

Location Avenue House 17 East End Road London N3 3QE

Reference: 15/05681/CON Received: 9th September 2015
Accepted: 17th September 2015

Ward: Finchley Church End Expiry 12th November 2015

Applicant: Mr Jon Sheaff

Proposal: Submission of details of Condition 18 (Landscaping Management Plan and Long Term Landscaping Strategy) pursuant to planning permission F/01251/14 dated 08/05/2014 for "Refurbishment and internal changes of stable block with new restaurant facilities. Change of use from Class D1 (Community) to Class A3 (Cafe/Restaurant). Refurbishment and internal changes of garage building. Change of use from Class B8 (Storage) to Class D1 (Community). Refurbishment and restoration of existing Toilet Block with new hot food servery and disabled WC. Change of use from Sui Generis to A5 Hot food takeaway. New single storey building to replace depot building. Landscaping proposals."

Recommendation: Approve

Informative(s):

- 1 The plans accompanying this application are:

Conservation Management Plan: 1722 CMP.FINAL; Landscape Management Plan: Avenue House MMP 11.03.15 FINAL V3; Tree Survey and specification to BS5037:2012; Raphael Skerratt: Avenue House Tree Survey Report Rev B; Avenue House TS Plan Rev D; Tree felling pruning specification to BS3998; Raphael Skerratt Avenue House Tree Works Specification and Schedule of Works; LUC drawings: 6243.01-101 Rev A; 6243.01 - 400 Rev A; 6243.01 - 401 Rev A;

6243.01 - 402 Rev A; 6243.01 - 403 Rev A; 6243.01 - 404 Rev A; 6243.01 - 405 Rev A; 6243.01 - 406 Rev A; 6243.01 - 407 Rev A; 6243.01 - 408 Rev A; 6243.01 - 409 Rev A; 6243.01 - 410 Rev A; 6243.01 - 411 Rev A; 6243.01 - 412 Rev A; 6243.01 - 413 Rev A; 6243.01 - 414 Rev A; 6243.01 - 415 Rev A; 6243.01 - 700 Rev A; 6243.01 - 701 Rev A; Details of new planting: LUC drawings: 5861.01-101 Rev B; 6243.01 - 200 Rev B; 6243.01 - 210 Rev B; 6243.01 - 220 Rev B; 6243.01 - 230 Rev B; 6243.01 - 240 Rev B; 6243.01 - 250 Rev B; 6243.01 - 260 Rev B; 6243.01 - 270 Rev B; 6243.01 - 280 Rev B; 5861.01 140 Rev A; 6243.01 - 300 Rev B; 6243.01 - 310 Rev C; 6243.01 - 330 Rev C; 6243.01 - 340 Rev C; 243.01 - 350 Rev C; 6243.01 - 360 Rev C; 6243.01 - 380 Rev A; Detailed maintenance schedules Refer to: Avenue House MMP 11.03.15 FINAL V3; Existing contours; Refer to: 5861.01-101 Rev B; 6243.01 - 200 Rev B; 6243.01 - 210 Rev B; 6243.01 - 220 Rev B
6243.01 - 230 Rev B; 6243.01 - 240 Rev B; 6243.01 - 250 Rev B; 6243.01 - 260 Rev B; 6243.01 - 270 Rev B; 6243.01 - 280 Rev B; Details of areas of hard landscape works; See document A1722 Planning conditions commentary; Existing and proposed details for pond, Bothy Garden, Bog Garden rockery, play area kiosk. Refer to: 5861.01-101 Rev B; 6243.01 - 200 Rev B; 6243.01 - 210 Rev B; 6243.01 - 220 Rev B; 6243.01 - 230 Rev B; 6243.01 - 240 Rev B; 6243.01 - 250 Rev B; 6243.01 - 260 Rev B; 6243.01 - 270 Rev B; 6243.01 - 280 Rev B; 5861.01 140 Rev A; 6243.01 - 300 Rev B; 6243.01 - 310 Rev C; 6243.01 - 330 Rev C; 6243.01 - 340 Rev C; 6243.01 - 350 Rev C; 6243.01 - 360 Rev C; 6243.01 - 380 Rev A; Details of phasing for implementation JSA: A1722 Procurement programme Stage 2 Rev D

- 2 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. Site Description

The application site is located on the northern side of East End Road, closest to the junction with Regents Park Road, within Area 3 of the Finchley Church End Conservation Area.

The adopted Conservation Area Character Appraisal notes;

"A collection of listed buildings including Avenue House, stable block and yard, entrance lodge, along with The Bothy and Water Tower, Hertford Lodge and adjoining Coach House. The large mansions were built in 1850s in the Italianate style, three and four storeys high in stucco and slate. Avenue House was the former home of Henry Charles Stephens, the ink manufacturer and was remodelled extensively in the 1880s. Hertford Lodge is more modest in size but very imposing and has recently been restored and converted to apartments, following a fire. A well designed flatted development, of recent construction, built in yellow brick, is located to the rear of Hertford Lodge, and this adjoins a former coach house which has been converted into apartments. The buildings and grounds at Avenue House Estate have been run by the Avenue House Estate Trust since 2002. They are held in a Trust for Finchley residents. They are also home to the Finchley Society and their archive

The entrance lodge, stables and coach house are situated within the complex. They were built as a group in the 1880's of Gothic design in stock brick and slate. The entrance lodge fronting the street features a prominent brick chimney stack, angled bay windows and pyramidal roof. The coach house is of yellow brick with a hipped slate roof and projecting half gabled wings. The stable complex and yard is mainly single storey with dormers in the roof and a two storey element at one end, completed by a three storey circular tower with metal finials. They form a picturesque collection of buildings and add to the setting of the two main buildings

The landscaped grounds were formally laid out in 1882 with strategically positioned follies and landscape elements such as a pond, planted mounds and fine specimen trees, among which are blue atlas cedar wellingtonia, dawn redwood and purple beech. The follies include The Bothy, with its distinctive castle-like battlements and tall garden walls. The Water Tower is located within the heavy tree and hedge boundary on the southern side of the park."

The buildings on site including Avenue House itself, the former Stables, former Coach House, Lodge, Water Tower and The Bothy are all Statutory Listed buildings with individual list descriptions all dating from the around 1880. The main house sits on the south-west corner of the site, with the other notable buildings located to its east. The House is bounded by trees to both the south and west and lawn gradually slopes down in an easterly direction.

The main Avenue House building was a residential villa built in 1859 bought by Henry Stephens, the son of the inventor of blue-black ink in 1874. He enlarged and improved the buildings and commissioned the landscape gardener Robert Marnock to create a suitable garden with lawns, ponds, mounds, a rockwork, informal paths and steps, paddock and kitchen garden (The Bothy). Exotic tree and plant species were planted and a water tower with adjacent laundry, a lodge, coach house and stable block were introduced.

After Stephen's left the site in 1900 he bequeathed the House and 10 acres of the grounds to the people of Finchley on the condition that it should be 'open for the use and enjoyment of the public under reasonable regulations'.

2. Site History

Reference: TCF/00451/15

Address: Avenue House, 17 East End Road, London, N3 3QE

Decision: Trees: 6-week Expired

Decision Date: 25 August 2015

Description: 1 x Yew (applicant's ref. T628) - Fell. , 2 x Holly (applicant's ref. T629, T631) - Fell.

Reference: TCF/00452/15

Address: Avenue House, 17 East End Road, London, N3 3QE

Decision: Trees: 6-week Expired

Decision Date: 26 August 2015

Description: 1 x Ash (applicant's ref. T632) - Fell

Reference: 15/05440/CON

Address: Avenue House, 17 East End Road, London, N3 3QE

Decision: Approved

Decision Date: 2 October 2015

Description: Submission of details in part pursuance of conditions 9 (tree protection measures) 10 (tree protection plan) and 14 (details of depot building) insofar as it relates to the construction of the garden depot and refurbishment and conversion of toilet block for use as a kiok of planning permission F/01251/14 date 15/05/2014

Reference: F/01331/14

Address: Avenue House, 17 East End Road, London, N3 3QE

Decision: Approved subject to conditions

Decision Date: 8 May 2014

Description: Refurbishment and internal changes of stable block with new restaurant facilities. Change of use from Class D1 (Community) to Class A3 (Cafe/Restaurant). , Refurbishment and internal changes of garage building. Change of use from Class B8 (Storage) to Class D1 (Community)., Refurbishment and restoration of existing Toilet Block with new hot food servery and disabled WC. Change of use from Sui Generis to A5 Hot food takeaway., New single storey building to replace depot building.

Reference: F/01251/14

Address: Avenue House, 17 East End Road, London, N3 3QE

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3. Proposal

This application seeks consent for the discharge of Condition 18 (Landscaping Management Plan and Long Term Landscaping Strategy) pursuant to planning permission F/01251/14 dated 08/05/2014 for;

"Refurbishment and internal changes of stable block with new restaurant facilities. Change of use from Class D1 (Community) to Class A3 (Cafe/Restaurant). Refurbishment and internal changes of garage building. Change of use from Class B8 (Storage) to Class D1 (Community). Refurbishment and restoration of existing Toilet Block with new hot food servery and disabled WC. Change of use from Sui Generis to A5 Hot food takeaway. New single storey building to replace depot building. Landscaping proposals."

4. Public Consultation

199 consultation letters were sent to neighbouring properties.

12 responses have been received. Comprising; 11 letters of support and 2 letters of objection (one from The Finchley Society).

The letters of support state;

o I am a Trustee of Avenue House Estate Trust and have been deeply involved in preparing this proposal. I also live in the immediate vicinity of the Estate, and got involved in its management and direction to ensure its long-term retention in line with Henry Stephen's expressed wishes in his will. The Trust developed the proposal to recognise the Borough's own local conservation policies regarding the Estate, so that it gives a sustainable tree management strategy for the gardens, addresses the lack of such a strategy for many decades and the resultant backlog in tree management and control, and recreates the views that were key to Henry Stephens' original concept and Robert Marnock's implementation of it. Approximately half of the trees proposed for removal are Category U, with less than 5 years of life left, and the recent failure of several large trees has shown how essential it is to remove these poor condition trees. Of the remaining trees proposed for removal all bar one are Category C, with very limited lives. The one Category B tree proposed for removal is a liquidambar that was planted in a most inappropriate position, blocking views between the House and the gardens. It will be replaced with a new specimen in a more appropriate location.

o As chairman of HADAS (we are tenants of Avenue House) I would like to express our support for this scheme. The house and gardens are a major community asset to the people of Finchley and the surrounding area. Restoring the gardens to Stephens and Robert Marnock's concepts, improving the visitors experience (Cafe/Toilets) and providing a quiet area for outdoor public enjoyment will bring more visitors to this valuable heritage asset.

o I think that the improvements to the grounds will be of great benefit to the whole community.

o A much needed refresh of a neglected garden that should be restored to its former glory for the benefit and enjoyment of the people of Finchley.

o The trees in this garden have not received the attention they have needed for many years and this is a wonderful opportunity to help restore them to their former glory.

- o I am very much in favour of this proposal which will significantly improve the quality of the grounds and the facilities for the local community. Specifically the much improved playground, toilets, community centre and cafe will all be really wonderful amenities.
- o This application is proof of the good intentions of the charity behind Avenue House wishing to provide additional services for the benefit of the of the local community.
- o I fully support this plan and think that it will make a significant difference to the park. Hopefully more people will come to the park and it will be an even more vibrant and active place for the community.
- o I have been going to Avenue House since 1998 and love the grounds and the fact they are open to the public free of charge. This planning application I believe will greatly enhance the beauty of the place since it looks a bit neglected at present. Encouraging more visitors can only be a good thing.
- o The HLF parks for project is a significant opportunity to better manage the tree population in this open space used by the people of Barnet. For many years the trees have been manage d with the funds available now there is the funding to put in place pro active best practice management which will allow the tree population the best opportunity to thrive. And yes this might mean some are removed but only a very small minority.
- o This well thought-out proposal will greatly improve the rather limited refreshment and comfort facilities available to members of the public using the gardens. Upgrading the facilities in conjunction with the proposed garden refurbishment and restoration will enhance visitors' enjoyment of a much-loved public space all the year round. It is likely to increase the number of people who can use and benefit from the gardens, especially elderly or infirm visitors who need the opportunity to keep warm in winter when taking open air exercise, or those with young children for whom improved toilet facilities are a necessity.

The views of objectors can be summarised as follows;

- o Concerns about the amount of proposed tree works on site
- o Absence of any surveys for bat roots in trees proposed for major works

Internal / Other consultations

The Finchley Society:

The Society welcomes the well thought out and well documented application by the Avenue House Estate Trust for the discharge of Condition 18 imposed on Planning Permission F/01251/14. We hope that the permission will be implemented as soon as possible to the benefit of the many users of Stephens House & Gardens.

We are submitting this comment as an objection, however, because there are a very few individual proposals for tree-felling about which we are still unhappy, and hope the Trust will be able to reconsider. We do not accept that the liquidambar (tree 578) is inappropriate. Similarly with tree 571 (Bay Willow). If either of these trees is felled, it should be replaced with another of the same species to maintain the diversity of species in the grounds (each being currently represented by only one other specimen). We also oppose the felling of the yew tree 628 - the risk that its berries may be eaten does not justify its removal any more than that of other yew trees.

Trees and landscaping:

Trees along the eastern boundary of the site have been included in a Tree Preservation Order since 1980 - the Order was made in connection with the development of what is now known as Spencer Close.

The grounds of Avenue House include a number of rare and important trees, some of which are detailed on the Tree Register of the British Isles (described as a 'unique record of Notable and Ancient Trees in Britain and Ireland') - for example, the large Italian Maple *Acer opalus 'Obtusatum'* (applicant's ref. T587) is listed as a County Champion and 16 of the trees in the grounds are recognised as being especially noteworthy. Following the transfer of Avenue House and the maintenance of the trees from direct Council control, a new Tree Preservation Order has been made to include all the trees growing at the site - reflecting the importance of the tree collection.

Henry Stephens appointed Robert Marnock to redevelopment the grounds at Avenue House in 1878 - some 24 acres including 10 acres of landscaped garden. Marnock, a major mid-Victorian landscape designer, was the leading exponent of the 'gardenesque style'. The landscaping was designed for a wealthy private individual with clear ideas about what he wanted - not as publically accessible land with playground, café, and educational aspirations. The later changes have resulted in significant compromises in the design and desires for the site.

Concerns have been raised on several occasions at some aspects of the treework and landscaping proposals put forward in connection with the refurbishment and changes at the site - considering some works excessive; failing to accurately recreate the historic landscape as contended; and failing to provide details for much of the site. It seems the applicant is being disingenuous in suggesting an intention to recreate a Marnock landscape - as the greatly enlarged Playground; formalising in the Bothy Garden, Outdoor Learning, and Wildlife Conservation Area cannot be considered as Marnock features; opportunities to re-introduce contemporaneous appropriate planting have been missed; and many of the proposed species post-date Marnock by decades. If the intention of the treework and landscape changes is to increase the use of the site by local residents (which may well be a laudable desire in its own right), then it would be appropriate to give this full acknowledgement.

As well as the 100 trees proposed for removal, pruning of varying extents is specified to 93 additional trees. Whilst some of the work is very minor (such as removal of ivy, deadwood, or basal growth) concerns that some information is vague remain and other aspects of the proposal are much more significant, having the potential to result in damage to important trees.

2 of the existing trees have been identified to be transplanted elsewhere within the site.

Conclusion - concerns remain that the proposals result in excessive direct tree loss and have the potential to cause significant damage to important retained trees. Some of the justification for this is purportedly recreation of a historic landscape and for this good quality trees are being sacrificed as a 'design priority'- but the inclusion of latter-day café, hot food servery, educational facilities and significant enlargement of the playground cannot be considered features of a historic Marnock landscape; further, historically inaccurate species have been specified and opportunities have been missed to reintroduce historically appropriate planting. If compromises are being made to accommodate increasing public use of the site, then it is unclear why other compromises cannot be made to safeguard important trees.

However, notwithstanding the historical inaccuracy and inconsistency, you may conclude that the benefits of the scheme in providing a landscaped area for public use outweigh the concerns. Whilst increased public use of Avenue House Grounds is welcomed, it is considered that improvements could be made to the scheme as currently proposed that would address both a desire for public use and safeguard the landscape heritage (which, after all, is part of the attraction of the site and one aspect that cannot be replicated in any municipal park).

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the alterations would be a visually obtrusive form of development which would detract from the character and appearance of the street scene and this part of the Finchley Church End Conservation Area.
- Whether harm would be caused to trees of special amenity value.

5.3 Assessment of proposals

This application follows the approval of planning permission and listed building consent for the;

"refurbishment and internal changes of stable block with new restaurant facilities. Change of use from Class D1 (Community) to Class A3 (Cafe/Restaurant). , Refurbishment and internal changes of garage building. Change of use from Class B8 (Storage) to Class D1 (Community), Refurbishment and restoration of existing Toilet Block with new hot food servery and disabled WC. Change of use from Sui Generis to A5 Hot food takeaway, new single storey building to replace depot building" under references F/01251/14 and F/01331/14 dated May 2014.

The approvals gave consent for works within the grounds of Avenue House and include a number of listed structures including the Stables, Water Tower and The Bothy. The gardens are formally registered as a Historic Park and Garden by Historic England Heritage. It should be noted that a Heritage Lottery Fund application for grant assistance has been approved for the restoration and conversion of the landscape.

The consented scheme involved alterations to a number of historic outbuildings and structures within the grounds of Avenue House, with principal works centred upon refurbishing the Stable block and the adjoining Mayor's garage with the intention of opening up the site in this area to allow greater public access and community use of the buildings.

Consent was given for the buildings to be adapted with minor alterations to be used as visitors centre, education centre, cafe with adjoining kitchen and improved toilets. As a result the south-facing courtyard is now more intensively by the public who pass through this area to gain access to the gardens.

All works relating to these approved applications were subject to pre-application advice and detailed negotiation with Historic England who stated at the time in regards to the application;

"We strongly support the principle of these proposals; a cafe at Avenue House will provide a long-term sustainable future for the park (a registered landscape) which will assist with the restoration of the Bothy and Water Tower in the grounds, both listed and both on our register of Heritage at Risk. Although there is minor loss of historic fabric in the stables, I suggest this modest level of harm is strongly outweighed by the substantial public (and heritage) benefits of the wider proposals.

I understand there are potentially some problems with trees associated with this application. The grounds of Avenue House are noted for their specimen trees, some of which were planted as an arboretum concept by the house's original owner. However, those close to the stables are not of particular significance and we would support their removal to enable restoration and conversion of the buildings."

All the detailed landscaping proposals were removed from these applications, with all planning drawings and documents amended to remove references to tree removals. All landscaping works were subject to a separate condition, which has been consulted on and is now presented to Members for discharge.

The wording of the condition is as follows;

a) Notwithstanding the details shown on the plans and documents otherwise hereby approved, no tree works or landscaping works shall be carried out until a details "Landscaping Management Plan and Long Term Landscaping Strategy" shall have been submitted to, consulted upon by the Local Planning Authority, reported to the relevant Planning Sub- Committee and approved in writing by the Local Planning Authority.

b) The details to be submitted as part of the Landscaping Management Plan and Long Term Landscaping Strategy shall include but not be limited to:

o General objectives of the proposed landscaping works part of the Landscaping Management Plan and Long Term Landscaping Strategy

o Tree Survey and specification in accordance with section 4.4 of BS5037:2012 including the position of any existing trees including species, position, size and condition.

o Detailed tree felling / pruning specification in accordance with the BS3998:2010 Recommendation for Tree Works together with reasoned justification for any proposed treatment.

o Details of new trees, hedges and shrubs to be planted including species, planting sizes and planting densities.

o Details of species, planting sizes and planting densities of other soft landscaping including but not limited to any herbaceous / climbers / grasses / ground cover plants

o Detailed landscaping maintenance schedule for regular pruning, watering, fertiliser and means of planting, staking and tying of trees, including tree guards.

o Existing contours and spot levels and any proposed alterations to levels such as earth mounding and excavations.

o Details of areas of hard landscaping works including paving, proposed materials samples and details of all techniques to be used to provide conditions appropriate for new plantings.

o Existing and proposed details of the pond, Bothy Garden, Bog Garden, Rockery Planting, Play Area and Kiosk and any other proposed hard landscaping feature.

o Details of phasing for implementation including but not limited to timing of implementation of hard and soft landscaping, tree works and timing of planting.

c) All work comprised in the approved "Landscaping Management Plan and Long Term Landscaping Strategy" shall be carried out in accordance with details of phasing pursuant to section b).

d) Any existing tree to be retained or trees or shrubs or other soft landscaping to be planted as part of the approved "Landscaping Management Plan and Long Term Landscaping Strategy" which are removed, die, become severely damaged or diseased shall be replaced in accordance with the provisions set out in the Landscaping Management Plan and Long term Landscaping Strategy.

Reason: To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

Further continued pre-application advice has been sought in regard to the proposed landscaping works over the past 18 months. Council officers have worked closely with the applicants to address the stipulations of the condition and the schedule of works has been amended as a result, with fewer trees proposed to be felled and a greater level of detail provided for the overall works contained within the tree works specification, method statement and planting plans.

Several visits to the site have been undertaken to assess the proposals and an agreed approach has been identified, with the necessary details provided as part of this application.

Furthermore, the Avenue House Estate Trust carried out their own public consultation exercise on Sunday September 13th, using their database of Friends and supporters and a list of people who had raised concerns about the Trust's proposals for tree management. The Trust made contact with all of the individuals on these lists, advertising the event. The event was also publicised on the Trust's website.

A brief statement to accompany its invitation was provided. 77 copies of the invitation were dispatched by email to people who had expressed concern about the Trust's proposals for tree management a further 712 were dispatched to general Friends and supporters by Mailchimp'. From response analysis, the Trust has established that 327 of the 'Mailchimp' letters were opened (approximately 46%).

The Trust received four immediate email responses to its letter and invitation. Two were in favour of the proposals, one queried the classification methodology and one opposed to any changes other than those necessitated by the condition of trees on the site.

At the event, pictorial boards were put on display in Avenue House showing the Trust's proposals for tree management on the Estate. Staffs were available to explain the drawings and the methodology adopted to support decisions around the tree strategy in general and in the case of individual specimens.

The Trust ran three tours of the site; with the approximate numbers on each tour were 20, 7 and 13. Each tour was guided by:

- o A member of the Avenue House Estate Trust
- o Raphael Skerratt (the Trust's consultant Arboriculturalist)
- o Jon Sheaff (the Trust's Project Manager)

The Trust was closely questioned by members of the London Wildlife Trust during one of the tours who asked the Trust to provide reassurance that these proposals were part of a more general plan for the enhancement of bio-diversity across the site. The Trust was able to reassure that proposals would include further log-stacking and leaving felled clear stem in place to support nesting birds and invertebrates.

Trees and Vistas

Tree planting constituted a key element of the Marnock/Stephens landscape. Some of the original tree planting survives as mature specimens today, with additional self-seeded native species and more recently planted ornamental specimens. A number of memorial trees have been planted in inappropriate locations. Key vistas that were intrinsic to the original landscape design have been lost. Critically the oldest feature on the site, the avenue of elm trees planted along 'The Avenue' in the 1600's has been lost in living memory. There appears to have been limited woodland management over the past 50 years with the consequence that much of the original planting has become over mature with dense canopies limiting the extent to which ground flora can develop, and the development of younger healthy trees.

A full tree survey undertaken in December 2013 (Skeratt Dec 2013) contains details of details of 561 individual trees and tree groups of which 444 (68%) are classified as Category C (trees with a life expectancy of less than 10 years or young trees with a stem diameter below 150mm). The site contains only 34 trees (5.2%) classified as Category A. The relatively low number of Category A trees implies a need to progressively remove a significant number of Category C trees and to plant and maintain new trees to develop into Category A specimens over time.

The tree survey reinforces the need for a clear strategy around tree management and provides key baseline information to inform the development of a strategy.

This approach is supported and welcomed.

Shrub and Herbaceous Planting

Marnock was first and foremost a plantsman, known for his Gardenesque style, he experimented with an extraordinary range of ornamental plants, some tropical and subtropical in origin. Although a number of rare and exotic trees remain the diversity and ornamental nature of the shrub and herbaceous planting has been lost (LUC Feb 2014). Creating and maintaining these landscapes was made possible by intensive maintenance, horticultural expertise and an array of hothouses and cold frames.

Although the original planting plans for the Avenue House Estate have not been found there is sufficient information from other Marnock planting schemes to inform the approach to restoration. The proposed planting will capture the essence of the Gardenesque style, whilst adapting to modern day low maintenance, climate change and sustainability requirements.

There are no objections to these proposals, which are considered to enhance the Historic Park and Garden.

Main Lawn, North East Lawn and Grass Areas

The main lawn in front of the house and terrace provides an open setting and was a key element in Marnocks design and typical of his approach. The open nature of the lawn has been compromised by recent additions including ornamental tree planting and rose beds and cluttered street furniture, which distract from the open setting to the house. A modern path breaks up the sweeping lawn across the corner of the lawn below the terrace.

Currently all grass areas across the site are managed as amenity grassland providing little variety and with low ecological benefit. The extensive areas of grass across the site provide opportunities for a variety of approaches to management that will reinforce the historic vistas, provide visual and ecological variety and diversity, and add to the visitor enjoyment and experience of the site.

These works are considered to be acceptable and will ensure the long term preservation of the site.

Pond, Cascade and Rockery

The pond and cascade were key elements of the Marnock landscape and their restoration is a principal aim of the project. It is probable that Marnock's original proposals for 3 large interconnected ponds was never realised, although a small lower pond in the main lawn was removed in the mid-20th century, and the hollow above the cascade, known as the bog garden could well have been a former ponds. Currently the pond is reduced in size through silting up and the variety of planting limited with low ecological value (The Ecology Consultancy Nov 2013). Recent attempts have been made to replant the Rockery but it currently appears to have limited planting (LUC Feb 2014).

Currently water flow to the pond is maintained by a pump which circulates water from the pond to the top of the cascade, but this can provide insufficient water flow in hot summers. The bog garden above the pond is currently dry although during periods with heavy rainfall, water cascades across the path below. The supply of water to the bog garden, cascade and pond through the Stephens implemented irrigation system has been investigated and will be reinstated to provide a constant supply of water and negate the need for a pump in the pond (Irriplan Nov 2013).

The structural integrity of the cascade and rockery will be restored. Modern day steps, railings and paths which intrude into the original design, will be redesigned to allow the visitor access and provide acceptable levels of health and safety for the public. The path that cuts across below the bog garden will be removed to reinstate the bog garden. The original path that crosses below the cascade and is currently fenced off will be re-instated.

These proposals are supported and considered to be an enhancement of the site.

Monkey Hill, Mounding, Screening and Boundary Planting

The Monkey Hill mound, and mounding to screen site boundaries was an integral part of the Marnock/ Stephens landscape and is typical of Marnock's approach to landscape design. Eroded over time, and with over mature planting and poor understory planting the mounds no longer offer vistas, they are worn and unattractive and the areas of dense shade have limited ecological value (The Ecology Consultancy Nov 2013). However they still create effective enclosure and screening which gives the garden its enclosed and secret character. The paths, steps, walls and fencing in poor condition on Monkey Hill will be renovated and the vistas re-established (LUC Dec 2013).

The works proposed are considered to be acceptable and will improve the usability of this part of the site.

Bothy Garden

The Bothy Garden was conceived of as a productive area, strongly influenced by Stephens' interest in farming and livestock. The Bothy building provided animal welfare

facilities, a dairy, abattoir and staff. The walled productive area included glasshouses, fruit trees, a fish pond, forcing pits etc.

Much of the infrastructure is in poor condition. In recent years the Bothy gardener volunteers have created an intensively managed formal garden, a lawn and a wild garden. It is highly valued tranquil, secret space with limited public access. Its current use contrasts strongly both with its original purpose (as an area of food production) and with the rest of the gardens, which are now of relatively poor quality in horticultural terms.

The walls, fences and paths are in poor condition and will be renovated and replaced to ensure its restoration and partial re-establishment as a food growing area.

These works are supported and are considered to protect the significance of the listed Bothy building by enhancing its setting.

Landscape Furniture

No indication of the original garden furniture has been found by the applicant, but it is likely there was limited ornamental seating typical of a private Victorian Villa. Over decades a plethora of landscape furniture including seats, litter bins, dog waste bins, handrails, gates and barriers have been added to the landscape. Quality is variable and in some areas street furniture detracts from and clutters views, with benches placed in long unattractive rows.

There are no objections to these proposals.

Paths, Surfaces and Steps

The original 19th century path layout remains largely intact with some addition paths added around the playground, the Bothy and the corners of the main lawn. Original paths would have been surfaced in gravel or clinker but are now generally surfaced in tarmac. Most paths are un-edged and edge cracking is extensive across the site, especially where cross-falls are pronounced. Condition varies considerably, with some sections of wearing stripped back to expose base courses and some root disruption to footpath structure.

Extensive repairs to paving is required across the site with a hierarchical approach to resurfacing. High quality paving will be provided on the principle routes, the Carriage Drive, Terrace, and Stable Yard in materials sympathetic to the original Stephens/Marnock design.

The works proposed to the paths, surfaces and steps are welcomed and supported.

Playground and Trim Trail

The playground is a relatively modern addition to the Avenue House landscape with new equipment and surfacing installed in 2004 but has limited offer for older children. The lifespan of the existing equipment and rubber crumb surfacing with metal hoop topped railing will be reviewed.

Playground design philosophy has developed since the playground was built and it will be transformed into a destination site, offering play opportunities to a wider age range. At the same time the 'play offer' across the site will be extended to encourage and provide opportunities for unstructured play activities and exercise. A play strategy will be developed to set out the AHET's approach to play and a Play Inspection Policy to ensure that current standards for installation, inspection and maintenance are adhered to.

The proposals to the playground and Trim Trail are acceptable and will ensure the continued use of these well used features.

On balance the proposed landscaping scheme is considered to be acceptable, posing no harm to the host Historic Park and Garden, Statutory Listed Buildings, and the wider Finchley Church End Conservation Area.

5.4 Response to Public Consultation

The majority of the responses received regarding the discharge of this landscaping condition have been positive, supporting the scheme to improve the management of grounds at Avenue House.

Whilst it is noted that objections have been raised regarding certain elements, such as the felling of individual trees raised by The Finchley Society, or details of individual elements of the proposed works by the Council Trees and Landscaping team, it is considered that on balance the proposed landscaping works will ensure the long term protection and enhancement of this important heritage site within the Borough.

In regards to the concern raised amount the impact of the proposed tree works on bat roots it should be noted that a Preliminary Ecological Assessment and further summer and winter surveys of bats to establish the current position. These reports have been provided online but in actual fact relate to Condition 19 (Ecological Survey). The overall conclusion of the report stated the following;

'No bats, or evidence of bats, were observed during the tree inspections, however, features suitable for roosting bats were identified'. Further, following August surveys:

- o No bats were confirmed as emerging from any of the buildings on site, all though a possible emergence was recorded from B3.
- o Common pipistrelle and soprano pipistrelle foraging activity was recorded in all areas of the site covered during the surveys and soprano pipistrelle foraging activity was recorded in the vicinity of B1 and B4.
- o The timing of the first activity by both species indicates that they roost on or very close to the site. A single pass by a *Nyctalus* species bat was recorded to the south of B3. The report identifies four trees scheduled for removal with 'moderate or low potential for roosting bats'. Further surveys will be taken of these trees prior to removal.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and support the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, the proposals would not detrimentally impact on the qualities of the registered Historic Park and Garden, the Statutory Listed building and protect the character of this part of the Finchley Church End Conservation Area. The proposed alterations are such that, as conditioned, it preserves the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area, and area of special character.