

Report for: Regulatory Committee

Title: Adoption of Conservation Area Appraisal and Management Plans for Bruce Castle, Tottenham Cemetery, Tower Gardens and Peabody Cottages

Report authorised by : Dan Hawthorn, Director, Housing Regeneration and Planning

Lead Officer: Lucy Morrow, Conservation Officer (x4497)

Ward(s) affected: White Hart Lane, Northumberland Park, Bruce Grove

Report for Key/

Non Key Decision: Key

1 Describe the issue under consideration

- 1.1 This report seeks Cabinet's approval for the adoption of four draft conservation area appraisal and management plan documents covering Bruce Castle, Tottenham Cemetery, Tower Gardens and Peabody Cottages Conservation Areas (attached at Appendices 4-7). Each document includes a comprehensive appraisal of the Conservation Area and sets out the Council's strategy for managing the area going forward in order to protect its special character (including design guidelines). A summary of the special interest of each Conservation Area is provided at paragraph 6.7 below.
- 1.2 The documents include changes to the boundaries of Bruce Castle and Tottenham Cemetery Conservation Areas, described in 6.8 below. In both cases, the recommendation is for the removal of a small part of the Conservation Area designation. The boundary changes would come into effect upon adoption of the documents.
- 1.3 Cabinet approved a six week public consultation on drafts of the documents in November 2018. The consultation took place between the 14th January and the 25th February 2019, and the documents have been revised having regard to comments received during the consultation. The response to the consultation is summarised in the consultation statement (Appendix 1) and individual responses are listed in Appendix 2.

2 Cabinet Member Introduction

N/A

3 Recommendations

3.1 That Regulatory Committee:

1. Notes the comments received to the consultation, and how these have been taken in to account in finalising the draft documents (described in paragraphs - 6.9-6.20 and set out in detail in Appendices 1 and 2).
2. Notes the finalised Conservation Area Appraisal and Management Plans as attached at Appendices 4-7 and the changes to the Conservation Area boundaries detailed in Appendix 3.
3. Recommends to Cabinet that it approves the adoption and publication of the finalised Conservation Area Appraisal and Management Plans as attached at Appendices 4-7.
4. Recommends to Cabinet that it authorises changes to Conservation Area boundaries detailed in Appendix 3.

4 Reasons for decision

- 4.1 The Council has a statutory duty to ensure that Conservation Areas are preserved or enhanced, and to publish policies for the implementation of the same (Planning (Listed Buildings and Conservation Areas) Act 1990, Part II). The Council's adopted Local Plan policies support the conservation of the significance of the Borough's heritage assets (SP12, DM9), and require decision makers to have regard to appraisals and management plans when considering the impact of proposals on the historic environment (DM9 C).
- 4.2 Tottenham Cemetery, Tower Gardens and Peabody Cottages Conservation Areas do not have adopted appraisals. The current appraisal for Bruce Castle Conservation Area has not been updated since 2009, and is considered out of date, while the new document provides an updated survey, management plan and design guidelines. It is important that the Council adopts these appraisals and management plans in order to support the implementation of the Council's Local Plan policies and ensure that the significance of the Conservation Areas is preserved and enhanced. A summary of the special interest of each Conservation Area is provided at paragraph 6.7 below. A summary of the content and structure of the new appraisal documents is provided at 6.6 below.
- 4.3 Up-to-date Appraisals will provide a sound basis for development management decisions and will serve as a useful guide for property owners and those bringing forward heritage projects and development proposals as to how best to preserve and enhance each area's character. In some cases, the character of these Conservation Areas has been harmed or is vulnerable to harm through inappropriate (often small-scale) development. These documents will be a valuable tool in addressing this.

4.4 The appraisals include a comprehensive review of each Conservation Area's boundary, with small changes to the boundaries of Bruce Castle CA and Tottenham Cemetery CA. It is important that the Council revise the boundaries to ensure that the Conservation Area designations are warranted, meaningful, and in line with statutory requirements and national policy. There is a statutory duty to review conservation area designations from time to time (Planning, (Listed Buildings and Conservation Areas) Act 1990, 69) and the Council must ensure that designated Conservation Areas are of sufficient special architectural or historic interest, in line with the National Planning Policy Framework (paragraph 186) and Historic England guidelines. The proposed boundary changes are described in 6.8 below.

5 Alternative options considered

5.1 The Council has a statutory requirement to "...formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas" under Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The existing Conservation Area appraisal for Bruce Castle was updated in 2009, and is considered out of date. The area has undergone some changes since then, and best practice guidance for Conservation Area appraisals has evolved. Tottenham Cemetery, Peabody Cottages and Tower Gardens do not have adopted appraisals. Continuing to manage these areas without up-to-date documents in place is not considered advisable.

5.2 The document includes recommendations for alterations to the boundaries of two of the Conservation Areas. The option of leaving the boundaries as they currently are has been considered and is not recommended. The National Planning Policy Framework (Paragraph 186) states that "When considering the designation of Conservation Areas, local planning authorities should ensure that the area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest". In cases where there is no discernible special character, the designation is unhelpful.

6 Background information

6.1 There are 28 Conservation Areas in Haringey, designated over a period of 45 years, of which 14 have adopted character appraisals. The Council is undertaking an ongoing programme of producing Conservation Area Appraisals and Management Plans, as well as reviewing those existing appraisals that are outdated. Details of the ongoing work programme is provided at Appendix 8. The next batch of Conservation Area appraisals to be taken forward will be Trinity Gardens, Wood Green Common, Bowes Park, Muswell Hill and Fortis Green and these are expected to be completed in July 2019.

- 6.2 Haringey's Local Plan policies relating to management of the historic environment are SP12 in Haringey's Strategic Policies (2017), which sets out the Council's intention to ensure the conservation of the significance of Haringey's heritage assets, and supports the use of the historic environment as a basis for heritage-led regeneration, good design and positive change, and DM9 Management of the Historic Environment, in Haringey's Development Management DPD (2017), which sets out the Council's approach to managing development affecting heritage assets in more detail, and requires that the Council has regard to character appraisals and management plans when considering the impact of proposed development on the historic environment. It should be noted that the Local Plan has one adopted Site Allocation adjacent to these Conservation Areas (SA 63 The Roundway), which is allocated for employment led mixed used development. The allocation clearly states any redevelopment should respect and enhance the adjacent Conservation Areas, and the guidance within these appraisals will assist with this.
- 6.3 An adopted character appraisal provides a sound basis for implementing the Council's approved development plan policies relating to Conservation Areas, and will support development management decisions. The appraisals are for the use of local residents, community groups, businesses, property owners, architects and developers. The Council will use the documents in the assessment of all development proposals, and the Planning Inspectorate will take them into account when it considers and determines planning appeals.
- 6.4 The appraisals will also be helpful to those considering investing in the area, and can be used to guide conservation projects and new development proposals. When funding is sought for grant aid schemes, such as the recent Townscape Heritage Initiative in North Tottenham, an adopted character appraisal is essential to demonstrate the value of the area.
- 6.5 The documents included with this report do not introduce new policy. When adopted, they will have the status of evidence base documents. Their purpose is to support existing planning policy already set out in the adopted Local Plan. The National Planning Policy Framework (NPPF) issued by the Government in February 2019 requires local planning authorities to set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment. Pursuant to this requirement, Conservation Area appraisals define the special character of Conservation Areas and set out positive strategies for their future management and enjoyment. The Council has a statutory requirement to "...formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas" under Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The documents have been screened and it was determined that a Strategic Environmental

Assessment under the provisions of the SEA Directive (European Directive 2001/42/EC) is not appropriate in this case.

Structure of the Conservation Area Appraisal and Management Plans

6.6 The Conservation Area Appraisals and Management Plans have been written to reflect the framework set out in *Historic England, Historic Environment Advice Note 1: Conservation Area Designation, Appraisal and Management (2019)* as well as other relevant guidance. A brief structure of the documents is set out below:

Appraisal

- **The summary of special interest:** a succinct description of the overall character of the Conservation Area.
- **Comprehensive appraisal:** recording the special character of the area covering; location and setting, historical development and archaeology, architectural quality, public realm, and condition and development pressure.
- **Audit:** A record of all buildings in the area, indicating whether they make a positive, negative or neutral contribution.

Management Plan

- **Principles for development management:** Setting out the Council's approach to managing new development, including when planning permission is required, expectations for applications, and relevant policies.
- **Boundary Review:** In some cases there are proposals for minor changes to the Conservation Area boundary – refer to maps included in the draft documents

Preserving and Enhancing the Conservation Area

- A set of accessible illustrated Design Guidelines detailing how the special character should be preserved or enhanced covering; shop front design, making changes to listed buildings, extensions, external maintenance and facade restoration, and window and door replacements.

Please see Appendices 4 - 7 for the draft documents in full.

Descriptions of the Conservation Areas

6.7 The four adjoining Conservation Areas covered here are located in Tottenham, to the north of Lordship Lane.

- **Tower Gardens** is widely recognised as an important pioneering housing estate and as one of the three seminal London County Council suburban cottage estates of the pre-First World War period. It is of special interest as an exemplar of the pioneering social policies of the LCC in the early years of the 20th century and of the work of the LCC's renowned Architects' Department, for the

introduction of garden suburb planning principles, and for the use of Arts-and-Crafts and vernacular architectural features in its design combined with a high degree of craftsmanship and good quality materials. The estate was one of the first of the LCC's new suburban estates for the working class. Its distinctive character owes much to the combination of social commitment and aesthetic ambition that was to characterise the LCC's housing developments over the ensuing half century. The key characteristics of the Conservation Area are: The underlying structure and discipline of the street layout, and the similar massing and eaves level of the terraces, the high-quality design of the individual terraces including the use of Arts-and-Crafts and vernacular details and materials, and the good quality of the street scene especially where surviving privet hedges maintain a continuous green frontage to the individual terraces.

- **Peabody Cottages** is an important surviving example of a charitably funded suburban development of the early twentieth century, providing new and affordable housing for working-class people. The design of the individual terraces is unremarkable for its time, it is the consistency and coherence provided by the repetition of simple elements and the co-ordinated street frontage, together with its generally good state of preservation, that positively contribute to the highly attractive character of this small enclave. It also has historic interest in a regional context as one of only two cottage estates to be built by Peabody Trust, one of London's oldest and largest providers of social housing.
- **Bruce Castle Conservation Area** has considerable historic and architectural significance. It is important for the survival of three important historic buildings. Bruce Castle (listed Grade I), one of the oldest buildings in Haringey, is an important survival from the Tudor period with well-documented earlier origins. Special interest attaches to the historic and architectural significance of Bruce Castle and its associated structures, and to the relationship between the house and surrounding park. All Hallows Church (listed Grade II*) dates from the fourteenth century onwards but with earlier medieval origins. The survival of both church and manor house represents a continuity that is rare in Greater London. The Priory (listed Grade II*), a fine example of a Middlesex gentry farmhouse, completes this important grouping. The Conservation Area is also important for the survival of historically significant open spaces that have been surrounded by later dense suburban development. The three principal open spaces within the Conservation Area are Bruce Castle Park, All Hallows Churchyard and the forecourt to Edmanson's Court in Bruce Grove.
- **Tottenham Cemetery** is a good example of a Victorian cemetery, with original paired chapels (listed Grade II) and features of interest from later phases including the distinctive tunnel and several sets of entrance gates. It is of particular note for the tomb of William Butterfield, a major figure of the Victorian Gothic Revival who designed the chancel to All Hallow's parish church adjoining the cemetery. While the majority of monuments are relatively modest, it is of

interest as a cemetery that served the local population, the history of which can be traced through the many surviving headstones and memorials. It is also of interest for the war memorial, the Commonwealth War Graves headstones and other memorials e.g. to civilians who perished in WW2 and to members of the Tottenham Fire Brigade. It is a tranquil green space within a densely built up area with many mature trees and a varied character including the incorporation of an earlier landscape in the Garden of Peace and the natural feature of the Moselle brook. It is also of interest as a nature conservation area of borough importance.

Changes to Conservation Area boundaries

6.8 **Bruce Castle:** Post-war blocks of flats in Beaufoy Road (William Atkinson House and William Rainbird House) will be excluded from the designation. These form a discrete block at the edge of the Conservation Area, and are of no architectural merit. Please refer to the boundary review map in Appendix 3.



Tottenham Cemetery: The allotments to the northeast of the cemetery will be excluded from the designation. While the tree planting around the periphery of the allotment contributes to the setting of the cemetery, the area does not itself possess the special architectural or historic interest to warrant Conservation Area designation. It is however protected by its status as Metropolitan Open Land. Please refer to the boundary review map in Appendix 3.



Community Involvement and Public Consultation

- 6.9 Public consultation on the draft documents was undertaken in line with the Council's Statement of Community Involvement (SCI). Statutory consultees and subscribers to the planning policy consultation database were notified by email. The consultation was publicised through a press notice and on the Council's website. Addresses within the Conservation Areas were notified in writing. Two public meetings were held as part of the consultation process, in line with the requirements of Section 71 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.10 38 responses were received from 26 consultees. There were 13 responses relating to Tower Gardens Conservation Area, 9 relating to Bruce Castle Conservation Area, 9 relating to the Tottenham Cemetery Conservation Area and just one for the Peabody Cottages Conservation Area and 6 general comments. In general, comments received for all four appraisals expressed support for the adoption of the documents, and emphasised the importance of protecting the special character of these areas. A summary Consultation Statement is in Appendix 1 and a full schedule of Consultation Responses is in Appendix 2. Some of the key consultation feedback is covered below.
- 6.11 Concerns were expressed about the current condition of these areas and the lack of effective planning enforcement against inappropriate changes and the quality of works by the Council or management partners. The final documents will be shared with all relevant departments and partners to provide a basis for consistent management.
- 6.12 Some comments were made suggesting additional properties and areas to be included within the Conservation Areas. Surrounding properties and areas were appraised and were not considered to have sufficient heritage interest to warrant designation.
- 6.13 Comments were received from statutory consultees including Historic England, which supports the adoption of the appraisals.
- 6.14 Very few respondents objected to the adoption of the documents or raised major concerns about the proposed boundary changes.
- 6.15 For the Bruce Castle Conservation Area, one consultee did express concern that the area forms part of the setting of the historic park, and the change could represent an unnecessary weakening of conservation control. Officers do not consider this to be the case and Historic England had no objection to the proposed boundary changes. There were also concerns about proposals to use Bruce Castle Park for the NFL Tailgate event. In any case, the park is considered to be part of the curtilage of Grade I Listed Bruce Castle and the entire park including its boundaries is within the Conservation Area, so any proposal for alterations to the park's structures that require planning consent would be

considered against relevant legislation and policy, and the appraisal document would be taken into account.

- 6.16 For the Peabody Cottages Conservation Area, there was a suggestion to note the possibility of pedestrian connections to the north which has been acknowledged in the amended text.
- 6.17 For the Tottenham Cemetery Conservation Area, concerns were raised about the management of the area by Dignity. The management plan specifically recommends close future liaison with Dignity to include agreement on a consultation process for categories of work that don't come under the control of planning (such as landscaping and repairs).
- 6.18 For the Tower Gardens Conservation Area, comments were received regarding updating and extending the Article 4 Direction which would extend the current Permitted Development Rights restrictions to the whole of the Conservation Area. The proposed management plan for this Conservation Area includes recommendations to update the existing Article 4 Direction and extend it to include the whole of the Conservation Area. It is the Council's intention to bring this forward, but the changes would not come in to effect upon adoption of this appraisal. Changes to the Article 4 Direction would be consulted on separately in line with the statutory process, and further detailed information would be provided to residents at that time.
- 6.19 Similar to the above concerns raised regarding Dignity, concerns were raised around Homes for Haringey building works in Tower Gardens and Bruce Castle needing to be sympathetic to the Conservation Areas. The new management plans include a commitment to ensure that all departments work co-operatively to ensure the preservation and enhancement of the CAs. The finalised document will be shared with all relevant departments and other stakeholders, and should provide the basis for a consistent management approach across departments going forward. Where necessary, the conservation team will liaise directly with other departments and partners to address management issues. Development carried out by the Council, Homes for Haringey, and other partners is subject to the same constraints and requirements as any other development, and proposals would be assessed and enforced against relevant planning policy and guidance in the usual way. The Council is keen for public landowners and property management organisations to be setting an exemplar for Conservation Areas.
- 6.20 There are no major changes to the documents following the consultation. A number of responses suggested small amendments or additions to the documents and where appropriate these are reflected in the finalised versions. Details of how the documents have been amended in response to the consultation are contained in Appendices 1 and 2.

Strategic Environmental Assessment / Sustainability Appraisal (SEA/SA)

6.21 The documents have been screened (Appendix 9) to determine whether a SEA/SA is appropriate under the provisions of the SEA Directive (European Directive 2001/42/EC) which concluded that a SEA/SA is not necessary.

Next Steps

6.22 If Cabinet approves the adoption of the documents, a letter notifying residents of the outcome of the consultation and the decision of the Cabinet will be sent to all addresses within the Conservation Areas. Notice of the variation of the boundaries of Bruce Castle and Tottenham Cemetery Conservation Areas would be given to the Secretary of State and the Historic Buildings and Monuments Commission for England pursuant to sections 70(5) and 70(7) of the (Listed Buildings and Conservation Areas) Act 1990. A press notice would be issued in a local newspaper and the London Gazette as per statutory requirements of Section 70(8) of the Act. Addresses that are affected by the boundary alterations will be notified by letter and Local Land Charges would be updated to reflect the alterations. Additionally, Local Plan documents, Proposals Map and other databases would be updated to reflect the boundary alterations.

6.22 The next batch of Conservation Area appraisals to be taken forward will be Trinity Gardens, Wood Green Common, Bowes Park, Muswell Hill and Fortis Green and these are expected to be drafted in July 2019.

7 Contribution to strategic outcomes

7.1 These documents support the Council's Borough Plan 2019-23 Priority 3 "Place" through Outcome 11 "A culturally engaged place" which commits to "Safeguard and strengthen the borough's cultural heritage by effectively managing, investing in, and encouraging access to our heritage assets". The documents also support Priority 4 "Economy" through Outcome 16 "Regeneration with social and economic renewal at its heart" by supporting heritage-led regeneration.

8 Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance

8.1 This report recommends that Regulatory Committee:

- Notes the comments received to the consultation, and how these have been taken in to account in finalising the draft documents (described in paragraphs - 5.9-5.19 and set out in detail in Appendices 1 and 2).
- Notes the finalised Conservation Area Appraisal and Management Plans as attached at Appendices 4-7 and the changes to the Conservation Area boundaries detailed in Appendix 3.

- Recommends to Cabinet that it approves the adoption and publication of the finalised Conservation Area Appraisal and Management Plans as attached at Appendices 4-7.
- Recommends to Cabinet that it authorises changes to Conservation Area boundaries detailed in Appendix 3.

There is no financial impact as a result of the above recommendations.

Equalities

- 8.2 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
 - Advance equality of opportunity between people who share those protected characteristics and people who do not
 - Foster good relations between people who share those characteristics and people who do not.
- 8.1 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.
- 8.2 This report seeks Cabinet's approval for the adoption of four draft conservation area appraisal and management plan documents covering four Conservation Areas in White Hart Lane, Bruce Grove, and Northumberland Park wards. The purpose of adopting the documents is to ensure a sufficient strategy for managing the Conservation Areas in order to protect their special characters. The decision will help ensure that local residents benefit from a well-managed environment in line with the Local Plan.
- 8.3 The three wards noted above have higher proportions of residents than the Haringey and London averages from BAME communities as well as higher proportions of residents with religious affiliations, with notably larger Christian and Muslim communities. In additionally, proportionally more residents of these wards have long-term health conditions or disabilities and proportionally more residents are aged 0-19 than Haringey or London as a whole. Therefore, residents with the protected characteristics of age, disability, race and ethnicity, and religion and belief will be overrepresented among those who benefit from the decision.
- 8.4 Public consultation on drafts of the documents did not highlight any particular equalities issues.

8.5 The documents will support existing planning policy already set out in the Local Plan, which was subject to an Equalities Impact Assessment at the time of its adoption.

Assistant Director of Corporate Governance and legal implications

8.6 As noted in the report there is a duty under section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (“the Act”) for a local planning authority (“LPA”) from time to time to determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and shall designate those areas as conservation areas. Under section 69(2) of the Act from time to time the LPA shall review the past exercise of the functions noted above. The appraisals are part of this review process.

8.7 The decision to designate and review conservation areas under section 69 of the Act is a function reserved to the executive.

8.8 The designation of a conservation area will have several planning consequences. These include (and are not limited to):

- Restrictions (and potential criminal offence) concerning demolition in a conservation area without express planning permission.
- The statutory duty under section 72 of the Act will be engaged, when determining planning applications in a conservation area to pay special attention to the desirability of preserving or enhancing the conservation area.
- The statutory duty noted in the report under section 71 of the Act from time to time to formulate, publish proposals and hold a public meeting about them, for the preservation and enhancement of the conservation area. As the report notes the appraisals will assist in the formulation of these proposals in the development plan policies.
- In determining planning applications, these policies regarding conservation areas will then become engaged. Chapter 16 of the government’s National Planning Policy Framework will also apply.
- Restrictions on cutting down, topping, lopping, or uprooting trees in a conservation area.
- Greater restrictions for certain otherwise permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (“the GPDO”).

- Restricts the power of the secretary of state to cancel or modify an immediate Article 4 Direction (restricting permitted development rights) under the GPDO for certain classes of development.
- Greater controls to display certain types of advertisement under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

8.9 Paragraphs 6.9-6.19 of this report explain how the Council has discharged its responsibilities under section 71 of the Act to: (1) formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas; (2) consider proposals at a public meeting; and (3) have regard to any views expressed at any public meetings. In addition to the statutory requirements, the Council carried out a 6 week consultation on the proposals and Appendices 1 and 2 set out how the consultations responses have been considered.

8.10 If Cabinet agrees to vary the the boundaries of Bruce Castle and Tottenham Cemetery Conservation Areas, then the Council shall need to give notice of the variations to the Secretary of State and the Historic Buildings and Monuments Commission for England pursuant to sections 70(5) and 70(7) of the Act. It will also need to publish notices in the London Gazette and in at least one newspaper circulating in the borough in accordance with section 70(8).

9 Use of Appendices

Appendix 1: Consultation statement

Appendix 2: List of responses received at consultation

Appendix 3: Map of changes to Conservation Area boundaries for Bruce Castle and Tottenham Cemetery

Appendix 4: Bruce Castle Conservation Area Appraisal and Management Plan

Appendix 5: Tottenham Cemetery Conservation Area Appraisal and Management Plan

Appendix 6: Tower Gardens Conservation Area Appraisal and Management Plan

Appendix 7: Peabody Cottages Conservation Area Character Appraisal and Management Plan

Appendix 8: Planned programme of Conservation Area Appraisal and Management Plans

Appendix 9: Strategic Environmental Assessment / Sustainability Appraisal screening documents

10 Background Documents

- a) Planning (Listed Buildings and Conservation Areas) Act 1990
- b) National Planning Policy Framework (NPPF), February 2019;
- c) Historic England Advice Note 1, Conservation Area Designation, Appraisal and Management, 2019

- d) [LB Haringey Cabinet Report – Consultation on the draft CAAMPS \(November 2018\)](#)