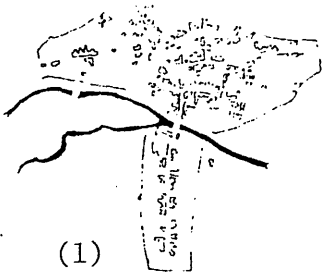
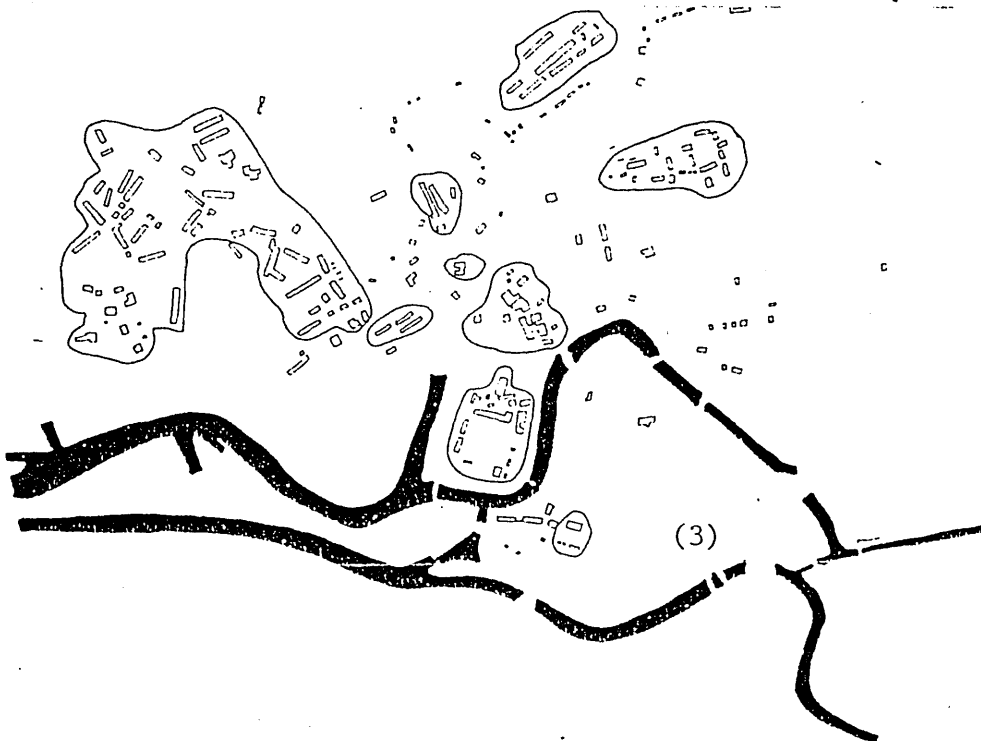
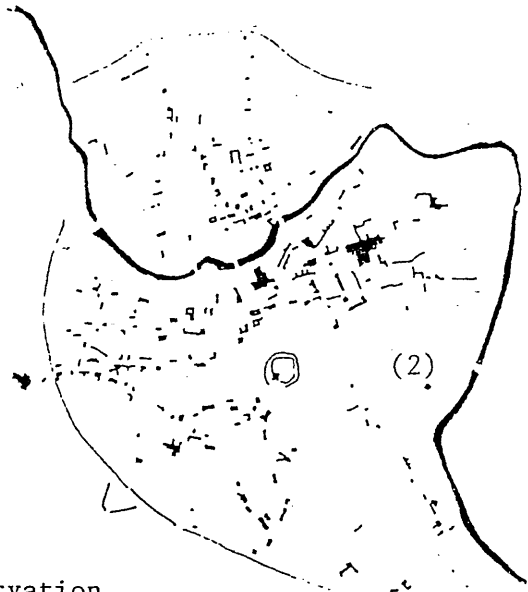


Fig. 5: Different possibilities of conservation areas.

- (1) Stamford - the whole of the old town within the walls.
- (2) In Norwich, the whole of a large city centre is enclosed by the lines of the old walls. The centre may contain a number of conservation areas but the whole complex needs to be considered as one unit in design terms.
- (3) In Bristol several unrelated conservation areas in a radically changing city centre.



Scale in all three pictures is the same.

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PART II - LEGISLATION

CHAPTER IV

The French System of Legislation

CHAPTER IV - The French System of Legislation

4.1 1830 REPORT

It was under the monarch Louis Philippe that the first step towards a policy for the conservation of national heritage has been taken. The then Minister of Interior Guizot presented a report on the 21st October, 1830 to the King.

"The Historic Monuments which cover the French soil 'fill' the European scholars up with admiration and makes them envious. Also they are numerous and varied than many neighbouring countries and they don't belong to this or that isolated phase of history, but they establish a whole string without gap from the druid up to nowadays"(1).

Guizot obtained the permission from the King Philippe to create a post chief inspector (Inspecteur General) his duty was to cover, or to go over all the department of France, to make surveys (at the scene) of the historic or artistic importance of the monuments, gather every piece of information concerning each case.

4.2 THE 1841 ACT

The problem of the expropriation of the ancient monuments or their surrounding had been expressly raised at the time of the 1841 Act. Opinion had become aware of the "hotel de la Tremoille" matter which the Municipal Council hoped to buy in order to prevent its destruction. The owner frustrated acquisition by asking an outrageous price. A few members of the Parliament suggested from that moment the use of the expropriation procedure for public interest and new powers were called for.

4.3 THE 1887 ACT

The possibility of the expropriation of an ancient monument in order to save it from destruction was expressly welcomed by the 1887 Act.

"According to the prescription of the 1841 Act the Minister of Fine Art can carry on the expropriation of the listed building or a proposed one even if its owner does not acknowledge this action." (2)

Power now existed to take action by the state to save an ancient building even against the owners wishes.

4.4 THE 1913 ACT

On the eve of the First World War a fundamental law has been adopted. The 1913 Act more audacious than the 1887 Act since it gives the state the right to list buildings even if the owner refused and the Act has widened the expropriation procedure and empowered the County District Council and the Borough District Council* to do so. The same option has been given towards buildings which the acquisition is needed to isolate, to clean or to clear up a listed building or a proposed one for listing.

4.6 THE 1943 ACT

The expropriation area has been enlarged by the 1943 Act, before only the buildings close to an ancient monument can be expropriated. The new factor brought in is the area of vision* which is much more vast. A circle of 500 metres radius - "78 ha."

4.7.1 "LE CLASSEMENT" THE LISTING

Once a building is listed no work can be carried out without

*Departement et Commune

* Champ de Visibilite: visibility field

a preliminary permission of the Minister of Culture, who can as well execute automatically the necessary conservation work when the safety of the building is in danger. The Minister can also authorise a temporary occupation of the neighbouring buildings.

It can be listed a building which present a public interest in historic or artistic point of view.

4.7.2 THE PROCEDURE OF LISTING

A building can be listed by Ministerial Order or by Council of State decree. The Ministerial Order is sufficient, but, if the owner refused to acknowledge it, it is the Council of State Decree which lists the building.

Until 1978 the Minister of Culture was in charge but the creation of the Ministry of Environment has changed the situation.

According to 1978 Act, the listing of buildings as historic monument and their insertion on the supplementary list is the concern of the Minister of Environment, and the Minister of Culture can propose the listing of buildings, in such case the instruction is jointly taken and the decision is signed by both Ministers.

4.7.3 "THE PENDING LISTING" L'instance de Classement

The 1913 Act clarify from the day that the cultural administration notifies the owner its proposition for listing every listing rules apply to it and will cease if the building wasn't listed in the twelve months following the notification.

4.8 THE INSCRIPTION ON THE SUPPLEMENTARY LIST

The inscription was considered as a listing of second grade applicable for building less important. For the high commission of historic monuments this means to reserve the listing for more interesting monument but for the historic monument administration the choice between listing and inscription on the supplementary list means other criteria than artistic value was taken into account.

The criteria are as follows:

1. When the inscription on the supplementary list can be done without the owners consent by a simple ministerial order.
2. When there is no urgent protection, this does not mean it is of little interest.
3. When the monument is in good state and its owner maintains it.

"It is so easy to put a building on a supplementary list which permit the state to keep an eye on it. But if the monument is left neglected then it must be listed. The owner must inform the cultural administration four months prior to any considered work" (3).

The 1943 tried to bridge the gap between the two types of protection in preserving the surrounding of a building appearing in the supplementary list. To oppose to any intervention in the building appearing in the supplementary list the cultural administration must appeal to the listing procedure. On the contrary the cultural administration can oppose to any intervention in the visibility field or vision area - (champ de visibilite) of a building appearing in the supplementary list. One can say when only a part of a building is appearing in the supple-

mentary list (eg. portal, facade) is better protected, because this part is the circle centre of 500 m. of radius.

4.9 "ZONE PROTEGE" Protected Area

In providing the creation of "protected area" the 1930 Act wanted to protect more efficiently the surroundings of historic monuments. Actually before this Act the administration couldn't expropriate sites or buildings near to this monument so the 1930 Act allowed the administration to delimit the protection area around the buildings and impose to the concerned owners the constraint adopted to each case.

The Procedure

The Regional Commission of Property, Architecture and Protected Spaces establish a protection project consisting of parcel plans which constitute the protected area with the indication of the imposed prescription to assure the protection.

The Prefect* pass on the dossier with his opinion to the Minister in charge of historic monuments, the latter can consult the higher commission of sites and historic monuments. Each case after being examined is submitted to the Council of State, notice of the protection of the site is declared of general interest by the Council of State Decree.

The procedure provided by 1930 Act is complex and slow, some years go by between the preliminary plan and the final decision. There is nowadays fortyfive protected areas, 44 were created between 1932-1967 but since 1967 only one protected area has been created and it shows how the procedure is. The created zone is the protected area of the Church of Talmet sur Giande

*The officer of a region who represents the State

Village (4).

4.10 SECTEUR SOUVEGARDE - The Salvaged Area - The Conservation Area

The protection of a whole area was made possible by the Protected Area Act of 1930 from which 45 protected zones had seen the light. Then came the 1962 Act, called "The Andre Malvaux Act", the then Minister of Cultural Affairs. (Who ironically in his youth had been arrested and convicted for looting historic monument in Cambodia) He created the French equivalent of Conservation Areas, "Secteur Souvegarde" (5)

In these areas, a plan of salvage and promotion is established, a set of constraint accompanied with the operational guide.

Despite the improvement introduced by the 1976 Act this procedure is still slow and less efficient.

"Among the sixty created "conservation Areas" only eight have their plan of salvage and promotion approved" (6).

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PART III - THE ROLE OF VARIOUS AGENCIES IN BRITAIN

CHAPTER V

The Role of Governmental Bodies

CHAPTER V - The Role of Governmental Bodies

5.1 THE SECRETARY OF STATE

5.1.1 INTRODUCTION

The historic environment and its regulating laws exist side by side with a network of official and private organisation. Some are concerned with the impartial application of law, others to investigate, protect and conserve. The official sector is monitored and criticised by pressure groups who wish to save buildings and rescue archaeological sites. The planning process is always one of their targets. It has to decide controversial disputes over land uses, must recognize the historical element, but cannot always make the heritage the victor. Both official and private sectors have to work out how to respond most effectively to the challenges of preservation, especially when it is a matter of urgent recording before unavoidable destruction.

5.1.2 THE ROLE OF THE SECRETARY OF STATE

The listing of Buildings.

The Secretary of State retains the duty of compiling the list of special interest buildings. The Secretary of State may take into account not only the special architectural or historic interest of the building itself but also its context in a group of buildings. Before compiling, approving or amending any list, the Secretary of State has a statutory duty to consult persons or bodies of persons with the appropriate specialist knowledge, but it is noteworthy that he is under no obligation to consult with the owner or occupier. The word building in this context

has a wide definition, so that structure such as village pumps or lychgates could be included in the list (1).

5.1.3 GRANTS AND LOANS

The Secretary of State has power to make grants available for the repair or maintenance of buildings and their contents which are adjudged to be of "outstanding" historic or architectural interest. These grants or loans may also extend to the upkeep of the surrounding land. A group of buildings within a town scheme may merit the description "outstanding" and thereby qualify for a grant or loan. Listed buildings which cannot be considered outstanding may however, qualify for grant assistance from government funds if they are situated in conservation areas. Before providing financial assistance the Secretary of State must consult the Historic Buildings Council, unless the making of the grant appears to the Secretary of State to be a matter of immediate urgency.

5.2 HISTORIC BUILDINGS COUNCIL

5.2.1 INTRODUCTION

After the Second World War was over a committee was set up under the chairmanship of Sir Ernest Gowers to enquire into the loss of great country houses and one of its important recommendations was to create the Historic Buildings Council.

It is said in the Gowers report which appeared in 1950, that:

- "1. A statutory body (to be called the Historic Buildings Council) should be created for England and Wales, and another for Scotland and entrusted with duties both general and specific for furthering the preservation of houses of outstanding historic or architectural interest."

- 4)
- "2. The Historic Buildings Council should have wide powers of aiding the preservation of designated houses and their listed contents. That the Historic Buildings Council should have power to acquire designated houses, their contents and the amenity land by agreement, or compulsorily if that is necessary to preserve them and to hold and manage properties so acquired until some suitable use can be found by which they can be preserved" (2).

Three years after the report appeared, a bill was introduced into Parliament in which the Minister of Works was allowed to make grants for the restoration and maintenance of Historic Buildings and their contents, and setting up a Historic Buildings Council to advise him how to do it.

5.2.2. THE HISTORIC BUILDINGS COUNCIL

- 1) The resurvey of buildings.

The resurvey consists of bringing the lists of buildings of architectural and historic interest up to current standards.

- 2) Listed building consent.

The Historic Buildings Council is directly responsible for consent cases only in respect of buildings owned by the planning authorities themselves. They exercise call-in powers with regard to consents provisionally granted by local planning authorities.

- 3) Grants

Grants are made by Secretary of State on the recommendation of the Historic Buildings Council.

5.3 THE ROLE OF LOCAL AUTHORITIES

5.3.1 LOANS AND GRANTS

By virtue of the Local Authorities (Historic Buildings) Act 1962

grants and loans are available from the local authority to contribute to the expenses of repair and maintenance of a listed building or other building which appears to be of architectural or historic interest. The Town and Country Planning Act 1968 repealed the requirement that the Secretary of State's consent was needed for any loans or grants to buildings other than listed buildings. The grant or loan may include a contribution towards expenses incurred in the upkeep of any contiguous or adjacent garden occupied with the building.

5.3.2 LISTED BUILDING CONSENT

If a building is listed or deemed to be listed, listed building consent is needed for works of demolition, alteration or extension to a listed building in any way which would affect its character as a building of special or historic interest.

Publication of Notices.

The local planning authority must publish in a local paper a notice indicating the nature of the works and when and where the plans may be inspected for 21 days and they must also display for not less than seven days a notice on or nearer the building.

The Consideration of the Local Authority.

The local planning authority must take into account any representations received from the owner or as a result of the notice or publication in the paper (Town and Country Planning Regulation 1972). The local authority (or Secretary of State) have a statutory obligation to have special regard to the desirability of preserving a building or any features of special architectural or historic interest which it possesses. The regulations

provide that the local planning authority has two months in which to give notice of their decision on the application of its reference to the Secretary of State. Failure to do so is deemed a refusal. They must give reasons if consent is refused or granted subject to conditions.

If, as a result of consent, conditional of consent or a revocation or modification of consent, the owner claims that the land is incapable of reasonably beneficial use or cannot be rendered capable of reasonably beneficial use he may serve a listed building purchase notice on the local authority requiring them to purchase the land.(3) The local authority may comply with the purchase notice or, if they are unwilling to comply with it they must send a copy of the notice to the Secretary of State. He then has a range of devices open to him on dealing with the notice.

5.4 CONCLUSION

One of the most crucial problems is the provision of funds for conservation. There are state and local grants available covering part of the range of expenditure on conserving buildings but so far these grants do not go far enough to fill in the gap left unfilled by private resources. In the case of listed buildings used as dwellings the possible sources of grants include the Historic Buildings Council; but such grants are limited and are given only to buildings officially regarded as "outstanding". Several town schemes exist where funds are provided by the state and the local authority; but the amounts given to the general run of old buildings are usually very small. A great many buildings which undoubtedly were deserving cases have been lost.

"Another aspect of finance can be seen in the public appeals for immense sums for such famous buildings as Westminster Abbey, York Minster and St. Paul's Cathedral"(4).

A very few such appeals exhaust the greater part of the public money that can be subscribed for purposes of conservation. For this reason they have a disastrous effect upon conservation of almost all other buildings. There is here an argument for placing all major public buildings in a certain special category, repairable at the charge of the state. This should apply to the great cathedrals as much as to public offices.

The main weakness in the procedure of the listed building consent is the vagueness of meanings of the words 'character' and 'demolition' which gives the local planning authority freedom to interpret whether an L.B.C. application is necessary in the first place.

PART III - THE ROLE OF VARIOUS AGENCIES

CHAPTER VI

The Role of Trustees and Royal Commissions

CHAPTER VI - The Role of Trustees and Royal Commissions

6.1 THE NATIONAL TRUST

6.1.1 INTRODUCTION

In 1895 a significant development occurred with the founding of the National Trust. The spread of railways over the countryside had disturbed many people. From this concern the preservation of open spaces and National Trust was born.

From small beginnings, the Trust soon acquired national attention and esteem, and spread from the preservation of open spaces to historic buildings.

The National Trust is a non governmental body founded and managed by private persons in the public interest, dependent entirely on voluntary contributions. The special character and nature of its work meant that it early acquired official status as a "charity", and subsequently special Acts of Parliament have given it certain privileges and exemptions in return for the duties it undertakes(5). Actually, the government has made an exceedingly good bargain in thus officially recognising the Trust as its agent in certain matters of national concern at no cost to itself beyond tax concessions.

6.1.2 The National Trust is a body consisting of a council and various special committees which with their officers, act as trustees for a wide variety of scattered properties in England and Wales.

Because of their outstanding interest or beauty these properties have been acquired by purchase or as gifts. The very first property ever presented to the Trust was a little plot of four and a half

acres on the coast of Merioneth in Wales. One of the biggest is the celebrated 14000 acre estate on the Devon coast given by Sir Richard Acland.

Between these two extremes in size there lies a range of properties of every sort. And what remarkable properties they are! Dovedale and the Peak, Stonehenge Down and Runnymede, the great Wallington Estate in Cumberland, the Sugar Loaf Mountain in Monmouthshire, Scaefell Pike (the highest peak in England)(6).

Then there are its many buildings, all of distinguished architecture or else notable history, or both: great mansions such as Lacolk, Barrington, Blickling Cliveden and Moreton; Constables Flat Ford Mill; the homes or birthplaces of such national figures as Wordsworth, Newton, Kipling, Wolfe and so on.

In addition the National Trust is guardian of a whole collection of most interesting old structures that are not so easily classified and can be grouped under the general heading "Ancient and Honourable". There are towers and lesser castles, priests' houses and courts, groups of old cottages and rural monuments and provincial merchants' houses.

"It has long seemed necessary that some impartial authoritative and critical commission should consider county seats and made a list of houses which really deserve protection as National Monuments and as a characteristic and valuable part of Britain's heritage. At last a committee convened by the National Trust is now engaged on making a list of those that are deemed most worthy of preservation"(7).

If the National Trust, without adding to its own vast responsibility can by any means secure the preservation of what is nationally precious without actually assuming ownership it will assist other agencies such as the Council for the Preservation of Rural England,

the Commons and Footpaths Society, the Society for the Protection of Ancient Buildings, and a dozen others, all working in friendly liaison with the National Trust.

6.2 THE NATIONAL TRUST FOR SCOTLAND

The Scottish Trust was founded in 1931 to serve the interests of Scotland, as distinct from those of England and Wales. There are minor differences in the National Trust for Scotland Act, which received Parliament approval in 1935, but from the beginning there was a subtle difference in interpretation. The Council and Executive Committee took the view that their main obligation was to promote the preservation of landscape, wildlife, buildings and historic sites and to encourage the public to appreciate and enjoy them.

The beginning of the National Trust for Scotland were deceptively modest. The initiative came from the Association for the Preservation of Rural Scotland which was at that time inhibited like the Common Preservation Society in London at an earlier date, by lack of powers to hold land or buildings.

The passing of the National Trust for Scotland Act made the Trust a statutory body. The Act gave the Trust power to declare trust lands and buildings inalienably that is to declare them to be subjects which the Trust holds in perpetuity and which can be removed from its control only by prescribed Parliamentary procedure.

6.3 THE ROYAL COMMISSION OF THE ANCIENT AND HISTORICAL MONUMENTS

The Commission was set up in 1908. It is a non-departmental

government body financed by Parliament and directed by commissioners appointed by the Queen on the advice of the Secretary of State. The Commission is an independent body and operates under the terms of reference laid down in a Royal Warrant.

Generally, the framework of the Royal Commission of the Ancient and Historical Monuments is to provide a detailed inventory of counties and cities, covering all monuments and buildings of importance up to the eighteenth century. The recording of archaeological monuments and historic buildings is pursued with the main following objectives.

By systematic surveys to prepare and publish description in the form of inventories of all man-made structures from earliest times to the beginning of the eighteenth century, together with selected buildings of later date and to make recommendation for their preservation.

To complement the inventory surveys by a programme of more rapid field assessments made by a team of field archaeologists; the results of such surveys are made available in the archaeological sites and monuments series issued by the Commission.

The responsibility for recording historic buildings for which Listed Building Consent for demolition has been granted, and records are also made of listed buildings undergoing alteration
*
and restoration.

Establishment of a central archive of pictorial and documentary material relating to archaeological sites, ancient monuments and historic buildings under the direction of National Monuments

* The task was imposed by the 1972 Town and Country Planning Act.

Record.*

The date of up to the eighteenth century makes the Royal Commission of only marginal interest to northern cities such as Liverpool, Manchester and Glasgow. The antiquarian basis was typical of the mood of 1908, but the Commission has failed to remain relevant to cities with a large Victorian heritage.

6.4 THE ROYAL FINE ARTS COMMISSION.

The Royal Fine Arts Commission was created by Royal Warrant in 1924 to advise government departments on questions of public amenity and artistic importance and to give similar advice when requested by public or quasi-public bodies. In 1933 it was empowered to draw to the attention of the same organisations any project of development which in its opinion might affect amenities of national importance.

The Royal Fine Arts Commission expects to be consulted by relevant bodies, including Local Authorities on significant projects.

The twentieth report of the Commission indicates that its functions are advisory rather than judicial, but adds rather bitterly that "sometimes its advice is ignored or overruled, even perhaps predominantly by Government Departments" (8).

It is unfortunate that this should be so. It is pointless to seek advice from amenity bodies and then ignore their opinions.

It operates under 12 commissioners appointed by the Secretary of State, 6 of which are practising designers and 6 non-

* National Trust Monuments Record, a branch of the Commission was set up in 1941 as a successor to the National Buildings Record.

professionals including journalists, and members of amenity societies.

6.5 THE CIVIC TRUST

The Civic Trust is an independent charity without members. It was founded in 1957 by Duncan Sandys, Minister of Housing and Local Government at that time. There are separate branches for England, Scotland and Wales.

The Civic Trust's role includes:

1. Preserving buildings of architectural and historic interest.
2. Protecting the beauties of the countryside.
3. Eliminating and preventing ugliness, whether from bad design or neglect.
4. Stimulating interest in the good appearance of towns and generally inspiring a sense of Civic pride, and
5. Encouraging high quality in architecture and planning.(9)

6.6 THE SCOTTISH CIVIC TRUST

The Scottish Civic Trust like those of England and Wales has the fundamental aims of protecting the best in the environment and of trying to ensure that the man-made heritage is handed down to posterity in good condition.

The Scottish Civic Trust assumes some of the established roles of the Civic Trust (Mainbody) such as responding to enquiries or complaints about planning or architectural matters. Other inherited tasks include providing support and encouragement for the civic societies already established in Scotland and stimulating new ones.

The 1969 Town and Country Planning (Scotland) Act specifies that the Scottish Civic Trust should be consulted by Scottish Planning Authorities on every application to demolish a statutory listed building.

The Scottish Civic Trust receive through the Scottish Development Agency financial assistance towards listed building and planning casework and the coordination of civic societies and public participation. The major share of its income, however, comes from the private sector industry and commerce along with other charitable trusts. Without this essential balance of support the Trust could be in danger of being seen as the lame lapdog of Central or Local Government.

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PART IV - THE CHARACTER

CHAPTER VII

The Character of Towns

CHAPTER VII - The Character of Towns

7.1.1 INTRODUCTION

It is said in the 1967 Civic Amenities Act

"that once an area had been designated, it becomes the duty of the Local Planning Authorities to pay attention to the "Character" and appearance of the area" (1)

So what makes up the character of an area or a town; and what elements create a sense of place and give the visitor the sensation that he is in a distinctive area.

Historic buildings with their architectural quality and historic interest are an obvious starting point when trying to answer this question, but there are also the lesser buildings whose supporting role is important and other buildings which illustrate a town history in connection with people or events. The styles and period of architecture are important but these are not necessarily the primary factors in the character of towns.

One can say that the individual buildings contribute to the appearance or character of an area or a town but they cannot be considered the only constituent part of that character nor necessarily the most important visually. The identity and the personality of most towns derive from the way in which individual buildings both of special architectural and historic interest or not, together create a general atmosphere and constitute a recognisable local urban fabric. The collective element is often such that in the general view a character is greater than the sum of the individual parts. Legislation

fails to appreciate this important distinction and inadequately defines character.

7.2 THE INTERPRETATION OF CHARACTER OF TOWNS

7.2.1 INTRODUCTION

The interpretation of character is largely subjective and legislation deals too loosely with the definition of character. It gives too much importance to the details at the expense of the whole.

The following elements should be taken into account as they are the most important constituent part of urban character.

7.2.2 SKYLINE (Fig. 5)

The skyline is usually the prime noticeable feature that gives the first image and the first impression when seen from a distance (2). Many towns and cities are famed for their skylines (Fig. 6)

In maintaining the existing town skyline the setting of large or tall buildings must be guided by the setting of a number of principles, such as, new buildings must maintain the dominance, tall new buildings are not the only way to spoil the whole character of a town.

Care must be taken to safeguard local views within the town. Certain local views of significant buildings are important to a town and its character and set up relationships between different areas. A focal point skyline creates an image and dominates the feature of the street. A series of focal points in an area

"Skyline"



Fig. 5 One of the most difficult visual characteristics to maintain in group of buildings is height and skyline. The old town will suffer disastrously in adding or removing any of its buildings. The complex organisation of space create a single identity.



Fig. 6 View from the Westminster Bridge. This view of London shows how a town can be recognised by its skyline.

combined together can create a strong image over a large area or along a street.

7.2.3 THE SCALE (Fig. 7)

The scale is a fundamental aspect in human consciousness since it has a psychological effect on people. There are two "categories" of scale, the first one is what is called the human scale. When the elements of composition are proportional to each other it is usually determined by the height of buildings and the width of streets and open spaces. The second one is what is called "relative scale". This means it is independent of any absolute reference. It is relative to the visual frame of reference, it is this second definition of scale which is the more important to the architects and planners. A mistake made by many architects and planners during the Second World War was in equating the scale with a dimension, this produced uniformity. They failed to understand that scale is not a question of dimensional corresponding rhythm. (3)

complexity, variety and randomness on the one hand, and pattern, uniformity and rhythm on the other hand. (4)

7.2.4 THE BUILDING LINE (Fig. 8)

The continuity of a group of buildings is determined by the shape or the building line. The line of facades along a street and around a space will condition the way the individual



Fig. 7 Scale and Proportion

This building in Cannongate (Edinburgh) has a visual continuity but there is also a continuity in use and scale.



Fig. 8 Building Line

Princes Street, Edinburgh has a true city atmosphere due to the quality of the building line - a "formal building line".

buildings are seen and the relationship between one building and the next. The variation or the uniformity in building line creates different street scenes.

7.3 THE CHARACTER OF BUILDINGS

The word "character" in section 53 of the 1972 Act has been interpreted with some difficulties. The use of the word character was intended to cover a wide range of elements in and around a building, where things which give character to the whole, walls, external joinery, roofs, chimneys, glazing and metalwork, for example; the following elements can be cited as "character contributors".

All door and window openings with their margins including shop fronts, where these have architectural character, columns, pilasters, parapets, balconies, balustrades and all decorative detail associated with them. (Fig. 9,10)

The surface texture or decorative treatments of stonework such as rustication, pointing, harling, tile ranging and colour. The character in metalwork will be associated with elements such as window divides (Fig. 11) coloured stained or traditional glasswork; rainwater heads, external piping.

The character in roofs (Fig. 12) will usually be in the pitch of the roof, the existence of dormers, ridges, decorative treatment at the eaves etc. (5).

The interpretation of the word character is even more difficult to define when dealing with interior work. However

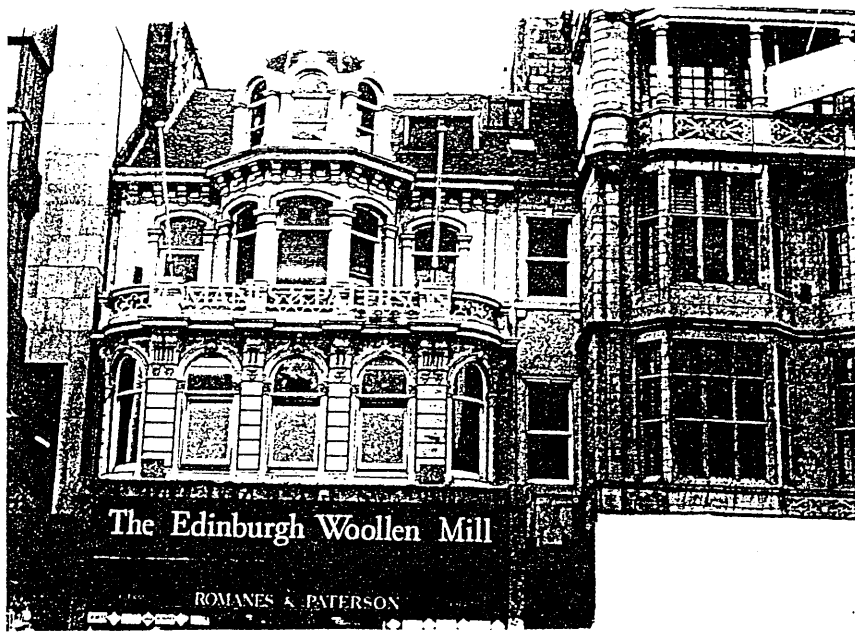


Fig. 9 Shopfront on Princes Street, Edinburgh.
Decorative details, balconies, window opening.



Fig. 10 Architectural character (west side of Charlotte Square, Edinburgh)
Conveyed by columns, stonework, window divides and dome.

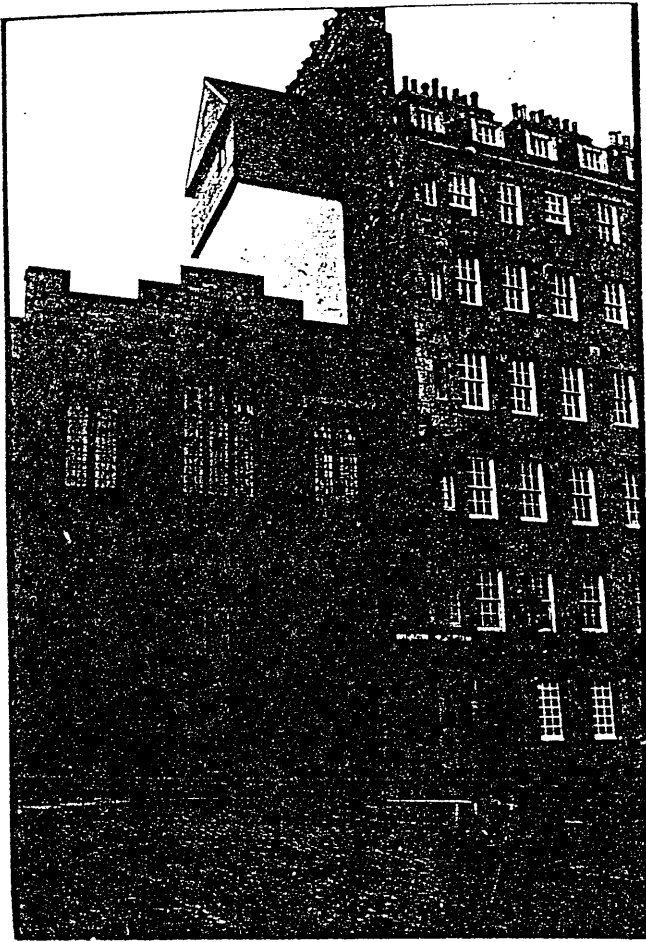


Fig. 11
Two types of window divides.
(High Street, Edinburgh)

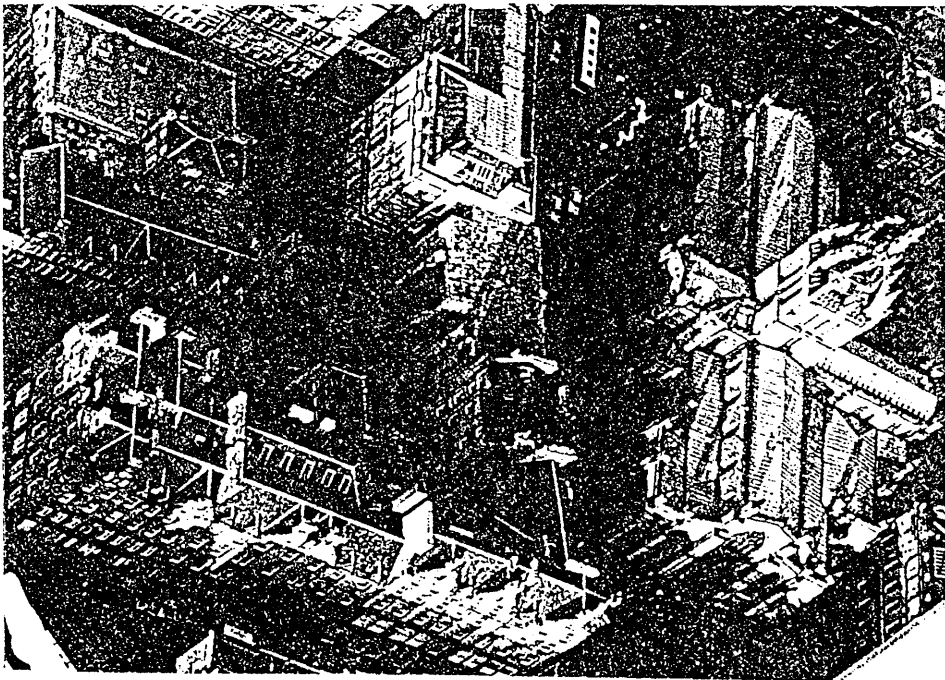


Fig. 12
Roofs and chimneys
(Edinburgh High
Street)

character will be associated with such elements as, chimney pieces, doorcases, doors and their features, etc.(Fig. 13,14)

7.4 DESIGNING INFILL BUILDINGS

7.4.1 INTRODUCTION

One of the most difficult tasks in conservation area is to design new buildings which fit in with the existing groups of buildings. Developers, public or private, should not have the right to destroy the quality of an ancient street or the setting of an historic building. This does not concern only the building next door but the need to design in sympathy with the total environment.

The most important issues to consider in fitting new buildings into historic streets are proportion, rhythm, colour and the effect they have on scale.

7.4.2 THE PROPORTION (Fig. 15,16)

The proportion is the relation between the parts and the whole and varies according to scale. "To understand proportion is to understand harmony, fittingness, appropriate details and order"(6).

Proportion is exhibited by a building whose parts are interrelated in terms of their shapes and size rather than in terms of their ornament.

7.4.3 THE RHYTHM (Fig 15,16)

The human mind possesses an intrinsic tendency to

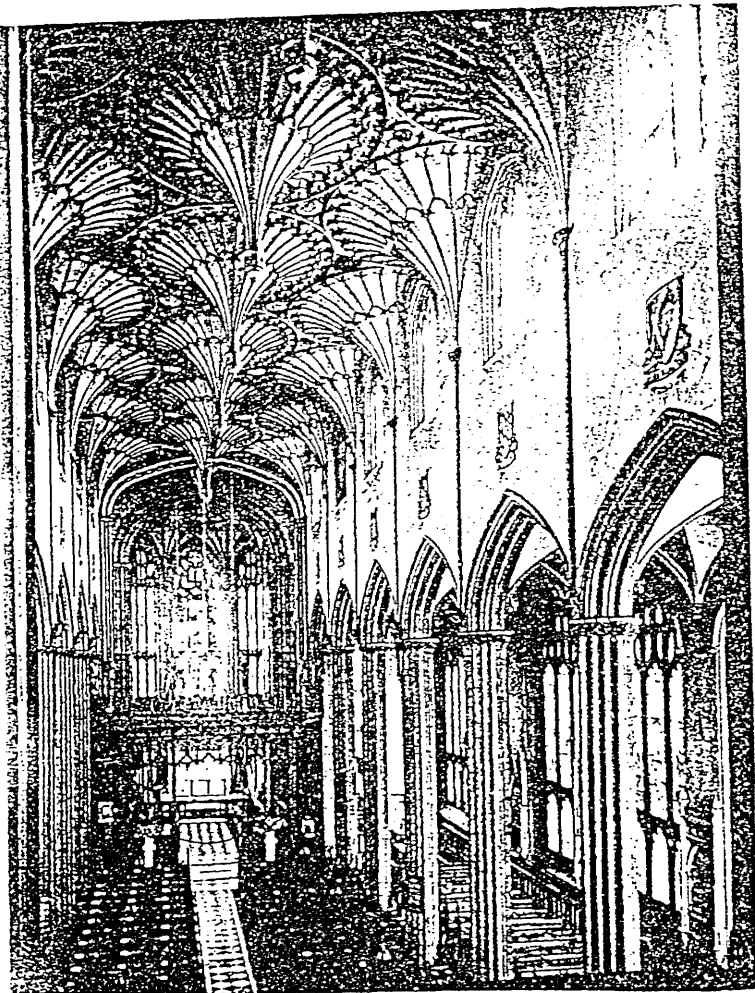


Fig. 13

The interior of St. John's
Church, Princes Street,
Edinburgh.

Fan vaulting over the nave
by William Burn 1819.

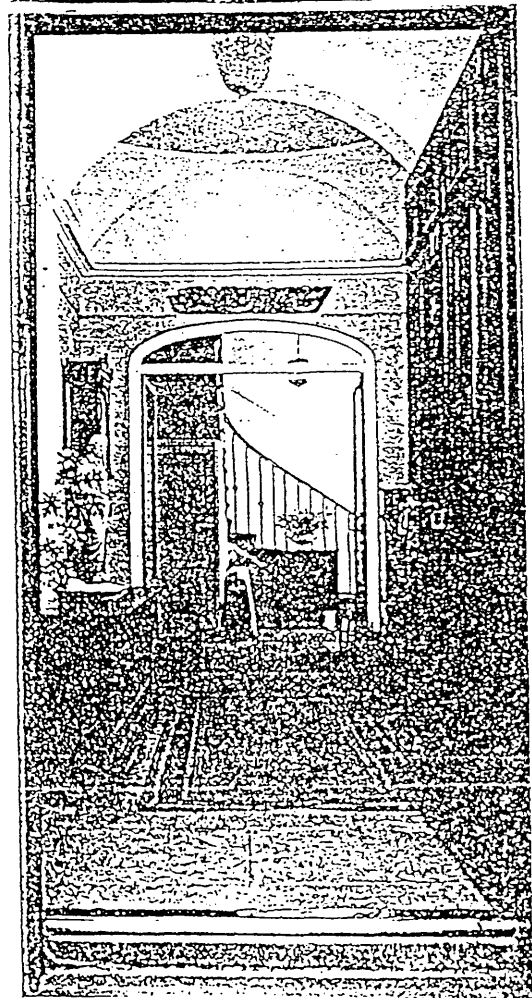


Fig. 14

The interior of Robert Louis Stevenson's
home (1852-80) still a private house.

17 Hirst Row, Edinburgh.

All aspects here contribute
towards architectural character even
the smallest detail.

Scale, Proportion and Rhythm

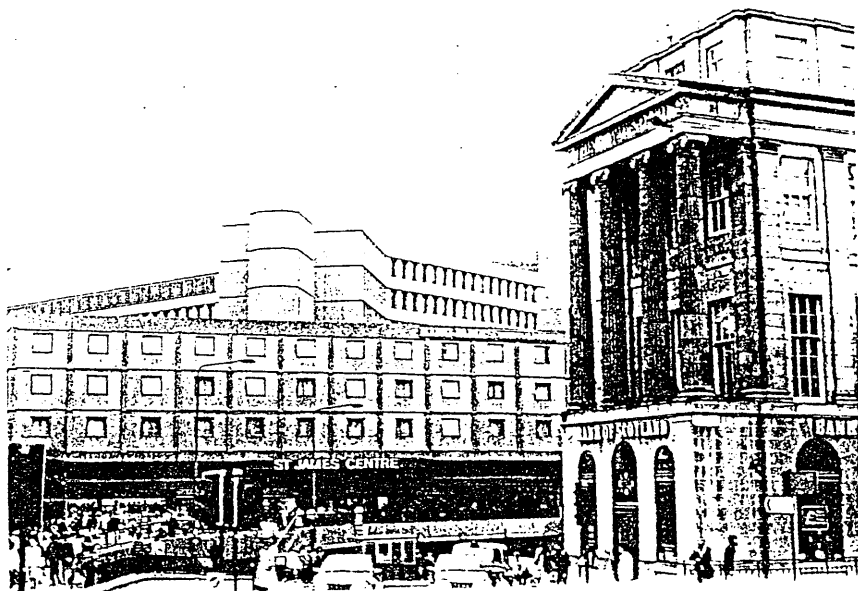


Fig. 15 (St. James Centre, Edinburgh) The monstrous centre put at the place of St. James Square, there was no attention given to the scale of the surrounding buildings nor to the urban texture.

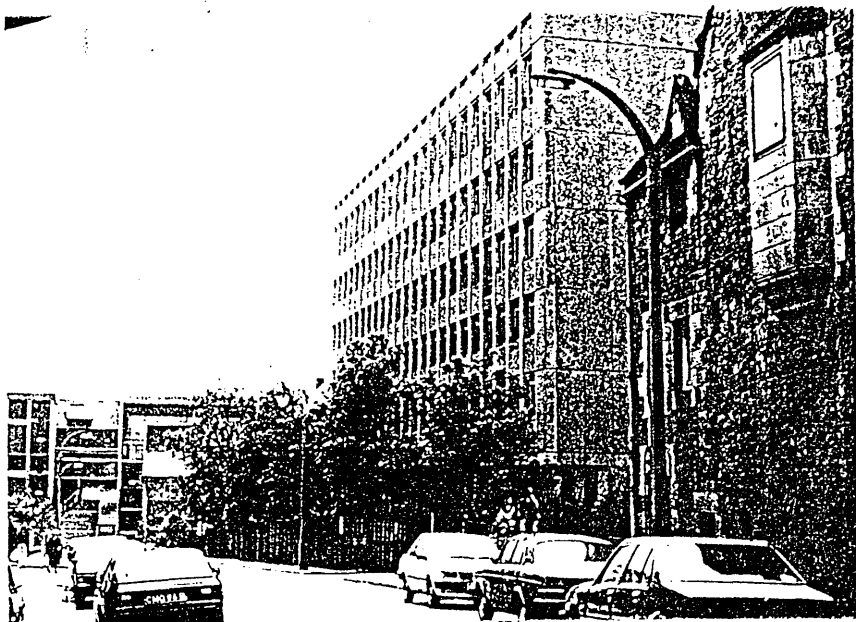


Fig. 16 The Argyle House, Edinburgh. In fitting this new building into the old town historic street, none of the following issue was considered - Scale, Proportion, Material or Diversity. One of the most difficult tasks in a conservation area is to design new buildings which fit in with the existing group building.

group random phenomena into rhythmic patterns. (7)

Rhythm plays an important part in contributing to the whole aesthetic impact of the building, it also contributes to the character of entire streets, imply buildings plots of the same width contribute an rhythm which should not be broken by buildings multiple plots as one monolithic building

Colour serves many aesthetic purposes in the design of buildings. It suggests either unity or diversity.

It expresses the character of materials, it defines form.

It affects proportions. Materials with contrasting colour laid in horizontal lines tend to emphasize a feeling of breadth. If laid in vertical lines, they promote the sense of height.

The diversity of materials used in construction, the richness of chromatic palette, gives variation of colour colours which also vary under the effect of the light changes.

7.5 THE IDENTITY OF TOWNS

The number of people who live in a place, is fundamental to its identity, its size is never more apparent than when the town is seen as a collection of buildings in relation to the surrounding countryside. The larger the settlement the less the filling of the countryside is noticeable. But whatever the size of the town, relationship is still important to its identity. The visual relationship between town and countryside must create a distinct visual identity for the town. The shape of natural features such as hills, valleys

or woods will give clues to the siting of new developments. Around some towns there is no obvious point where development ought to stop, but when there is a natural boundary it should be respected.

7.6 LAYOUT

Towns grew up on different landscape and on different land forms and on these different sites were constructed an infinite variety of buildings so that no two towns are alike and they have nearly all expanded in a haphazard way and have been renewed in a piecemeal way over years and because of this the relationship between buildings have taken on quite unique characteristics in each town. This piecemeal growth is not only easily recognizable but also creates townscape which have vitality and compactness. These qualities cannot be saved simply by keeping historic buildings which are not in many cases the majority of the fabric which created these qualities. To save this character, development of all sorts, shops, offices, roads and car parks, should be dealt with in the spirit of the local identity. In order to achieve this sense of unity these older forms must to some degree influence the visual design of new development. The siting of roads the relationship of new spaces to existing spaces and of new massing to old massing.

Legislation deals with the preservation of character but too often planners, architects and government inspectors are concerned with preservation of ornament and detail, rather than character. To understand "character" requires an

appreciation beyond the surface qualities of a building, and beyond a purely historical perspective. There is a failing in Britain on this important point. A lack of educational and professional appreciation of the subtleties of character. At least in France the definition of character and historic quality is more precisely defined and less open to speculation or ignorant interpretation.

Space Organisation

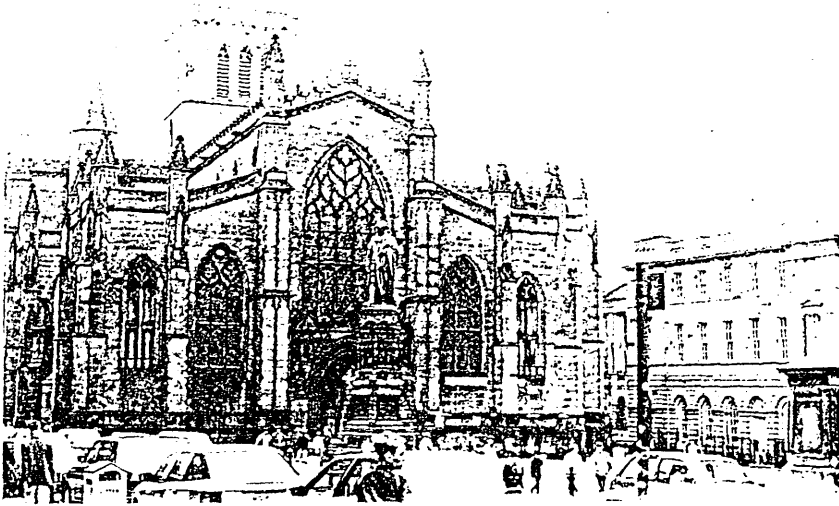


Fig. 17 St. Giles Cathedral is given a special relationship to the High Street as to the Parliament Square by the arrangement of space around it. The arrangement and organisation of spaces over an area also affect the appearance of individual buildings.

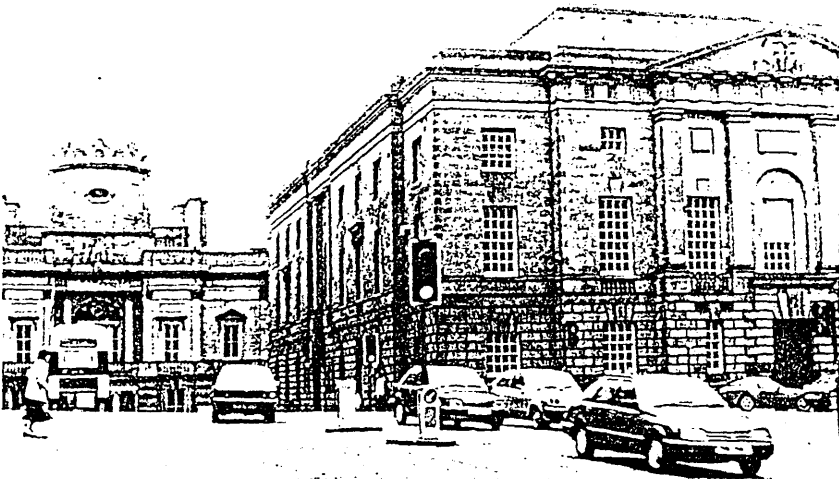


Fig. 18 Sheriff Court (Edinburgh Old Town) The way in which spaces are formed between buildings is important for the individual buildings and as a detail of a town character.

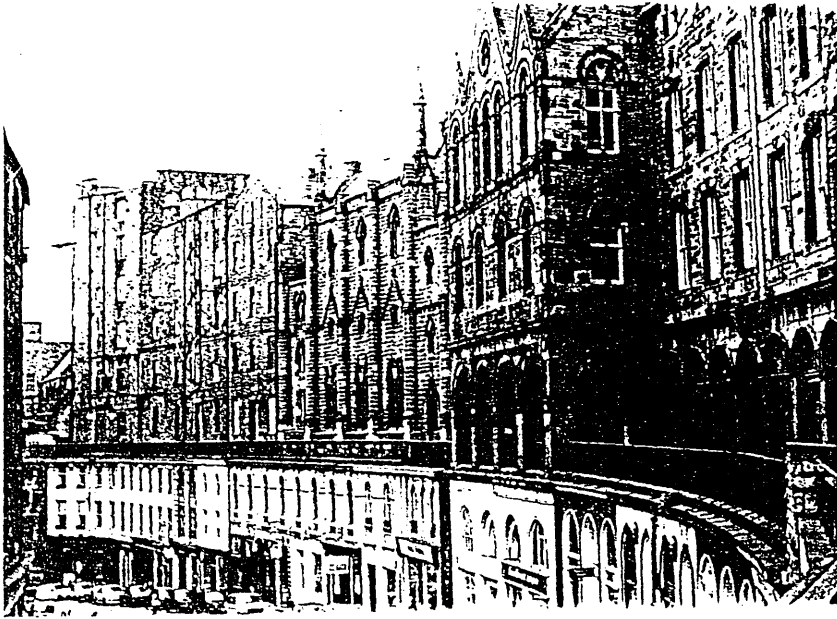


Fig. 19 Spatial continuity: This street in two levels brings a spatial continuity.

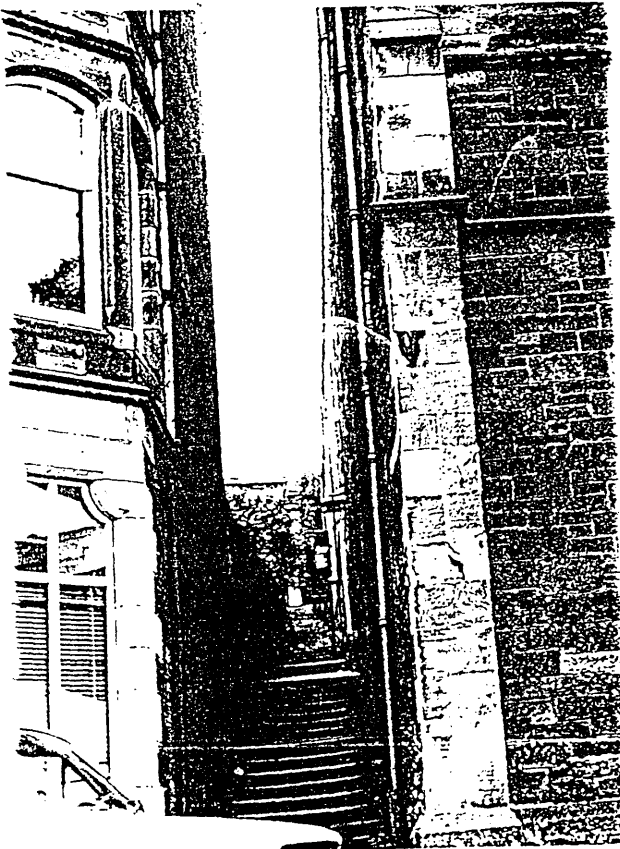


Fig. 20

"Change of level and character"

This close which joins two street, gets its character not just from the tight enclosure but also from the change of level.

Changes in level not only change the character of spaces but also bring an element of surprise.

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PART V - CASE STUDY

CHAPTER VIII

Edinburgh Old Town

CHAPTER VIII - Edinburgh Old Town a case study

8.1 INTRODUCTION

Edinburgh is rich in dramatic contrasts. The visitor senses this as soon as he emerges from the railway station into Princes Street. What does one notice? First the extraordinary site of the central area.

8.1.1 THE SITE

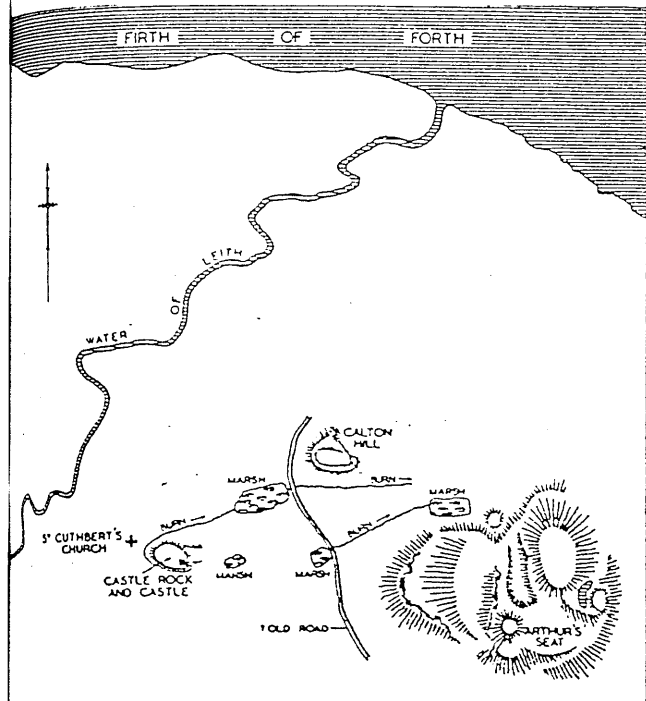
Edinburgh lies within easy travelling distance of the Firth of Forth, few kms to the north. The site is marked by the Castle Rock, an abrupt eminence of commodious size which rises to a maximum height of 103 m. above sea level. The sides of the rock are very steep except to the east (where glacial action has formed a slope) On the ridge of this slope the City of Edinburgh first developed.

Easily seen in the neighbourhood of the Castle Rock are various hills including the majestic Arthur's Seat and the less prominent Calton Hill (Fig. 21). To the south the ridge is flanked by a valley draining eastwards. From a point south-east of the Castle Rock a small stream used to cut along the north side of this valley, while another small rivulet or burn followed the west face of the Castle Rock before running east along the valley north of the ridge.

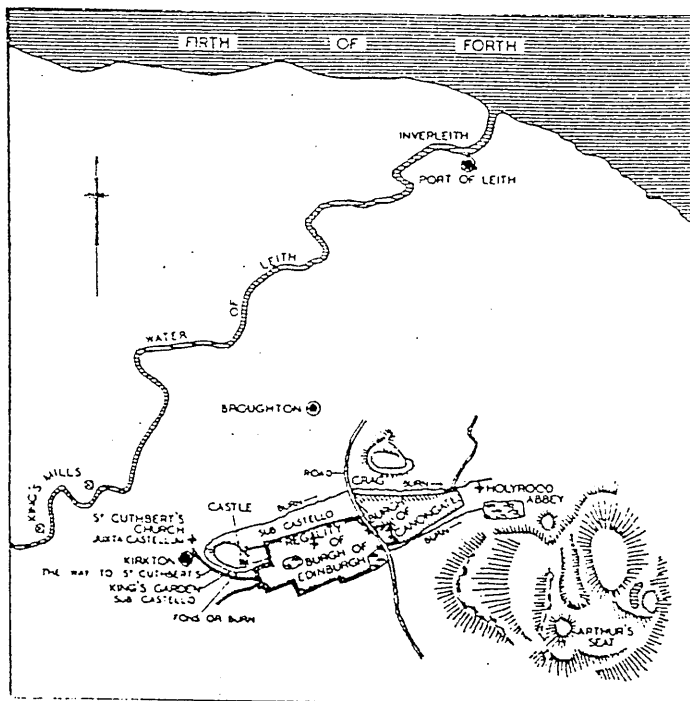
"In the late fourteenth or early fifteenth century this latter burn was dammed and along with the waters of other streams formed the North Loch".

The North Loch, after existing for two hundred years, first

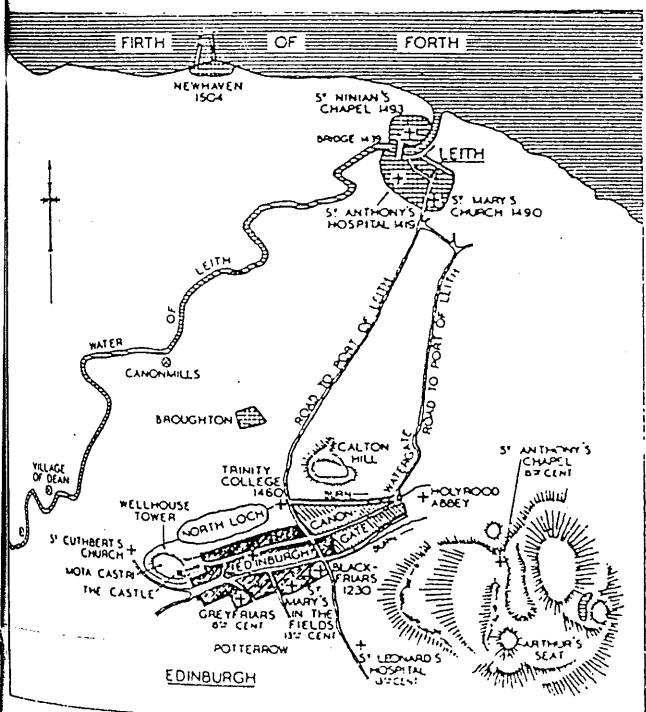
Fig.2I



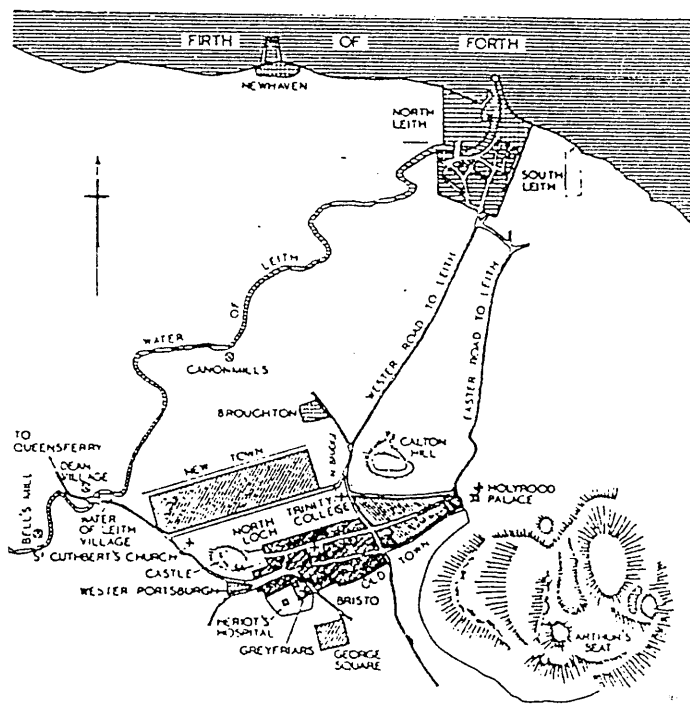
Edinburgh, & its environment in the 11th Century



Edinburgh in the 12th Century



Medieval Edinburgh



Edinburgh in the 18th C

as a means of defence, then as a source of eel fishing and finally as a rubbish tip, was wholly drained by 1740.(1)

8.2 HISTORICAL BACKGROUND

8.2.1 PLACE NAME

A great deal of controversy surrounds the meaning of the place name Edinburgh.

James Grant mentioned that the prenomens is a very common one in Scotland, and is always descriptive of the same kind of site - a slope. There are upwards of twenty places having the same descriptive prefix (eg. Edincoillie - "a slope in the wood" in Morayshire, Edinmore and Edinbeg, in Bute..)(2).

Another theory, one greatly favoured by Sir Walter Scott, is that it was the Dinas-Eddyn (the slaughter of whose people in the sixth century is lamented by Aneurin, a bard of the Ottadani); a place, however, which Chalmers supposes to be elsewhere.

Thomas Shepard (1969) among many others assumed that Edinburgh was a Saxon name conferred by Edwin, a seventh century King of Northumbria, who established a fortress and gave his own name to this place, Edwind's burgh or Edine's burgh.

8.2.2 BURGH STATUS

No charter of foundation survives for Edinburgh. Instead of searching for the first beginnings of the city we are on safer ground if we look at its earliest surviving Royal Charter. The earliest charter is the Charter of the King Robert the Bruce (signed at Cardross 1329)(3)

The fourteenth century was a time of protracted wars which

had a marked effect on the flourishing of the town of Edinburgh and its Castle. Twice in the century the Castle was held by the invading English.

Despite the wars and the hardship the fourteenth century had seen important developments in Edinburgh.

In 1329 King Robert by Charter gave the city a new statute. There had been a device for simplifying the financial returns from royal burghs by farming... "Now King Robert set in feu-farms to the burgesses of Edinburgh, the burgh and the port of Leith."(4)

8.2.3 EDINBURGH AS CAPITAL OF SCOTLAND

Edinburgh did not become recognised as the capital of Scotland until the fifteenth century, but it was nevertheless an important early royal centre.

8.2.4 EDINBURGH AS ECONOMIC CAPITAL

Through the port of Leith on the Firth of Forth, Edinburgh traded with other parts of Scotland, England (in time of peace) and the rest of Europe. After the fall of Berwick in 1333, Edinburgh rose steadily in importance to become the leading port in Scotland. Edinburgh as capital of Scotland had greater contact with the outside world than other towns in the kingdom and consequently within its bounds was a wide variety of trades and crafts. One of the "success stories" of the era was that of printing. Printing led to diversification in the capital's industries, such as bookselling, bookbinding and publishing.

8.3 THE BURGH MORPHOLOGY

8.3.1 TOPOGRAPHY

Edinburgh's main lineaments are derived from the immediate region, the clean sweep of the seafront, the ridge upon ridge rising from it with broadflats in between, the spectacular eminences dominating the skyline (the Castle Rock, Arthur's Seat, the Pentland Hills) and what has been made of them in the layout and silhouette of the old town.

8.3.2 THE STRUCTURE

The street pattern is typical of old Scottish towns, formed of a central spine the High Street fed by transversal ribs of streets, lanes and closes (Fig. 22) Edinburgh was for a long time a one street town even though it expanded across the Canongate to the High School yards or behind Holyrood to Abbeyhill. The buildings of the Old Town consist in the main of continuous tenements rising right from the street pavement (Fig. 23). In the High Street they have shops beneath and are entered not from the front but from narrow closes (Fig. 24) that run down their sides. The closes usually open out into a back court (Fig. 25) from which winding circular "turnpipe" staircases rose enclosed in towers (Fig. 26). The closes run steeply downhill from the High Street to link with lower blocks of tenements (Fig. 27). There are virtually no gardens or drying greens.

Characteristic components of the fabric closes and yards were the product of land division and the densification process. The Burgh of Edinburgh's constricted site meant that as its

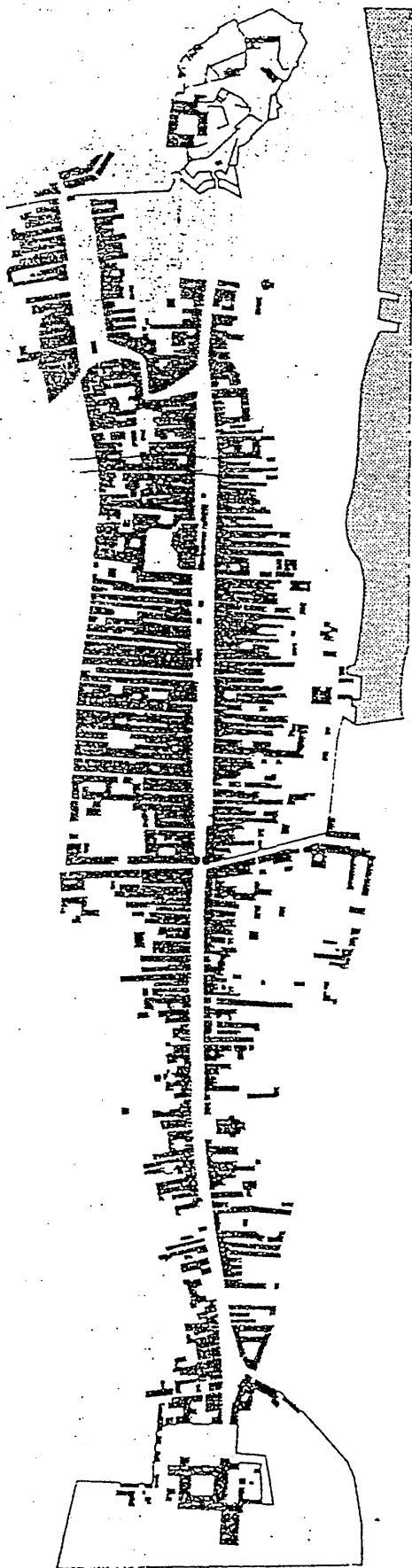


Fig. 22

A plan of Edinburgh Old Town (1740)

Street pattern typical of old
Scottish towns.



Fig. 23 Shops beneath tenement dwellings.

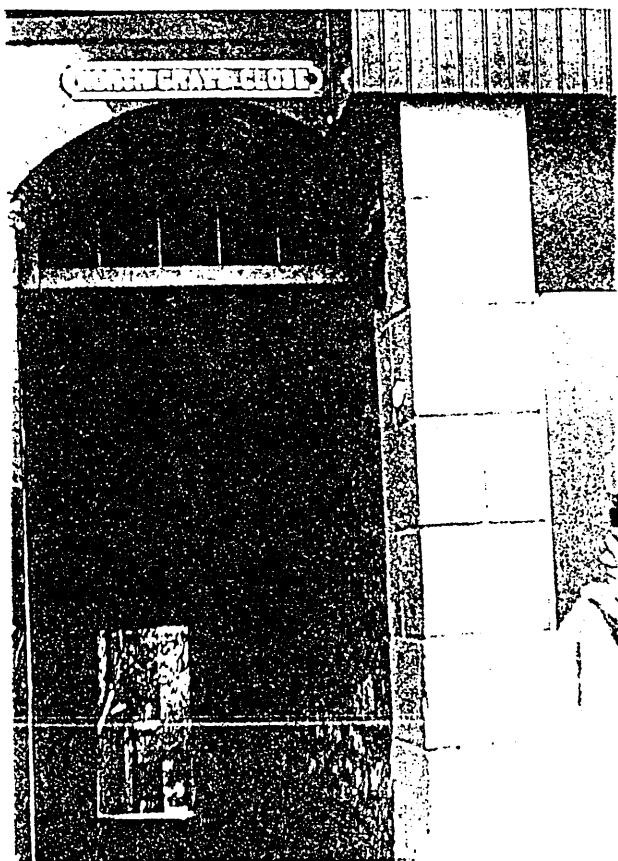


Fig. 24

Entrance to the buildings from narrow closes.



Fig. 25

Courtyard, used for entrance to the buildings arround.

Fig. 26

Staircases rose enclosed in towers at the back.





Fig. 27

The close runs steeply.

population increased the original burgess stripe of lands were subdivided, but there was a limit to the number of houses which could be built side by side, quite apart from the desirability of keeping some garden ground. The alternative taken up in the sixteenth century was to build upwards. Taylor, the Water Poet, gives a more flattering account of it in 1618, observing that

"The building on each side of the way(High Street) being all of squared stone, five, six and seven, and many by lanes and closes on each side of the way, wherein are gentlemen's houses much fairer than the buildings in the High Street, for in the High Street merchants and tradesmen do dwell". (5)

8.4 EDINBURGH OLD TOWN LANDMARKS

8.4.1 1) THE CASTLE (Fig. 28,29)

Built on an oval shaped mass of basalt, the Castle had provided Edinburgh with superb fortress through the ages. Its history has been recorded since Malcolm III, King of Scots, but fortification certainly existed from a much earlier date.

8.4.2 2) THE TOLBOOTH CHURCH (Fig. 30)

Designed by James Gillespie Graham and Austus W.W. Pugin and built in 1822 and 1824, to house the Tolbooth congregation and the General Assembly of the Church of Scotland. The octagonal Gothic spire rising to a height of 73 metres is the tallest in Edinburgh.

8.4.3 3) ST. GILES CHURCH (Fig. 31)

St. Giles Church is a very complex building it has four

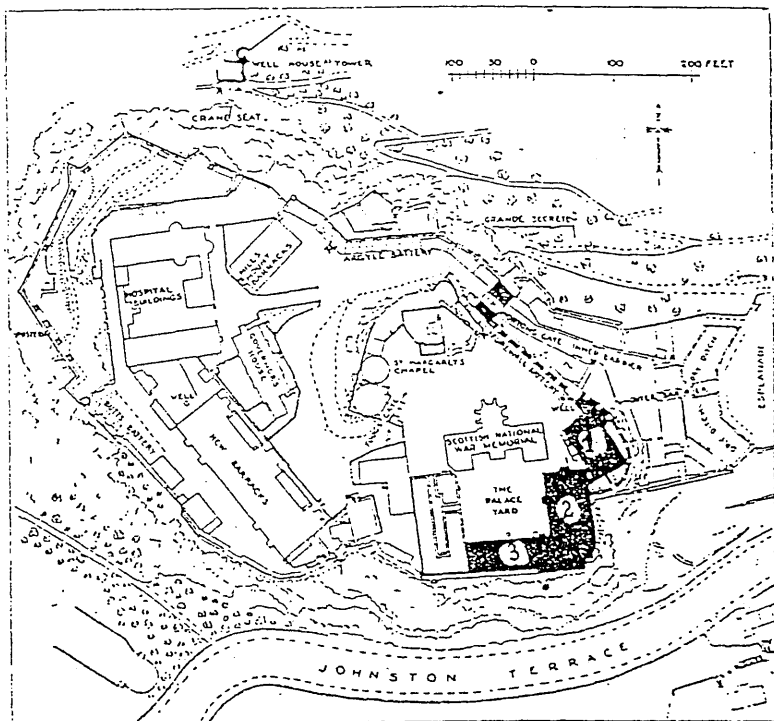


Fig. 28 Site plan

1. David's tower
2. The Palace
3. The Great Wall

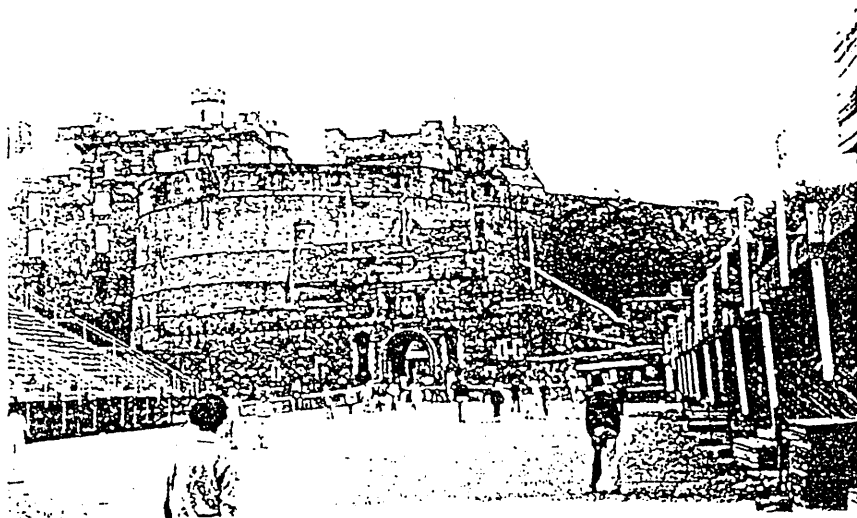


Fig. 29 The Castle, seen from the Esplanade which is used annually for a Military Tattoo during the Edinburgh Festival. On either side are the seating stands to accommodate spectators.

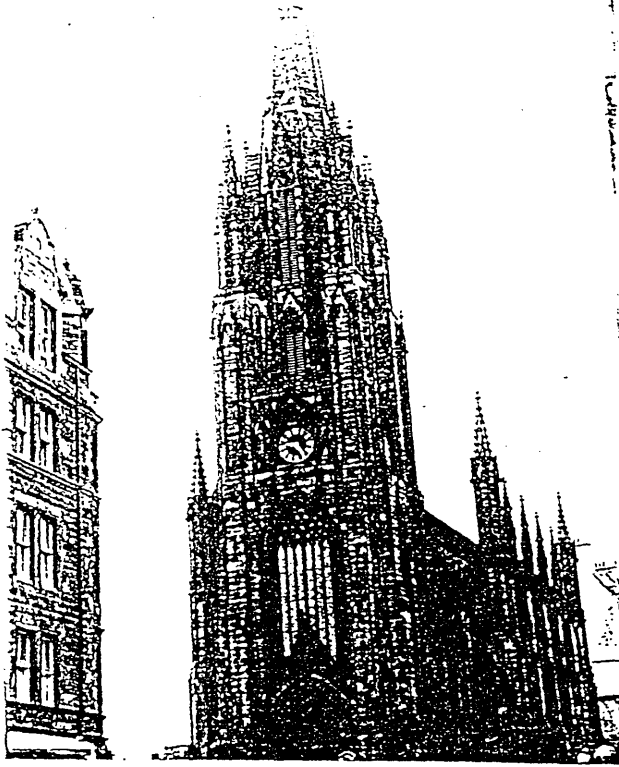


Fig. 30

Tolbooth St. John's Church
built by James Gillespie 1822
and 1824

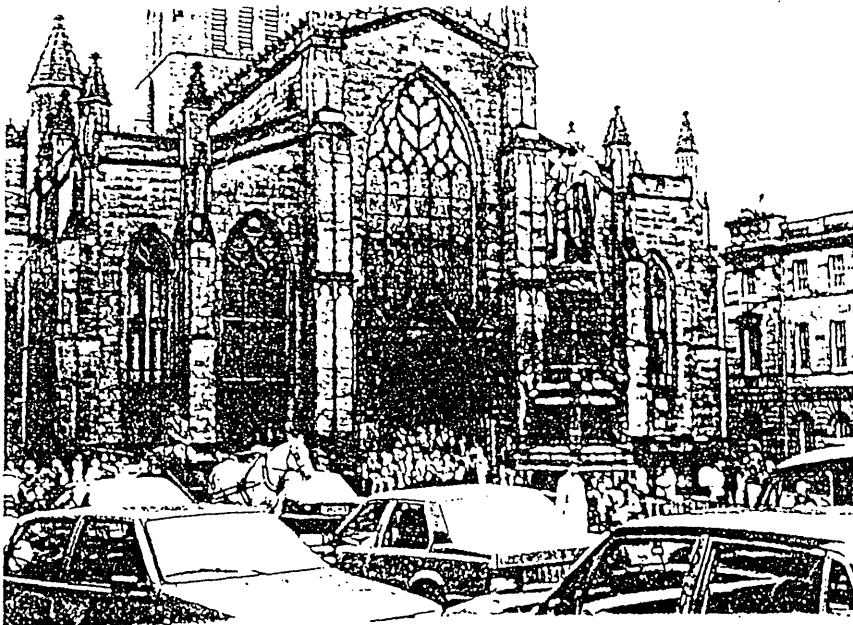


Fig. 31 St. Giles Church was founded in 1633. Refaced with ashlar by William Burn in 1829. Only the tower escaped and dates from the fifteenth century.

personalities; the vast Medieval Burgh Kirk; the late Georgian Gothic casing of the exterior (by William Burn in 1827); the dour Victorian "restoration" of the interior and finally the character of the reformed worship. In 1883 the Lord Provost Chamber, promoted and financed a scheme for removing the various partitions and restore it to a single church.

8.4.4 4) TRON CHURCH (Fig. 32)

Hybrid of the 17th - 19th centuries, it was built by John Mylne. T shape, with a south aisle opposite the pulpit and a barely projection tower over the door at the centre of the north front. The Tron Kirk was closed in 1952 and the exterior has since been restored. In order to focus on this unique building the Edinburgh Old Town Trust has undertaken the task of getting the doors open and for a start an exhibition (A si. for Edinburgh Old Town was held in the 31st October, 1987)

8.4.5 5) HOLYROOD PALACE (Fig. 33)

The Palace of Holyrood has developed over the years from a guest house attached to the Abbey to the splendid building we see today.

It was King James IV who extended the guest house in 1501 and during 1529-32 the north west tower was built.

During the improvement 1671-76, the southwest tower was built by Sir William Bruce of Balcaskie.



Fig. 32 .

The Tron Church.
 From the north west founded
 in 1633 by John Mylne. It
 was damaged in 1824 and
 redesigned by R.R. Dickson
 in 1828.

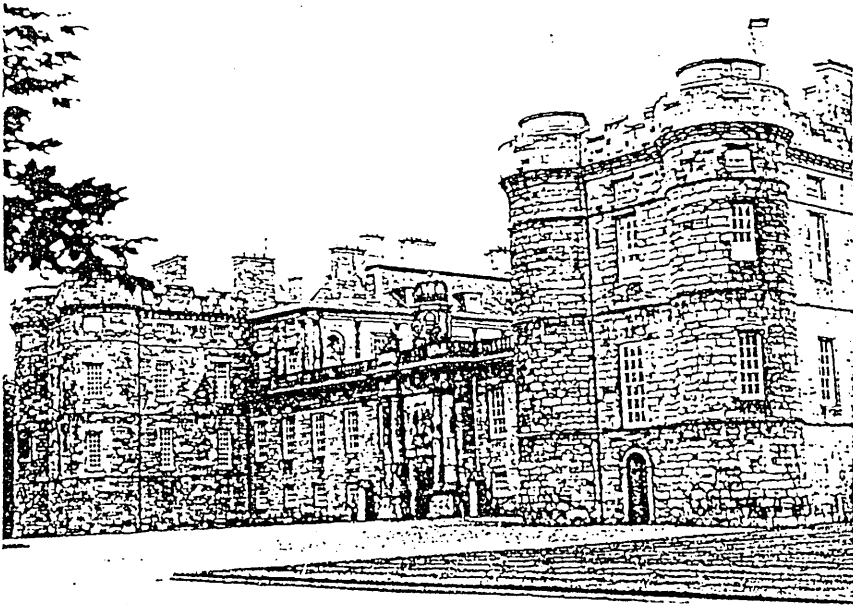


Fig. 33 The Palace of Holyrood seen from the south west.
 The north west tower is early 16th century, the
 remainder was designed by Sir Willaim Bruce in 1671.

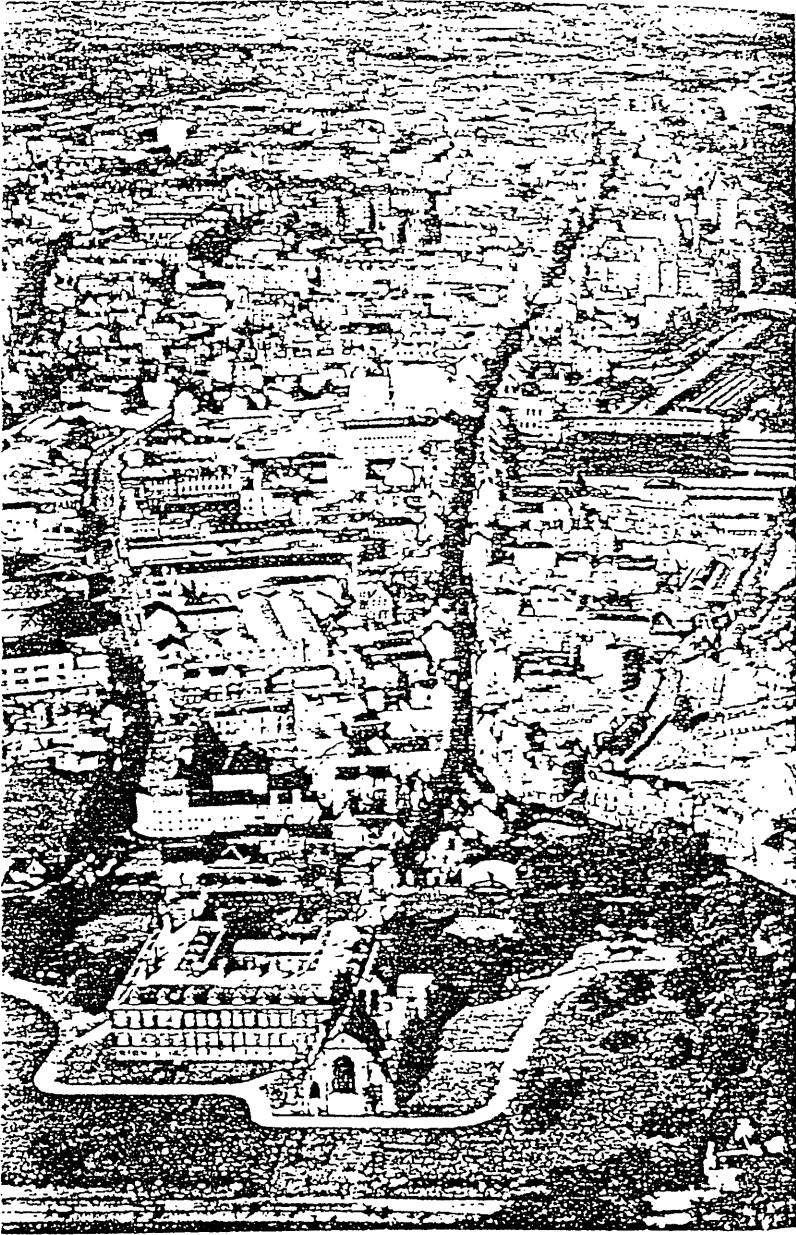


Fig.34 The High Street (Central spinefed
transversal street and lanes)

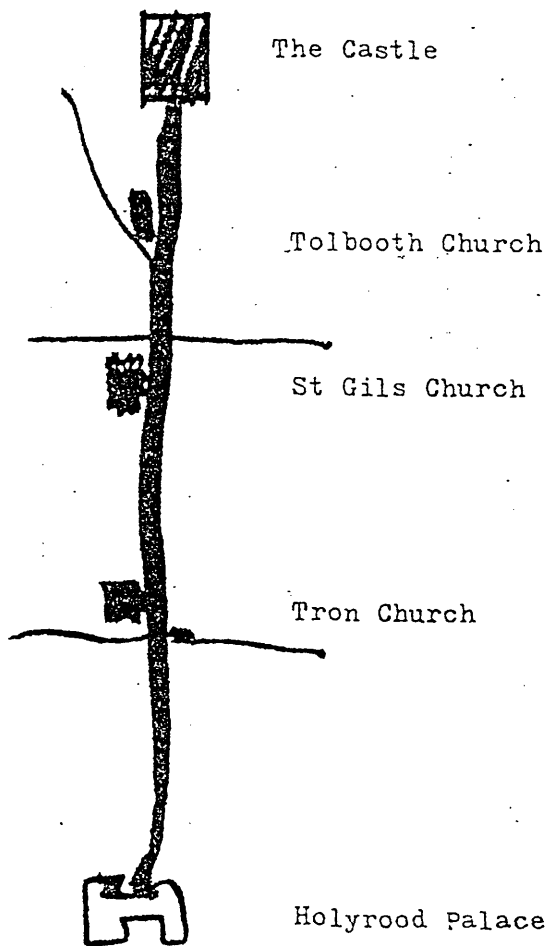


Fig. 35 Diagramme showing the main landmarks of the Old Town.

8.5 THE OLD TOWN OF EDINBURGH CONSERVATION AREA

The Edinburgh Old Town was designated a conservation area in July 1977 exactly ten years after the Civic Amenities Act and seven years after the New Town Conservation Area (Fig. 36) It is arguably the most important conservation area in Scotland. The buildings in the Old Town are remarkable for their illustration of architectural development in Scotland over stretch of a thousand years and their medieval plan (Fig. 37) which make Edinburgh one of the most fascinating and important cities in Europe.

8.6 THE PROBLEMS IN EDINBURGH OLD TOWN

8.6.1 The Traffic Problem

Due to its topography and medieval street pattern, the Old Town is particularly susceptible to the damaging effects of the volume of motor traffic (Fig. 38) which passes through it. Cars are intruding badly on the medieval character of the Old Town. An appropriate solution to this problem is required urgently (Fig. 40) .

The traffic problems of the Old Town, however cannot be separated from those of the city as a whole.

8.6.2 NEW DEVELOPMENT PROBLEM

The main characteristics of the Old Town are, the high tenement and the herringbone of narrow alleys and closes extending down the slopes on either side of the high street these must be preserved. New development should not alter (Fig. 39)the existing building



Fig. 36 The Old Town Conservation Boundary

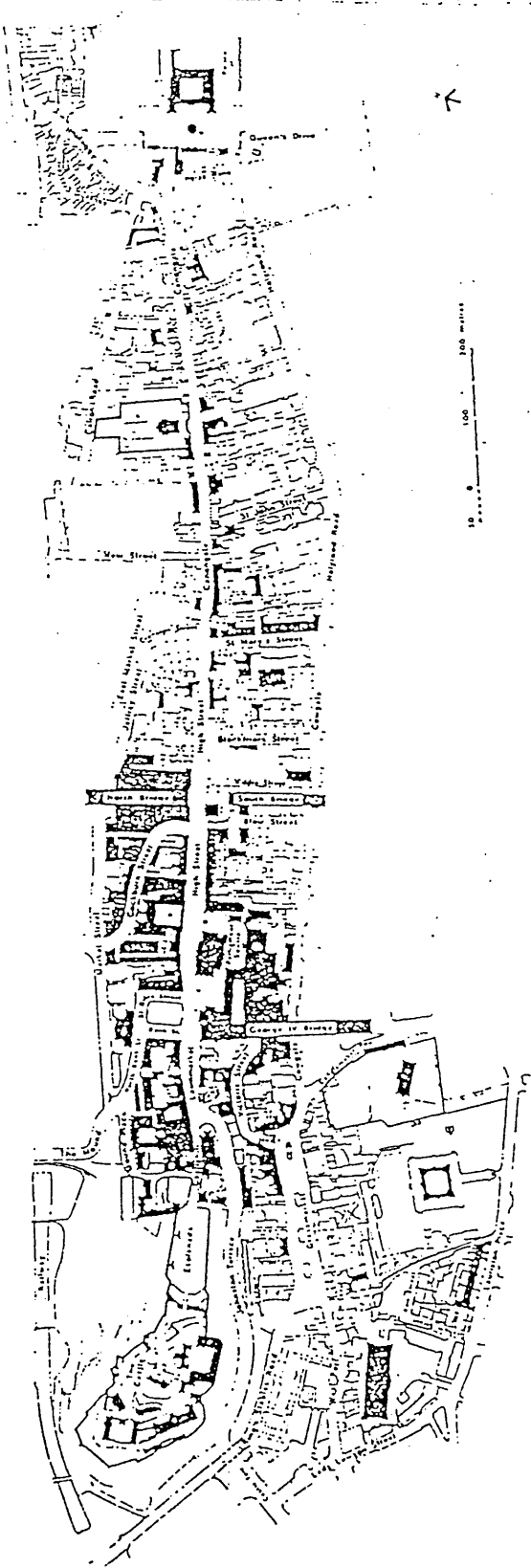


Fig. 37 The Old Town present listed buildings.

... It has been suggested that many buildings should be included in the statutory list of buildings of architectural or historic interest.

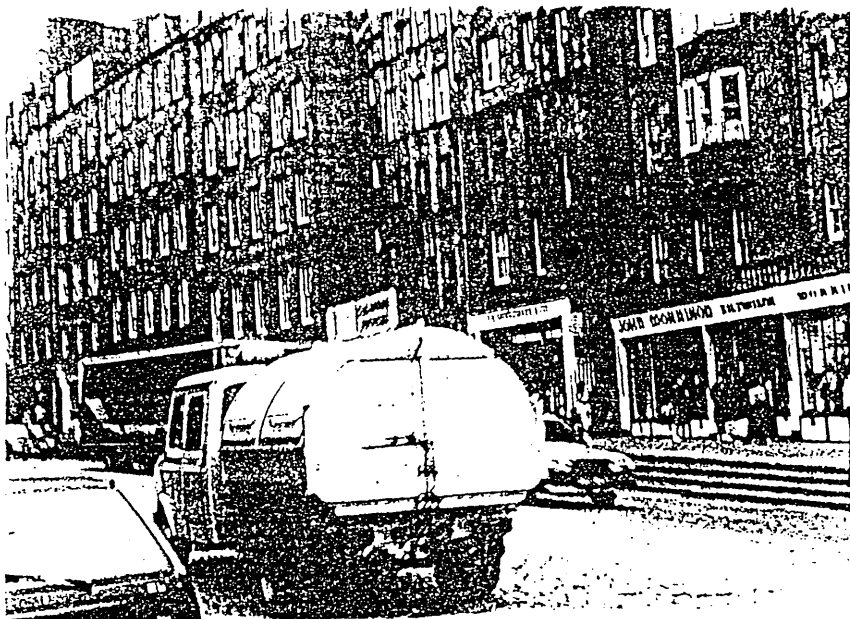


Fig. 38 The heavy lorries and buses can damage the condition of the Old Town Buildings.

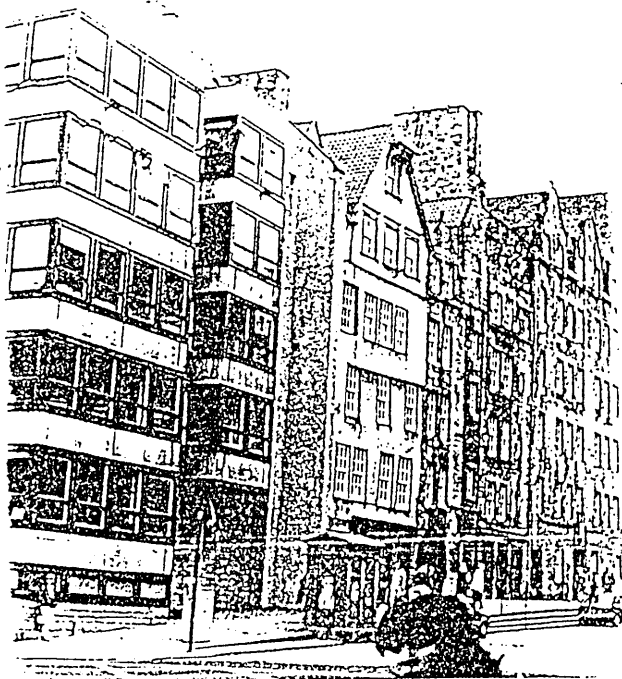


Fig. 39

New buildings should avoid long unbroken elevation and should have pitched roofs.



Fig. 41 Arcades are an attractive traditional feature.

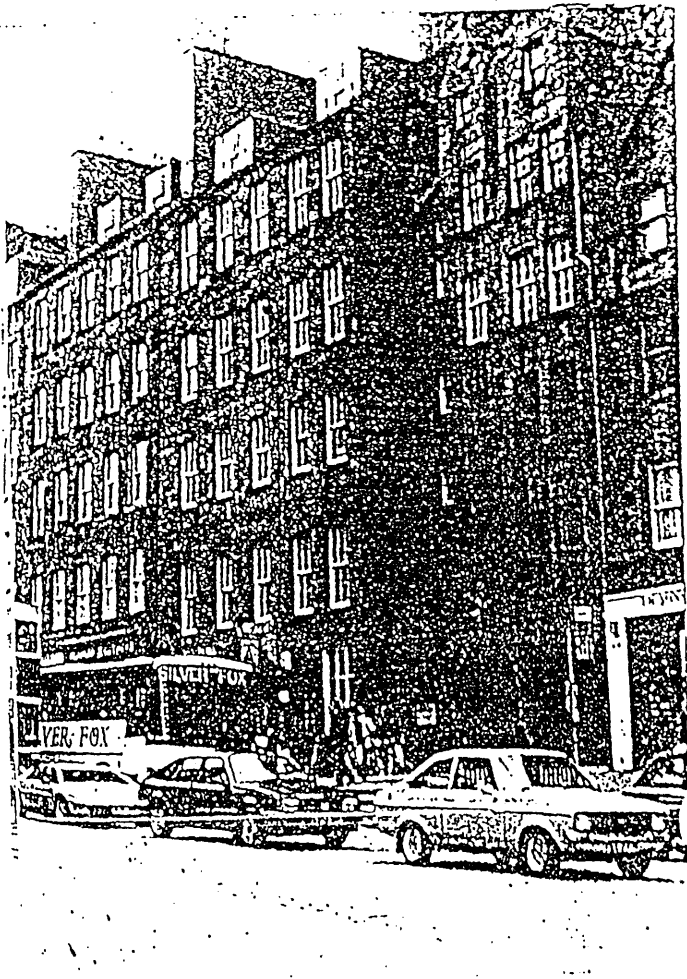


Fig. 42

Gladstone's Land.

The last street arcading to be left in Edinburgh.
Two bold arches unequal in size.

investigate employment initiatives and the stimulation of local business.

It would be hoped that a local development trust would include local employment as a major part of any development programme. By July, 1981 the decision was made to set up the Edinburgh Old Town Conservation Advisory Committee with the following aims:

To explore the possibility of and coordinate action for the conservation of the Old Town; to examine in detail the fabric and form of tenure of properties; to advise on the appropriate types of financial aid and ways of attracting public and private funds, and to assess the scale and design of any unfill developments. (8)

8.9 EDINBURGH OLD TOWN COMMITTEE FOR CONSERVATION AND RENEWAL

The Edinburgh Old Town Committee for Conservation and Renewal was established in March, 1985 by the Planning and Development Committee of the City of Edinburgh District Council to continue and develop the work of the Old Town Conservation Advisory Committee. It consists of representatives of Edinburgh District Council, the Historic Buildings Council for Scotland, the Edinburgh Architectural Association, the Scottish Tourist Board, the Scottish Development Agency, the Heritage Society of Scotland and Community Representatives (elected annually). The task of the E.O.C.C.R. can be summarized as follows:

To promote, co-ordinate and publicise action for the conservation and the economic and social revival of the Old Town; to make

recommendation for grants toward the repair and authentic replacement of the external and internal fabric of old buildings within the Old Town Conservation Area; to formulate practical proposals as how the Old Town can be made a more attractive place to live and work in and visit; to comment on significant planning applications within the conservation area and on traffic management schemes; and to encourage suitable investment in the Old Town and participation by public agencies and trusts. (9)

8.9 CONCLUSION

Medieval Edinburgh is a product of interaction over centuries of the modelling forces that characterised earlier settlement in general and Scottish town in particular. In these terms Edinburgh Old Town can then be considered as a genuine representative and the special characteristic of the Old Town may make it difficult to comply with all aspects of the building regulations which were designated primarily with new buildings in mind.

"The Scottish Building Regulations are becoming more and more strict and complex and worst of all they give the impression - obviously I am biased - that they are geared to the two storey semi-detached or terraced houses... The feeling I have is that the regulations are leading us to a mediocre suburbia which will infiltrate the centre and we will lose the scale and splendid character of Edinburgh". (10)

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PART V - CASE STUDY

CHAPTER IX

Edinburgh New Town

CHAPTER IX - Edinburgh New Town

9.1 INTRODUCTION

The Edinburgh Old Town had become overcrowded by the eighteenth century but peripheral expansion was impossible because the medieval town was built on a sloping ridge with steep sides; with the Castle on its rock at its west end and Holyrood Palace at its east. The only possible site for an eventual expansion was the open country to the north of the North Loch (Fig. 43). The steps taken in the second half of the eighteenth century were to drain the loch to build a bridge (Fig. 44) (The North Bridge) across the valley, and to start building a residential area on the lower more gently sloping ridge to the north. (Fig. 45)

9.2 THE FIRST NEW TOWN

By 1763 the construction of the North Bridge began without saying too much about extension, but with considerable advertisement regarding a new road to Leith. In 1766 the Town Council had organised a competition for the layout of their New Town (Fig. 46). This was won by the young architect James Craig but it was not finally adopted until June 1767(1). The reason for the delay is not clear. The first phase of development was based on Craig's plan which consisted of the creation of a principal street as in the Old Town, George Street, and a further two parallel to it, Princes Street and Queen Street with a terminal square at each end. Charlotte

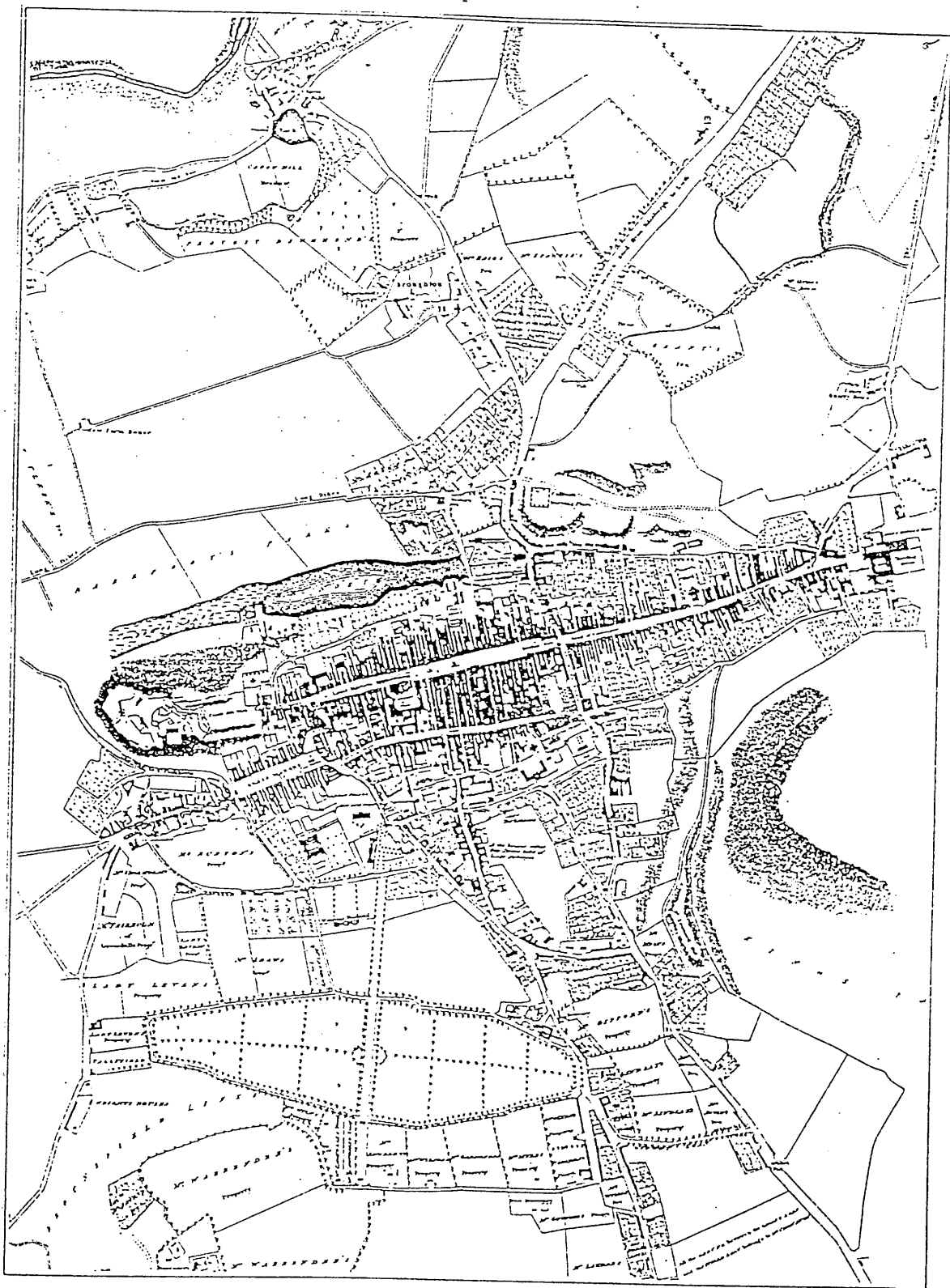


Fig. 43 The open country to the north of the North Loch, was the site of the New Town.

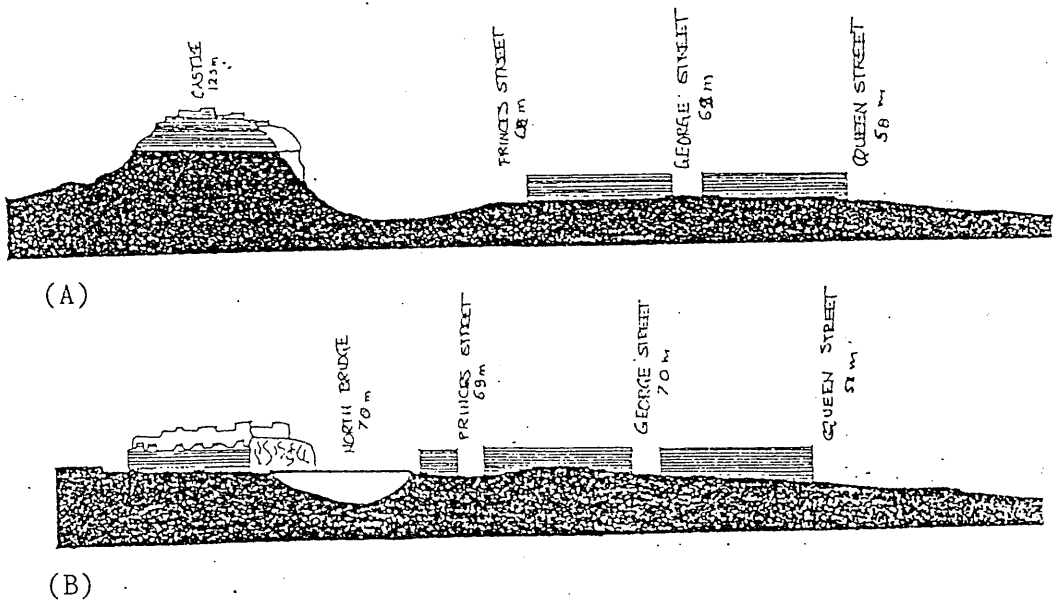


Fig. 45 Sections showing the gently sloping ridge to the north of the Old Town, where the extension took place.
 Section A: across the Castle
 Section B: across the North Bridge

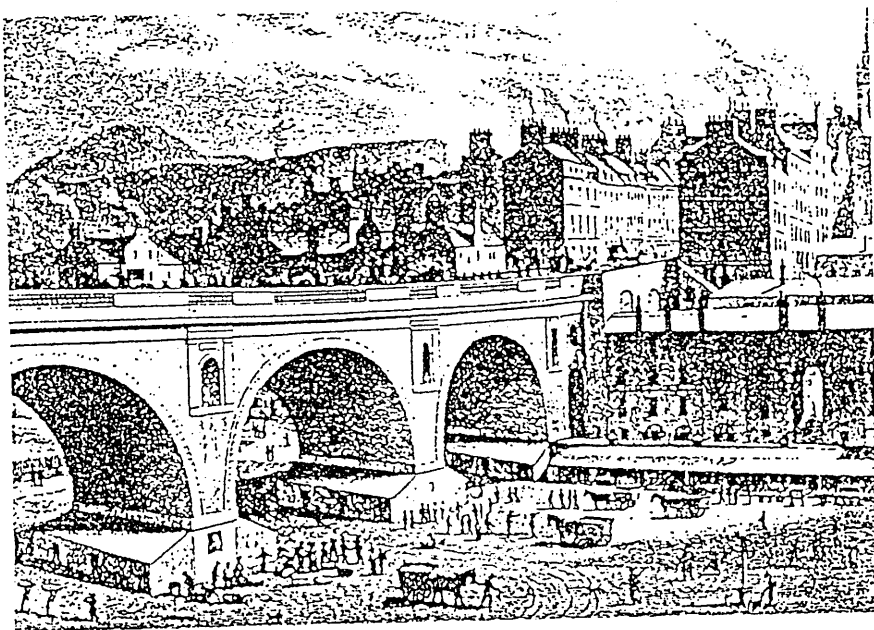


Fig. 44 North Bridge about 1800 from the North West

Square (designed by Robert Adam) and St. Andrew's Square. Craig's plan has had many critics who see it as being no more than a replica of the Old Town layout. But one cannot ignore the success of James Craig in the majestic breadth of George Street and in his conception of Princes Street and Queen Street as one sided thoroughfare. Though the plan intended Princes Street to be open to the south (Fig. 47) (over what was to have been a canal but is now the railway) and Queen Street looking north over the fields to the Firth of Forth.

Towards the end of the eighteenth century St. James Square (Fig. 48) was designed by James Craig as an eastward extension of the First New Town. Unfortunately it was demolished in 1966 to make way for large scale office development which both in its scale and its architectural detail is a disastrous intrusion into classical Edinburgh (Fig. 49). The late nineteenth and twentieth centuries commercial pressure have caused substantial demolition and replacement of the original buildings in Princes Street, (Fig. 50) and of many in George Street.

9.3 THE SECOND NEW TOWN

The First New Town was planned as a self contained residential unit. It is probable that those who created it never dreamed that they were setting a precedent for a whole series of New Town extensions to follow, each with its characteristic feature and all combining to form a satisfying whole (2). However

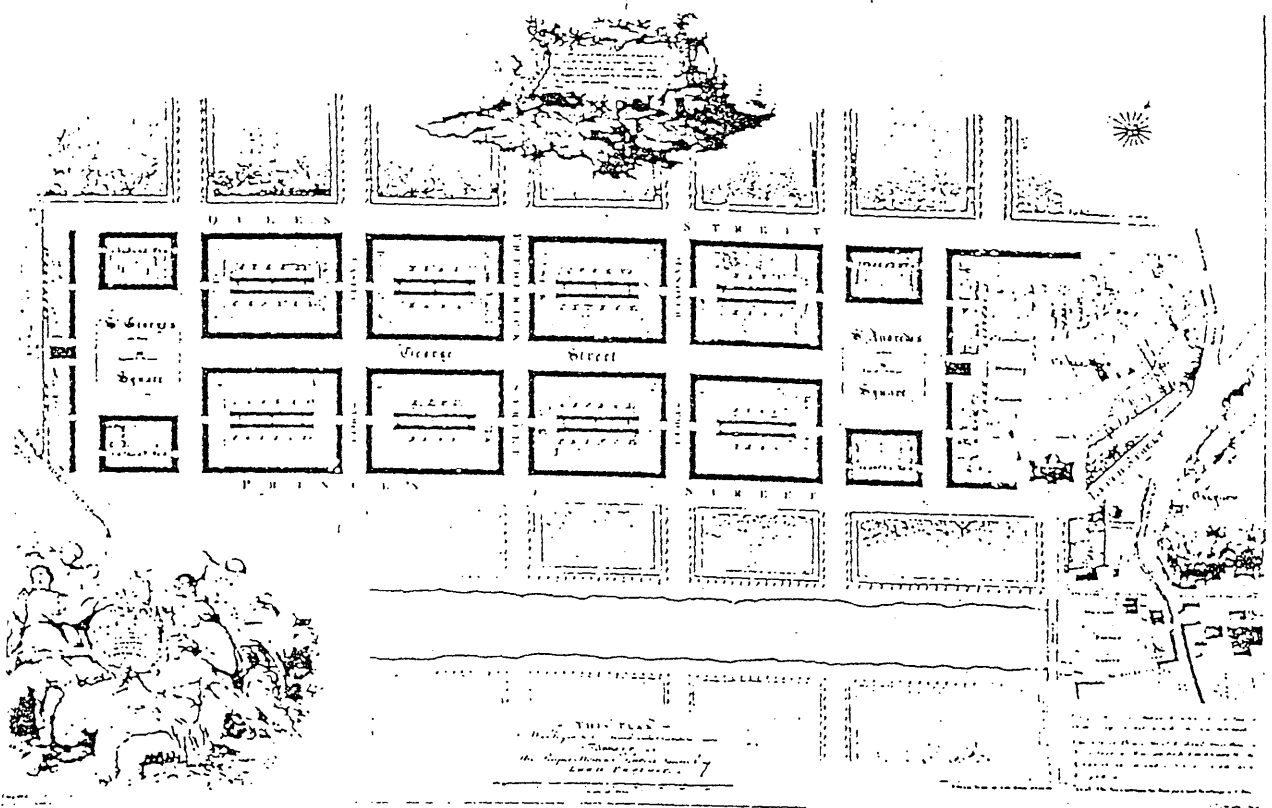


Fig. 46 James Craig's Plan
Modest plan, but it generated a light quality of building.

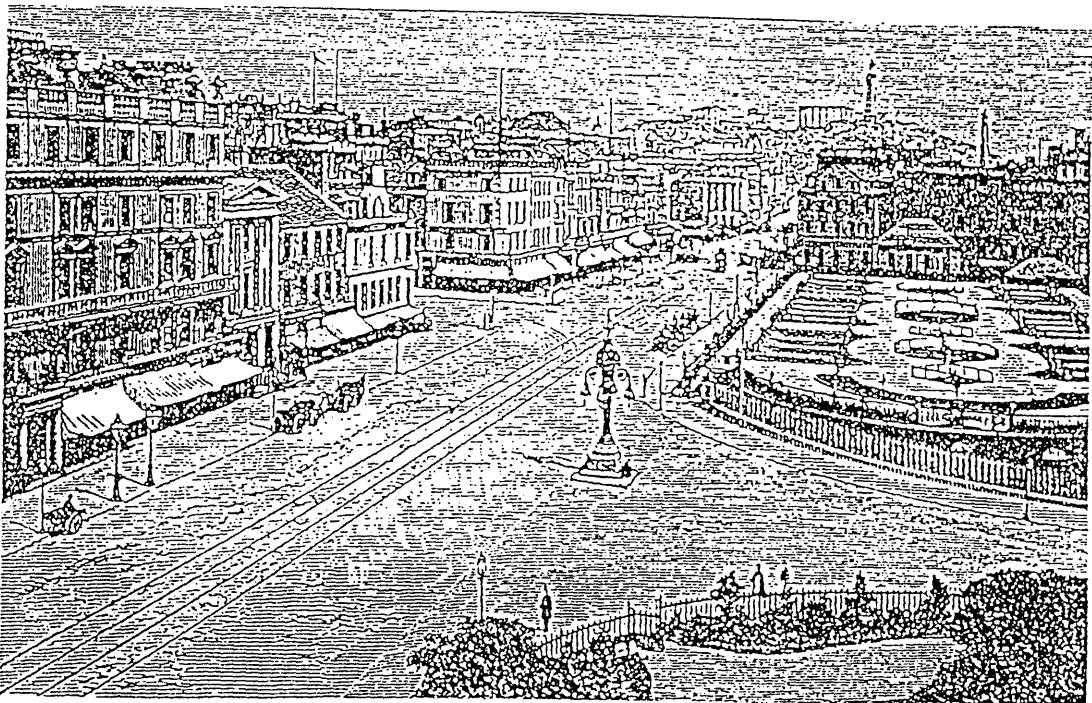


Fig. 47 The Princes Street open to the south

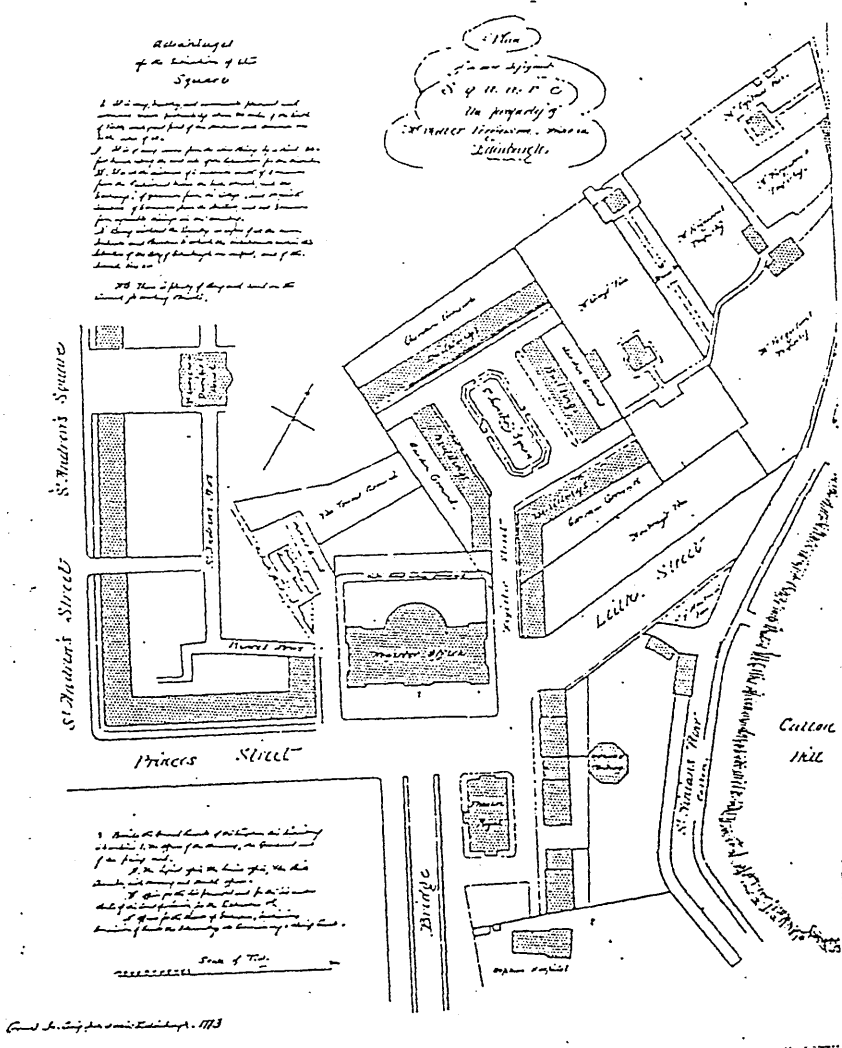


Fig. 48

Plan of St. James Square as it was originally in 1773 before it was demolished in 1966.



Fig. 49

The monstrous "St. James Centre" built in the place of St. James Square, 1966

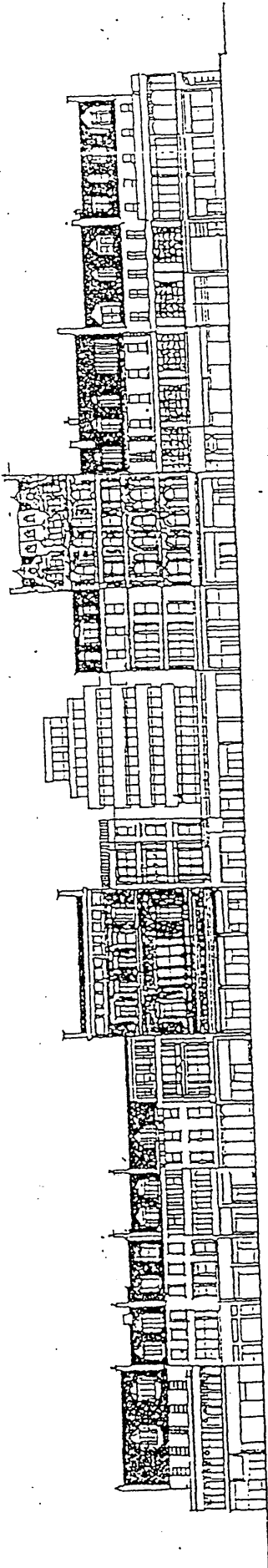


Fig. 50 Princes Street, at present

" From this section of the Princes street frontage it can be seen that the original three storey+attic of the original georgian town was ignored by the 19c developments of up to six floors this has been followed by modern developments which have changed the scale and character of the street."

in the early nineteenth century a Second New Town (Fig. 51) got underway, separated from the First by the Queen Street Gardens. It was designed by Robert Reid and William Sibbald with the Great King Street (Fig. 52) as the major design unit, linking Royal Circus (Fig. 53) to Drummond Place (Fig. 54). The layout repeated the east west axial treatment of Craig's New Town. The major difference between the design of this and Craig's work is that all streets are surrounded by blocks of unified architectural design. Only Charlotte Square in Craig's design was so treated and largely as a result of Robert Adam's involvement. (Fig. 55) To the east of the Second New Town is Calton Hill and the development of this area (Fig. 51) incorporating Regent Bridge which links the east end of Princess Street to Calton Hill, was started after 1812.

9.4 THE THIRD NEW TOWN

Shortly before 1820, another great achievement known as the Third New Town or the West End, lies to the west of Charlotte Square, though the main axis of this scheme is Merville (Fig. 56) Street. Further streets were projected beyond this but were not to be carried out for another eighty years; broadly on the original layout but most certainly not adhering to the same type of elevation or detail.

One final major development unit remains to be considered; across the Water of Leith lies the village of Stockbridge (see Fig. 51), originally a small village with small-scale houses. To the north and the east of the Second New Town

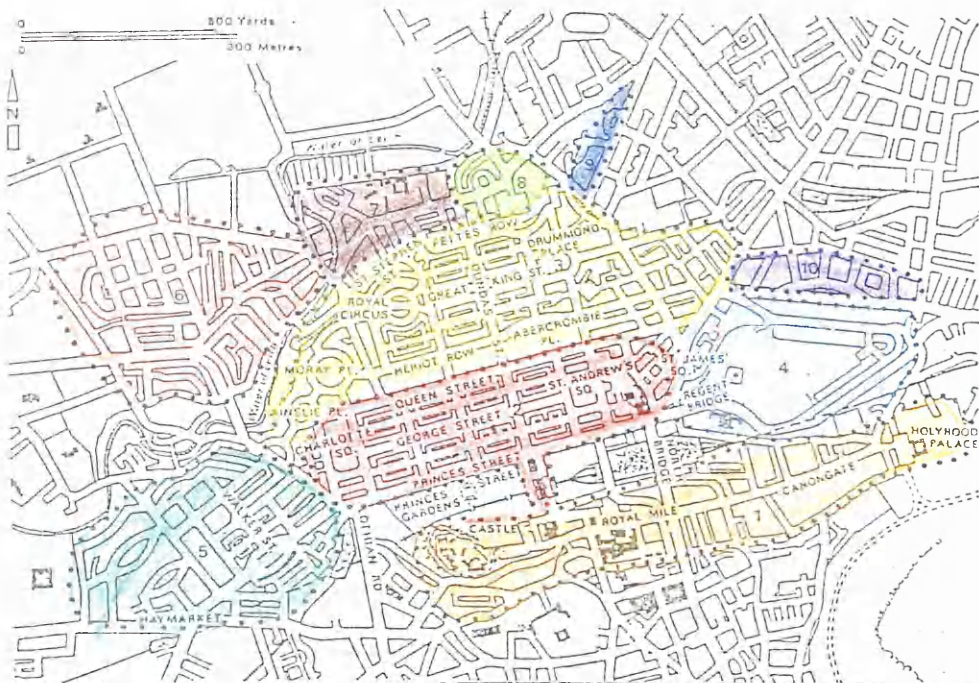


Fig. 51 The three main stages development together with later extension:

(1) The Old Town	(2) The First New Town
(3) The Second New Town	(4) Caltonhill
(5) The Third New Town	(6) Stockbridge
(7) Silvermills	(8) Canonmills
(9) Claremont	(10) Hillside Crescent

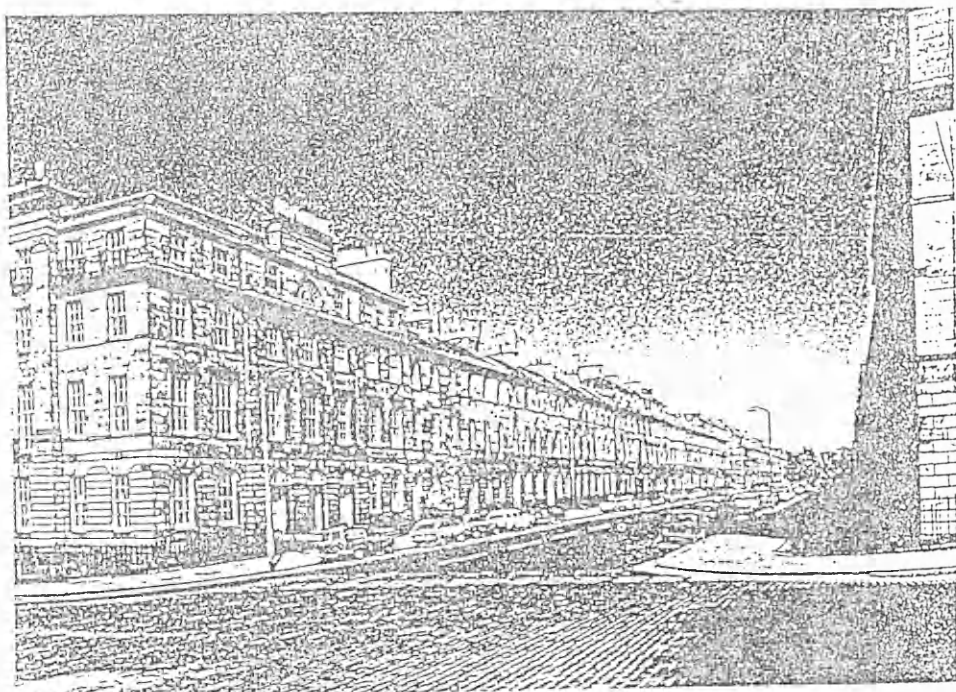


Fig.52 Great King street Reid & Sibbald designed this st
as symmetrical blocks

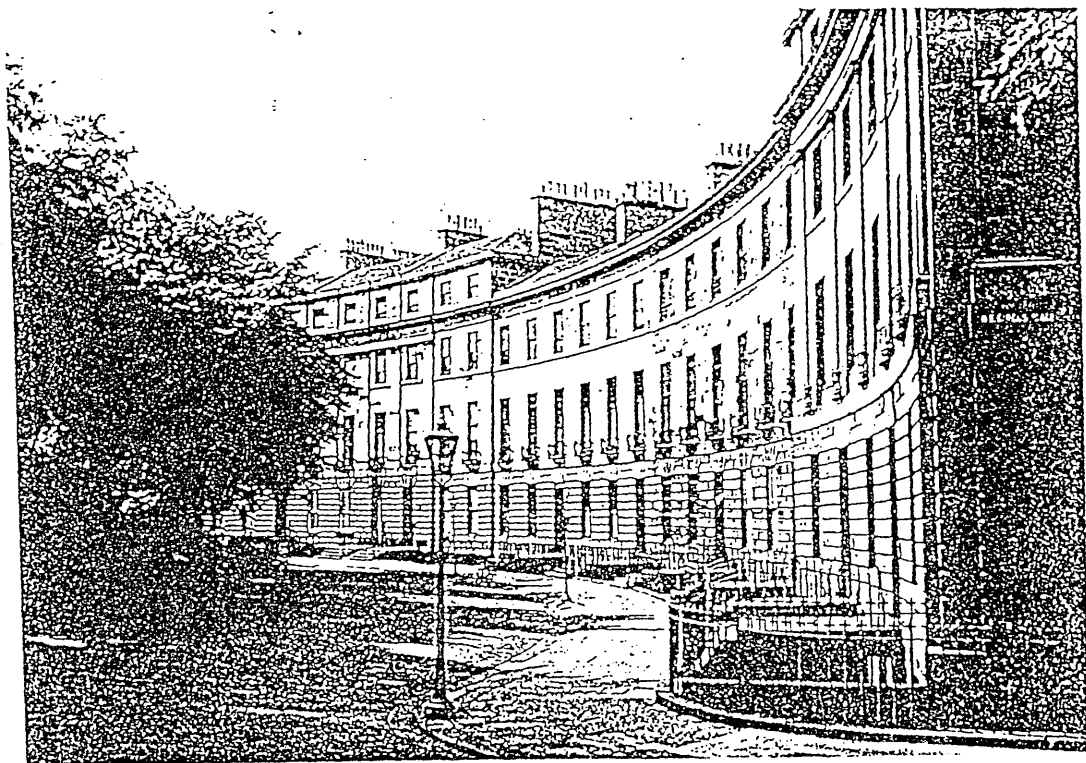


Fig. 53 Royal Circus, the work of W.H. Playfair completed by
Reid & Sibbald

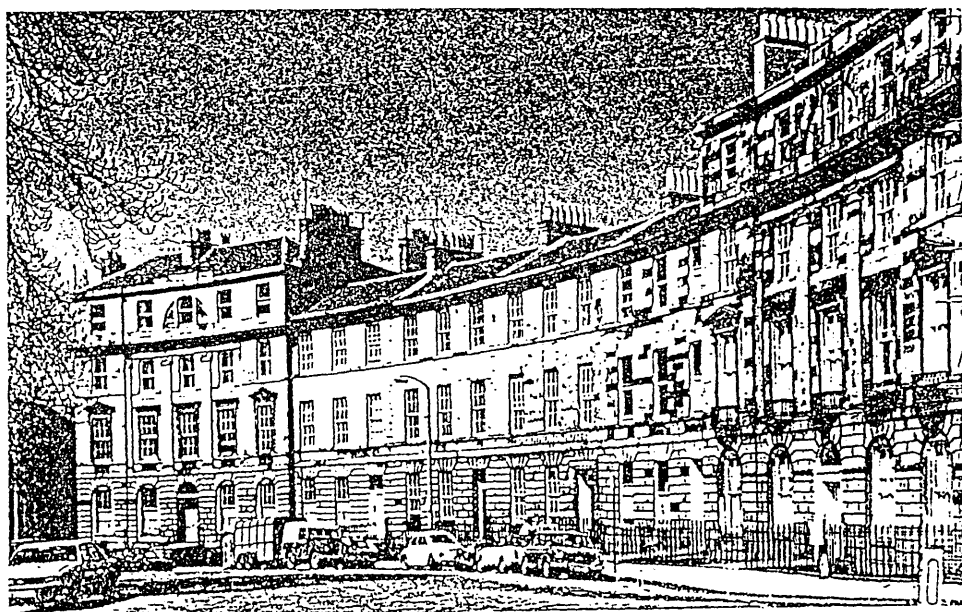


Fig. 54 Drummond Place

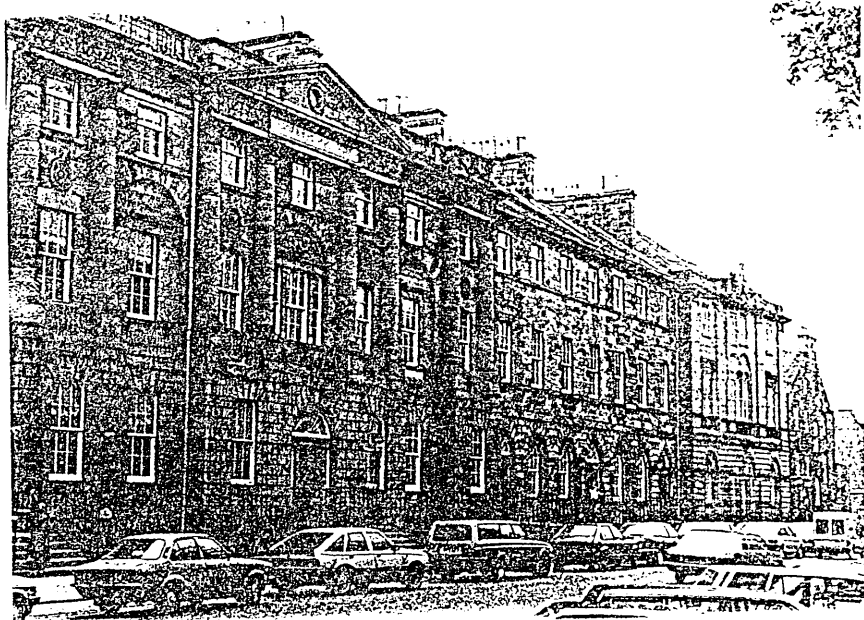


Fig. 55 Charlotte Square looking east was designed by Robert Adam, 1791



Fig. 56 Merville Street looking towards St. Mary's Cathedral

are isolated extensions at Silvermill, Canonmills, Claremont and Hillside Crescent (see Fig. 51).

The last scheme of any size to be erected during the Georgian era fitted a gap at the north west corner of the Craig's New Town, with the Water of Leith to the north and Reid and Sibbald's Second New Town to the east; laid out by Gillespie Graham about 1822, bear the name of Moray family or their estate (see Fig. 51).

The main axis lied at an angle of about 45 degrees across the corner of Craig's plan and consists of the segment of Randolph Crescent (Fig. 57) the oval of Anslie Place and most majestic of all the polygone of Moray Place Fig. 58, linked by short connecting streets with Craig's layout and that of Reid and Sibbald.

All these cover some 318 hectares with a population of 24300 (approximately) (3).

9.5 THE DESIGNATION OF CONSERVATION AREAS

Following the Civic Amenities Act 1967, a number of studies of possible conservation areas were undertaken by the City Planning Department. From these studies only two conservation areas were designated; the First and the Second New Towns (including Calton Hill) (Fig. 59)

In 1970 a Conference on the New Town was held at the instigation of Sir Robert Matthew and organised by the Civic Trust for Scotland and the Edinburgh Architectural Association. One of the most important points of the Conference was the report presented by members of the Edinburgh Architectural Association



Fig. 57 Randolph Crescent.



Fig. 58 Moray Place, among the grandest in the New Town.

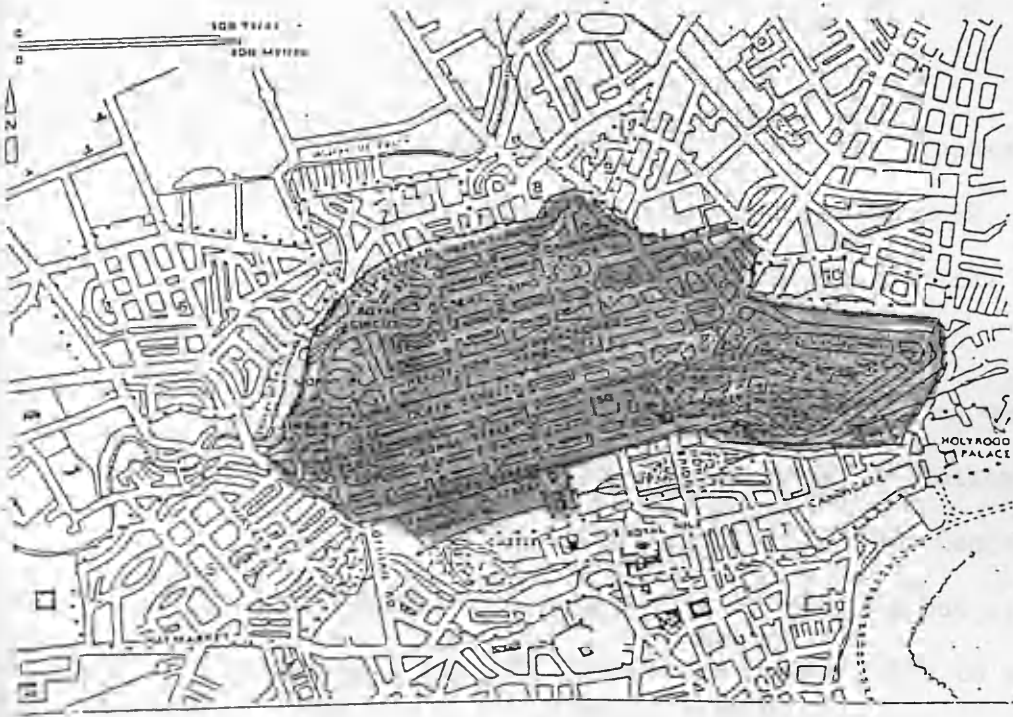


Fig. 59 The first two conservation areas to be designated after the 1967 Act.

... building in this category is in ...
 ... of \$1,000,000. Therefore if you take this figure ...
 ... million ... the cost of \$100,000 per month ...
 ... of one tenth of one percent of the total population ...
 ... Unfortunately the report has not taken into account the ...
 ... interiors, but has only considered a few ... (the external) ...
 ... appearance and condition of New York property. Conservation ...
 ... as a whole involves other major questions, such as general ...
 ... planning policy and traffic strategy.

9.6. THE NEW YORK CONSERVATION COMMISSION

To fulfill this quest a New Conservation Commission was set up ...
 ... in 1972 and a full time Director was appointed in 1973. Its ...
 ... task, the external policy to be followed. The Commission ...
 ... independent. It consists of representatives of ...
 ... Historic Buildings Council for England.

on the fabric of the New Town with the proposal that a restoration programme, to include stonework, chimneys, doors, windows, roofs and below ground areas at the cost of £15 million spread over 20 years (at 1970 price)(4).

It was proposed to share the cost between, owners, the New Town Council and the Government in the following percentages; 25% owners, 25% Local Authority and 50% Central Government. £15 million is a large amount of money but as A.J. Youngson pointed out, "It is not too high a price to pay for the retention of a little piece of civilisation".

This is obvious if we make the following comparison. "The annual expenditure on new building in this country is in excess of £1,000,000,000 therefore if you take this figure - £15 million - the rate of £750,000 per annum is three-quarters of one tenth of one percent of the total expenditure."(5) Unfortunately the report has not taken into account the interiors, but has only considered items affecting the external appearance and condition of New Town property. Conservation as a whole involves other major questions, such as general planning policy and traffic strategy.

9.6. THE NEW TOWN CONSERVATION COMMITTEE

To fulfill this task a New Conservation Committee was set up in 1971 and a full time director was appointed in 1972, its task, the external repairs to buildings. The Commission is independent. It consists of representatives of Edinburgh District Council, the Historic Buildings Council for Scotland,

the Architectural Heritage Society of Scotland, the Civic Trust for Scotland, the Cockburn Association, the Scottish Development Agency and the New Town Residents' Association.

The Committee was given the following terms of reference:

To stimulate and co-ordinate action for the conservation of the New Town of Edinburgh against the general background of the report made to the Scottish Civic Trust Conference on 6 June, 1970.

To advise the Government and Edinburgh Corporation from time to time on any major policy issues which arise in this regard, recognising measures of planning control for the Corporation and the Government.

To encourage the production of conservation schemes and to take such co-ordinating and advisory action as may be required in relation to such schemes.

To advise on the priorities and the extent of assistance that may be required from public funds for such schemes.

To administer for conservation purpose, funds raised by public appeal and to advise, as required, whether particular works of maintenance and repair, although not forming part of a conservation scheme, should qualify for assistance from public funds(6).

9.6.1 GRANT

The Committee receive an allocation of £450,000, in the ratio of two to one, by the Secretary of State (on the recommendation of the Historic Buildings Council) and from the City of Edinburgh

District Council. Grant related inversely to the rateable value of the properties, have been offered for external repairs and the restoration of the original fabric (7).

9.7 LISTED BUILDINGS

Only about three per cent of all buildings in the UK are listed. In Scotland in 1977 the total number was 33375* of which 6740 were in Edinburgh, the largest number for any single city in the UK, ⁽⁸⁾ except London, but because of multiple ownership this represents about 11747 separate properties. Over 8000 of these are still in residential use. (Fig 60)

9.8 THE CONSERVATION AREA

By reason of its homogenous character and extensive area Georgian Edinburgh is one of the most outstanding examples of town planning of its period covering about one square mile; it is the largest single example of high quality in the U.K. If we make a comparison between Edinburgh New Town Conservation Area (Fig 61) and the Conservation Area of Chester (Fig 62) and Medieval York Conservation Area (Fig 63) it is about five times Chester Conservation Area (Fig 64) and roughly three times that of York Conservation Area (Fig 65)

* In 1984 the number was 36978

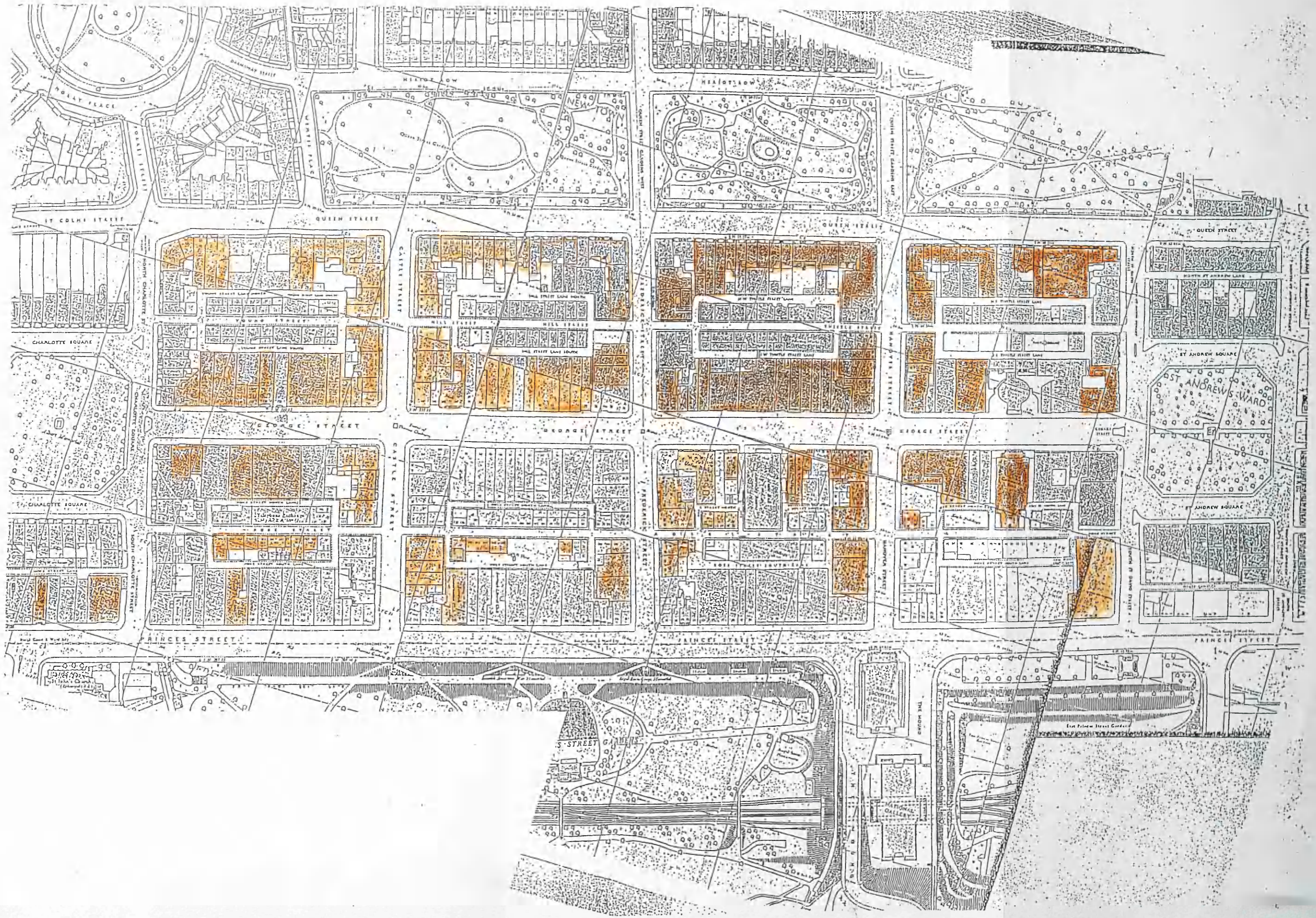


Fig 60 Listed Buildings in Edinburgh First New Town



Scale 1/20000

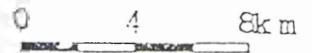
Fig.61 The map of Edinburgh New Town Boundary

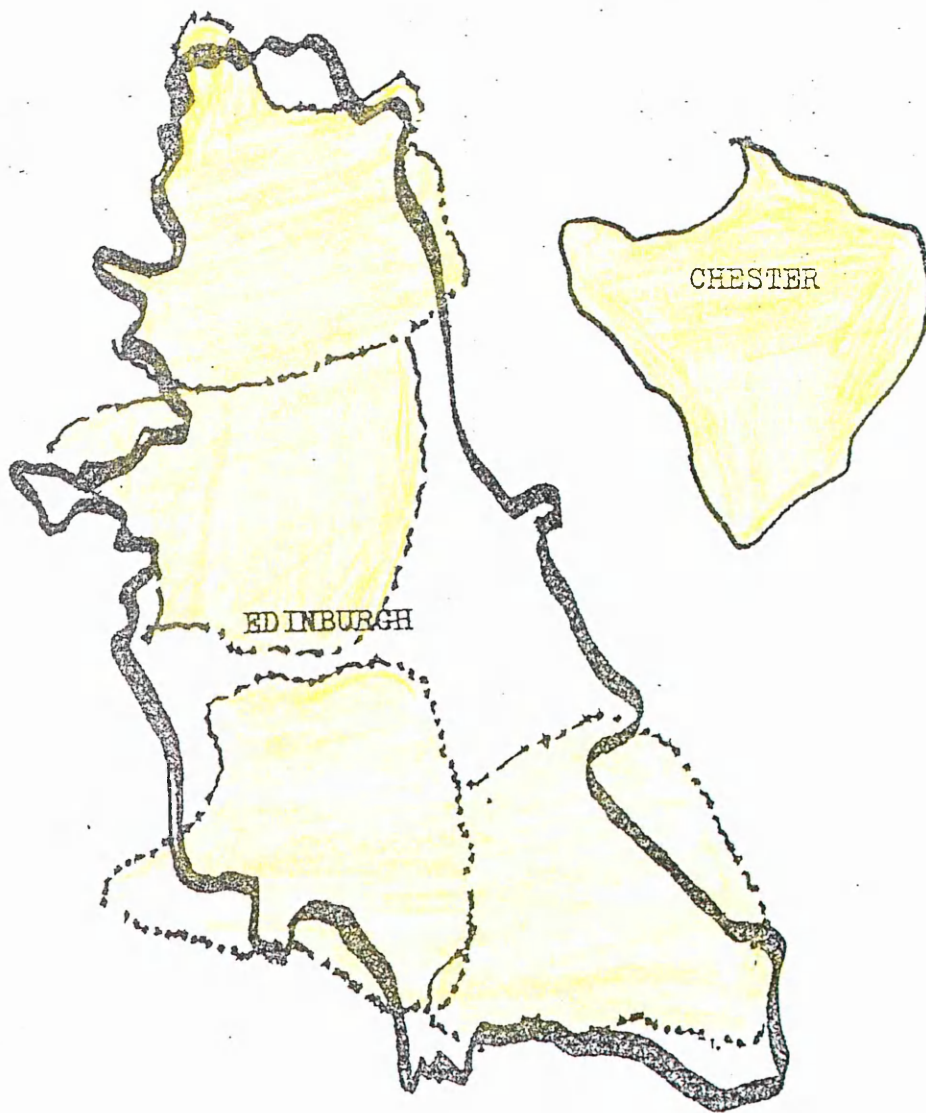


Fig.62 York The conservation area



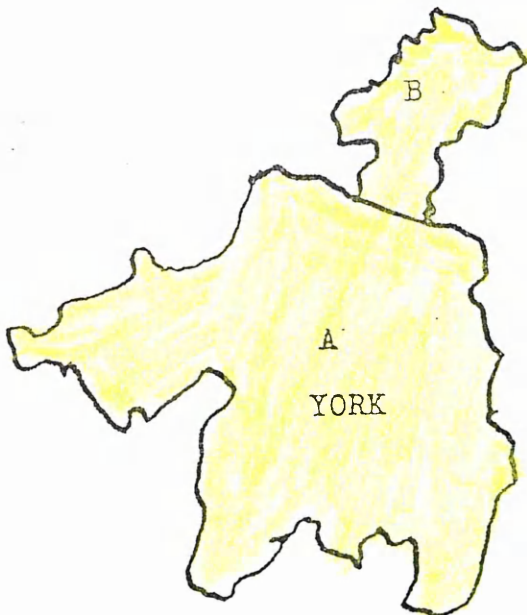
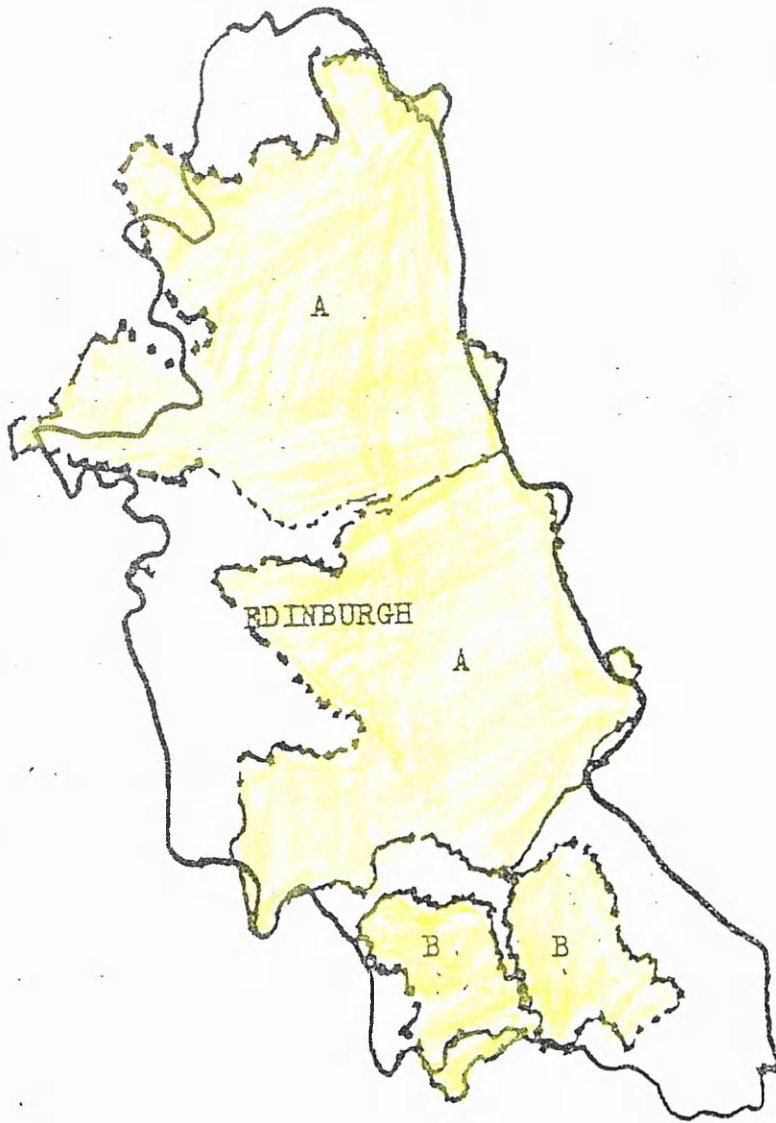
Fig.63 Chester, the conservation area



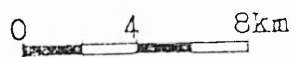


Fig; 64 Comparison Edinburgh-Chester





- Fig, 65 Comparison
Edinburgh-York



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PART V CASE STUDY

CHAPTER X

The French Case Study : THE MARAIS

Chapter X The FRENCH CASE STUDY

Safeguarded Sector.

Introduction

There are few towns or villages in France where one does not find historic buildings and areas of considerable merit. In fact the ministries of cultural affairs and housing, acting on the advice of a special commission identified some 1.200 areas for their historic and architectural quality and from these a group of four hundred areas were selected as potential conservation area. Only some sixty of the four hundred safeguarded sectors envisaged by Malraux have been designated to date (1)

10. I The Malraux Act.

According to the Act 'article I', a safeguarded sector may be defined in areas of historic or architectural interest or in areas whose character justifies the conservation, restoration and enhancement of all or part of a group of buildings.

Designating a safeguarded sector is the joint task of the ministries of cultural affairs and housing once the town council concerned is in agreement. If the council opposes designation a sector may nevertheless be authorized by the Council of State (Conseil d'Etat). Once the decision to create a safeguarded sector is approved and has been published all work in the area liable to affect the conditions of the buildings, is

subject to building permit. The approval may be given only if the proposed work conforms to the conservation plan. If the plan is still being prepared permission can be withheld for up to two years.

Under the Malraux Act tenants and occupiers of residential premises, as well as occupiers of commercial and industrial premises, situated in buildings designated for conservation, restoration or enhancement are unable to object to the proposed work. If necessary they can be forced to move from all or a part of their premises, special provisions are made for occupiers of leased accommodation. Following article 8, the owner of a leased property may repossess his property if the conservation programme requires the accommodation to be evacuated. However, the owner is required to offer to transfer the lease to equivalent accommodation either in the same building or elsewhere. Under article 11, leasees of commercial or industrial premises, who have been provisionally rehoused, may move back to the restored premises upon completion of the work. They may claim compensation for disturbance as well as removal expenses. In addition, the lease is temporarily suspended. Nevertheless the lease may be modified to take into account changes made to premises. If, on the other hand, it is impossible for a lease to return to his original premises, he will be compensated.

such a conservation study are:

1. the need to obtain the wholehearted support of the local authority;
2. the need to ensure that the work is economically practicable in that the investment produces an acceptable return;
3. the need to take into account the characteristics of the area and its inhabitants;
4. finally the need to integrate the sector into the life of the town and to ensure that it is not just a quaint backwater.

10.3 THE IMPLEMENTATION OF THE CONSERVATION PLAN

This consist of three phases:

- First phase : the establishment of an "S.A.S." company whose sole function is the restoration of all or a part of a safeguarded sector .The company's shareholders usually comprise the municipality and other public and semi public agencies.
- Second phase is for the company, subject to the prefect's consent, to prepare a report on the first Operational Sector (Secteur Operationnel); that is the area where the implementation of the conservation plan will probably commence. The company's report is expected to present estimates of the cost and means of rehousing residents, as well as commercial activities, as this will inevitably have a decisive bearing on deciding more precisely where the restoration can commence.

To prepare the report, the company undertakes surveys (paid

for by the ministry of housing) into the area's existing condition. The report will also include an evaluation of the costs of demolition, restoration and reconstruction of buildings and public utilities. The complete report if accepted by the town council, is submitted to the Prefect who forwards copies of it to the three ministries involved: Culture, Housing and Finance. The work of restoration begins as soon as the Ministries have given their approval and the finance becomes available. The third phase is concerned with organizing and executing the reconstruction work set out in the restoration company's report .

The main tasks included in this phase are as follow

1. The release of funds from the National fund for town and Country Planning (Fond national d'Amenagement Foncier et d'Urbanisme) to finance the acquisition of buildings which are to be demolished.
2. Publication of a decree by the prefect defining the Operational Sector, approving the contract entered into by the Town and the company; declaring (following public inquiry) of the project as being in the public interest and specifying those buildings to be demolished and those to be restored.
3. Approach by the company to each of the owners concerned who, having been duly notified by the Mayor of the decree, can react in one of the following ways:
 - a. In the case of buildings to be demolished: the owner

may agree to sell the building. If he refuses it will be expropriated.

b. In the case of buildings to be restored: The owner may agree to carry out the work in which case he may undertake it himself with the help of loans from the Land Bank (Credit Foncier). He will not, however, receive a subsidy from the Ministry. Alternatively, the owner may ask the company to carry out the work. An agreement is drawn up between the Company and the owner, the former responsible for carrying out and financing the work. The owner can obtain loans from the Land Bank as well as a subsidy. If the owner, on the other hand, refuses to carry out the work, or does not undertake it within the time allowed, he is liable to expropriation.

Finally, when the work is complete, the original tenants can move back. If the property has been acquired by the Restoration Company, it will be sold on the open market and the proceeds set against the cost of the operation.

10.4 THE MARAIS A CASE STUDY

The Safeguarded Sector of the Marais ^{differs} from most others in two ways: At 126 hectares it is one of the largest but it covers only a tiny fraction of the historic city of Paris. The majority of provincial sectors cover most of the historic cores of towns. Secondly it is characterized by relatively homogeneous townscape at least as far as age and style are concerned. It is a veritable anthology of French classical architecture. More than seventy five per cent of buildings date from before 1871 and there are some 1,893 buildings of high architectural quality dating from the sixteenth to the eighteenth century (2)

As its name implies, the Marais was originally an area of marshland on the flood plain of the Seine. By the later Middle Ages much of it had been drained and the whole area was brought within the Charles V wall of 1370. In the fifteenth and sixteenth century, it was a popular recreation area for the Monarchy and aristocracy. In the course of the sixteenth century the

popularity of areas further west, to the north of the Louvre, began to rise but the Marais still retained its aristocratic flavour and this was reinforced by work on a place royale (now place des Vosges) in 1604 (3). The seventeenth century townscape of the Marais was in many respects an exact reflex of the "old regime"

(ancient regime) which created it. The "hotels particulie

particuliers "(mansion) of the aristocracy were set amongst lesser buildings of their socially-inferior dependents—the whole ensemble formed an appropriately splendid setting for seventeenth century life.

By the middle of the eighteenth century, this situation was quite definitely changing. The nobility was on the move to the West, attracted by the wide open spaces of areas like the Faubourg St Germain where their architects could lay out a park, not just a garden as in the Marais. Then there was the Revolution. Great houses were appropriated by the state, subdivided and the rot set in all this coincided with mass industrialisation and the appearance of the low-paid artisan. Also, the extremely rapid population growth of Paris in the first half of the nineteenth century was not accompanied by a corresponding expansion of buildings activity.

The desperate housing shortage encouraged subdivisions while workshop activities led to the construction of accretionary structures reducing the area of open space. But the late nineteenth century was not all black.

The City of Paris bought the hotel of Carnavalet, restored it and opened it as a library and museum in 1875. Other buildings were converted to new uses such as schools. In 1897 the commission of old Paris was established to foster concern for the city's historic fabric and in 1916 began serious listing of buildings worth saving. But destruction was still going on.

Widening of streets was the greatest threat. (4)

The listing of buildings also went ahead, especially to the supplementary list after 1925. (5)

The really first step towards the preservation of the whole of the Marais came in 1951 when the draft Paris development plan was published. This envisaged its re-establishment as a middle class residential area by restoring buildings, and cleaning courtyards.

In 1961 a conservation scheme was presented to the city council at the same time as central government was considering the Malraux Act which in turn further strengthened the city's powers to restore the Marais.

10.5 THE CONSERVATION PLAN FOR THE MARAIS

The Marais safeguarded sector was designated on first April 1965 (fig 66) and the first plan produced between 1965 and 1967 by the architects L. Arretche, B. Vitry, M. Marot and M. Minost. (6)

The basic philosophy of the plan was to cut away nineteenth century accretions and return the Marais to its eighteenth century state as represented on the 1739 Turgot plan of Paris (fig 67). It made specific recommendations for demolitions, for restoring buildings of different construction types (fig 68), provided guideline for suitable wall and roof finishes in particular areas suggested ways of concealing the clutter of external gas, electricity and water pipes and paid attention to design of shop fronts, street lights and signs.

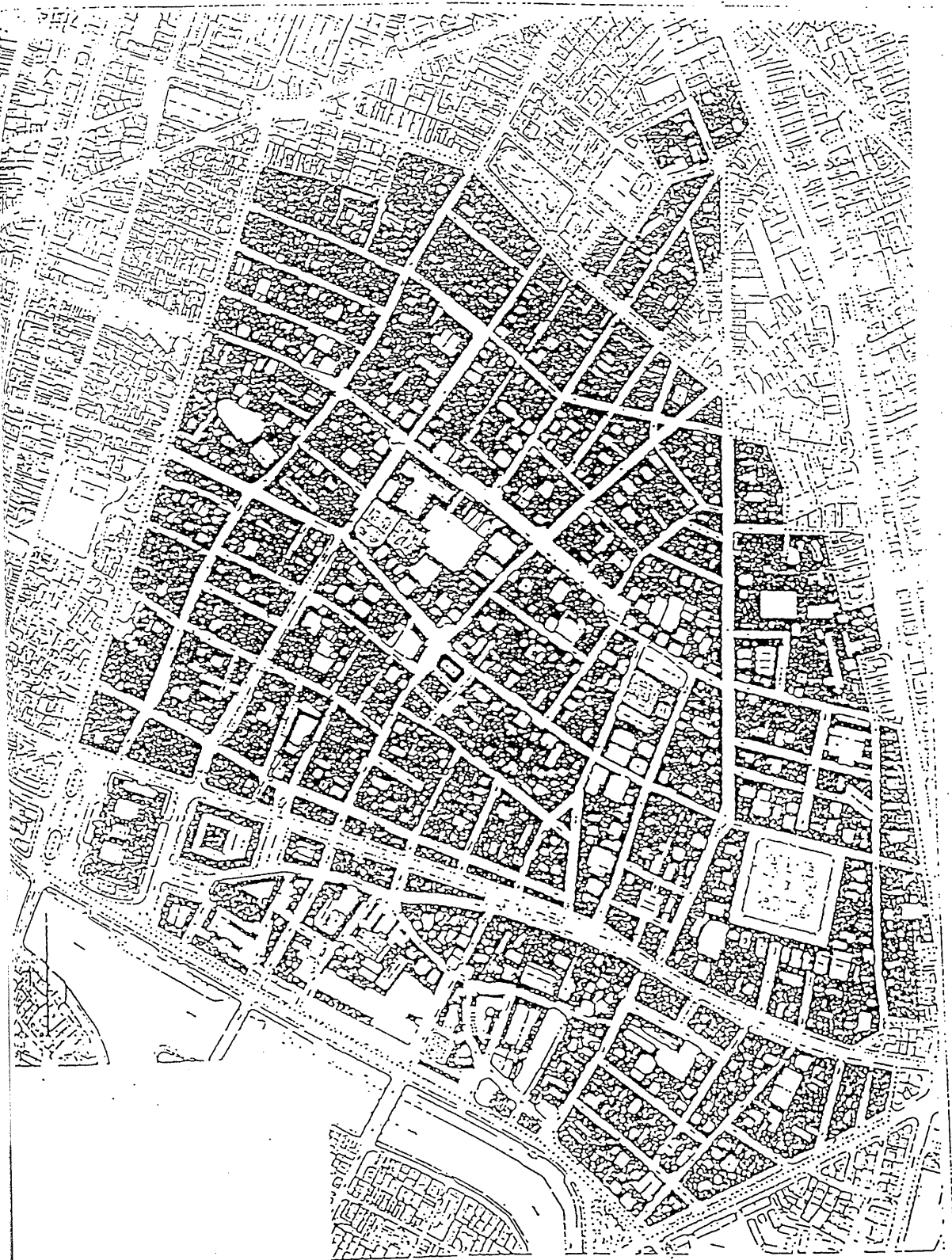


Fig. 66 The Marais plan at the time of designation, 1965



Fig. 67 Plan Turgot 1739

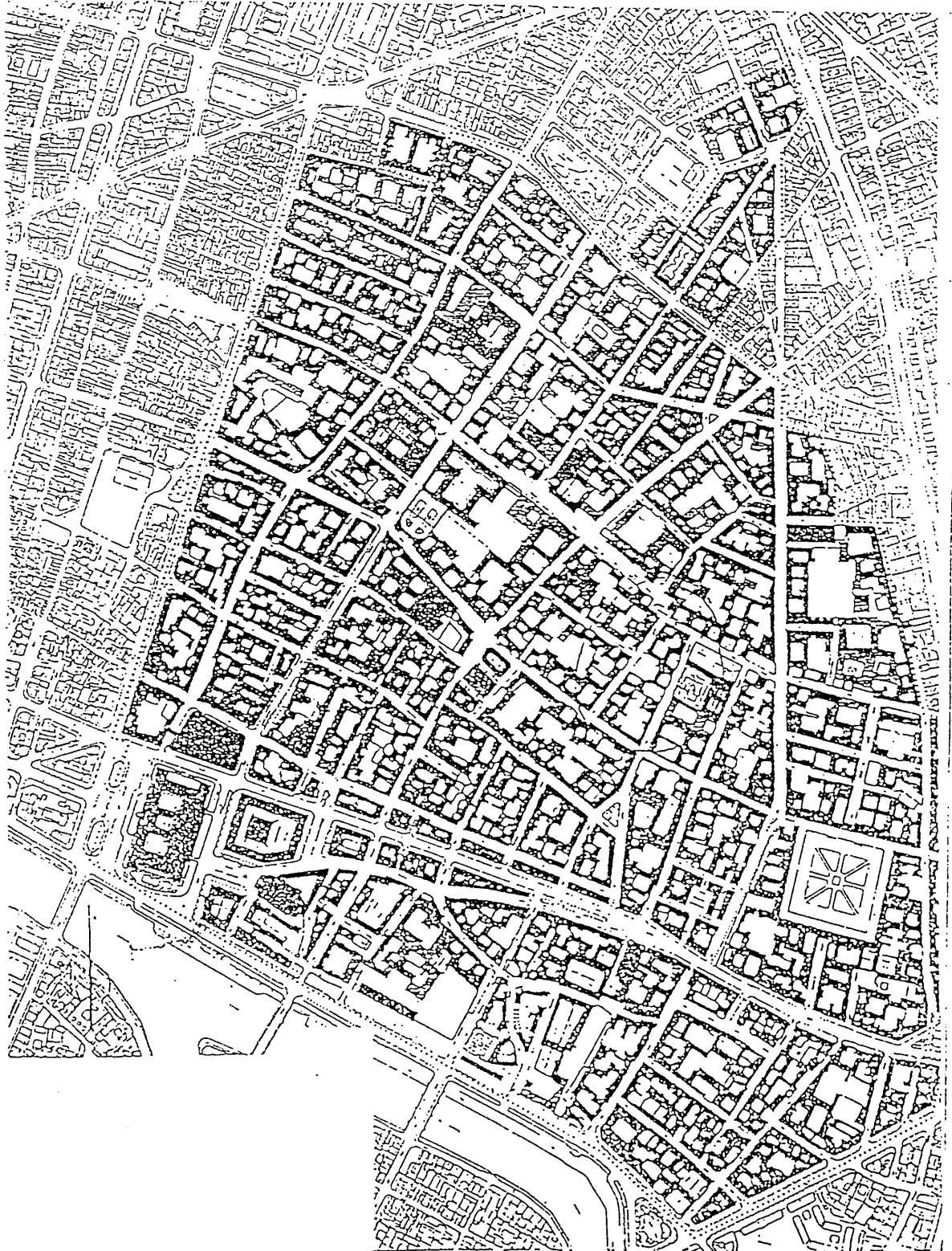


Fig. 66 The proposed plan for the Marais

The Conservation Plan itself is in twelve parts each covering one region at a scale of 1/500. Each of the twelve areas is characterized by the presence of a notable monument, a particular site or some strong historical association to provide clear identification. Surveys carried out in connection with the plan revealed that at the time of designation, there was a resident population of some 82,000 people at densities of up to 1,483 per hectare in the Jardin St Paul block, which is close to the all time French record of the Ile St François at Le Havre (Paris average about 580 hectare)(7)

10.6 REGION CARNAVALET THE FIRST OPERATIONAL SECTOR

At the designation of the Conservation area, the Prefect of Paris instructed the Société Auxiliaire de Restauration du Patrimoine Immobilière d'intérêt national (SARPI—an organization sponsored by the government) to foster restoration work in conservation areas, to constitute; the Société Civil d'Etudes pour la Restauration du Marais (SERMA to carry out preliminary studies over area of nine hectares centred on the place de Thorigny). This area was selected as a potential operational sector as it contained examples of almost every type of problem likely to be encountered in the Marais. SERMA's study suggested that first Operational Sector of three and a half hectares be delimited. This was later reduced for financial reasons to three.

hectares and known as the Region Carnavalet(fig 69)
 On May 1967, the City of Paris handed over implementation of the work to the Société d'Economie Mixte, pour la Restauration de la Marais(SO.RE.MA.) (Fifty one per cent of SO.RE.MA.'s capital is held by the City of Paris and the remainder provided by SARPI(eighteen per cent), banks (twenty seven per cent), and insurance companies (four per cent). (8)



The conservation operation (fig 70) was divided into three phases of a five year programme. Buildings scheduled for demolition were first acquired either by agreement or compulsory purchase and rehousing of dispossessed families arranged. Private owners agreed to organize 15% of these demolition themselves while the rest was done by SO.RE.MA. In the restoration phase, each proprietor was notified by the Prefect of work which SO.RE.MA, considered necessary. Proprietors then decided whether to restore themselves or to hand over their property to SO.RE.MA. 75 % of work on hotels was carried out by owners but SO.RE.MA's share of work on the other categories was 90%. The third phase was the construction of new buildings which are mostly flats for sale or rent outside the 1948 rent controls and also underground parks and offices.

The original idea was for sites to be sold to developers who would work within the architectural directives of the Operational Sector but this has been one of the

Region Carnavalet :

First Operational Sector

Fig.69 the Carnavalet at designation.

-  Buildings
-  Courtyards and Gardens

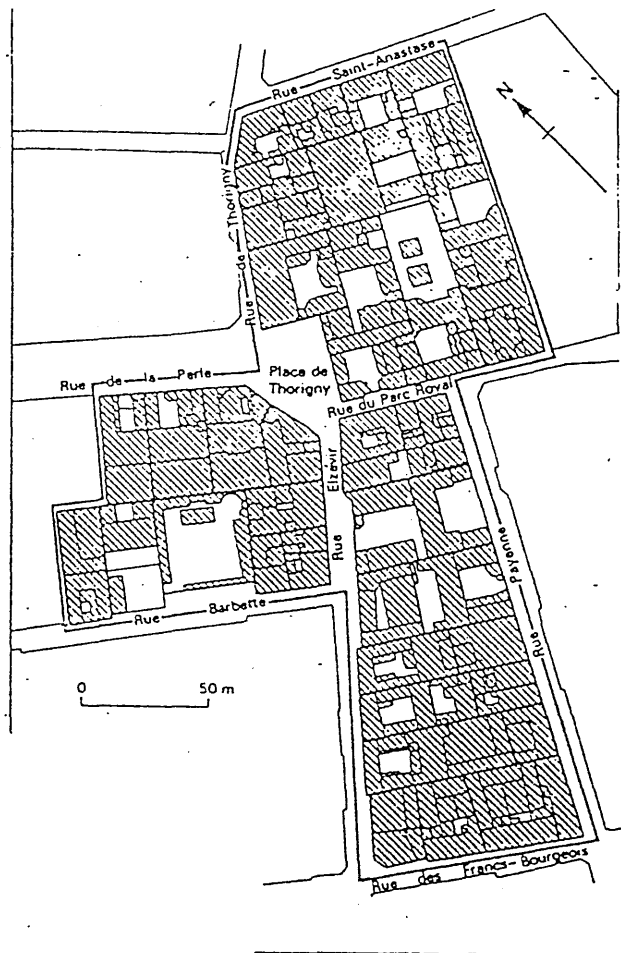






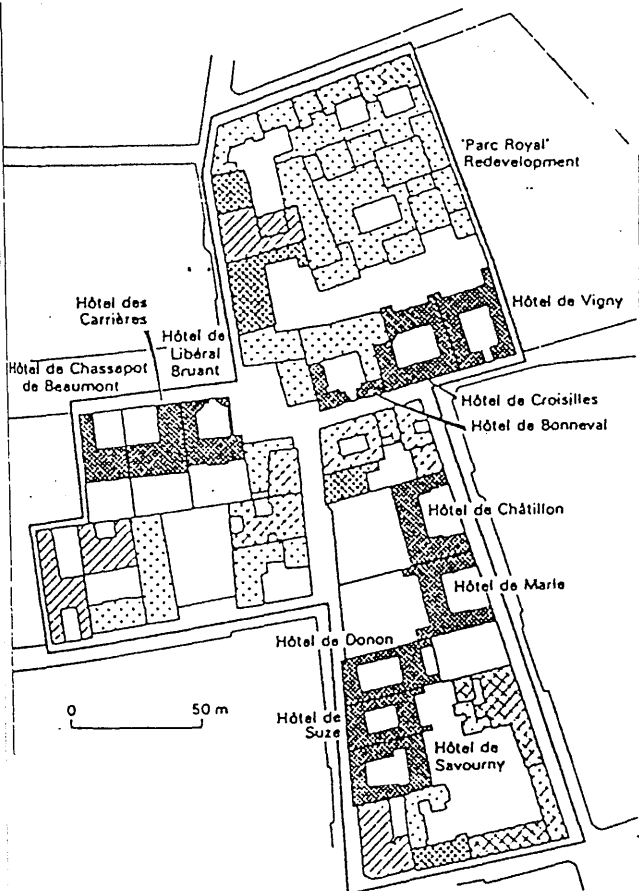


Fig.70 The Carnavalet Conservation plan

-  Hôtels particuliers to be Restored
-  Buildings of "Grande Qualité" to be Restored
-  Immeuble d'accompagnement to be Restored
-  Immeuble d'accompagnement Requiring no work
-  New buildings
-  Open space and covered courtyard



notable failures of the whole operation .Developers have not been attracted to work the difficult plot interior sites to strictly defined formulate of height, mass, finish and plot ratio.

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PART V CASE STUDY

CHAPTER XI

Edinburgh under the French Legislation

CHAPTER XI

What would have happened to Edinburgh Old Town under the French legislation

Having given examples of conservation areas under both British and French legislation, and their development it is the intention to bring out the differences between the French and the British system -for this purpose- I am going to try to examine what would happen to Edinburgh Old Town under the French legislation-as defined in the fourth chapter. But one can wonder which one-of-the three pieces of the French law dealing with areas-to choose

1. The protected area (zone protégée) 1930 Act
2. The Area of Vision (Champ de visibilité) 1943 Act
3. The Safeguarded Sector (Secteur Sauvegardé) 1962 Act

Firstly. The 1930 Act, provided for the establishment of Protected Areas (zone protégée) around listed buildings in towns which lacked a development plan. The effect of the act was to extend to the whole of a specified area the control which applied to the listed building dominating the area. However little use has been made of the Act. The procedure provided was complex and slow, it is probable that both the Palace and Castle in Edinburgh would have been designated but it would probably have made not significant difference to what happened in Edinburgh .

Secondly. The Area of Vision "circle of 500m radius"

The 1943 Act within an area (which was defined as 500 metres from the designated building for listing) any construction changes, or alteration which might be visible from the listed building had to be authorized by the Prefect. This is the Act that required Edinburgh Old Town to be examined against to see what would happen to it.

We have supposed that the Edinburgh Castle and the Holyrood Palace are listed buildings and each one is designated as the centre of the area of vision.

As it appears in (fig 71) nearly half of the existing conservation area is covered by this Act. However in the designated areas of vision, A "the Castle" vision area and B "the Palace" vision area, many alterations would not have happened for instance the Argyle House in Cannongate and the Midlothian Regional Council in Lawnmarket (fig 72). But one cannot forget that this Act does not cover most of the High Street. As can be seen the High Street as such does not carry any designation it is only accidentally "saved" by being under the protection of the Castle and Palace. We know that under the French system, where the government foots most of the bill, only about one tenth of the number of buildings were listed in France as compared to the U.K. therefore two buildings would probably be the Old Town's "ration". If however St Giles Cathedral had also been listed then all but about 100m of the High Street would have been protected. (fig 73)

With the designated areas all development is controlled

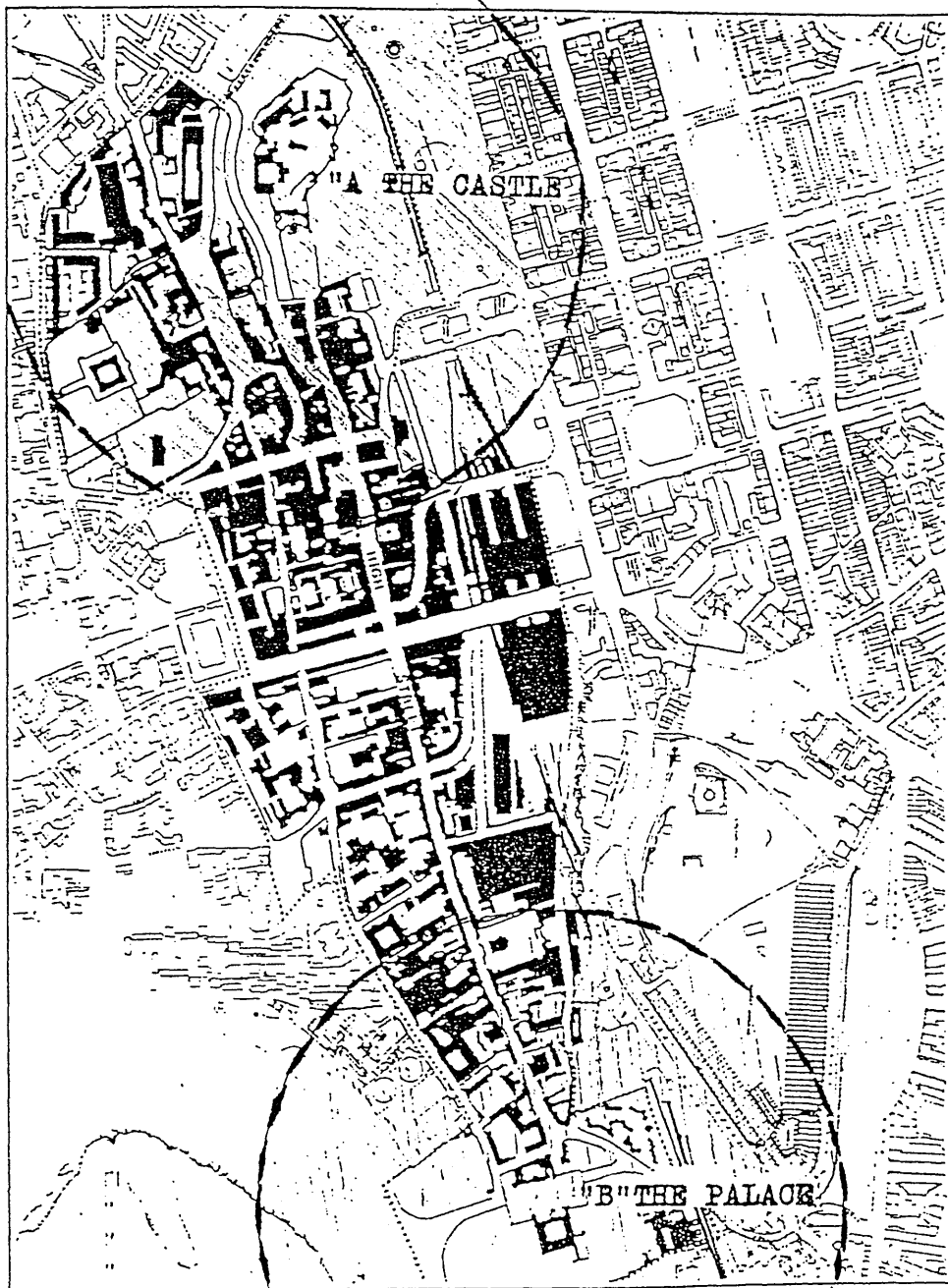
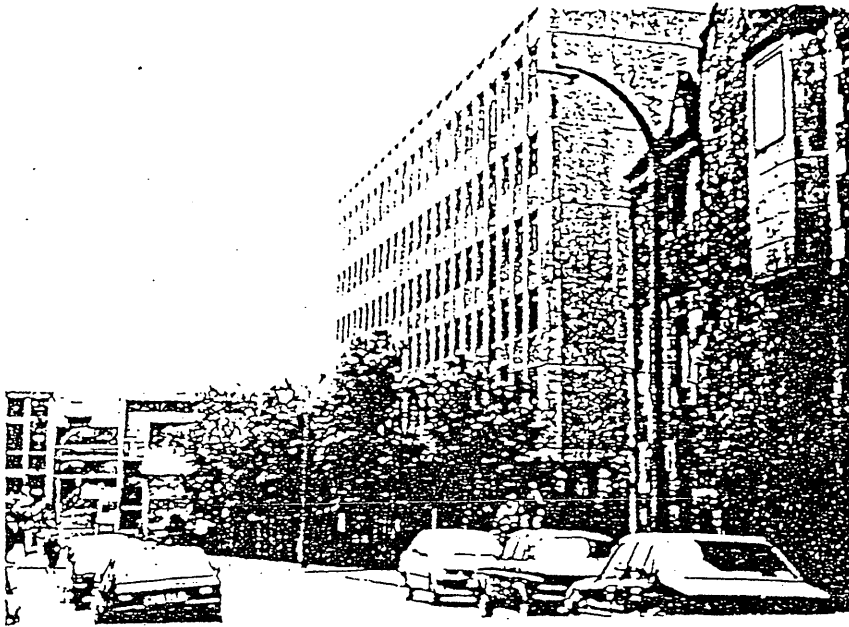


Fig.71 Edinburgh Old Town under the 1943 Act
 This how the designated "vision areas will look
 like. Nearly half of the existing conservation area
 is covered by such Act.

"A" the CASTLE and its vision area.

"B" the PALACE and its vision area.



"A"
The Argyle House

Fig 72

Considering the Area of Vision , such buildings:
 A, The Argyle House and B The Midlothian Regional
 Council building , would not be allowed to disturb
 the character of the surrounding . Issues such as:
 scale, proportion, material and diversity should be
 taken into account, and long unbroken elevation should
 be avoided



"B"
The Midlothian Regional
Council Building

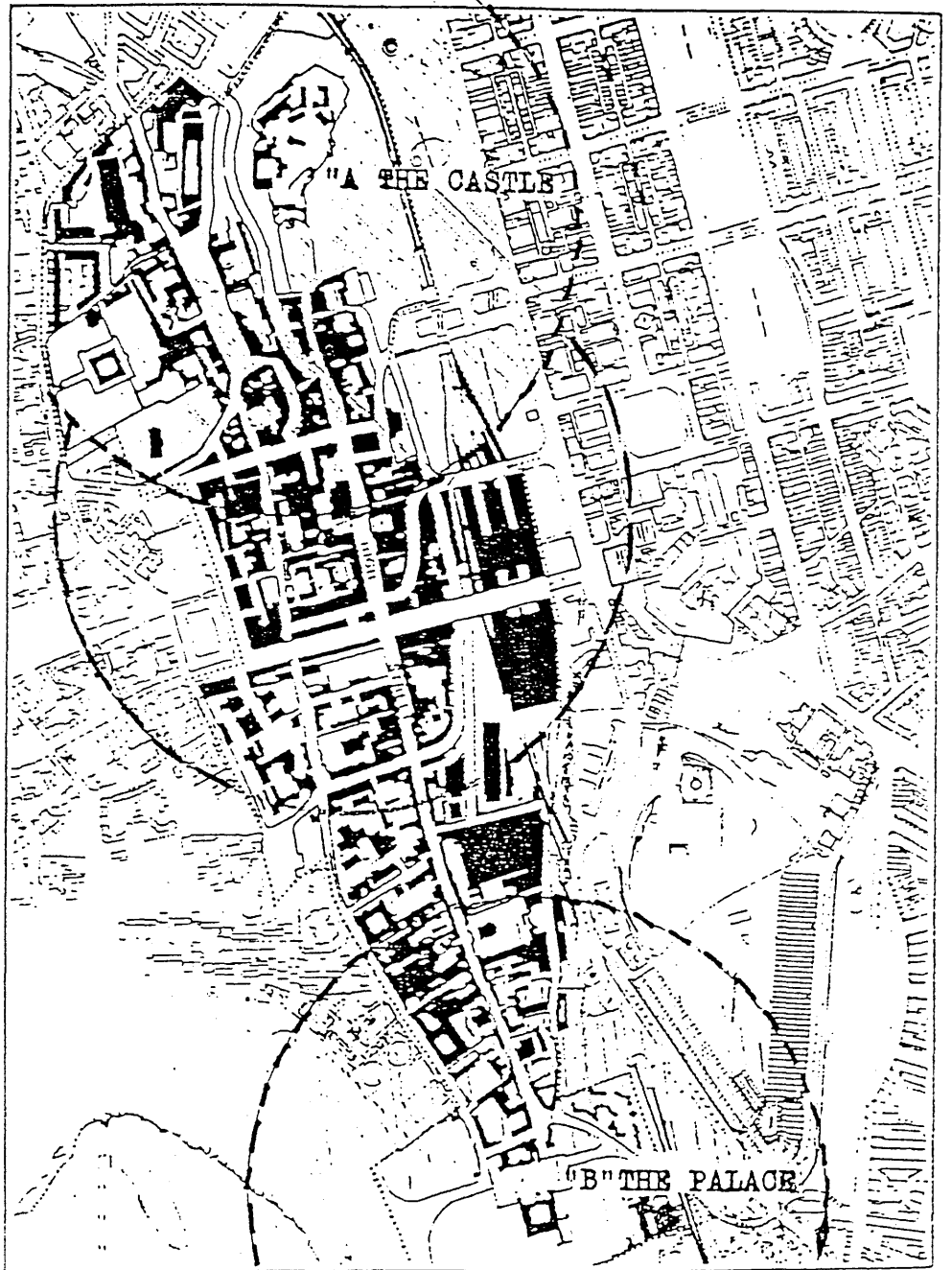


Fig. 33 Edinburgh Old Town under the 1943 Act
 This how the designated "vision areas will lock
 like. Nearly half of the existing conservation area
 is covered by such Act.

"A" the CASTLE and its vision area.

"B" the PALACE and its vision area.

"C" St GILES and its vision area.

but also every existing building of historic significance is automatically protected. If the owner cannot afford to keep it in good repair the government as a last resort will buy the building by compulsory purchase and repair it and if possible sell it. This would have halted the creeping decay so common in conservation areas.

Thirdly, The Safeguarded Sector, the importance of this Act lies in its emphasis on areas rather than buildings. The Act introduced the possibility of extending controls over a wide area and provided for positive action to bring about the enhancement of the area itself. It was the lack of such measure that lay behind the failure of the 1930 Act

This Act does not require great discussions for the simple reason that it is almost the equivalent of the British conservation area, and Edinburgh Old Town would have the same conservation area. The only differences, perhaps are: the date of designation which would be a little earlier, and its conservation plan would be more definite.

The above is the firmal nature of the French conservation system. The nature of the implementation of the French system is not so easily defined but it would appear that Government monies are more likely to be spent to restore a small number of project to a high standard where-as in Edinburgh it has been many indivi-

individual project by a variety of agencies that have maintained a lot of the fabric but seldom been able to spend sufficient monies to produce the complete work one would like to see.

PART VI - CONCLUSION

CHAPTER X

CHAPTER XII- Conclusion

The protection of the most characteristic element of the built heritage must be continued and widened to include the notion of historic monuments in time and in space .

But the the criteria for which items in the field of heritage must be preserved in the most important first step.

Conservation of historic monuments in the normal way means to continue with their preservation, to preserve a monument means to keep it in the state which it was handed to us but sometimes it is also necessary to restore it .

Conservation aims to secure at once the best means of restoring the main historic buildings(outstanding) and to save as much as possible of buildings less "outstanding". This means the more we conserve the more financial needs rise. If it is suitable to list, to protect and to conserve historic buildings, it is also required to give them a new life which means to find for them a place in the society and this means access to adequate funding. .

Why have two system? Ancient Monument Acts and Planning Acts .

In a necessarily way the historical background of conservation in Britain has been the reaction to the destructive excess of so called restoration: first and

foremost the fight against the the restorer by the Society for the Protection of Ancient Buildings.

This marked the opening of the modern period on conservation and it is arguably that the first stone in contemporary attitudes to historic buildings preservation were laid by the society for the Protection of Ancient Buildings.

The legislation dealing with preservation and historic building conservation in general policy, finance and controls has become more sophisticated in attitude.

But little is done to fill in the gaps between the Ancient Monument Acts and the Town and Country Planning acts. Despite the fact that the Ancient Monument Acts were the first steps in the long movement to protect the historic environment there seems little sense in keeping two different protection systems; it would be better to have one or to treat them both equally.

The Ecclesiastical Building Problem.

Since 1913 when the system of state protection of historic buildings containing an element of compulsion was first introduced, churches in use have been exempt from preservation control and have not received preservation grants. Voluntary funds have done wonders but they can hardly be expected to meet the needs of the future. Despite the pressure, in the debates that preceded the Ancient Monuments Acts, the Bishop of Bristol and

Archbishop of Canterbury were able to secure ecclesiastical exemption from the Act, claiming that by revising the age-old machinery of Faculty Jurisdiction the Established Church could prevent the destruction." (1)

It is time to cease this situation and find a compromise to settle the differences between Central Government which thinks there must be a termination of ecclesiastical exemption" from the preservation control and the church which does not agree about the formulate and the consequence is a heavy loss of fine churches.

In fill in conservation area

The generally poor standard of design in the built environment today is one of the major problems facing conservation. What is needed is better quality new architecture embracing old features and fitting into old surroundings. For instance there is no reason why the standardised shopfront, and sign of what is called group identity or corporate imagery, should be allowed in conservation areas. Shopfront of the same company should not present the same design everywhere, thereby undermining the importance to surrounding areas and their visual diversity.

Conservation is under threat from developers and economists who see it as a presenting and inhibiting the the natural growth and change of whole areas which are essential to modern life. This argument is especially

upheld in commercial areas particularly where town centre coincide with historic areas. As many conservation areas occur in city centres, the conflict between commercial interests and preservation is most marked here. Planning Authorities too frequently side with developers, supporting the case for extra jobs and investment over the interest of area preservation. The reaction by Local Authorities to their conservation responsibilities has always been very varied. Superficially they range from the antipathy shown by authorities which have neglected or even demolished illegally buildings in their ownership, to those which seek to make discerning use of their and HBC funds for preservation as an example to others.

British and French Legislation

The British legislation, after a period of consolidation, is at about the same level as the other European Countries if not ahead in some ways. But there are still some gaps in it which place the historic environment under threat. The looseness of definitions given in many Acts too often leaves the door open to many malicious interpretation of the law. But the main point is, the financial side is underresourced and does not follow the progress of the law dealing with conservation. If repairs to historic buildings are delayed, some will become either dangerous or so excessively expensive to restore (sic) that they will have to be demolished. Postponement to more affluent time will result in destruction of buildings

noted as most worthy of preservation. (3)

When grants are available it is mostly given to buildings officially regarded as outstanding, very few such giant cases exhaust the greater part of public money that can be subscribed for purposes of conservation (4) For this reason too many listed buildings are left without financial help. A great many buildings which undoubtedly were deserving cases have been lost in the last quarter-century solely because the available funds and obtainable grants were not enough.

Comparing the British and the French systems, reveals broad similarities in the selection criteria and controls. But one can recognise the superiorities of the French system in conserving the visibility field (champ de visibilité) 500m. of radius around a listed building, which protect against ugly or overlarge new development and there is no equivalent to it in the British system. And we can add to it the precise definitions in the safeguarded sector—comparing it to its British equivalent the conservation area, it is arguably that the safeguarded sector is more definite:

An architect is appointed to produce a Plan Permanent de sauvegarde (conservation plan). This is a set of building regulations and a cadastral plan at 1:500 which replaces all other land-use plans and specifies buildings to be restored, demolitions and clearances

to be carried out, new structures to be erected, the pattern and hierarchy of roads and pedestrian ways, and the layout of open spaces. thereafter all work affecting the exterior of buildings is subject to a building permit which is issued only if proposals are in accordance with the conservation plan. The principal critics which can be pointed out are:

- 1-slowness; the time taken to prepare and approve the conservation plan and implement the Operational Sector
- 2-lack of private initiative;

To avoid the conflict between Central and Local, Government one can suggest that the Central Government takes in charge conservation, and has a dominant part over the Local authorities in all activities concerning preservation.

In Britain there is no one agency which masterminds all the activities over the whole fields of conservation and no single legislative framework or source of finance.

If the power is divided as it is in the U.K. this can be harmful to the built heritage, since many Local Authorities may have the intention of promoting new building to the detriment of the built heritage. Finally the British system relies too much on the Trust and voluntary bodies. It is arguably good to have trusts which provide some pressure over and challenge to Central and Local Government, but it can be dangerous,

especially when financial support is needed to save the total number of buildings listed under the British system and to enhance the large number of conservation areas.

By being more selective ,the French Government is better able to restore and enhance their buildings and areas and by giving greater power to Central Government, conflict with Local Authorities are reduced .

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