

# Licensing and Planning Policy Committee

## LOCAL LISTING: HORTON CEMETERY

<b>Head of Service:</b>	Viv Evans, Head of Planning
<b>Wards affected:</b>	Court Ward
<b>Urgent Decision?</b>	No
<b>If yes, reason urgent decision required:</b>	
<b>Appendices (attached):</b>	<b>Appendix 1</b> - Report of Conservation and Design Officer following site visit of 26 October 2020 <b>Appendix 2</b> - Historic Analysis by SR Historic Environment Ltd for The Friends of Horton Cemetery, 21 September 2020 <b>Appendix 3</b> – List Description

### Summary

This report proposes that a public consultation be undertaken with a view to the designation of Horton Cemetery as a locally listed heritage asset.

### Recommendation (s)

#### The Committee is asked to:

- (1) **Agree to undertake a public consultation on the proposed addition of Horton Cemetery to the local list of heritage assets.**

### 1 Reason for Recommendation

- 1.1 Horton Cemetery is a disused cemetery with historic significance for its association with the Epsom hospitals and asylums. It was used during the first half of the twentieth century, but was abandoned in the 1950s.
- 1.2 When it was in use, the cemetery was landscaped and maintained with an avenue of trees and planting. It has not been used since the 1950s and has now become a feral wilderness, with its chapel and gravestones all removed. The only remaining original evidence of the site is the boundary fence and a number of original, but now overgrown trees.

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- 1.3 Whilst it is in private ownership, the cemetery would benefit from some form of maintenance and inspection to ensure it is secure in the future and to determine its potential as an area of natural wilderness or as a natural amenity environment.
- 1.4 In terms of the cemetery's planning constraints, it lies within the Metropolitan Green Belt and is covered by an Area Tree Preservation Order. It is not in a conservation area.

## 2 Background

- 2.1 Local listing is most often associated with buildings or other structures such as walls and bollards; however, the process applies equally to other heritage assets. Historic England's guidance - *Local Heritage Listing: Identifying and Conserving Local Heritage* states that:

“Although local heritage lists have long been developed successfully for buildings, all heritage asset types, including monuments, sites, places, areas, parks, gardens and designed landscapes may be considered for inclusion.”

- 2.2 Local planning authorities should maintain or have access to an historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:
  - a) Assess the significance of heritage assets and the contribution they make to their environment; and
  - b) Predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.
- 2.3 The present overgrown state of the cemetery is of some cause for concern and there have been approaches made to the Council to request that actions be taken to protect and consider its future. Notably, The Friends of Horton Cemetery have produced a report on its history and condition, with recommendations for its future. A copy of this report is annexed to this report.
- 2.4 For the Council, local listing would aid in the protection of the site from development which could be harmful to its historic significance. This significance is particularly relevant to its context as part of the Hospital Cluster of Conservation Areas. Locally listing it would recognise this association, without designating a completely new conservation area.

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- 2.5 A recent press article implies that a housing development could be proposed on the site and there have been concerns expressed about this from The Friends of Horton Cemetery. However, no record of any such development proposals can be found. There have been no enquiries or any planning applications submitted for the site for at least the last 10 years. Development of the site would also be difficult as it is in the Green Belt and, as a cemetery, it would probably require extensive exhumations and a need to justify the loss of trees and other flora and fauna species on the site.
- 2.6 It is more likely that the cemetery would be developed as an amenity landscape and its local listing would help ensure that any such development would respect the historic significance of the cemetery.
- 2.7 Having regard to the above considerations, it is recommended that a public consultation be undertaken, including with the owner of the site, with a view to including the cemetery on the Council's local list of heritage assets.

## **3 Risk Assessment**

Legal or other duties

### **3.1 Impact Assessment**

- 3.1.1 Provision is made for the local listing of buildings and sites of heritage significance in the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **3.2 Crime & Disorder**

- 3.2.1 There is evidence of some limited use of the site with discarded rubbish and potential anti-social activity may take place there. Any future management plan for its improved accessibility must take account of the prospect of this anti-social behaviour increasing.

## **4 Financial Implications**

- 4.1 There should be no financial implications for the Council of the proposed local listing unless it later decides to be involved in a conservation project on the site. However, the extent of any such costs would depend on the nature of the project undertaken.
- 4.2 There is no requirement for the Council to be involved in locally listed buildings over and above what is required by the National Planning Policy Framework, which gives guidance on these listings and on what considerations the Council should give to planning applications that affect listed buildings.

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4.3 **Section 151 Officer's comments:** None arising from the contents of this report.

## 5 Legal Implications

5.1 The listing of the cemetery will give it the status of a designated heritage asset and it will have the protection as described in National Planning Policy Framework, section 16: Conserving and Enhancing the Historic Environment. In addition, as this is now a naturalised environment with implications for wildlife, section 15: Conserving and Enhancing the Natural Environment must be taken into account when considering applications for development of the site.

5.2 The site will not have the status of a nationally listed building and so listed building consent would not be required for development, only planning permission. However, there is no expectation that any built development on the site will take place.

5.3 **Monitoring Officer's comments:** None arising out of the contents of this report.

## 6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** The following Key Priorities are engaged: Promote the borough's rich history and heritage - maintain a comprehensive list of all historical buildings of interest in the borough and promote.

6.2 **Service Plans:** Cultural & Creative – Promote the borough's rich history and heritage.

6.3 **Climate & Environmental Impact of recommendations:** This listing should have no climate or environmental policy implications.

## 7 Background papers

7.1 The documents referred to in compiling this report are as follows:

### **Other papers:**

7.1.1 Report following Conservation and Design Officer's site visit of 26 October 2020

7.1.2 Historic Analysis by SR Historic Environment Ltd for The Friends of Horton Cemetery, 21 September 2020

7.1.3 List Description