

Memo

To: Jonathan Markwell and Charles Rose

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Phone: **Date:** 14 Nov 2014

Ref: 5117039 **cc:**

Subject: MOLA and Atkins Response to Feedback from LBC on Model Boating Pond

Hampstead Heath Ponds Project – Impacts to Model Boating Pond

This document forms the response by MOLA and Atkins to the comments from Charles Rose, Conservation Officer for the London Borough of Camden (LBC), on the 14th October 2014 and the 6th November 2014, regarding the impacts of the proposed works on the Model Boating Pond as part of the Hampstead Head Ponds Project. Comments from LBC are underlined.

It is recognised that it is here where the most significant potential impact on the character and appearance of the heath would occur, owing to the changes to the manmade landscape seen today.

As described in ES Appendix 6.5 the impact is not considered to be significant: *'At Model Boating Pond the introduction of a 2.5m high embankment, new island and re-profiling of the southern edge of the pond is considered to be a moderate alteration to the immediate setting of the pond and partially compatible with the character of the pond and surrounding landform;'*

'In relation to the overall character of the Heath, the magnitude of change is considered to be low and the effect is minor adverse (non-significant), mainly due to the variance at Model Boating and The Catchpit'.

The ES states in the LVIA chapter para 6.56: *'There are no significant effects to the Hampstead, Highgate and Barnet landscape character areas during operation as the Proposed Development is only located within the Hampstead Heath character area. For the Hampstead Heath landscape character area, the design of the Proposed Development is considered overall to be largely compatible with the existing character. The effects noted to Model Boating Pond including the reinstatement of the borrow pit to the west of the pond) as a moderate alteration are localised and relatively small in scale in relation to the Heath overall. Therefore the magnitude of change is considered to be low and the effect minor adverse. This would not be significant'.*

It is assumed that the pond was constructed as a boating pond. This is considered to have some historic value to the area. It forms an evidential example of manmade intervention into the landscape, which also offers historic value as a link to Georgian and Victorian leisure activity. This is in addition to social value derived from the ability to use the pond for boating and other similar activities.

The significance of the ponds in general and the boating pond in particular is evaluated in the Historic Environment ES Chapter and Technical Appendix (9.1). The heritage significance of the ponds comes from their very existence as bodies of water in the landscape and historically for their part in London's water management system. The significance is assessed using the usual 4 criteria as defined by English Heritage, and in our opinion is MEDIUM overall for the group, based primarily on its cultural and historical values of its use since the 1850s.

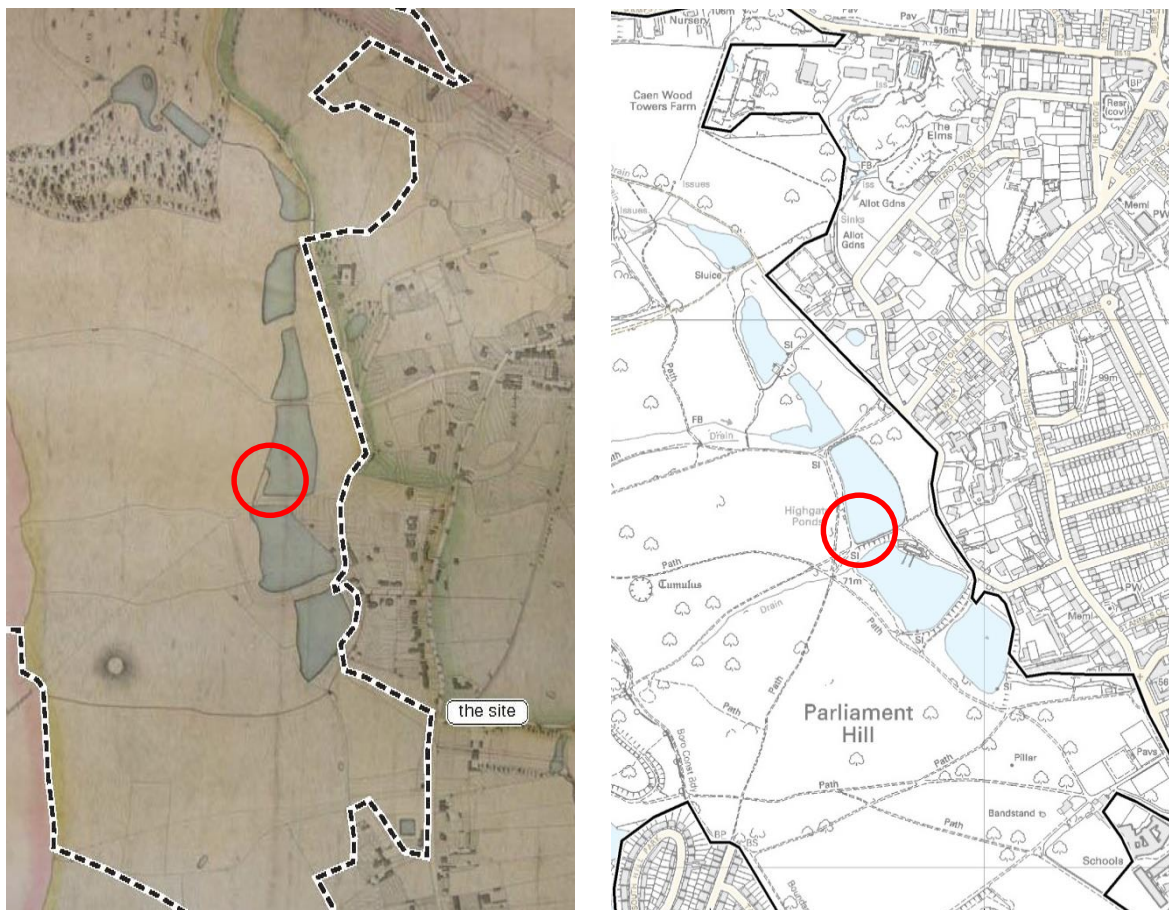
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Historic Construction

The pond is located within the dynamic landscape setting of Hampstead Heath which has responded to landuse changes, water management and amenity demands. The first ponds were established in 1589 under an Act of Parliament of 1546 which was passed in order to provide a clean water supply to the capital. The earliest cartographic reference to a pond in the location of the model boating pond dates to 1807–1808, although the exact date of its construction is unknown. Evidence indicates that the Model Boating Pond was not used for model boating until the early 1850's when the Highgate Model Yacht Club started using the pond, therefore its use as a model boating pond was not part of the pond's original function.

Interest of its fabric

There is little intrinsic interest in the fabric of the ponds. The Model Boating Pond is a large man-made, sub-rectangular pond with an open grass spillway and concrete capped steel sheet piling that was installed to form a regular hard edge on all sides of the pond dating from the early 1980's according to historic records. The evidential value of the original pond is, therefore, negligible.



Maps showing the shape of the Model Boating Pond in 1849 (left) and present day (right)

Value of the pond and its link to historic development of public parks and open spaces

The Historic Environment Assessment (EIA Technical Appendix 9.1) details the William Robson Report of 1898 which favoured the creation of a more “*natural-looking heath*” that complies with the requirements of the Hampstead Heath Act 1871 to ‘... at all times preserve, as far as may be, the natural aspect and state of the Heath ...’. This view went for the ponds themselves where he stated that the native plans should be restored and the pool boundaries removed in order to appear more

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natural. As indicated above cartographic sources show that a pond was in place by the early 19th-century although the exact date of its construction is uncertain. The pond originally would have formed part of the chain of ponds which supplied the capital with fresh water as detailed under the original 1546 Act of Parliament. It was not until the 1850s that the pond was used for model boating. Today the Model Boating Pond still forms part of the Highgate Chain of ponds which has an important water management function within the wider heath.

The value of its form and shape in relation to the other ponds, now and historically

There is negligible significance in the form and shape of the Model Boating Pond and value in its relation to the other ponds now and historically. As can be seen from historic mapping, aerial photographs and images, all the ponds in the Highgate Chain at the end of the 19th century were regular in form and shape, in the open grassland setting of the Heath with scattered trees and woodland on the upper slopes. Historically the shape and form of the ponds in the Highgate Chain have altered during the 20th/21st centuries to accommodate user requirements, water management and environmental management objectives. Of note these alterations include:

- The impounding dam Men's Bathing Pond has been raised and sheet pile revetement included along the upstream pond edge;
- Formal footpaths and fences have been constructed to control access on all ponds;
- Designated fishing areas have been provided on Model Boating Pond and Men's Bathing Pond;
- Designated dog swimming areas have been provided on Highgate No. 1;
- Marginal planting have been provided on pond edges on Model Boating Pond, Highgate No.1 and Bird Sanctuary Ponds;
- Designated kingfisher nesting areas have been installed on Bird Sanctuary Pond;
- Water quality aerators have been installed on Ladies', Model Boating and Men's Bathing Pond;
- Bathing pond facilities at Kenwood Ladies' and Highgate Men's ponds have been altered in extent, height and form;
- Woodland planting has been allowed to establish on most pond edges in the Highgate chain during the 20th century resulting in a more enclosed and intimate character for the majority of ponds except the Model Boating Pond.

There has been at least one alteration to the Model Boating Pond since the mid 19th-century to reflect water management changes. This includes the construction in the 1980's of the current soakaway and the concrete capped sheet pile edge that replaced the irregularly aligned and less formal timber revetment around the entire pond edge.

The function of the pond throughout its history has been dynamic. The Model Boating Pond has retained the open landscape setting and footpath access exists intermittently around the pond edge to accommodate the current amenity use of this pond, which includes fishing, walking, feeding the ducks, informal dog access, picnicing and on the rare occasion model boating.

The significance of the Model Boating Pond is characterised by its cultural and historical value rather than the physical presence or shape/form, and is derived primarily from its amenity function on the Heath and function of the pond to sail model boats over the last 160 years. A significance which can be defined as part of the intangible cultural heritage of the pond and Hampstead Heath as a whole. Intangible cultural heritage is defined by UNESCO to include "*traditions or living expressions inherited from our ancestors and passed on to our descendants, such as oral traditions, performing arts, social practices, rituals, festive events, knowledge and practices concerning nature and the universe or the knowledge and skills to produce traditional crafts*". While the social activity of sailing model boats may not be tangible – in other words it cannot be touched – it forms an integral part of the significance of the Model Boating Pond.

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It is considered that the west bank excavation and creation of the new island would change the shape of the pond and create a more informal character and appearance. This could reduce the ability to appreciate and recognise the historic function of the pond as a 'boating lake' and could therefore harm its historic and evidential value. The additional planting of new reed beds and planting to the edge of the pond could also compromise and undermine continued use of the pond for such activities.

Impact from proposed changes

The scheme design has been carefully considered in the context of the Heath to arrive at the best environmental solution – considering the function of the Model Boating Pond and the context of the Highgate chain of ponds as a water management system. During the design development dam safety requirements have been balanced with environmental considerations having regard to consultation feedback. These considerations include: retaining existing water levels and the distinctive character of the Heath and key views, minimising the scale of intervention, and impact on visual amenity and the use of Heath for all users – including swimmers, anglers, walkers and nature enthusiasts. Environmental management is an integral part of the project to ensure a minimalist approach and that following construction that the natural, rural state of the Heath and the aquatic and terrestrial habitats of the ponds and margins are reinstated and restored using appropriate materials and finishes.

The introduction of a 2.5m high embankment, new island and re-profiling of the southern edge of the pond is considered to be a moderate alteration to the immediate setting of the pond and partially compatible with the character of the pond and surrounding landform.

The proposals would extend the Model Boating Pond to the south-west to create an area of water incorporating existing mature trees on an island in the south-western part of the pond. A new footpath across the dam would increase public access to the edge of the pond. The existing historic and cultural function would be retained and enhanced with public access to the dam, increasing the area of amenity that is so popular on the east bank.

Impact on shape and function

Although the proposal would alter the shape of the Model Boating pond, the impact to its significance as a heritage asset would be negligible and the use of the pond as a model boating pond will not be affected by the proposed improvements. Its function as a working part of land drainage system is not underplayed. As identified above, the pond is a man-made feature and has been altered at least once as part of a water management scheme. This relatively small scale change to the shape and form of the pond will not affect its significance. Therefore the comment '*small historic changes to the shape of the pond cannot be said to have affected the significance*' would also apply to the proposed alterations.

Impact to the significance of the Model Boating Pond would therefore only arise where function for sailing model boats is impinged. In the case of the proposals for the Model Boating Pond it can be concluded that there would be no impact to the significance of the pond and its cultural and historical values for the following reasons:

- The majority of the formal raised edging from where model boats can be launched would be maintained, and
- The current area in which the sailing of model boats within the pond would remain unaltered.

The impacts from the alteration to the shape and the creation of an island is therefore primarily aesthetic, however this impact is considered to be a positive impact to the setting of the pond and surrounding heath.

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Ability to appreciate and recognise the significance

The current design will ensure that the current function of the pond as a model boating pond is not impinged thus its significance would still be recognisable. At the same time its connection to the bird sanctuary pond to the north would be expanded through the creation of the island and planting of reeds in the south-western part of the pond.

We have assessed the impact of proposed changes on the significance of the asset as broadly in the positive. However, even if harm were to ensue, it would be not be greater than '*less than substantial*' harm. The test, under NPPF 2012, is whether community benefit attendant upon a development would outweigh any potential harm. It is concluded that the wider benefit of proper, fit-for-purpose storm water drainage system serving a significant number of properties and public areas in the vicinity is a community benefit of substantial proportions, therefore outweighing any minor harm.