



Cabinet Decision

28 May 2024

**Report from the Corporate Director,
Neighbourhoods & Regeneration**

**Lead Member - Cabinet Member for
Regeneration, Planning & Growth
(Councillor Shama Tatler)**

Review of Brent's Conservation Areas

Wards Affected:	Brondesbury Park, Cricklewood & Mapesbury, Harlesden & Kensal Green, Kenton, Kingsbury, Northwick Park, Queen's Park and Willesden Green.
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	<p>Appendix A: Proposed Kensal Rise Conservation Area map.</p> <p>Appendix B: Proposed boundary extension maps to Brondesbury, Harlesden, Mapesbury, Queen's Park and Willesden Conservation Areas and the Reduction to boundary for Buck Lane.</p> <p>Appendix C: De-designation of Sudbury Cottages maps.</p> <p>Appendix D: Northwick Circle removal of Article 4 map.</p> <p>Appendix E: Immediate and non-immediate Article 4 maps</p> <p>Appendix F: Character Appraisals</p> <p>Appendix G: Summary of representations</p>
Background Papers:	<p>Review of Brent's Conservation Areas</p> <p>Brent's Historic Environment Placemaking Strategy, May 2019</p>
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1.0 Executive Summary

- 1.1. To consider representations received to a consultation upon, and approve changes to, Brent's conservation areas including de-designation, extension to boundaries and designation (noting results of consultation) and associated making of and removing Article 4 Directions.

2.0 Recommendation(s)

2.1 That Cabinet Approve:

- a) the designation of the Kensal Rise Conservation Area (as shown on the boundary map Appendix A).
- b) the extension of the boundary to the Brondesbury Conservation Area, the Harlesden Conservation Area, the Mapesbury Conservation Area, the Queen's Park Conservation Area and the Willesden Green Conservation Area (as shown on the boundary maps in Appendix B).
- c) the reduction to the boundary of the Buck Lane Conservation Area and the de-designation of the Sudbury Cottages Conservation Area (as shown in Appendix C).
- d) the removal of Article 4 Directions from the Northwick Circle Conservation Area and the Sudbury Cottages Conservation Area (as shown in Appendix D).
- e) the making of immediate or non-immediate Article 4 Directions (as required) as shown in Appendix E.
- f) the accompanying character appraisals for each area replacing the existing appraisals as required (Appendix F) subject to any necessary minor changes, such as grammatical errors being addressed.
- g) consultation on an extension to the Willesden Green Conservation Area boundary to include 126 to 148 Brondesbury Park and delegate the decision on whether to confirm to the Corporate Director of Neighbourhoods and Regeneration.

3.0 Detail

Cabinet Member Foreword

- 3.1 Historic buildings and conservation areas are important to the environmental sustainability and the quality of life. They play a pivotal role in safeguarding the assets and landmarks that represent the richness of Brent's unique identity and charm. Preserving existing buildings is a practical solution, and retrofitting offers a viable and advantageous alternative to new construction. Residents are therefore generally in favour of retention and enhancement of local character

and distinctiveness. Such areas are also often the best in conserving ecosystems, biodiversity and halting climate change.

- 3.2 Local planning authorities have a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990, to determine and review which parts of their area are of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance, and to designate such areas as conservation areas. Such management of our conservation areas is essential if we are to provide efficiency of resources and make positive changes to our local communities on many of the issues that matter such as where they live.
- 3.3 The designation of a conservation area creates a precautionary approach to the demolition or alteration of buildings (and the felling & pruning of trees) which is managed through the planning application process. It also comes with the additional, potential benefit of creating a unique sense of place-based and place-making identity, encouraging community cohesion, good design and promoting regeneration. It ensures sustainability is central to the growth of our borough and local economy. The consultation on the conservation area review has involved local residents, consultees and residents' associations. The new boundaries will come with further guidance on planning matters to help residents. The proposals also advocate the better management of resources by recommending de-designation and relaxation of Article 4 Directions.
- 3.4 Conservation areas also make people feel part of the community helping our streets to be cleaner and healthier. It is widely recognised that in most cases total demolition uses more carbon than the retention, renovation and retrofitting. Trees of course are the ultimate carbon capture and storage machines. This is supported by Brent's Climate Emergency Strategy 2021-2030 which advocates the need to reduce emissions from building and construction both the operational emissions and the embodied carbon. This is important if Brent is to meet its target of being net zero carbon by 2030. A number of the proposals include town centres where good design will create stronger partnerships to ensure our high streets, businesses and local organisations are able to thrive.

Background

- 3.5 A survey of Brent's existing conservation areas was last undertaken in 2004. This led to the de-designation of 10 conservation areas. However, the survey did not consider or review the boundaries of the existing conservation areas, nor was there a full survey of the borough to consider if other areas merit designation. A review is therefore required to reappraise existing boundaries, de-designate areas if necessary, and assess the merits of potential new areas which may have been overlooked.
- 3.6 Such reviews are a statutory requirement under Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which directs local planning authorities to review their conservation areas from time to time. A review was also recommended by Brent's Historic Environment Placemaking Strategy (2019) which was prepared to support the Brent Local Plan.

- 3.7 The following conservation areas were identified in the Historic Environment Placemaking Strategy as priority for a boundary review.

Conservation area	Date designated	Ward	Action
Brondesbury	1990	Brondesbury Park	Addition to boundary
Buck Lane	1979	Kingsbury	Reduction to boundary
Harlesden	1994	Harlesden & Kensal Green	Addition to boundary
Kensal Rise (Proposed)		Queen's Park	New Conservation Area
Mapesbury	1982	Cricklewood & Mapesbury	Addition to boundary
Northwick Circle	1989	Kenton	Reduction to boundary
Queen's Park	1986 & 1995	Queen's Park	Addition to boundary
Sudbury Cottages	1993	Northwick Park	De-designate
Willesden	1993	Willesden Green	Addition to boundary

- 3.8 On 8th January 2024, the Cabinet Member for Regeneration, Planning and Growth approved consultation on the review and the proposed changes to Brent's conservation areas.
- 3.9 The assessment and identification of conservation areas is informed by the use of detailed character appraisals. Conservation area character appraisals identify and describe which buildings and features contribute to the special architectural or historic interest of the designated area. They form background documents setting out the history and character, as well as the significance of the conservation area. Ultimately, they distinguish what makes an area 'special', meriting designation. They can also be used to determine if an area still justifies conservation status and thus if it should be rationalised or de-designated.
- 3.10 The character appraisals for the conservation areas under review (listed in the table at 3.7 of this report) can be viewed via weblinks in Appendix F. In addition to the assessment and significance of the conservation area and its boundary, these documents also contain the proposed boundary map. Furthermore, they explain what a conservation area is, what it means if your property is within a conservation area as well as an explanation and the use of Article 4 Directions. With the exception of the Harlesden Conservation Area, they will replace the existing conservation area appraisals.

Consultation and representations

- 3.11 Consultation on the individual conservation area appraisals and their proposed boundaries was for six-weeks and involved 'drop-in' sessions at local Hubs/libraries.
- 3.12 The consultation responses, public engagement and representations received for each conservation area has informed the final recommendations for de-designation, extension to boundaries and designation. An overall summary of the results of the consultation survey can be seen at section 3.13 of this report. A full summary of the representations made on the consultation as well as an officer response may be viewed in Appendix G. Where appropriate,

representations related to each of the conservation areas are also set out in this report.

- 3.13 A total of 194 representations were received from local residents, residents' groups and statutory consultees. This was made up of 36 email and written responses, and 158 survey responses (approximately 80% of which came via the online survey).
- 3.14 The online survey disclosed that residents in Buck Lane and Northwick Circle areas for de-designation, that 26% were in favour and 36% against. For the new Kensal Rise and extensions to boundaries, 48% were in favour and 31% were against. For the de-designation of Sudbury Cottages, 10% were in favour and 9% against.

Summary of review of consultation results and recommendations for each conservation area

- 3.15 The results of the consultation and representations received in relation to each area as well as advice from Historic England (a statutory consultee) together with a discussion follows. It ends with a recommendation for each conservation area.

Brondesbury Conservation Area: extension to boundary

- 3.16 A map in Appendix B shows the existing Brondesbury Conservation Area boundary, the proposed extension and the bordering areas which have been considered but have been dismissed.

Discussion and results of consultation

- 3.17 The results of the online survey, conversations at the drop-in sessions and the consultation reveal that residents in the proposed areas who commented on the proposals and statutory consultees are in full support of the extensions as recommended in the Brondesbury Conservation Area Character Appraisal, and any related efforts to preserve and protect the original architecture and character of these streets.
- 3.18 Historic England is content for the Council to designate the area as proposed. It agrees that the proposed extensions predominantly encompass decorative Victorian Villas which are of similar quality to those included within the existing conservation area boundary and as such are of similar heritage significance.

Recommendation

- 3.19 It is therefore recommended to extend the Brondesbury Conservation Area to include properties in Cavendish Road and Chatsworth Road as shown on the boundary map in Appendix B. This will also require an associated non-immediate Article 4 direction addressing the same permitted development rights as the current conservation area.

Buck Lane Conservation Area: reduction to boundary

- 3.20 A map in Appendix C shows the existing Buck Lane Conservation Area boundary and the areas proposed to be removed from the current designation.

Discussion and results of consultation

- 3.21 The results of the online survey, conversations at the drop-in sessions and the consultation have determined that residents in Pear Close supported the reduction in the conservation area boundary. They felt that the houses on Pear Close have no significant architectural features and do not align to the original architect's quirky designs.
- 3.22 However, residents in Buck Lane and Hay Lane were opposed to the de-designation of their roads. Residents recognised that the houses were not as architecturally significant as the Trobridge properties, nevertheless, they felt that the ones in Buck Lane had attractive quoining detailing and provided a good grouping/backdrop to the conservation area. On Hay Lane they believed that the deep verdant front and back gardens contribute to the hillside setting of the conservation area.
- 3.23 Historic England supported the removal of buildings not attributed to the Trobridge and of noticeably less architectural merit. The approach is consistent with the NPPF requirement to ensure that conservation areas have sufficient merit to warrant designation.
- 3.24 Although the properties on Buck Lane and Hay Lane are not designed by Trobridge, they do provide a charismatic and sensible backdrop to the conservation area. It is also true that the potential loss of the verdant character and hillside setting provided by the gardens in Hay Lane could devalue the conservation area.

Recommendation

- 3.25 Given the resident feedback, it is only recommended to de-designate Pear Close as shown on the boundary map in Appendix C. The Council's Tree Officer will assess whether any of existing trees in Pear Close warrant a Tree Preservation Order (TPO) following de-designation. The current Article 4 Direction for the area will need to be removed.

Harlesden: extension to boundary

- 3.26 A map in Appendix B shows the existing Harlesden Conservation Area boundary, the proposed extension and the areas which have been considered but have been dismissed.

Discussion and results of consultation

- 3.27 The results of the online survey, conversations at the drop-in sessions and the consultation have determined that property owners and residents who

commented on the consultation do not object to the proposed extensions to the Harlesden Conservation Area. The designation of this part of Harlesden will help bring improvements to the area and preserve local shops and business that make up the unique character of the area.

- 3.28 The Harlesden Neighbourhood Forum supports the extensions. It noted that the document was clear and provided useful summaries of the existing conservation area as well as details of the proposed extension.
- 3.29 Historic England supports the extensions because they reflect the scope of the recent High Street Heritage Action Zone, which recognised the historic interest and townscape quality of the wider area. It considers that the proposed extensions to the boundary will help safeguard the heritage significance of Harlesden town centre.

Recommendation

- 3.30 It is therefore recommended to extend the Harlesden Conservation Area to include the properties proposed in Craven Park Road, Manor Park Road and Park Parade as shown on the boundary map in Appendix B.

Kensal Rise: proposed new conservation area

- 3.31 A map in Appendix A shows the extent of the proposed Kensal Rise Conservation Area as well as other areas considered but dismissed as lacking in the same architectural and historic interest.

Discussion and results of consultation

- 3.32 The results of the online survey, conversations at the drop-in sessions and the consultation have determined that property owners and residents who commented on the proposals are generally in support of the proposed Kensal Rise Conservation Area. There was overall agreement that the late Victorian properties along Chamberlayne Road were the most attractive and unique for this area. Most pointed out that the area was worth preserving including Station Terrace, Clifford Gardens and the Church.
- 3.33 There was concern over restrictions and management particularly over roof extensions and renewable or low carbon installations. Although conservation area designation means some extra planning controls and considerations, these exist to protect the historic and architectural elements which make a place special and unique. Many alterations in a conservation area are permitted development such as PV panels and heat pumps or acceptable in planning terms if installed/extended in a certain way.
- 3.34 The Kensal Rise Residents' Association (KRRRA) supports the proposals. It argued that the buildings in question were not merely structures; they are important historical assets that contribute significantly to the cultural fabric of the Kensal Rise area and the wider Brent. It considers their preservation is vital in maintaining the heritage and character that defines the neighbourhood.

- 3.35 In addition to offering its support to the proposals, KRRA proposed that since these important assets are located within the Queen's Park Ward, which comprises Kensal Rise and Queen's Park, it would be fitting to house the Ward's conservation areas under one umbrella and rename it the Kensal Rise and Queen's Park Conservation Area', abbreviated 'KRQP Conservation Area'.
- 3.36 However, for several reasons, it is not recommended to amalgamate the two areas and rename them as the 'Kensal Rise and Queen's Park Conservation Area'. Kensal Rise is a distinct town centre which is predominantly commercial and retail in character with a distinctly different architectural style to the residential terraces and character of Queen's Park. It would become quite a large conservation area to manage with different planning management policy.
- 3.37 Historic England supports the new Kensal Rise Conservation Area. It considers that there is clear justification for the proposed designation of the conservation area, pointing out that the townscape is a surprisingly complete collection of Victorian/Edwardian buildings and the summary report sets out a strong case for designation as a conservation area.

Recommendation

- 3.38 It is recommended to designate the Kensal Rise Conservation Area to include the properties proposed on the boundary map in Appendix A. This will also require an associated Article 4 direction addressing the same permitted development rights as applies in the Queen's Park conservation area.

Mapesbury: extension to boundary

- 3.39 The map in Appendix B shows the existing Mapesbury Conservation Area boundary, the proposed extension and the areas which have been considered but have been dismissed.

Discussion and results of consultation

- 3.40 The results of the online survey, conversations at the drop-in sessions and the consultation reveal that the residents in the proposed new areas who commented on the proposals and statutory consultees are in full support of the extensions as recommended in the Mapesbury Conservation Area Character Appraisal.
- 3.41 Residents were generally in support agreeing that the façades of the commercial blocks and the trees outside are important to the character of the area and should be protected.
- 3.42 Historic England supported the proposals as they would incorporate properties of similar scale and appearance to the existing conservation area.

Recommendation

- 3.43 It is recommended to extend the conservation area to include properties in Chichele Road, Sheldon Road and Cricklewood Broadway as shown on the boundary map in Appendix B. This will also require an associated Article 4 direction for the properties not on Cricklewood Broadway (which are commercial) addressing the same residential permitted development rights as the current conservation area.

Northwick Circle: reduction to boundary

- 3.44 A map in Appendix D shows the existing Northwick Circle Conservation Area boundary and the areas which under the consultation, were proposed to be de-designated.

Discussion and results of consultation

- 3.45 The results of the online survey, conversations at the drop-in sessions and the consultation reveal that most residents who commented on the proposals were not in favour of the reduction. Many felt that even with unsympathetic modifications, there remains a core of architecturally coherent streets. Some of the houses still have much character and together with the trees in the conservation area provide coherent whole worthy of protection from demolition, large extensions and redevelopment.
- 3.46 First suggested at the drop-in sessions, an alternative solution could be reached whereby certain Article 4 Directions (for windows, doors and works to front gardens) be removed for those parts of the conservation area that were proposed to be taken out, but the conservation area boundary (as designated) remains. This suggestion was followed up by individual requests on the online survey and a petition signed by 56 residents from Briar Road, Draycott Avenue, Greystone Gardens, Lapstone Gardens and Winchfield Close.
- 3.47 The Northwick Park Residents Association endorsed the alternative which it considered would maintain the thematic integrity of the area while allowing for some relaxation in certain Article 4 Directions to facilitate easier management and garner resident co-operation.
- 3.48 Historic England supported the de-designation noting that some of the properties are relatively common 1930s suburban designs better illustrated in other conservation areas. It also noted that the erosion of historic features illustrates the need for positive management and clear policies in respect of conservation areas.

Recommendation

- 3.49 After careful consideration, it is recommended to retain the existing Northwick Circle Conservation Area (as designated) and as shown on the boundary map in Appendix D but remove the Article 4 Directions for front doors, windows and works to front gardens for parts of the conservation area that were previously considered would be appropriate for removal in the Draft Character Appraisal.

Queen's Park: extension to boundary

- 3.50 The map in Appendix B shows the existing Queen's Park Conservation Area boundary, the proposed extension and the areas which have been considered but have been dismissed.

Discussion and results of consultation

- 3.51 The results of the online survey, conversations at the drop-in sessions and the consultation reveal that most residents who commented on the proposals were in favour of the extension. They particularly welcomed the inclusion of Lonsdale and Salusbury Roads.
- 3.52 In addition, there was much support for an extension to the Queen's Park Conservation Area to cover Wrentham Avenue, Dundonald Road, Crediton Road and Okehampton Road. However, as argued in the Character Appraisal, the properties have been found to be too altered for extension to the Queen's Park Conservation Area and there would be concern that this would weaken its special interest. For example, over half the properties on Dundonald Road have full-width rear dormers (some of which extend onto the outrigger). Crediton Road is much the same. Wrentham Avenue fairs better for rear dormers but over half the front gardens have been lost for the parking of cars.
- 3.53 Queen's Park Area Residents' Association (QPARA) overwhelmingly support the revised boundaries set out in the consultation document. There was general appreciation of the work presented in the consultation document and the general thrust of the proposals. It also supported the relocation of Honiton and Lynton Roads from the Kilburn Conservation Area to the Queen's Park Conservation Area. QPARA agreed that Hartland Road, the western end of Victoria Road and Brondesbury Road should not be included.
- 3.54 Historic England supports the proposals. It agreed with the inclusion of Salusbury Road and commercial high street because they include attractive terraces, commercial and institutional buildings which contribute positively to the character and appearance and enhance the significance of the existing conservation area. There was full support for Lonsdale Road given the unusual survival of smaller scale terraces and workshops.

Recommendation

- 3.55 It is recommended to extend the conservation area to include properties in Chevening Road, Lonsdale Road, Salusbury Road and Winchester Road as shown on the boundary map in Appendix B. It is also recommended to include the properties in Honiton Road, Lynton Road and Donaldson Road as shown on the boundary map in Appendix B. This will also require an associated Article 4 direction addressing the same permitted development rights as the current conservation area (excluding the parts transferred from Kilburn where the existing Article 4 will remain effective).

Sudbury Cottages: de-designate

- 3.56 The boundary map in Appendix C shows the extent of the Sudbury Cottages Conservation Area which it is proposed to de-designate.

Discussion and results of consultation

- 3.57 The results of the online survey, conversations at the drop-in sessions and the consultation reveal that most residents who commented on the proposals were in favour of de-designating the Sudbury Cottages Conservation Area. They were also in support of ensuring that the old cottages were protected from demolition and that trees were maintained in the area. However, it should be noted that all the important trees are already protected by Tree Preservation Orders (TPOs).
- 3.58 Historic England supported the de-designation. It pointed out that Character Appraisal illustrates that there is little rural character remaining in the area (the extent to which this could be considered to be identifiable at the time of designation is in itself noted as questionable). In its view, the remaining interest of the area is best illustrated by local designations and the Tier 2 Archaeological Priority Area.

Recommendation

- 3.59 De-designation is recommended for the Sudbury Cottages Conservation Area as shown on the boundary map in Appendix C. Protection over demolition and alteration on the architecturally and historically significant cottages (which are locally listed) will remain by the use of immediate Article 4 Directions. The Article 4 direction that is no longer relevant will also need to be removed.

Willesden Green: extension to boundary

- 3.60 The map in Appendix B shows the existing Willesden Green Conservation Area boundary, the proposed extension and the areas which have been considered but have been dismissed.

Discussion and results of consultation

- 3.61 The results of the online survey, conversations at the drop-in sessions and the consultation reveal a divided response from residents who commented on the proposals for the proposed extensions to the conservation area. There was much support, mainly from residents within Dean Road, who felt the area had a rich heritage with many buildings of architectural interest. However, others, mainly from Brondesbury Park, suggest that the designation will make no difference as many of the properties have not preserved the original Victorian appearance. They were concerned that this will create further issues for residents and landlords. They were also concerned about the additional cost burdens that a conservation area imposes, for example, the requirement for planning permission to change windows or to construct an outbuilding. Nevertheless, at a drop-in session, there was discussion around the inclusion of 126 to 148 Brondesbury Park because these properties were similar in

architectural style to those recommended for inclusion alongside and just as well preserved.

- 3.62 The character appraisal which informed the proposed extensions to Willesden Green looked at the surrounding streets and has only recommended inclusion of those properties which clearly demonstrate that they have special architectural and/or historic interest. It is clear that the properties in Brondesbury Park have architectural significance, the character and appearance of which it is desirable to preserve or enhance. Furthermore, the properties identified at the drop-in session are obviously as architecturally important and significant but were missed in the initial assessments.
- 3.63 Whilst it is acknowledged that conservation area status will lead to additional restrictions for properties within the area, this does not preclude development in-principle (particularly where it can be demonstrated that it will not cause harm). It will give heightened protection to the identified architectural and/or historic interest of these areas and will allow careful improvements to be made. It will also attract investment into the historic housing stock.
- 3.64 Historic England supports the conservation area extensions. It agreed that the proposed extensions encompass attractive, decorative, late Victorian housing and mansion blocks of similar quality to those already identified within Willesden and its neighbouring conservation areas. As such, the proposals appear justified and will enhance the existing character and appearance of the conservation area.

Recommendation

- 3.65 Designation is recommended for the extensions to the Willesden Green Conservation Area, particularly for Dean Road, Brondesbury Park, Staverton Road and Rutland Park and as shown on the boundary map in Appendix B. Consultation is also recommended on a further extension to the Willesden Green Conservation Area boundary to include 126 to 148 Brondesbury Park and delegate the decision on whether to confirm to the Corporate Director of Neighbourhoods and Regeneration.

Conclusion

- 3.66 The conservation area review has been subject to extensive consultation and representations received have been fully considered. Consultation and engagement is an integral part of the process of managing conservation areas.
- 3.67 The consultation exercise showed significant support for the designation of the Kensal Rise Conservation Area. It also showed support for extensions to the Brondesbury, Harlesden, Mapesbury, and Queen's Park Conservation Areas. In Willesden Green there was less support for the properties in Brondesbury Park to be included.
- 3.68 Furthermore, the consultation exercise showed significant support for the de-designation of the Sudbury Cottages Conservation Area and a reduction in the

boundary for the Buck Lane Conservation Area (Pear Close). Residents wished to keep the status for the Northwick Circle Conservation Area but relax a number of Article 4 restrictions to the front of the properties in the roads surrounding the circle.

Areas of Distinctive Residential Character - amendments

- 3.69 The adopted Brent Local Plan Policies Map currently includes a number of Areas of Distinctive Residential Character. These cover parts of the borough that were identified in Brent's Historic Environment Placemaking Strategy, May 2019 as having the potential for conservation area status, prior to a fuller formal analysis and consultation consistent with statutory requirements. This was to afford them some potential additional protection in advance of review of that potential. As a result of the review of conservation areas set out in this report for some parts of the borough these now need to be removed from the policies map as a factual update. Some parts will be replaced by conservation area status, others which have been considered as part of the conservation area appraisals, but discounted will need to be removed. This will provide clarity on their status, retaining areas considered not worthy of conservation area status could create unrealistically high levels of protection that the Council could afford them, and also divert heritage officer time from assets of a greater significance.

Next steps

- 3.70 Following designation and de-designation of the conservation areas, and as required by the Planning (Listed Buildings and Conservation Areas) Act 1990, a notice will be placed in the London Gazette for each conservation area and in two local newspapers. The Secretary of State and Historic England will need to be informed of the designation and de-designations. The Council has also to register the designations as a land charge.
- 3.71 There is no formal duty under the Act to notify current owners or occupiers individually, but letters will be sent to all those that were subject of the consultation. Further consultation will be required on the Article 4 Directions (minimum of 6 weeks) and as appropriate. Consideration of responses and whether to confirm the Article 4s if uncontentious can be delegated decision by the Corporate Director, Neighbourhoods and Regeneration.
- 3.72 The new character appraisals will replace the existing character appraisals apart from Harlesden where it will be necessary for two to be retained. The Council's website will be updated to explain the results of the consultation and the new boundaries. It will also be updated with further planning guidance.

Options

- 3.73 There are various options open to the Council:
- a) Commence the amendments to the conservation areas with associated changes to the related Article 4 Directions, taking account of consultation, as recommended in this report.

- b) Do not make the amendments to the conservation areas with associated changes to the related Article 4 Directions, taking account of the consultation.
- c) Amend the conservation area boundaries, but do not undertake the Article 4 Directions.
- d) Amend the conservation area boundaries, with associated changes to the related Article 4 Directions, but do not take into account the owner's views on the Northwick Circle Conservation Area and those relating to Buck Lane.

3.74 The Council is duty-bound to review existing conservation area boundaries and the potential for new conservation areas. Where such areas are identified that meet the criteria to be within a conservation area, it is a statutory requirement under Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which directs local planning authorities to review their conservation areas from time to time.

3.75 The Council assessed the new conservation area in Kensal Rise and the extensions to the boundaries as well as the recommended de-designations against selection criteria that were recommended by Historic England. This was following recommendations in the Historic Environment Placemaking Strategy 2019. The proposals have the support of Historic England and the boundaries drawn-up in consultation with local residents' associations.

3.76 Not designating the Kensal Rise Conservation Area and extending the other boundaries will mean the Council will be neglecting its statutory duty. There is also a risk that currently well preserved areas of the Borough could be compromised through development that does not require planning permission. Likewise, not placing the appropriate Article 4 Directions in these areas will likely mean a dilution of architectural significance as well as the reason for designation.

3.77 In consulting owners and residents on new designations, and when appraising and reviewing conservation area boundaries, consideration can be given to relevant information that either might present, helping to ensure decisions are robust. Owners and residents are also helpful in providing proactive assistance in identifying the general areas that merit conservation area status (or not) and defining the boundaries. They can therefore add depth and a new perspective to the local authority view.

4.0 Stakeholder and ward member consultation and engagement

4.1 Consultation and engagement is an integral part of the process of managing conservation areas. It is a statutory duty under Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to publish proposals for the preservation and enhancement of conservation areas and consult the public in the area in question.

- 4.2 Consultation was undertaken in accordance with the Council's Statement of Community Involvement (SCI) and included a minimum six-week period; placing notices in prominent locations within the areas (at least one on each affected street); writing to each property in the area notifying them of the consultation, how to make representations and the deadline for these and undertaking 'drop-in' sessions at the relevant local Hub/library.
- 4.3 The consultation was also advertised on the Council's website and notifications sent to relevant Residents' Association's, statutory consultees and those on the Local Plan consultation list. The documents were made available in Brent Council libraries.
- 4.4 Ward members were notified directly of the proposals and notified via the Members' Information Bulletin. Some ward Councillors have been directly involved in discussions with residents and resident's associations.

5.0 Financial Considerations

- 5.1 The designation of the new and amended conservation areas will be undertaken using existing budget and resources within the Service.

6.0 Legal Considerations

- 6.1 The Council has the legal powers for this course of action. Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local planning authorities 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 to designate those areas as conservation areas.
- 6.2 Section 69(2) places a duty on local planning authorities from time to time to review the past exercise of functions under this section and to determine whether any parts or further parts of their area should be designated as conservation areas, and if they so determine, to designate those parts accordingly. The present proposals arise out of this duty.
- 6.3 Whilst the Council's decision to carry out the review in accordance with Section 69(2) is unlikely to be challenged, should the Cabinet approve amendments to the respective conservation areas with associated Article 4 directions, those aggrieved could decide to challenge the decision(s) to amend the conservation areas by way of judicial review within 6 weeks of the respective decisions.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

- 7.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have 'due regard' to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

7.2 There are no detrimental impact to groups with protected characteristics under the Equality Act 2010. There are no health equalities implications.

8.0 Climate Change and Environmental Considerations

8.1 Conservation area designation does not prevent property owners from improving the energy efficiency of their homes or contributing towards net zero. The energy and carbon performance of most historic buildings can be improved, which will help them remain sustainable in the future. Successful retrofitting takes into account the construction of the building and ensures the aesthetic character is maintained. There is no reason why historic buildings in conservation areas cannot be powered by renewable sources and be resilient to future adverse weather events caused by climate change.

8.2 Conservation area policy within Brent's Local Plan promotes reuse, adaption and sustainability as well as protecting the natural environment, and as a result, reduces emissions from building and construction. Heritage policies prevent significant buildings from being demolished and the felling of trees, but it is widely recognised that total demolition uses more carbon than the retention, renovation and retrofitting. This is supported by Brent's Climate Emergency Strategy 2021-2030 which advocates the need to reduce emissions from building and construction both the operational emissions and the embodied carbon. It is important if Brent is to meet its target of being net zero carbon by 2030. It is also worth remembering that many works of retrofitting to improve energy efficiency and reducing carbon emissions are permitted development in conservation areas and therefore do not require planning permission.

9.0 Communication Considerations

9.1 People generally like conservation areas and are supportive of their designation. However, there are a minority of residents who do not support the proposed extensions and new designations. It must be remembered that the Council has a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990, to determine and review which parts of their area are of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance, and to designate such areas as conservation areas. The proposed designations have been assessed through character appraisals and are supported and advocated by the local resident associations as well as being endorsed by Historic England.

9.2 The designation of a conservation area does not mean every building will be preserved and no changes allowed. Many alterations are permitted

development such as PV panels and heat pumps or acceptable in planning terms if installed/extended in a certain way. It is a key element of enhancing the overall quality of the built environment in Brent. As with design review, it helps raise standards in new developments and placemaking which often make reference to the existing when setting the rationale for the design of their developments. Designation helps ensure changes respect the area's character and appearance. Such areas are also often the best in conserving ecosystems, biodiversity and halting climate change.

- 9.3 There are residents who want other areas designated. While there are lots of streets that display some level of architectural or historic interest, we must be mindful of paragraph 197 of the NPPF which states that 'local planning authorities should ensure that an 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'.

Report sign off:

Alice Lester

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