
REPORT FOR: CABINET

Date of Meeting: 13 July 2017

Subject: The addition of Paines Lane Cemetery to the Local List of Historic Parks and Gardens and the enhancement of the Local List description for Pinner Memorial Park – approval to consult

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: Pinner/Pinner South

Enclosures: Appendix:
1. Paines Lane Cemetery proposed boundary and description
2. Pinner Memorial Park formalised boundary and enhanced description

Section 1 – Summary and Recommendations

This report introduces the proposal to consult on the addition of Paines Lane Cemetery to the local list of historic parks and gardens (as shown in appendix 1 with its proposed local list description) and to formalise the boundary of, and amend the local list description for, the locally listed Pinner Memorial Park. (as described in appendix 2)

Recommendations:

Cabinet is requested to authorise officers to undertake a public consultation on:

- 1) the addition of Paines Lane Cemetery to the list of locally listed parks and gardens in Harrow
- 2) the enhancement of the local list description for Pinner Memorial Park.

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 heritage assets 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 Harrow Core Strategy (adopted 12th February 2012) Strategic Objective 1 for 'heritage assets – parks and gardens' for an 'up to date list of locally important historic parks and gardens'.

Section 2 – Report

1. Introduction

- 1.1 The decision sought will help to provide an up to date local list of historic parks and gardens, which will help maintain Harrow's unique historical local character which residents' value.

2. Options considered

- 2.1 The option of not reviewing the local list of parks and area 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 areas are 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 Since the adoption of the Harrow Core Strategy (2012), Harrow Council adopted Harrow Weald Park as a locally listed park and garden in 2016. This was identified as part of the review of the Harrow Weald Park (formerly West Drive) Conservation Area as part of the preparation of the Harrow Weald Park Conservation Area Appraisal and Management Strategy (CAAMS). The adoption of this CAAMS in 2016 almost concluded the production of CAAMS for all 29 Conservation Areas in the borough - the one outstanding is the Pinner Road CAAMS which is due to be reported back to Cabinet in September 2017 following recent public consultation.
- 3.2 The local listing of Harrow Weald Park brought Harrow Council's local list of parks and gardens to a list of three. The register began in 2002 with the additions of Bernays Gardens and Pinner Memorial Park which remain on the list today.
- 3.3 The London Parks & Gardens Trust in 2003 identified approximately 50 Historic Green Spaces in Harrow as being of local interest in their 'London Inventory Historic Green Spaces Harrow'. All Harrow's locally listed parks and gardens are on this inventory. Since January 2017 the Council has been considering whether others on the 2003 inventory could be added to their local list of parks and gardens of historic interest.

4. Current situation

- 4.1 A locally listed park and garden is a designed landscape which has special historic interest. The designation covers landscapes of various types and can be in either public or private ownership. The Council keeps a register of such landscapes to help increase awareness of their historic interest, and encourage appropriate long-term management and consideration of their importance as a heritage asset in a manner proportionate to their significance through the planning process. They are important to our understanding of the development of Harrow, and contribute to local character and distinctiveness. Their significance is however unlikely to warrant statutory listing as a nationally Registered Park and Garden (grade I, II* or II).
- 4.2 The Harrow Core Strategy (adopted 12th February 2012) states the Strategic Objective 1 for 'heritage assets – parks and gardens' is for an 'up to date list of locally important historic parks and gardens'. After the recent adoption to the local list of Harrow Weald Park in 2016, this report continues to fulfil this goal of the Core Strategy by recommending the local listing of Paines Lane Cemetery and the enhancement of the local list description of Pinner Memorial Park.

Criteria for listing

- 4.3 Historic England note that all sites included on the national Register of Parks and Gardens must hold a level of importance defined as

'special historic' interest in a national context. Interest varies according to the type of park and garden and so accordingly there are four selection guides by Historic England which cover rural, institutional, urban landscapes and landscapes of remembrance. However, they define nine criteria for national listing, five relating to date and four to other considerations.

4.4 Harrow's criteria for local listing of parks and gardens is based on these national criteria but with emphasis placed on the local rather than national context and, as per the local listing of buildings and the designation of conservation areas in the borough, two or more of the suggested criteria need to be met. The criteria are as follows:

(A) Date and rarity. The older a designed landscape is, and the fewer the surviving examples of its kind, the more likely it is to have special interest. Likely to be designated are:

- i. sites formed before 1750 where at least a proportion of the original layout is still in evidence
- ii. sites laid out between 1750 and 1840 where enough of the layout survives to reflect the original design
- iii. sites with a main phase of development post-1840 which are of special interest and relatively intact, the degree of required special interest rising as the site becomes closer in time
- iv. particularly careful selection is required for sites from the period after 1945
- v. sites of less than 30 years old are normally registered only if they are of outstanding quality and under threat.

(B) Further considerations which may influence selection, and may exceptionally be sufficient by themselves to merit:

- i. Sites which were influential in the development of taste, whether through reputation or reference in literature
- ii. Sites which are early or representative examples of layout or a type of site, or the work of a designer (amateur or professional) of national importance
- iii. Sites having an association with significant persons or historic events
- iv. Sites with a strong group value with other heritage assets

5. Proposed Local Listing – Paines Lane Cemetery

5.1 The London Inventory of Historic Green Spaces identified Paines Lane Cemetery, opened in 1859/1860, as a designed landscape of historic interest. Subsequent research, and a site visit on 1 March 2017, indicates that Paines Lane cemetery meets Harrow's criteria for local listing.

5.2 The way in which Paines Lane Cemetery is considered to meet two or more of the above criteria is set out below:

- 1) *Sites with a main phase of development post-1840 which are of special interest and relatively intact, the degree of required special interest rising as the site becomes closer in time.*

Paines Lane Cemetery is a modest but early cemetery built without chapels or lodge located just north of Pinner High Street. It was opened in 1859/1860 and is the first purpose built cemetery to be established in Harrow. It is set along Paines Lane which is an old route existing from at least Tudor Times and includes a range of different types of tombstones such as slabs, crosses, celtic crosses, angels and a war grave.

The cemetery retains the boundaries that it had when it opened and has never been built on. While portions of the walls and the railings along Paines Lane have been lost the general layout of the cemetery is unaltered. The basic cruciform layout with a central turning circle for hearses survives within a soft landscaped setting which includes yews and a pair of Cedars. The cemetery also retains its original walls on two sides with entrance gate piers with iron gates that are topped with a fleur-de-lys design.

The cemetery has not become overly cluttered with graves and tombstones and parts of it remain relatively open. The lack of buildings and the small number of trees within has helped it to maintain the character of a rural churchyard. The cruciform layout of paths help to compartmentalise different sections of the cemetery, with the Non-Conformist section at the eastern area of the graveyard discreetly separated from other areas.

- 2) *Sites having an association with significant persons or historic events.*

The cemetery was established when efforts to enlarge Pinner's parish churchyard of St John's to provide burial ground for non-conformists were thwarted.

Of particular note, the cemetery contains the Grade II listed grave of Horatia Nelson Ward (1801-1881) who was the daughter of Horatio Nelson and Emma Hamilton. She is buried with two of her children in a grave which is topped by a horizontal stone slab and surrounded by iron posts and a railing. In 1859 she had come to live near Tookes Green in Pinner where one of her sons, Nelson Ward was already living. Two of her children are buried with her including her daughter Eleanor, knocked down in Pinner High Street by a runaway horse.

The wife of Sir Ambrose Heal, who founded the famous furniture store in Tottenham Court Road, is also buried in the cemetery. The grave of Alice Rose Heal (1859-1901) consists of a bronze

panel with floral motifs on a simpler stone headstone. The Heals resided in the Fives Court which is an important Arts and Crafts house by Smith and Brewer that is grade II listed.

3) *Sites with a strong group value with other heritage assets*

The cemetery has a strong group value with the grade II listed Grave of Horatia Nelson Ward, the grade II listed Fives Court on Moss Lane and the East End Farm and Pinner High Street Conservation Areas.

The listed grave of Horatia Nelson is located in the cemetery and so provides its context. It was listed on 25th May, 1983. The list description reads: 'To Nelson's daughter, buried with her son and daughter. Inscribed horizontal stone slab with low iron post and rail surround'.

The cemetery has strong group value in the setting of Pinner Conservation Areas as it provides the source of strategic views, aids views of historic buildings and provides a buffer to surrounding suburban development in relation to Pinner's conservation areas. As the Pinner Conservation Areas Supplementary Planning Document notes: 'Strategic views across Pinner include views to and from Pinner Hill towards Pinner Cemetery and views towards Harrow on the Hill from Pinnerwood Farm and Pinner Hill'. Similarly it notes 'The physical and aesthetic attributes of open space should not be underestimated. These areas aid views of the historic buildings within the conservation areas and create buffers from surrounding suburban development. The most notable of these, which directly affect the conservation areas, are ...Pinner Cemetery between East End Farm CA and Pinner High Street CA'.

- 5.3 Given the above, the Paines Lane Cemetery is considered to meet three of the criteria for local listing for parks and gardens in Harrow and it is therefore recommended for inclusion on the local list, subject to consultation. Appendix 1 shows the proposed boundary and list description.

6. Enhancement of the local list description – Pinner Memorial Park

- 6.1 Pinner Memorial Park's current local list description is very brief, just a few lines for identification purposes. It reads: 'Pinner Memorial Park: grounds landscaped around West House, former home of Nelson's grandson and later location of Book of Remembrance. Grounds and house purchased through public subscription as a living memorial, for the public to enjoy, after the war'.

- 6.2 In contrast, the proposed local list description (Appendix 2) is more detailed, relating back closely to the criteria for locally listing parks and gardens. This is in line with Historic England's enhanced list description service which updates early list descriptions to now

include the principal reasons for a listing. This helps the determination process of planning applications to ensure the significance is not harmed and provides greater clarity for its ongoing management.

7. Implications of the Recommendations

Local Listing

- 7.1 The inclusion of an area on the Local List does not change the existing planning controls that already apply. Inclusion on the Local List is also not primarily intended to restrict development, but seeks to ensure that any proposals take into consideration the local significance of the area. The only real implication therefore of including a building, structure or park / garden on the Local List is that it will change the level of consideration given by the Council to preserving the area's character and appearance when planning proposals are assessed. Any proposals put forward are expected to respect the particular character and interest of the area.

Enhanced Local List Description

- 7.2 The enhanced local list description provides greater clarity on the area's significance which clarifies the level of protection that it should best be afforded.

8. Consultation Arrangements

- 8.1 It is intended to consult on the proposed addition to the local list of parks and gardens. This consultation will include:

- (a) Letters to:
 - i. the Gardens Trust
 - ii. the Conservation Area Advisory Committee,
 - iii. the Pinner Local History Society,
 - iv. the Pinner Association,
 - v. the Georgian Group
 - vi. the Victorian Society
 - vii. The Twentieth Century Society
 - viii. London and Middlesex Archaeological Society
 - ix. Historic England
- (b) Place an advert in the local paper and site notices up on lampposts at the entranceways to the parks.
- (c) The consultation would take place for four weeks and ask for views on the proposals in relation to the criteria for locally listed status. The results of that consultation will be addressed within a follow up report to Cabinet.

9. Risk Management Implications

Rick included on Directorate risk register? No

Separate risk register in place? No

There are no significant risks from consulting on these proposals.

10. Legal Implications

10.1 Local listing an area is not a statutory designation and there are no specific statutory controls for locally listed parks and gardens. However, under the Government's National Planning Policy Framework

(<http://www.communities.gov.uk/publications/planningandbuilding/nppf>) locally listed parks and gardens are afforded protection under the heritage policies relating to local heritage assets (see especially paragraph 135 which states: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

10.2 Whilst there is no requirement to consult on the designation of locally listed parks and gardens this would be consistent with the approach taken for the local listing of Harrow Weald Park in 2016 and the local listing of buildings in the borough.

11. Financial Implications

11.1 The costs of reviewing and amending the Harrow local list are met from within the 17/18 budgets of Planning Policy team.

12 Equalities implications / Public Sector Equality Duty

Was an Equality Impact Assessment carried out? No

12.1 EqIA is not considered necessary in respect of the identification, assessment and local listing of an area. Such an assessment is based on the special historic merit of an area.

13 Council Priorities

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

- Build a better Harrow
- Do it Together

- 13.2 The protection of these heritage assets via local listing will ensure the conservation of these assets which adds to the quality of Harrow. The public consultation for this would involve communities.
- 13.3 Similarly, the report incorporates the administration's priorities of making a difference for communities as the public consultation would involve communities.

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
EqIA carried out:	NO See body of report
EqIA cleared by:	N/A

Section 4 - Contact Details and Background Papers

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

Background Papers:

Pinner Conservation Areas Supplementary Planning Document available at:
http://www.harrow.gov.uk/info/200162/conservation/162/pinner_conservation_areas

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

NOT APPLICABLE

[Call-in applies]