
REPORT FOR: CABINET

Date of Meeting:	21 February 2019
Subject:	Paines Lane Cemetery: Addition to the Local List of Historic Parks and Gardens, and Pinner Memorial Park: Enhancement of the Local List Description
Key Decision:	No
Responsible Officer:	Beverley Kuchar, Interim Chief Planning Officer
Portfolio Holder:	Councillor Keith Ferry, Portfolio Holder for Regeneration, Planning and Employment
Exempt:	No
Decision subject to Call-in:	Yes
Wards affected:	Pinner/Pinner South
Enclosures:	Appendix: <ol style="list-style-type: none">1. Consultation responses2. Paines Lane Cemetery proposed boundary and description3. Pinner Memorial Park Proposed Enhanced Local List Description

Section 1 – Summary and Recommendations

Following public consultation, this report seeks Cabinet's agreement to the proposed addition of the Paines Lane Cemetery to the list of locally listed parks and gardens with an amended proposed local list description, and the formalised boundary for the existing locally listed Pinner Memorial Park and an amended proposed local list description.

This report documents the outcomes of a consultation period that ran from 14th September to 26th October 2018 during which a total of seven responses were received. The report summarises the representations received and provides officers' responses to these, including any amendments to the proposals. The consultation outcomes are contained in appendix 1.

Recommendations:

Cabinet is requested to:

- 1) Note the representations received in response to the consultation on the proposals and officers' responses to these set out in the body of the report.
- 2) Approve the addition of Paines Lane Cemetery to the list of locally listed parks and gardens in Harrow with associated boundary and amended local list description following public consultation (appendix 2).
- 3) Approve the enhanced local list description for Pinner Memorial Park (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 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 areas 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 with areas no longer worthy of such status remaining on the list, and on the other hand potentially putting 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 in preparation for the Harrow Weald Park Conservation Area Appraisal and Management Strategy (CAAMS).
- 3.2 The local listing of Harrow Weald Park brought Harrow Council's local list of parks and gardens to three in number. The compiling of the register began in 2002 with the naming of Bernays Gardens and Pinner Memorial Park which remain on the list as of 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 addition to the local list of Harrow Weald Park in 2016, this report continues to fulfil this objective 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.

- 4.3 Cabinet agreed for public consultation a draft local list description for Paines Lane Cemetery in July 2017, as well as an amended local list description and formalised boundary for the locally listed Pinner Memorial Park. The report to Cabinet then outlined how the Paines Lane Cemetery met the criteria for local listing and how the enhanced local list description for Pinner Memorial Park better outlines how the park meets the criteria for listing.

Criteria for listing

- 4.4 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.

- 4.5 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 listing:

- 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 Consultation arrangements and outcomes

- 5.1 Consultation occurred for six weeks from 14th September to 26th October 2018. The consultation letter provided details of the proposals in relation to the criteria for listing parks and gardens.
- 5.2 Notification letters were sent to the Gardens Trust, the Conservation Area Advisory Committee, the Pinner Local History Society, the Pinner Association, the Georgian Group, the Victorian Society, The Twentieth Century Society, London and Middlesex Archaeological Society and Historic England. An advert was placed in the local paper and site notices put up on entranceways and within the parks. The document was available to view on the Council's website.
- 5.3 The consultation responses and how these have been addressed in finalising the proposals, are summarised below. The full responses are included in Appendix 1.

Summary of responses and how they have been addressed

- 5.4 There were a total of seven responses which were from the Pinner Association, the Pinner Local History Society, the Commonwealth War Graves Commission, the West House and Heath Robinson Museum Trust and a visitor to the Paines Lane Cemetery. Of the seven responses, all but one concerned the Paines Lane Cemetery proposed local listing, whilst two concerned the proposed enhanced local list description for the Pinner Memorial park.

Recommended improvements for Paines Lane Cemetery

- 5.5 The Pinner Association provided nine factual corrections and/or additional information for the Paines Lane Cemetery proposed local listing on 29th October 2018, as summarised here:
- 1) The cemetery was built with two chapels rather than having never been built on.
 - 2) Portions of the walls and railings that were lost have been reinstated to match.
 - 3) The entrance gate piers are rendered brick.

- 4) Although the First Chapel was demolished in 1982, a level platform marks its position. Likewise the position of the demolished Dissenters' Chapel on the east boundary is discernible as a level platform.
- 5) The layout of the cemetery references 19th century small cemetery design promoted by John Loudon.
- 6) Outlines the link between the cemetery and the nearby heritage assets with Loudon connections in Pinner ie the grade II listed monument to his parents in the grade II* listed St John the Baptist Church churchyard and the grade II listed Woodhall Farm.
- 7) Additional information on the grade II listed grave of Horatia Nelson Ward including its inscription which originally stated 'adopted daughter' but was amended to 'beloved daughter' including a photo being provided indicating these changes to the grave.
- 8) Information on the other graves in the cemetery commemorating locally known names.
- 9) Outlines the connection of the cemetery to the East End Farm Conservation Area ie one of the first meeting places for non-conformists in Pinner from 1672 and Ordnance Survey Maps from the much later nineteenth century show the Nonconformist Mortuary Chapel in the cemetery.

5.6 All nine points have been incorporated into an amended proposed local list description.

5.7 A visitor to the cemetery provided a response on 21st September 2018 asking what impact the proposal would have on maintenance and expressed concern that graves would be thrown away. He was informed that there are no proposals to throw graves away and that local listing would add a level of protection in that the locally listed status is a material consideration where planning permission is required for works.

5.8 The Pinner Local History Society responded on 15th September 2018 to state the cemetery was originally built on as it was provided with two chapels, C of E and Non-Conformist, which were demolished in 1982, having become derelict through lack of use. This has been added to the draft local list description. An extract from the 1865 OS 25" map was included showing their location, and a picture of one chapel from Pinner Hatch End North Harrow and Rayners Lane (2007) which has now been included in the draft local list description.

5.9 The West House and Heath Robinson Museum Trust responded on 22nd September 2018 to state that there are 13 Commonwealth War Graves in the Paines Lane Cemetery. Therefore this information has been added to the description. Similarly a second consultation response for Pinner Memorial Park received from the West House and Heath Robinson Trust on 4th November 2018 provided a photograph of another Commonwealth War Grave in Paines Lane cemetery which has

been added to the proposed local list description. The observation that the graves are not tended has been reported to the Parks Department and a response is awaited.

Recommended amendments for Pinner Memorial Park

- 5.10 One consultation response for Pinner Memorial Park was by the West House and Heath Robinson Museum Trust on 22nd September 2018 who stated that they were 'really pleased to see the enhanced description' but made recommendations on the wording to include a few minor factual corrections namely that there are two books of remembrance not one and the nature of West House as a café and the Heath Robinson museum alongside.
- 5.11 The second consultation response concerning Pinner Memorial Park was by the Pinner Association on the 1st November 2018. This provided detailed additional information about the history of the park in terms of the community raising money in the 1940s, the Peace Garden's development. This factual information was either already referenced by the list description or is now included in the amended proposed list description for the park. Otherwise, much of the information concerned the more recent history of the locally listed West House. Since this is locally listed separately as a building of interest, and as the information did not relate directly to the heritage significance of the park, this information is noted but not included in the amended local list description for the locally listed park and garden. Otherwise the Pinner Association's response concerned modern features added to the park which are not part of the heritage significance of the park e.g. modern playground equipment, and so again this part of the response is noted but not included in the amended local list description.

6. Implications of the Recommendations

Local Listing

- 6.1 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 Local Planning Authority 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

- 6.2 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.

7. 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.

8. Legal Implications

- 8.1 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 (Revised July 2018) (<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 197 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'.

9. Financial Implications

- 9.1 The costs of reviewing and amending the Harrow local list are met from within the 2018/19 budget of the Planning Policy team.

10. Procurement Implications

- 10.1 There are no procurement implications.

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 local listing of an area. Such an assessment is based on the special historic merit of an area.

12. Council Priorities

- 12.1 The decision made will help the Council meet the following corporate priorities and values:
- Build a better Harrow
 - Do it Together

12.2 The protection of these heritage assets via local listing will assist in ensuring the conservation of these assets which enhance the quality of life for Harrow residents. The public consultation has involved communities and local residents.

12.3 Furthermore, the report recognises the Council Administration's priorities of making a difference for communities in the public consultation involving communities.

Section 3 - Statutory Officer Clearance

Name: ...Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: ...15 th November 2018...		

Name: ...Kevin Breslin.....	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 26 th November 2018.....		

Section 3 - Procurement Officer Clearance

Name: ...Nimesh Mehta	<input checked="" type="checkbox"/>	Head of Procurement
Date: 12 th Feb 2019		

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

Section 4 - Contact Details and Background Papers

Contact: Lucy Haile, Principal Conservation Officer, 0208 736 6101 lucy.haile@harrow.gov.uk

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**

NO - CALL IN APPLIES