

Appendix 1 – Summary of responses and how they have been addressed

- 1.1 There were a total of 38 responses from 30 people or organisations. Of these eighteen were queries, factual corrections or comments from twelve respondees. These were responded to and factual corrections made to the draft local list descriptions. Queries included a request for clarity on the meaning of designation (in response further detail was provided) and what the nature of the consultation process was and whether specific groups had been consulted. In response, reference was made to the Cabinet report that outlined the arrangements and where identified groups had not been consulted, these were subsequently consulted. A local resident responded to request that the reference to Harrow cemetery being on Pinner View be changed to Harrow cemetery on Pinner Road. This correction has been made. In relation to St John's Church, the Pinner Church Warden responded with concerns that the proposal would require control to tree works or repairs to be implemented. However, the Local Planning Authority clarified that the designation could not require either.
- 1.2 There were nine responses of support in nine emails from ten consultees (one email was from two respondees), one of which included additional justification for local listing. Seven were in support of all 15 being locally listed as set out in the consultation document. These emails of support included one from Historic England, one local councillor, the London Parks and Gardens Trust, Harrow Parks Forum (including additional information demonstrating how Byron Recreation Ground meets the criteria for local listing which has been added to the amended draft local list description), two residents in one email (including a query about other designations covering Tookes Green). Otherwise, there were three responses of support (one of these from two people) in relation to one of three different parks and gardens respectively i.e. one email of support for locally listing St John's Churchyard (including factual corrections which have been made) from St Johns Church, one from Pinner Hill Golf Club (including a proviso that there be no public access allowed – in response they were informed that the designation does not have any control over public access) from the golf club itself, and one was from a local resident in relation to Eastcote Cemetery. These responses of support are acknowledged.
- 1.3 Twelve consultation responses were objections from nine different consultees in relation to two proposed locally listed parks and gardens. These are explored in detail next. Three were from representatives of the Diocese of Westminster in relation to the proposed local listing of Waxwell Farm, nine were objections to the proposed local listing of Harrow Skatepark by five different representatives of the Harrow Skatepark Usergroup including the Chairman who responded with objections on four occasions. There was an additional query about the skate park in terms of whether it was already locally listed. It was clarified that it is a locally listed building but this consultation relates to whether it is worthy of local listing as part of a locally listed park.

Responses of Objections

- 1.4 Objections relate to the proposed local listing of the skate park in Byron Recreation Ground and Wealdstone Cemetery, and the gardens of Waxwell Farmhouse only.

Byron Recreation Ground and Wealdstone Cemetery

- 1.5 The Council received nine objections from the Harrow skate park Usergroup, including seven individuals who are members or chairman of the Usergroup, to the designation of Harrow skate park within Byron Recreation Ground as a locally listed park and garden. The objections opposed the skate park being locally listed due to:

1. Concerns over bureaucracy: it would hinder redevelopment. As part of wider 'Byron Quarter Development' the Harrow Skatepark Usergroup have proposed refurbishing and or redeveloping the skatepark to bring it up to modern standards and address health and safety issues and plans are being reviewed by cabinet. Do not want it left as a dinosaur like Romford Skate park which was nationally listed.
2. Concerns it will be sold by the council.
3. Concern it is not like Byron Park – recommended the skate park be excluded from the local listing of Byron Park or a clause included to separate it from the rest of the local listing.
4. Lack of understanding of why it was put on the list.

- 1.6 The Council responded to each point: first in terms of concerns over this designation bringing bureaucracy hindering possibly redevelopment plans, unlike the statutory listing of a park and garden, has no formal basis in planning law (it is recognised in planning policy as opposed to planning law). It does not change when an application for permission needs to be made to the Local Planning Authority. In the case of locally listed parks and gardens, where planning permission is not required, no application needs to be made and works could therefore be carried out as usual.

- 1.7 As a local designation the Council note that it would just be an additional formal consideration where planning permission is needed. The additional policy that would be most relevant would be paragraph 197 of the NPPF 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 directly or indirectly affect 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'. So, the policy states that heritage matters are an additional consideration to be taken into account in weighing up proposals, with a balanced judgment required. Other heritage related policies for non-designated heritage assets in the London Plan and local policy would also apply which are similar.

- 1.8 The benefits would be that appropriate recognition of the heritage quality of this site would be provided in accordance with the local listing criteria of the borough. This means for example that retaining the existing, original use, as a skate park is one priority.
- 1.9 Secondly to clarify that local listing was separate to any options regarding the Council's ownership of the site.
- 1.10 Thirdly, in terms of the requirement for a clause to treat the skate park separately to Byron Park, the two are intrinsically linked due to their location and history. As the Harrow Parks Forum response outlines, there is a key synergy between the two of them. Therefore, it is not considered appropriate to separate out their designations. However, the designation makes clear where the specific interest in both of them lies and how they differ.
- 1.11 Lastly, the reasons have been set out in the draft local list description which outlines how the area meets the local criteria for designation.
- 1.12 A final response to this proposal was a query from the Chairman of the Harrow skate park User Group that they had been made aware that Harrow skate park was already locally listed. The Local Planning Authority response is that the skate park was locally listed as a building at Cabinet in July 2017 and a Council officer at the time did discuss this matter with the Usergroup. The current consultation differs as it concerns whether or not it meets the criteria for local listing as a park and garden.

Waxwell Close and the gardens to Waxwell Farmhouse, Pinner

- 1.13 Three objections were received to including the gardens to Waxwell Farmhouse in the local listing, two being from Property Services at the Diocese of Westminster and the third from the Director of Westminster Youth Ministry. Objections were:
 - 1) Bureaucracy: trustees of the Diocese are unlikely to accept further responsibilities. There are existing controls (conservation area and a grade II listed building) and this additional one would add counter-productive bureaucracy hindering development e.g. additional accommodation or parking.
 - 2) Financial: no financial gain or benefit - are there any financial grants or benefits? Drain the charity's resources and any future purchaser. Might affect insurers valuation of the land. Would the council take financial responsibilities?
 - 3) No merit: Historic England state a registered park and garden needs interest in the national context for designation. This park has little to merit it with ad hoc development around the site.
 - 4) Safeguarding concerns: if designated it would be considered a public space.

- 1.14 The Council's response to objections relating to additional bureaucracy are as outlined above in relation to this concern as it was raised in relation to the proposed local listing of the skate park in paragraphs
- 1.15 In terms of the financial concerns the council's response is that the benefits would be that appropriate recognition of the heritage quality of this site would be provided in accordance with the local listing criteria of the borough. There are no financial grants that relate directly to local listing but the Harrow Heritage Trust offer grants for heritage related matters. Addressing financial concerns in relation to insurance, guidance on insuring heritage assets is available in the Historic England 2018 document entitled Insuring Historic Buildings and other Heritage Assets. This is available to view at this link: <https://historicengland.org.uk/images-books/publications/insuring-historic-buildings-and-other-heritage-assets/heag262-insuring-historic-buildings/> This factor though does not impact on whether or not the land meets the criteria for local listing.
- 1.16 Addressing the query that the area does not meet the criteria for local listing or is not necessary, the consultation response did not outline the ways in which the criteria set forward as being met by the draft local list description are inaccurate. Reference to the requirement for national level interest are incorrect, since as a locally listed park and garden, only local level interest is required.
- 1.17 In terms of the concerns over safeguarding and public access, the designation would not introduce any right of access and is clearly a heritage designation and not one of access over private land.