### Control sheet

All of the following actions MUST be completed at each stage of the process and the signed and dated report MUST be passed to Democratic Service for publishing

<table>
<thead>
<tr>
<th>All reports</th>
<th>Name of DSO</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Democratic Services receive draft report</td>
<td>Nick Musgrove</td>
<td>18/1/2010</td>
</tr>
<tr>
<td>2. Democratic Services cleared draft report as being constitutionally appropriate</td>
<td>Nick Musgrove</td>
<td>19/1/2010</td>
</tr>
<tr>
<td>3. Finance clearance obtained <em>(report author to complete)</em></td>
<td>Karen Balam</td>
<td>19/1/2010</td>
</tr>
<tr>
<td>4. Staff and other resources issues clearance obtained <em>(report author to complete)</em></td>
<td>N/A</td>
<td></td>
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<tr>
<td>5. Trade Union response received <em>(Staffing issues only)</em></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>6. Legal clearance obtained <em>(report author to complete)</em></td>
<td>Chileme Hayes</td>
<td>29/1/2010</td>
</tr>
<tr>
<td>7. Policy &amp; Partnerships clearance obtained <em>(report author to complete)</em></td>
<td>Andrew Nathan</td>
<td>21/1/2010</td>
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<tr>
<td>8. Equalities &amp; Diversity clearance obtained <em>(report author to complete)</em></td>
<td>Andrew Nathan</td>
<td>21/1/2010</td>
</tr>
<tr>
<td>9. The above process has been checked and verified by Director, Head of Service or Deputy <em>(report author to complete)</em></td>
<td>Stewart Murray</td>
<td>3/2/2010</td>
</tr>
<tr>
<td>10. Signed &amp; dated report, scanned or hard copy received by Democratic Services for publishing</td>
<td>Jonathan Regal</td>
<td>8/4/2010</td>
</tr>
</tbody>
</table>

### Officer reports:

12. Head of Service informed report is published and can be implemented. Name of DSO Jonathan Regal Date 8/4/2010

### Cabinet Member reports:

13. Expiry of call-in period Date

14. Report circulated for call-in purposes to COSC members & copied to Cabinet & Head of Service Name of DSO Date
**Subject**  
Hampstead Garden Suburb Conservation Area: Appraisal and Management Proposals

**Officer taking decision**  
Director of Planning, Housing and Regeneration

**Cabinet Member(s)**  
Cabinet Member for Planning and Environmental Protection

**Date of decision**  
3 February 2010

**Summary**  
To carry out a public consultation exercise with local residents and other interested parties on the draft Hampstead Garden Suburb Conservation Area Character Appraisal, Management Proposals and revised Design Guidance. This includes the proposed amalgamation of Spaniards End Conservation Area into the wider HGS Conservation Area.

**Officer Contributors**  
Jonathan Hardy – Urban Design & Heritage Team

**Status (public or exempt)**  
Public

**Wards affected**  
Garden Suburb

**Enclosures**  
HGS Conservation Area Character Appraisal, Management Proposals and revised Design Guidance

**Reason for exemption from call-in (if appropriate)**

**Contact for further information:**  
Jonathan Hardy, Urban Design & Heritage Team, 020 8359 4655.
1. **RELEVANT PREVIOUS DECISIONS**

1.1 Hampstead Garden Suburb was designated as a Conservation Area in 1969. A part of the Conservation Area, The Bishops Avenue has its own Character Appraisal which was approved in 1999. That Appraisal will stand and therefore, The Bishops Avenue is not covered by this present Appraisal and Management Plan.

1.2 Hampstead Village (Spaniards End) Conservation Area was formerly within the London Borough of Camden, but was taken into the Borough of Barnet following boundary changes in the mid 1970’s. It is intended that this small area is integrated into the main Hampstead Garden Suburb Conservation Area, which it presently adjoins.

1.3 A recommendation to this effect will be put to the Finchley and Golders Green Area Environment Sub-Committee and Cabinet subject to the results of this consultation exercise.

2. **CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

2.1 The designation of this Conservation Area has helped meet the Council's Corporate Plan priorities and objectives of delivering a Successful City – Suburb, which is Clean, Green and Safe. Conservation area designation accords with the Council’s ‘Three Strands Approach’ of Protection, Enhancement and Growth, and in particular, Strands 1 and 2.

2.2 The Unitary Development Plan (UDP) (Adopted May 2006) includes a number of conservation area policies which seek to preserve and enhance the character and appearance of conservation areas.

2.3 The Local Development Framework (LDF) will replace the UDP and provides the local policy framework for delivering sustainable development in Barnet. It is a folder of separate documents the most important of which is the Core Strategy, which contains the objectives and policies for the Council. Policy CS1 sets out the Three Strands Approach of Protection, Enhancement and Growth and refers specifically to the historic suburban environment of which Hampstead Garden Suburb is a vital component.

3. **RISK MANAGEMENT ISSUES**

3.1 The preparation of a Conservation Area Character Appraisal and Management Proposals is an important part of the process of designation and is referred to in the Borough’s Unitary Development Plan (Adopted 2006). Consultation with local residents and interested groups is considered essential to minimise risks of opposition and ensure ownership and legitimacy to the wider community.

3.2 If consultation is not undertaken in accordance with guidance and best practice on the draft documents there is a risk of late objections to the legitimacy of an adopted appraisal strategy.
3.3 Government and English Heritage guidance reminds Local Authorities of the importance of consultation on conservation area character appraisals, without which there may be increased risk of the LPA’s ability to defend development control decisions or fully perform its statutory duty to preserve and enhance the character and appearance of conservation areas.

4. EQUALITIES AND DIVERSITY ISSUES

4.1 The preservation and enhancement of the Conservation Area, as supported by the Character Appraisal and Management Proposals, will be of benefit to Barnet's diverse local community and the Borough’s rich and diverse heritage. The preparation of the Appraisal and Management Proposals will enhance Barnet's reputation as a good place to work and live.

5. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

5.1 The costs of the consultation exercise will be borne by the Planning, Housing and Regeneration Directorate as part of the approved budgets.

6. LEGAL ISSUES

6.1 The Conservation Area was designated in 1969 by the Council under the 1967 Civic Amenities Act, the forerunner of the Planning (Listed Buildings and Conservation Areas) Act 1990. There is no legal requirement to produce a Character Appraisal, though without this document the council would have a weaker case on planning appeals should it wish to resist development proposals.

7. CONSTITUTIONAL POWERS

7.1 The Council’s Constitution, Part 3, Responsibility for Functions, paragraph 6, Powers Delegated to Officers - authorises Chief Officers to take decisions “…in respect of operational matters within the [relevant] Chief Officer’s sphere of managerial or professional responsibility [which] is not significant in terms of budget or policy”.

8. BACKGROUND INFORMATION

8.1 The importance of the Hampstead Garden Suburb Conservation Area hardly needs re-stating. It is an area of international renown, described by the eminent architectural historian Nikolaus Pevsner as “that most nearly perfect example of the unique English invention and speciality, the garden suburb.” The Conservation Area covers over 1000 acres (400 hectares) and contains over 700 Listed Buildings, nineteen of which are listed Grade II* and two Grade I. It is undoubtedly the most important Conservation Area within the Borough.

8.2 This Conservation Area Appraisal and the accompanying Management Proposals have been produced through a local partnership of the Hampstead Garden Suburb Trust, local residents and the Council and provides an exemplar approach for assessing the character of an historic area. The Trust has led on the organisation of groups of local volunteer residents to undertake the main survey work.
8.3 Given the size of the area and the complexity of the task, it is unlikely that the Council would have been able to identify the necessary resources to complete this Appraisal within the current timescale. The work of the Trust and of local residents has therefore created a situation where this important work could be completed expeditiously. It has also meant that, uniquely, local residents have been directly involved in the process rather than just being consulted on a Council document.

8.4 The Hampstead Garden Suburb Design Guidance, produced jointly by the Council and The Trust in 1994 is also now in need of up-dating and consequently, a revised draft of this document has been produced and will be included in the consultation exercise.

8.5 The conservation area has been divided into 17 different sub-areas and 5 areas of open space to ensure the characteristics of each part of HGS are accurately recorded. Because of the importance of the buildings and the environment, and because of the detail entered into, each sub-area is the equivalent of a whole conservation area, and the overall task of formulating and collating this information into a coherent document has been a massive undertaking.

8.6 The Appraisal defines the special character of the conservation area and identifies those buildings, spaces and other features considered to be important. The Management Proposals outline some of the key issues affecting the conservation area, and set out measures which seek to address them.

8.7 The Character Appraisal and Management Proposals, when adopted, will not only be the Local Planning Authority’s policy document for the area, it will also be adopted by the Hampstead Garden Suburb Trust, reflecting their crucial input. In terms of the Council, the process has been overseen by a Working Party consisting of Councillors, Council Officers, the Trust and English Heritage.

9. PUBLIC CONSULTATION

9.1 The purpose of now consulting with local residents is to allow wider public comment on the documents before seeking formal adoption. The consultation process is recommended by English Heritage in their Guidance Note on the preparation of Character Appraisals ‘to bring valuable public understanding and ownership to proposals for the area.’

9.2 In the absence of formal public consultation, the Appraisal would have less material significance in consideration of development control decisions. Public consultation is thus considered to be an integral part of the process of adopting character appraisal statements. PPG 15 (Planning and the Historic Environment) indicates that the more clearly the special architectural or historic interest of a Conservation Area is defined and recorded, the sounder will be the basis for local plan policies and development control decisions.

9.3 The public consultation exercise will be for a period of 28 days between 22nd February and 22nd March 2010. The views of all Suburb residents will be sought. The draft documents will be available at the Trust offices, the Garden Suburb library, the mobile library and at Barnet House Planning Reception. They will also be accessible on-line. A small exhibition of related photographs and maps will simultaneously be held at the Trust offices between 1st – 13th March.
10. **ARTICLE 4 DIRECTION, BOUNDARY CHANGES AND BUILDINGS OF IMPORTANCE**

10.1 The existing Article 4 Direction is proposed to be updated to reflect current legislation in the General Permitted Development Order 2008 and two areas, (Spaniards End and a small number of houses on Hampstead Lane/Winnington Road), will have new controls introduced for the first time. This will protect against alterations to houses and their settings which could adversely affect the character and appearance of the conservation area, whilst also ensuring that controls over permitted development are applied consistently.

10.2 It is also proposed to make additions to the Council’s Local List of Buildings of Architectural and Historic Interest and to identify other buildings which are considered to make a positive contribution to the distinctive character and appearance of the conservation area. These buildings are shown on the Character Appraisal maps along with key views and focal points. The formal recognition of the importance of these buildings throughout the conservation area will assist the Council in carrying out its statutory responsibilities and defending its decisions when determining planning applications.

10.3 The proposed amalgamation of Spaniards End Conservation Area into the wider Hampstead Garden Suburb CA will regularise the boundary which presently runs through the centre of a number of houses and gardens for no apparent reason.

11. **NEXT STEPS**

11.1 The results of the consultation exercise together with the draft Character Appraisal, Management Proposals and revised Design Guidance will be set out in a future Officer In consultation with Cabinet Member DPR with a view to approving the documents. Any decisions made under delegated powers will be reported to the next available Finchley and Golders Green Area Environment Sub-Committee for their information. The proposed amalgamation of Spaniards End conservation area within the wider HGS conservation area, will however, be required to be reported to the F&GG Area Environment Sub-committee for consideration and then to Cabinet for decision, as required under the Council’s standing orders.

12. **LIST OF BACKGROUND PAPERS**


12.2 These documents will be available during the consultation process at the locations set out in paragraph 9.3. Any person wishing to inspect the papers listed should telephone 020 8359 4655.

13. **CONSULTATION WITH CABINET MEMBER(S)**

13.1 The Cabinet Member for Planning and Environmental Protection has been consulted.
14. OFFICER’S DECISION

I authorise the following action:

14.1 For the draft Hampstead Garden Suburb Conservation Area Character Appraisal, Management Proposals and revised Design Guidance to be the subject of a consultation exercise with local residents and other interested parties. To consult with local residents on the proposed amalgamation of Spaniards End Conservation Area within the HGS Conservation Area.

Signed Stewart Murray  
Director of Planning, Housing and Regeneration  
Date 3 February 2010