

REPORT FOR: CABINET

Date of Meeting:	13 July 2017
Subject:	Outcomes of the consultation on proposed amendment to the Harrow Local List
Key Decision:	Yes
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:	Belmont, Harrow on the Hill, Harrow Weald, Marlborough, Roxeth, Pinner South, Wealdstone
Enclosures:	Appendix 1: Consultation responses Appendix 2: Proposed additions to the list of Locally Listed Buildings Appendix 3: Proposed buildings to be removed from the list of Locally Listed Buildings.

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 amendments to the Harrow Local List identified in a report to Cabinet in January 2016, including proposals for new buildings to be added and de-listed. During the consultation period a total of 8 responses were received (appendix 1)..

This report summarises the representations received and provides officers' responses to these along with the recommendation that Cabinet agrees the proposed updating of the local list.

Recommendations:

Cabinet is requested to authorise officers to agree:

- a) the proposed additions to the list of locally listed buildings in Harrow, provided at Appendix 2; and
- b) the proposed de-listing of 66 Hutton Lane, and the former George Public House, Marsh Lane, as listed in Appendix 3.

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 and removing it from those that do not 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*.

Section 2 – Report

1. Introduction

1.1 The report incorporates the corporate priority concerning:

- Making a difference for communities

1.2 The identification of buildings worthy of local listing and those that are no longer worthy will help maintain the unique historical local character of areas or neighbourhoods within Harrow which residents cherish and value. Consulting on this helps to make a difference for communities.

2. Options considered

- 2.1 The option of not reviewing the local list was considered but would mean the council's recognition of heritage assets would not be up to date. This would undermine the integrity of the list of buildings no longer worthy of such status remaining on the list, and it could put assets at risk if they are not identified as locally important where appropriate.

3. Background

- 3.1 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.

- 3.2 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. This report fulfils the SPD's requirement that the current list of Locally Listed Buildings be kept under review.

- 3.3 At its 20th January 2016 meeting, Cabinet was presented with findings of research and assessment by the Council's conservation team which resulted in the recommendation for a further six new entries for the local list, as follows:

- a) Stanburn Blast Shelter, in the grounds of Stanburn School, Abercorn Road, Stanmore
- b) 'Solid Surf', Harrow Skate Park, Byron Recreation Ground, Harrow
- c) South Harrow Station, Northolt Road, South Harrow
- d) The kiln house, drying sheds, historic walls, 19th century summerhouse and 2 wells on Common Road, Stanmore.
- e) The former Herga Cinema, 113 High Street, Wealdstone
- f) The 19th century North Lodge, The Bothy and New Lodge, kitchen gardens, conservatory, model farm, and two stone bridges, Old Redding in the grounds of the grade II* listed Grimsdyke Hotel.

- 3.4 The research and survey also identified two buildings recommended to be removed from the local list:

- a) The former George public house
- b) 66 Hutton Lane

- 3.5 The ways in which these buildings were considered to meet, or no longer meet, the criteria for local listing was outlined in the report.

Cabinet agreed to public consultation on the proposals to update the local list.

Criteria for Local Listing

3.6 The criteria for local listing are set out in the Council's Locally Listed Buildings SPD. 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, as follows:

- (a) *Architectural interest* - including architectural design, decoration and craftsmanship;
- (b) *Townscape/Group value* - including important contributions to unified architectural or historic groups, areas of planned townscape, or the local townscape;
- (c) *Historic interest* - illustrating aspects of local/national social, economic, cultural or military history; and
- (d) *Close historical associations* - with locally/nationally important people or events.
- (e) *Additional factors* taken into account include its rarity, relationship to designated landscapes, evidential value, the likely age of the building, the authenticity of the building (i.e. the degree to which it has been altered and the loss of the fabric), technical significance (buildings that display exceptional innovation and craftsmanship) and the effect on the character of the local environment if it were to be lost.

Consultation arrangements

3.7 A four week consultation period, was carried out ran from 9th November 2016 to 21st December 2016 in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement (SCI). This comprised letters to the owners / occupiers of the properties, signs on the land or nearby, and letters to relevant amenity societies / community groups and statutory consultees namely: Historic England, the Conservation Area Advisory Committee, Pinner Association, the Harrow Hill Trust, the Pinner Local History Society the Twentieth Century Society and the Victorian Society.

3.8 The table of the consultation responses is available in Appendix 1. The consultation responses are summarised and addressed below. Should the Local List be amended, this will represent an amendment to the Council's Locally Listed Buildings Supplementary Planning Document (SPD).

4. Summary of responses and how they have been addressed

Neutral

4.1 Three neutral responses were received. Two of these asked for more information which was provided and another asked what was happening about an existing locally listed gate pier which was

removed about a year ago. A response was sent indicating that the matter was being followed-up with the relevant people.

The Former George Public House

- 4.2 One email of support was received from the Pinner Association stating they agree that the now demolished George Public House be delisted since it has been demolished and stated that the demolition of the building is a 'good example of the lack of protection for Locally Listed buildings' (note: unlike nationally / statutory listed buildings, locally listed buildings do not benefit from the automatic protection from demolition).

The Former Herga cinema, 133 High Street, Wealdstone

- 4.3 Two emails of objection were received in relation to the proposed Local Listing of the Herga Cinema. One was received from a Councillor who stated they do not support further work concerning the proposed local listing of the Herga cinema as the Council has 'much more serious matters to deal with than spend time and money on listing this old badly repaired and part empty building'. However, the state of repair of a building and whether it is occupied is not one of the Council's adopted criteria for local listing and so is not a relevant consideration as to the merit of the proposed listing. In terms of other Council priorities referenced, the Council's Conservation Team handle only Conservation matters and therefore this proposal is directly relevant in this context. The built heritage of the borough is a long-term community asset passed down from generation to generation. It has social, economic and environmental benefits that mechanisms such as local listing of buildings seek to protect.
- 4.4 The second objector was a heritage consultant employed on behalf of the owners of the building. They noted that the local listing might impede future development opportunities. However, as the consultant themselves note this is not a relevant consideration since it does not relate back to the local listing criteria. They similarly referred to the state of disrepair of the former cinema but again this is not a relevant consideration.
- 4.5 Otherwise the consultant stated the property does not to meet the criteria for local listing by going through each criterion in turn.
- 4.5 In terms of **architectural interest** they comment that the architectural interest of this building has been compromised by previous changes so that inside the building only a set of original stairs remain and externally the Art Deco character is only loosely evident now in the form of the curved tower with the shopfront compromising the original design.
- 4.6 However, this is not accepted by the Council as it is considered that there is evident architectural interest in the building's remaining Art Deco character notwithstanding its alterations. The Art Deco character remains clear in its Crittall windows, bulls eye widow, stepped roof

and projecting flat roof entrance canopy, rectangular strips of glass blocks flanking above and either side of one entrance canopy and overall strong geometrical forms in its remaining form and design, partly in its stepped parapet. Whilst the consultation response notes there are better examples in the borough and beyond and that the building's original historic layout has been amended considerably since its original design (particularly inside the building), this does not negate the interest noted above.

- 4.7 In terms of **historic interest and close historical associations** the consultant notes the Herga Cinema was opened in 1938 designed by the architect Arthur Starkey for Herga Constructions Ltd then used for 12 years before competition led it to close. It was subsequently used as a meeting space and, in 1961, converted to warehouse, office and showroom use with a flat at first floor, thereby removing original internal layout. Starkey was a local architect who practiced in Harrow and surrounding suburbs and was involved with the design of other cinemas in the area (The Odeon, Wealdstone and Odeon, South Harrow).
- 4.8 The consultant suggests Starkey was not responsible for the design of any listed cinemas but this is factually incorrect as Starkey was responsible for the grade II listed former Crescent Cinema in Leatherhead. Since the other surrounding local cinemas that he was responsible for have now been demolished and given the Art Deco interest outlined above, the Council consider on the contrary that there are good historical associations. It is of particular note since Starkey originated the distinctive Odeon style in cinema design, with the cladding of cream faience tiles.
- 4.8 In terms of **Townscape/Group value** the consultant notes that the building has a round tower that identifies the building within the streetscene but state this is the only element that contributes to the townscape and it does not hold group value with the adjacent buildings. The elevations have been compromised by the introduction of a shop front at ground floor level and the piecemeal alterations to the building which have eroded its interest. However, officers consider the other remaining Art Deco features remain of interest as noted above. The consultant also suggests that the building is at odds with the surrounding built environment which is predominately residential. However, this is not a relevant consideration in relation to the local listing criteria.
- 4.9 The consultant also suggests that the building appears out of context from the rest of the commercial centre of Harrow and does not contribute to the group value of the townscape. However, it is precisely its distinctive character provided by its Art Deco features as listed above which is of local interest. They further argue that there are far better examples of cinema buildings that respond to their context within the borough such as the statutorily listed Ace Cinema and Granada Cinema that better contribute to an experience of the history of cinemas within the borough. This is accepted. However, the relative architectural and historic significance of these two other

examples has resulted in the national listing of both these cinemas (grade II* and grade II respectively) whereas this cinema is being put forward for local listing, a lower level of designation. The presence of two other listed cinemas of national interest does not negate the local value of this one.

4.10 The additional factors the Council take into account when considering a building for local listing include **its rarity, relationship to designated landscapes, evidential value, the likely age of the building, the degree of alteration technical significance and the effect on the character of the local environment if it were to be lost.** The consultee points out that the building does not meet this criteria since it has been heavily altered, compromising experience of the building as a cinema, hindering contribution to the townscape. Consequently they state that to designate would dilute the integrity of the local list'. It is agreed that with the exception of evidential value as a former Modernist cinema and the effect on the character of the local environment if it were lost given the above outlined architectural and historic interest, there is no special meeting of the above criteria.

4.11 However, for a building to be locally listed it does not need to meet all of the above criteria. It is accepted that internal and external alterations since construction have compromised potential special interest. But as outlined above, the building meets three of the criteria for local listing given its historic interest, close historical associations and architectural interest. In summary, there is architectural and historic interest given its interesting 1939 Art- Deco and Modernist design mix by the local Harrow based architect, Arthur Percival Starkey who is notable in cinema design for originating the distinctive Odeon Cinema design. Starkey's former Crescent Cinema in Leatherhead has been Grade II listed. The Art Deco character remains evident in the former Herga cinema in its Crittall windows, bulls eye widow, stepped roof and projecting flat roof entrance canopy, rectangular strips of glass blocks flanking above and either side of one entrance canopy and overall strong geometrical forms in its remaining form and design. Whilst he created others in South Harrow, Kingsbury, Colindale, North Finchley, Sudbury, all these have since been demolished. Therefore the recommendation remains that the building is worthy of local listing.

Skate Park

4.12 Two emails of objection were received about the proposed local listing of the Skate Park, both from the Chairman of the Harrow Skatepark 'Solid Surf' Usergroup. The first noted that 'We are well aware that Romform Skatepark (Harrow Skatepark's sister park) are having great difficulties in refurbishing the park with their listing agency, with their current English Heritage listing status' so they are 'very nervous of having any listing of any kind attached to Harrow Skatepark'. They note that the report recommending consultation in relation to the proposed local listing of the skate park to Cabinet noted that many development works require planning permission. Harrow Skatepark intend to redevelop half of the Skatepark. They requested therefore to

be fully informed of the facts of the proposed listing and for 'written assurances of what can and can't be done with in the Harrow Skatepark boundary'.

- 4.13 In response, the Council wrote to inform of the important distinction between Local listing and national listing. The Council noted that unlike the statutory listing which applies to Romford Skate Park, local listing has its basis in planning policy (i.e. as a material consideration in assessing planning applications) rather than in planning law and therefore it makes no difference as it when an application needs to be made to the Council. For statutorily listed buildings, there are two types of applications that might be applicable – Planning Permission application and Listed Building Consent. For these buildings / structures, there may be instances where planning permission is not required but Listed Building Consent. That means that the operators at Romford will still need to make Listed Building Consent applications to the Council to approve minor works. In the case of locally listed buildings, where planning permission is not required, no application needs to be made and works could therefore be carried out without consulting the Council.
- 4.14 It was noted that the difference between the current status and if the Skate Park were locally listed lies in the consideration process *if* planning permission is required. (Planning permission would be required for the substantive changes proposed as part of the wider redevelopment but smaller, subsequent changes for maintenance and operational reasons probably wouldn't require permission. In those cases, the Council would have no say on the changes as no planning permissions would be required). The local listing of the skate park will not change whether or not planning permission is required for any works.
- 4.15 The Chairman of the Harrow Skatepark 'Solid Surf' Usergroup responded again to state the wishes of the usergroup that local listing is not considered until after the regeneration of the skate park since this would add 'unnecessary red-tape, as the park will be partially built on and altered'. However, whether or not there are proposed development works in the pipeline is not a relevant consideration for local listing. The criteria for local listing are met given its rarity and intactness. Designed by Adrian Rolt, it is the sister skate park to the 'Rom' in Essex which was designated a statutory heritage asset in September 2014. Harrow Skate Park is an icon of the British skateboard scene and an enduring strand in late-C20 and contemporary youth culture. This value was noted in the cabinet report recommending consultation and the consultation responses have not questioned this value. Therefore the recommendation for local listing remains.

Summary of responses

- 4.16 In summary, there were four objections from three objectors to the local listing of two buildings proposed for local listing, with two objectors objecting to the local listing of the former Herga Cinema and

one to Harrow Skate Park. Otherwise three responses were neutral and there was one response of support for the delisting of the now demolished George Public House. The objections have been addressed above in relation to the criteria of local listing. No other consultation responses were received. Therefore the same recommendations for local listing and de-local listing are made.

5. Implications of the designation as locally listed buildings

5.1 As noted above 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; such permission would be required regardless of whether or not the buildings are locally listed. 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.

6. Performance Issues

6.1 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. Reporting back public consultation responses 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.

7. Environmental Impact

7.1 The linked adopted SPD for locally listed buildings includes consideration of how energy efficiency and microgeneration measures can be achieved whilst preserving the special character of locally listed buildings. This will therefore help the council to meet the

Council's Climate Change Strategy in terms of mitigation and adaptation.

8. 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.

9. Legal Implications

9.1 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.

9.2 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.

10. Financial Implications

10.1 The costs of reviewing and amending the Harrow Local List is contained within the existing revenue budgets of the Council's Planning Policy team.

11. Equalities implications / Public Sector Equality Duty

Was an Equality Impact Assessment carried out? No

11.1 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.

12. Council Priorities

- 12.1 The decision sought will help the Council meet the priority of a making a difference for communities by helping ensure the attractiveness of the borough as a place to live and demonstrating that the Council seeks and listens to the views of its residents.

Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 30 May 2017		
Name: Jimmy Walsh	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 1 June 2017		

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

Section 4 - Contact Details and Background Papers

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

Background Papers:

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]