
REPORT FOR: CABINET

Date of Meeting:	15 June 2017
Subject:	Outcomes of the consultation on proposed amendment to Waxwell Lane Conservation Area Boundary and an addition to the Harrow Local List
Key Decision:	No
Responsible Officer:	Paul Nichols, Divisional Director of Regeneration and Planning
Portfolio Holder:	Councillor Keith Ferry, Deputy Leader and Portfolio Holder for Business, Planning and Regeneration
Exempt:	No
Decision subject to Call-in:	Yes
Wards affected:	Pinner
Enclosures:	Appendix 1: Consultation responses Appendix 2: Proposed local list description for Pinner Post Office and photographs Appendix 3: Proposed amendment to the boundary of the Waxwell Lane Conservation Area Appendix 4: Photographs of the area (and its buildings) proposed for inclusion within the Waxwell Lane Conservation Area

Section 1 – Summary and Recommendations

This report sets out the outcomes of a consultation process that ran from 9th November 2016 to 21st December 2016 in relation to the proposed amendment to Waxwell Lane Conservation Area Boundary and an addition to the Harrow Local List (namely the Pinner Post Office). During the consultation period a total of 11 responses were received (please see Appendix 1). Eight of these responses concerned only the proposed conservation area extension whilst three of these responses concerned both this and the proposed local listing of the Post Office.

This report summarises the representations received and provides the Council's response to these along with the request that Cabinet agrees the proposed local listing of the post office (description given in Appendix 2) and the amended Waxwell Lane Conservation Area boundary (please see Appendix 3) and for officers to undertake the necessary statutory actions to implement the Cabinet's decision.

Recommendations:

Cabinet is requested to agree:

- (1) the proposed inclusion of Post Office, Bridge Street, Pinner on the local list of buildings
- (2) the proposed extension of the Waxwell Lane Conservation Area boundary to include:
 - a. 60-68 (even numbers only) Waxwell Lane
 - b. 2 and 3 Little Common
 - c. The Post Office Bridge Street
 - d. All of the Little Common open space

And authorise officers to undertake the necessary statutory actions to implement the above.

Reason: (For recommendations)

- (1) To comply with the National Planning Policy Framework requirement that planning authorities ensure that they make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible.
- (2) Providing locally listed status to those buildings that have local merit will help protect Harrow's local historic and architectural interest and assist the Council to meet its corporate priority that seeks to *build stronger communities*.
- (3) To comply with the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires local planning authorities to from time to time determine whether any parts or further parts of the borough should be designated [s.69(2)].

Section 2 – Report

1.0 Introduction

- 1.1 The decision sought will provide an up to date Waxwell Lane Conservation Area boundary and Harrow local list, which will help maintain Harrow's unique historical local character which residents' value.

2.0 Options considered

- 2.1 The option of not reviewing the local list or the conservation area was considered but would mean the Council's recognition of heritage assets would not be up to date, contrary to the requirements of the National Planning Policy Framework.

3.0 Background

- 3.1 On 4th February 2016 a local resident, historian and member of the Pinner Local History Society contacted the Council requesting that Pinner Post Office be considered for inclusion in the Waxwell Lane Conservation Area and/or be locally listed. The Council's adopted Waxwell Lane Conservation Area Appraisal and Management Strategy (2009) states the Council's intention to periodically review the existing Conservation Area boundary (including detailed survey and consultation) to ensure it remains up-to-date. Similarly the Harrow Local Listed Buildings Supplementary Planning Document (SPD) indicates that the Harrow Local List will be periodically reviewed to ensure it remains current.

Consultation arrangements

- 3.2 At its 15th September 2016 meeting, Cabinet agreed to consultation on the proposed amendment to Waxwell Lane Conservation Area Boundary and an addition to the Harrow Local List (namely the Pinner Post Office).. This ran from 9th November 2016 to 21st December 2016. Consultation arrangements included letters to:
- a. properties within the existing conservation area,
 - b. properties within the area proposed to be added to the conservation area,
 - c. the proposed locally listed building (i.e. Post Office),
 - d. the Conservation Area Advisory Committee,
 - e. the Pinner Local History Society,
 - f. the Pinner Association,
 - g. the Twentieth Century Society,
 - h. the Victorian Society and
 - i. Historic England

- 3.3 An advert was placed in the local paper and site notices put-up on lampposts in the area and outside the proposed locally listed building. Views were sought on the proposals in relation to the Council's criteria for Conservation Area status and locally listed building status. The results of that consultation are now addressed.
- 3.4 Whilst the consultation covered proposed boundary changes to the Conservation Area, it should be noted that under the Planning (Listed Buildings and Conservation Areas) Act 1990 there is no requirement to consult on the proposed designation of conservation areas or any modification of their boundaries / cancellation. It is however considered good practice to consult on any designation / boundary changes as representations from the public can assist in determining whether or not an area has sufficient special architectural or historic interest to warrant designation as a conservation area.
- 3.5 A table of the complete consultation responses are available in Appendix 1.

Criteria for local listing

- 3.6 A Locally Listed Building is a building, structure or feature which is important in the local context due to its architectural or historic interest or its townscape/group value. They are important to our understanding of how Harrow came to be, and how different eras and styles of architecture combine to contribute to local character and distinctiveness. Their significance is however not sufficient to warrant national statutory listing.
- 3.7 At the request of the former Local Development Framework Advisory Panel, an SPD concerning Locally Listed buildings was approved by Cabinet on 12th December 2013. The process of considering Pinner Post Office for inclusion on the Harrow Local List fulfills the SPD's requirement that the list be kept under review.
- 3.8 The criteria are broadly based upon those for statutory listing but with additional local considerations, such as the contribution made to the local environment and townscape:
- i. Architectural interest - including architectural design, decoration and craftsmanship;
 - ii. Townscape/Group value - including important contributions to unified architectural or historic groups, areas of planned townscape, or the local townscape;
 - iii. Historic interest - illustrating aspects of local/national social, economic, cultural or military history; and
 - iv. Close historical associations - with locally/nationally important people or events.

- 3.9 How the building is considered to meet this criteria is shown by the proposed local list description in appendix 2. It was demonstrated underneath each criterion within the report to Cabinet requesting approval for consultation in September 2016.

Criteria for inclusion in a conservation area

- 3.10 The Planning (Listed Buildings and Conservation Areas) Act 1990 identifies conservation areas as being 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve and enhance' [s.69(1)(a)].
- 3.11 The Act also requires local planning authorities to from time to time review previous processes of identifying areas for designation as conservation areas and to determine whether any parts or further parts of the borough should be designated [s.69(2)]; such a process can include the 'cancellation' of an area [s.70(5)].
- 3.12 Paragraph 127 of the National Planning Policy Framework (NPPF) indicates that 'when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest'.
- 3.13 At a local level, the Council has identified six criteria for designation of conservation areas within the borough, as follows:
1. Areas with a high concentration of listed buildings whether statutorily or locally listed
 2. Areas of historical, social, economic and/or architectural merit
 3. Areas with a high proportion of buildings built prior to 1920, which remain largely unaltered
 4. Areas built post 1920 that are innovative in planning or architectural detail, and where a large proportion remain unaltered
 5. A significant group of buildings with distinct physical identity and cohesiveness
 6. Areas which have a special quality, where the site layout and landscaping are of exceptionally high quality and/or contain historic open space, natural landmarks or topographical features
- 3.14 The above criteria have been in place since at least 1989, including inclusion in the Borough's 2004 Unitary Development Plan and more recently, within the SPDs relating to conservation areas.
- 3.15 An area should meet two or more of the above criteria to be considered for inclusion in a conservation area.

- 3.16 The ways in which the Council considered the proposed extended conservation area to meet the criteria for conservation area status were outlined within the report to Cabinet of 15th September 2016 and can be summarised as follows:

The area has architectural and historic interest as numbers 60-66 (even numbers only) Waxwell Lane are high quality Arts and Crafts style Edwardian villas, the early 20th century Post Office is a classic public building of its era and a local landmark and 2 and 3 Little Common are early 20th century Artigen style cottages, all the buildings being of similarly high traditional materials and details. Also all of the buildings but one in the area being considered for inclusion were built before 1920 and remain largely unaltered. There is also the historic connection of two notable politicians of the 1950's, Lord Diamond and Tom Driberg having lived at number 66. There is a special quality of the landscaping since Little Common is an area of historic open space with a treescape of vital importance with its scot pines and ancient hedgerows. There is a distinct physical identity and cohesiveness as the Post Office relates well to others in the existing conservation area given it is a local landmark building, standing almost at the summit of Bridge Street, opposite the other landmark, the Police Station (statutorily listed), the Christian Science Reading Rooms, and The Oddfellows Arms, both locally listed; the first three are also all twentieth century buildings. They make a coherent group of public or semi-public buildings around the junction of Bridge Street and Waxwell Lane. Similarly as stated numbers 60-66 are high quality Arts and Crafts style Edwardian villas not dissimilar to others in the Waxwell Lane Conservation Area ie 49 Waxwell Lane, 48-54 Waxwell Lane.

- 3.17 Whilst 68 Waxwell Lane does not have the same architectural or historical significance or intactness as the adjoining properties at 60-66 Waxwell Lane, this property is recommend to be included within the extended Conservation Area to provide a logical and defensible boundary, including with the adjoining Waxwell Close Conservation Area.

4. Summary of responses and how they have been addressed

Local Listing

- 4.1 Of the three responses received concerning the proposed local listing of the post office, all expressed strong support for its local listing. The Pinner Local History Society stated they are 'in full agreement' and the Pinner Association stated it 'strongly supports the local listing of the Post Office' and note that it is an 'iconic and characterful building' and a 'feature of central Pinner'. Finally Historic England noted 'the proposed local listing of the Pinner Post Office follows an established method for identifying local significance' and they 'welcome the Council's continuing review of the local list and conservation area boundaries which will help ensure that the background evidence that supports your wider planning policies is robust'. These responses support the Council's assessment and proposal that the building should be included on the Harrow Local List and on this basis it is recommended that Cabinet agree to its inclusion on the Local List.
- 4.2 Historic England also noted that: They also requested that once the proposed locally listed building and conservation area are designated the Local Planning Authority (LPA) 'send us the relevant GIS files so that we can update the Greater London Historic Environment Record, and our own GIS systems'. The LPA would do so.

Extending the Conservation Area Boundary

- 4.3 Of the eleven responses received concerning the proposed extension of the conservation area boundary, six expressed support and only one response raised a concern with the proposal. The remaining responses (four) were neutral merely requesting more information, which was provided to them.
- 4.4 The Pinner Local History Society stated it is 'in full agreement' with proposals to extend the conservation area and the Pinner Association states it 'strongly supports the extension of the Waxwell Lane Conservation Area' as proposed. It specifically notes of 64 Waxwell Lane that it is 'one of a symmetrical pair of Edwardian houses with attractive architectural features' and 'it is particularly important to achieve protection from inappropriate development for 60 to 66 Waxwell Lane as soon as possible'. Also, it notes that 'we strongly support the additional protection that the Little Common open space would achieve by being fully incorporated into the Waxwell Lane Conservation Area'. Similarly, Historic England note: 'we welcome the additional assessment that has been undertaken to justify the extension [to the conservation area]'.
- 4.5 The owners of 60, 62 and 64 Waxwell Lane also note they are in support of the proposals. The owners of 64 note they are 'quite astounded by the retention of all original features in the property – internally and externally' and that '60-66 Waxwell Lane are very high

quality and should be preserved for the future'. It states 'the Lane is unique within the surrounding area and is very rare within the context of the wider metropolitan area'.

- 4.6 The resident of 21 Waxwell Lane raised a concern in their representation letter that the special character and appearance of the area that it is proposed to include in the extended Waxwell Lane conservation area no longer has a 'distinct physical identity and cohesiveness' given recent planning decisions. It provides justification for this view by suggesting that an extension approved at 8a Elm Park Road provides 'gross intrusion into the privacy of Waxwell Lane residents' particularly number 21. Also it suggests plans for garages at the back of North End London provide an 'encroachment into the ambiance of the Conservation Area'. However, impact on privacy from proposals is not a matter that can be considered in the context of designating conservation areas, which relate to the special architectural or historic interest of an area. Also, both proposals were considered on their own merits when planning permission was sought and were considered to preserve the character and appearance of the existing conservation area and its setting. These factors are not considered to outweigh the special character and appearance of the proposed area as outlined above.
- 4.7 The remaining points raised did not relate to the criteria against which conservation areas are designated and so are not relevant in determining whether or not the area should be extended; they are however for completeness included in Appendix 1.
- 4.8 The Council's Infrastructure Team stated 'yellow line restrictions on carriageway are generally 50mm wide and of Primrose colour as against 100mm wide yellow colour in non-conservation areas. Have you considered whether the existing yellow lines should be changed to 50mm Primrose colour if proposed extension is approved?' Similarly, the owner of number 60 also requested 'please get rid of the thick yellow lines outside my house'. The Council would seek to repaint with the narrower lines in the Primrose colour once the time came to repaint in order to bring the area in line with the remaining conservation areas.
- 4.9 The Highways department asked whether the proposal would 'impact on choices of materials in maintaining the highway'. The LPA responded that it would mean 'Materials would need to preserve the character and appearance of the conservation area' so it could impact on the choice of materials. Such a matter is relevant to all conservation areas and is considered at the time any highways works are proposed, so that materials can be considered in the context of the proposed works and the specific conservation area.
- 4.10 Remaining queries asked for more information for example where 2 and 3 Little Common are and where to find the Cabinet report concerning the consultation.
- 4.11 Based on the consultation responses, it is recommended that the proposal to extend the Conservation Area is agreed by the Cabinet.

5. Implications of the designation as heritage assets

Local List

- 5.1 The inclusion of a building/structure on the Local List does not change the existing planning controls that already apply to these buildings, including their demolition. Inclusion on the Local List is also not primarily intended to restrict development, but will seek to ensure that any proposals take into consideration the local significance of the building. The only real implication therefore of including a building or structure on the Local List is that it will change the level of consideration given by the Council to preserving the buildings' character and appearance when planning proposals are assessed.
- 5.2 This means that the Locally Listed Buildings SPD will be a material planning consideration in assessing any proposals, and the Local Planning Authority (LPA) will consider, in a planning application for works to a locally listed building, any special local interest in relation to the property before a decision is made. Many development works, such as, external alterations, extensions and changes of use will need planning permission from the Council. Therefore, any proposals put forward are expected to respect the particular character and interest of the building. Guidance on how this might be achieved is set out in the SPD, which is intended to assist applicants make successful applications.

Conservation Area

- 5.3 If the Waxwell Lane Conservation Area boundary is extended the general consequences are as follows:
- a) The Local Planning Authority is under a general duty to ensure the preservation and enhancement of conservation areas
 - b) Notice must be given to the local authority before works are carried out to any tree in the area
 - c) Planning permission is required for the demolition of any unlisted building in the area and the local authority or the Secretary of State may take enforcement action or institute a criminal prosecution if permission is not obtained.
 - d) The requirements for planning permission are somewhat different in a conservation area. In this instance though, since the majority of residential units are flats and therefore require planning permission anyway for most works unless they include certain sustainable development proposals. There would only be a slightly higher requirement for planning permission for sustainable development equipment on walls or road slopes that are the main elevations visible from a road or part of the curtilage visible from the road.
 - e) Extra publicity is given to planning affecting conservation areas; and the planning authority is to take into account the desirability of

preserving and enhancing the character of the area when determining such applications.

- f) It would mean fewer types of advertisements can be displayed with deemed consent.

Performance Issues

Local Authorities have a statutory duty to publish proposals for the enhancement of their conservation areas under the National Planning Policy Framework and to make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. The proposal to publicly consult would help meet these objectives and to have a positive effect on local residents' perception of the degree to which the Council takes account of their views and how far people can influence decisions affecting their area, which are measured through the bi-annual Reputation Tracker.

Environmental Impact

The adopted Conservation Area Appraisal and Management Strategy (CAAMS) for Waxwell Lane Conservation Area includes consideration of how energy efficiency and micro generation measures can be achieved whilst preserving the special character of the conservation area. This will therefore help the council to meet the Council's climate change strategy in terms of mitigation and adaptation for any newly adopted buildings in the conservation area.

The requirement to give notice of any works to a tree within a Conservation Area enables the Council to consider the potential loss of trees (particularly with respect to scenic amenity), thereby indirectly achieving positive environmental outcomes.

Risk Management Implications

Risk included on Directorate risk register? No

Separate risk register in place? No

There are no significant risks from consulting on these proposals.

Legal Implications

The Council are required under section 69(2) of the Listed Buildings and Conservation Areas Act 1990 to carry out reviews 'from time to time' to determine whether any parts or further parts of their area should be designated as conservation areas; and if it so determines, that part(s) shall be so designated. Although there is no statutory requirement for public consultation it is considered appropriate that the proposal to extend the Waxwell Lane Conservation Area is subject to a public consultation given the effect that such designation may have on future development proposals within the area. Members of the public have been able to comment on the proposals

and those comments will be considered in advance of the formal recommendation to extend the Conservation Area being made.

The amended Local List would form an amendment to the Locally Listed Buildings SPD. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Although the proposed SPD is not a development plan document it is a material consideration in the determination of planning applications affecting locally listed buildings. The Council is required under the Town and Country Planning (Local Planning) (England) Regulations 2012 to consult on the SPD or amendments to the SPD and to take into account all consultation responses received before adopting the amended SPD. The amended Locally Listed Buildings Supplementary Planning Document would continue to form part of Harrow's formal planning policy. This report documents the consultation procedure that has been undertaken in accordance with the statutory requirements and is recommendation to include the Post Office on the Harrow Local List is supported by the consultation responses.

Financial Implications

The costs of reviewing and amending the Harrow Local List and Waxwell Lane Conservation Area are met from within the existing revenue budgets of the Council's Planning Policy team.

Equalities implications / Public Sector Equality Duty

Was an Equality Impact Assessment carried out? No

EqIA is not considered necessary in respect of the identification, assessment and listing of a building. Such an assessment is based on the architectural and historic merit of a building. Furthermore, the higher order Local Plan policy that contains the criteria against which building are assessed, was subject to an equalities impact assessment prior to its adoption.

EqIA screening was undertaken in the course of introducing the existing Pinner Conservation Areas (which includes the existing Waxwell Lane Conservation Area) that raised no matters of equalities impact of significance that would warrant a full EqIA. It is considered that the findings of the EqIA screening remain applicable to the current proposal to extend the existing Conservation Area designation.

Council Priorities

The decision made will help the Council meet the following corporate priorities and values:

- Build a better Harrow
- Do it Together

The protection of these heritage assets via locally listed and /or conservation area status will ensure the conservation of these assets which adds to the quality of Harrow. The public consultation for this would involve communities.

Similarly, the report incorporates the administration's priorities of making a difference for communities as the public consultation has involved communities.

Section 3 - Statutory Officer Clearance

Name: Marisia Beard	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 23 May 2017		
Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 18 May 2017		

Ward Councillors notified:	YES
EqlA carried out:	NO
EqlA cleared by:	See body of report

Section 4 - Contact Details and Background Papers

Contact: Lucy Haile, Principal Conservation Officer, 0208 736 6101

Background Papers:

Pinner Conservation Areas Supplementary Planning Document, including Waxwell Lane Character Appraisal and Management Strategy, available at:

http://www.harrow.gov.uk/info/200162/conservation/162/pinner_conservation_areas

Harrow Local Listed Buildings Supplementary Planning Document (SPD), available at:

http://www.harrow.gov.uk/info/200162/conservation/857/locally_listed_buildings

Call-In Waived by the Chair of
Overview and Scrutiny
Committee

NOT APPLICABLE

[Call-in applies]