

## Report for: **Cabinet**

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<b>Date of Meeting:</b>	23 <sup>rd</sup> September 2021
<b>Subject:</b>	Addition of fifteen parks and gardens to the Local List of Historic Parks and Gardens – approval to adopt
<b>Key Decision:</b>	Yes – affects more than two wards
<b>Responsible Officer:</b>	Beverley Kuchar, Interim Chief Planning Officer
<b>Portfolio Holder:</b>	Graham Henson, Leader of the Council and Portfolio Holder for Strategy, Regeneration, Partnerships and Devolution
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Wards affected:</b>	Harrow on the Hill, Pinner, Harrow Weald, Marlborough, Stanmore Park, Greenhill, Headstone North, Headstone South and Roxeth
<b>Enclosures:</b>	Appendix 1 – Summary of responses Appendix 2 of proposed boundaries and descriptions: <ol style="list-style-type: none"><li>1. St John the Evangelist and Old Stanmore Church churchyard, Stanmore</li><li>2. Waxwell Close and the gardens to Waxwell Farmhouse, Pinner</li><li>3. The Cedars Open Space, Uxbridge Road, Harrow Weald</li><li>4. Byron Recreation Ground and Wealdstone Cemetery, Wealdstone</li><li>5. Stanmore Recreation Ground, Stanmore</li><li>6. St Mary's Churchyard and Churchyard Extension, Harrow on the Hill</li></ol>

7. St John the Baptist Church, Pinner
8. Small green in front of Church Farm, Pinner
9. Pinner Hill golf course, Pinner
10. Little Common, Stanmore
11. Headstone Manor Recreation Ground, Pinner View
12. Harrow Cemetery, Pinner Road, Harrow
13. Grovefields, Harrow on the Hill
14. Eastcote Lane cemetery, South Harrow
15. All Saints Churchyard, Harrow Weald and All Saints Churchyard extension

## Section 1 – Summary and Recommendations

Following public consultation, this report seeks the addition of 15 parks and gardens in Harrow (as shown in Appendix 2 with their proposed local list descriptions) to Harrow's local list of historic parks and gardens.

This report documents the outcomes of a consultation period that ran from 31st October to 12th December 2019 during which a total of 39 responses were received. The report summarises the representations received and provides officers' responses to these, including any amendments to the proposals. The full consultation outcomes are included as a background paper.

### **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 and in Appendix 1.
- 2) Approve the addition of 15 parks and gardens to the Harrow local list of historic parks and gardens (as shown in Appendix 2 with their proposed local list descriptions).

### **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 12<sup>th</sup> 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

by potentially putting assets at risk if they are not identified as locally important where appropriate. It would also risk the Council not meeting its statutory responsibilities with respect to heritage assets within the borough.

### **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 inclusion 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 should be added to their local list of parks and gardens of historic interest.
- 3.4 On 13<sup>th</sup> July 2017 Cabinet agreed to public consultation for the local listing of Paines Lane Cemetery and the enhanced local list description for Pinner Memorial Park. These were taken back to Cabinet on 21<sup>st</sup> February 2019 and approved following public consultation. The addition of Paines Lane Cemetery to the local list of parks and gardens took the number of locally listed parks and gardens to four.
- 3.5 On 14<sup>th</sup> March 2019 Cabinet approved for consultation the local listing of the Pinner Road parks and cemetery following the review of the related Pinner Road Conservation Area within the draft Pinner Road CAAMS.
- 3.6 On 11<sup>th</sup> July 2019 Cabinet approved consultation for the local listing of a further 15 parks and gardens in Harrow.

### **4. Current situation**

- 4.1 Cabinet agreed for public consultation on the addition of 15 parks and gardens to the local list along with draft accompanying maps and local list descriptions in July 2019 against the local criteria for listing set out below.
- 4.2 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).

4.3 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'. Following the addition to the local list of Paines Lane Cemetery and the enhanced local list description for Pinner Memorial Park in 2017, this report continues to fulfil this objective of the Core Strategy by recommending the local listing of a further 15 additional parks and gardens.

4.4 Criteria for listing

4.5 Harrow's criteria for local listing of parks and gardens is based on Historic England's national criteria for listing 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 31<sup>st</sup> October 2019 to 12<sup>th</sup> December 2019. 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 in Appendix 1, including more detailed coverage of the objections from 12 consultees.

## **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. The effect of designation as a locally-listed heritage asset will mean, in decision making, that the effect of an application on the significance of the asset will be considered as a material consideration.

### 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 corporate or directorate risk register? No

Separate risk register in place? No

The relevant risks contained in the register are attached/summarised below. These key risks should be taken into account when agreeing the recommendations in this report:

Risk Description	Mitigations	RAG Status
Not making the recommendation would mean the Council's recognition of heritage assets would not be up to date. This would undermine the integrity of the list by potentially putting assets at risk if they are not identified as locally important where appropriate. It would also risk the Council not meeting its statutory responsibilities with respect to heritage assets within the borough.	<ul style="list-style-type: none"> <li>▪ Mitigated by making the recommendation to designate locally listed parks and gardens.</li> </ul>	Green
Objections to designating some of the locally listed parks and gardens	<ul style="list-style-type: none"> <li>▪ Thorough consultation has been undertaken and objections addressed above</li> </ul>	Green
Not having designated all parks and gardens at this stage.	<ul style="list-style-type: none"> <li>▪ The issue will be under constant review.</li> </ul>	Green

## 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 2021) (<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 203 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 judgment 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 2020/21 budget of the Planning Policy team.

## **Procurement Implications**

9.2 No procurement implications.

## **10 Equalities implications / Public Sector Equality Duty**

Was an Equality Impact Assessment carried out? No

10.1 The public sector equality duty under s.149(1) of the Equality Act 2010 was considered and the Council has had due regard to the need to advance equality of opportunity between persons who share a “relevant” protected characteristic and persons who do not share it and has concluded that the proposed local listing will be of benefit to all groups.

10.2 The local list and associated policies are linked to Harrow Local Plan, which was subject to a full Equalities Impact Assessment (EqIA) process prior to adoption. Additionally, there are no policy / service change that affects residents, stakeholders or users.

## **11 Council Priorities**

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

- Improving the environment

11.2 The protection of these heritage assets via local listing will assist in ensuring the conservation of these assets which enhance the environment for Harrow residents.

## **Section 3 - Statutory Officer Clearance**

**Statutory Officer: Jessie Man**

Signed on behalf of the Chief Financial Officer

**Date:** 19<sup>th</sup> July 2021

**Statutory Officer: Patrick Kelly**

Signed on behalf of the Monitoring Officer

**Date:** 3 August 2021

**Corporate Director: Mark Billington**

Signed off by the Acting Corporate Director, Community

**Date:** 26 August 2021



**Head of Procurement: Nimesh Mehta**

Signed by the Head of Procurement

**Date:** 30<sup>th</sup> June 2021

**Head of Internal Audit: Susan Dixon**

Signed by the Head of Internal Audit

**Date:** 3<sup>rd</sup> August 2021

## **Mandatory Checks**

**Ward Councillors notified: Yes**

**EqlA carried out: NO** (see section 10 above).

**EqlA cleared by: N/A**

## **Section 4 - Contact Details and Background Papers**

**Contact:** Lucy Haile, Principal Conservation Officer, 0208 736 6101 and [lucy.haile@harrow.gov.uk](mailto:lucy.haile@harrow.gov.uk)

**Background Papers:** None.

## **Call-in waived by the Chair of Overview and Scrutiny Committee**

**NO**