

Committee(s):	Date(s):	Item no.
Epping Forest and Commons	14 May 2012	
Subject: Knighton Wood – Consideration for further conservation designation.		Public
Report of: Superintendent of Epping Forest SEF 18/12		For Information

Summary

This report informs your Committee of the potential implications of a private application made by members of the public seeking a listing by English Heritage for Knighton Wood on the Register of Parks and Gardens of Special Historic Interest, and designation of the wood by the London Borough of Redbridge as a Conservation Area.

Knighton Wood was purchased in 1930 by the Conservators of Epping Forest at a cost of £10,500 (£51,800 at 2010 values) with support from the then Urban District Council and the owners on the understanding that the Wood would be managed for its ‘natural aspect’ under the Epping Forest Act, rather than its landscaped qualities. The current Integrated Site Plan for Knighton Wood maintains this ‘managed senescence’ approach which will also be reflected in a forthcoming Conservation Management Plan for the site.

In addition to its status as Forest Land, Knighton Wood is the subject of overlapping nature conservation designations, together with Green Belt and Heritage Land status under the London Borough of Redbridge Local Plan. It is suggested that the further designation of Knighton Wood is inappropriate on the grounds that there is no proven case for listing and the broad protection of the area’s wider conservation interest is already afforded under existing legislative protection.

Recommendations

It is recommended that:-

- i. The Conservators of Epping Forest make formal representations to English Heritage; the London Borough of Redbridge and the Garden History Society stating that the designation of Knighton Wood is not appropriate as the criteria for registration are not met and additional designation may conflict with the protection of the area that is already afforded under the Epping Forest Act 1878 (as amended); the Wildlife and Countryside Act 1981 and Conservation (Natural Habitats,&c.) Regulations 1994.

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| <p>ii. And to further suggest that the integrated management of Knighton Wood is best achieved through a dedicated Conservation Management Plan which the City of London is scheduled to complete.</p> |
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Main Report

Background

1. Knighton Wood was enclosed from Lords Bushes, originally Lodge Bushes, from the Woodford Walkes area of Epping Forest by 1781, becoming part of the privately owned Knighton Estate, which was purchased by Edward North Buxton in 1893. A brief history of the acquisition of Knighton Wood is given at Appendix 1.
2. While the woodland garden of Knighton Wood was purchased intact, its future administration under the Epping Forest Act would indicate a clear requirement to manage the wood in the interest of the ‘natural aspect’ outlined in section 7 of the Act. This approach was confirmed by your Committee of 16th June 1930 in response to a request from Woodford Urban District Council to preserve the existing condition of woodland and its special beauty. Following consideration of legal advice your Committee resolved “*That the Council be informed that the Committee can only deal with the portion of the Knighton Estate about to be acquired as forming part of Epping Forest, and that it must therefore be subject to all the rights and obligations to which Epping Forest is subject to under the control of the Conservators*”. For the past 82 years the Conservators have followed an effective and sympathetic policy of ‘managed senescence’, or biological ageing, for the landscaped garden, by not actively removing most non-native plantings, while not perpetuating or replacing the planted interest as it matured. This approach together with the phased removal of invasive *Rhododendron ponticum* is reflected in the Integrated Site Management Plan (ISP) for Lords Bushes and Knighton Woods 2004-10 which was adopted by your Committee on 12 July 2004.
3. Knighton Wood and Lords Bushes have been subject to extensive fires in the past, which may have irreparably damaged the plantings at Knighton Wood. A report of the Superintendent of 2 November 1959 to your Committee reported 496 fires in Epping Forest in September alone including a fire “that burned for about three weeks in Lord’s Bushes”. A further report to your Committee on 13 September 1976 reported damaging fires in woodlands which ‘burnt away even the root systems of mature trees’. In a specific reference to Knighton Wood the report states that it ‘*became necessary for me immediately before the summer bank holiday weekend to cause notices to be erected around the perimeter of those parts, bearing the words “Danger. Fires and Falling Trees. Keep Out”*’.

4. The widespread historical use of *Rhododendron ponticum* as a preferred rootstock for the grafting of many Rhododendron hybrids may indicate that some, or indeed many, of the current *R. ponticum* plants in Knighton Wood may be the result of fire damaged hybrid plants that have reverted to *R. ponticum* on regrowth. Without careful management *R. ponticum* is also prone to reproduce from its root base, a process known as suckering, which again will see the loss of the grafted hybrid interest through a reversion to the basic rootstock.
5. As part of the ISP recommendation for the controlled removal of invasive *R. ponticum* two surveys by specialist adviser Lear Associates in May 2010 and 2011 identified 27 improved or hybrid Rhododendrons. Locally significant 'notable' plants include 11 high quality hybrids often found in late Victorian or Edwardian collections including 'Sappho'; 'Soleil d'Austerlitz' and 'Album Grandiflorum', all raised before 1870. A hybrid between 'Mrs Tom Agnew' and 'Multimaculatum' is considered to be one of the most 'important' Rhododendrons at Knighton, which could be of regional or even national importance. Further surveys of the Rhododendron and hybrid Holly interest are planned subject to funding considerations.
6. *R. ponticum* is a key host plant for the fungus *Phytophthora ramorum* the infective agent of the devastating woodland plant disease known as Sudden Oak Death (SOD). SOD is already present in English Woodlands in Cannock Chase; East and West Sussex and the South West Peninsula and poses a real long term threat to Epping Forest. Any occurrence of SOD in London or the East of England would result in a request to your Committee to accelerate the removal of *R. ponticum* from Epping Forest.
7. Epping Forest was designated as a Site of Special Scientific Interest (SSSI) in 1953 under the National Parks and Access to the Countryside Act 1949, and further notified under the Wildlife and Countryside Act 1981 (now amended by the Countryside and Rights of Way Act 2000). The basis for designation was the habitats of high nature conservation value including ancient semi-natural woodland, principally wood pasture, old grassland plains and scattered wetland, together with nationally significant invertebrate, fungi and bryophyte species.
8. Unit 131 of the SSSI, which includes Knighton Wood, was last reviewed by Natural England on 26 January 2010 where it was assessed as 'Unfavourable recovering' on the basis of habitat survey data and proposed management works. The presence of non-native species due to the history of the unit are recognised by Natural England in its condition assessment appendices as 'acceptable provided invasive species are kept under control and any diseased specimens are immediately removed'. Natural England has yet to determine its position with regard to a potential formal heritage listing.

9. Epping Forest is also designated as a Special Area of Conservation under the EC Habitats Directive (1992) which was transposed into UK legislation under the Conservation (Natural Habitats and c) Regulations 1994 to reflect the importance of its beech forest and heathland habitats.
10. The London Borough of Redbridge Unitary Development Plan designates Knighton Wood as Green Belt and Special Advertisement Control Area; Site of Metropolitan Importance for Nature Conservation and Heritage Land.
11. Your Committee of 3 May 1995 approved a request by the Buckhurst Hill Residents Society to install an easy access path within Knighton Wood at a cost to the Conservators of £33,000.
12. The planted banks at Knighton Wood also form part of a proposed Local Geological Site designated in 2010 by the London Geodiversity Partnership due to the extensive exposures of Woodford Gravel.

Current Position

13. Knighton Wood has been Forest Land since 1930. As shown in Map 1 the Wood forms 16 hectares (37 acres) of a larger woodland parcel known as Lords Bushes totalling 53 hectares (131 acres). Together, these woodlands form part of a 'satellite' feature close to the main body of Epping Forest in the Parish of Buckhurst Hill.
14. A private application has been made by members of the public to secure additional protection for the garden interest at Knighton Wood by:
 - i. Listing by English Heritage for Knighton Wood on the Register of Parks and Gardens of Special Historic Interest
 - ii. Designation by the London Borough of Redbridge as a Conservation Area.
15. English Heritage uses nine selection criteria to assess whether to register a site as a Park and Garden of Special Historic Interest (See Appendix 2). The application for listing cites two criteria: (iii) 'Sites with a main phase of development post 1840 which are of special interest and relatively intact' and (vii) 'Sites which are early or representative examples of a style of layout or type of site, or the work of a designer (amateur or professional) of national importance'.
16. The application to English Heritage indicates that this garden, designed arguably as a homage to the picturesque movement may have influenced future Edwardian landscape designs, though this contention is not substantiated in the application. Similarly, the absence of any surviving garden plans and any records of Knighton Wood's architect possibly undermines the application, though the application suggests Edward North

Buxton may have been the guiding hand. While Buxton's achievements as a conservationist are noteworthy, it would be difficult to suggest that his work as a garden designer meets the criteria's test of 'national importance'. Subsequent research by the London Parks and Gardens Trust suggests that nurseryman and landscape gardener William Barron of Borrowash may be the designer.

17. English Heritage also states that "the application of the criteria must be accompanied by expert and extensive knowledge of the country's parks and gardens as a whole, to ensure that decisions are consistent". This information is also absent from the listing application and it remains unclear how important Knighton Wood is in relation to other notable Picturesque Gardens.
18. As there is no accurate detailed record of the historic landscape, such as plans, descriptions or inventories and therefore it would be impossible to reinstate or restore the woodland gardens to their former condition. In these circumstances it is questionable as to what English Heritage could insist be undertaken over and above the existing management regime for Knighton Wood. The City would presumably want to challenge any landscape Listing proposal on this basis.
19. Epping Forest currently has two Grade II* Parks and Gardens of Special Historic Interest at Copped Hall and Wanstead Park. The City of London first supported the listing of Wanstead Park as a Grade II Park and Garden of Special Historic Interest in 1987. The five important phases of landscape design involving national designers such as Repton and London; the rich record of garden plans and the surviving features such as The Temple, the Fortification and the five lakes clearly merit formal recognition. The City also funded additional research which resulted in a reconsideration of the grading as II* reflecting the national significance of the landscape.
20. Your Committee of 9 May 2011 approved plans by the City Surveyor to undertake a full Conservation Management Plan (CMP) for Knighton Wood during the period 2012 to 2016 at a cost of £15,000. A CMP undertaken to Heritage Lottery Fund specifications would identify the significance of all the extant elements of the site; catalogue the existing conservation interest and make clear management recommendations for the future stewardship of the site. The compilation of a CMP would in this instance remove the need for a revision of the existing ISP.

Options

21. Your Committee can either choose to support the heritage listing application and/or designation of Conservation Area status, or argue that Knighton Wood already has sufficient protection under the Epping Forest Act, together with subsequent Site of Special Scientific Interest and Special Area of Conservation designations.
22. In supporting a heritage listing for a garden that has not been actively managed for its planted interest for over 80 years, there is an inherent danger that without substantial investment the garden would inevitably be placed upon English Heritage's annually published 'Heritage At Risk' Register. While 'At Risk' status can provide improved access to advice and capital grants, the Conservators would face additional costs for dedicated gardening staff and annual maintenance expenditure.

Proposals

23. Since its acquisition in 1930, your Committee has been very clear that Knighton Wood would be managed in line with the Conservators responsibilities for the natural aspect rather than its landscaped interest. The application now being made over 80 years later for heritage listing would appear not to meet the basic tests demanded by English Heritage's designation criteria.
24. It is therefore proposed that the Conservators of Epping Forest make formal representations to English Heritage, the London Borough of Redbridge and the Garden History Society indicating that further designation of Knighton Wood is inappropriate and unnecessary on the grounds that there is no proven case for listing and the protection of the area is already afforded under the Epping Forest Act 1878 (as amended); the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats, &c.) Regulations 1994.
25. Indeed, the introduction of a heritage listing could conflict with progress to securing favourable status for the Site of Special Scientific Interest through the progressive removal of invasive non-native species. A more appropriate approach would therefore be the completion of a Conservation Management Plan which would address the integrated management of the heritage landscape components alongside the objectives of the Epping Forest Act and the existing overlapping conservation designations.

Corporate & Strategic Implications

26. The proposal to resist an application for Listing Knighton Wood as an historic landscape is endorsed from the Corporate Property viewpoint.

27. The effective management of the High Beach Visitor Centre supports the **‘The City Together Strategy: The Heart of a World Class City’** 2008-14 under the following themes;

- To encourage and support services and initiatives which benefit communities within the City and City fringes, contributing to local prosperity.
- Provide high quality accessible Open Spaces and services in accordance with nationally recognised standards for the benefit of London and the Nation.

Legal Implications

28. Section 7iii of the Epping Forest Act 1878 states that “The Conservators shall at all times as far as possible preserve the natural aspect of the Forest, and especially shall preserve and protect the ancient earthworks called Ambresbury Banks and all other ancient remains, and the Purlieu Bank, and such other Forest marks and boundaries, if any, as still exist in the Forest; and shall protect the timber and other trees, pollards, shrubs, underwood, heather, gorse, turf, and herbage growing on the Forest; and, subject to the provisions of this Act, shall prevent all persons from felling, cutting, lopping, or injuring the same, and from digging the gravel, clay, loam, and soil of the Forest.” While the description of the ‘natural aspect’ relates principally to the Forest’s natural landscape, the definition does make reference to earthworks and woodbanks. The derivation of the term ‘natural aspect’ arguably has a ‘picturesque’ movement influence or origin.

29. English Heritage is enabled by section 8C of the Historic Buildings and Ancient Monuments Act 1953 to compile a register of gardens and other land of special historic interest. This register came into being with the passing of The National Heritage Act 1983 which set up the Register of Parks and Gardens of Special Historic Interest in England.

30. The inclusion of an historic park or garden on the Register in itself brings no additional statutory controls. Registration is a material consideration in planning terms as outlined in Section 12 of the National Planning Policy Framework (March 2012) Local Planning Authorities are required to consult English Heritage where the application affects a Grade I or II* registered site, and the Garden History Society on all grades of registration.

31. Similarly, apart from the risk of negative publicity and community opprobrium, the declaration of ‘At Risk’ status on the register does not expose the City of London to any direct legal or financial sanction.

32. The Planning (Listed Buildings and Conservation Areas) Act 1990 provides Local Planning Authorities with the power to determine and designate ‘which parts of their areas are areas of special architectural or historic interest the character or appearance of which is desirable to preserve or enhance’.
33. The National Planning Policy Framework (NPPF) published on 27 March 2012 which replaces previous Planning Policy Guidance states at section 109 that *‘The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils ...and minimise impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;’*
34. With regard to heritage conservation section 126 of the NPPF argues that *‘Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance’*.
35. With regard to Conservation Areas the NPPF states at section 127 *‘When considering the designation of conservation areas, 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’*.

Conclusion

36. The Conservators already face challenges at its two Scheduled Ancient Monuments (SAMs) where the duties placed upon the Charitable Trust by the Epping Forest Act and statutory responsibilities associated with subsequent SSSI and SAC designation, conflict with obligations under subsequent heritage legislation. Given the Forest’s long history, there are similar potential tensions for a range of notable heritage landscapes within the Forest, which like Knighton Wood, have not been officially designated. This dichotomy has been identified as a key theme for the forthcoming Epping Forest Management Plan.
37. The position at Knighton Wood is unambiguous due to its later acquisition in 1930, where your Committee has determined an approach on the future management of the site. Knighton Wood has in effect been the subject of a ‘managed senescence’ technique since its acquisition in 1930, allowing the non-native planted elements of the wood to mature before being removed

and not renewed. While the heritage listing application provides valuable insight into the history of the garden's development, the document does not provide a decisive argument for listing under English Heritage's designation criteria. Moreover, the application for heritage listing of the wood could place new and costly obligations on the Conservators to actively manage the garden as it was landscaped for the comparatively narrow period of 61 years between 1863 and 1924, contrary to the basis upon which it was clearly acquired and stated for Forest purposes, and which would have resource implications for the main thrust of the Conservators responsibilities.

Appendices

Appendix 1 - A Brief History of the acquisition of Knighton Wood

Appendix 2 – English Heritage Parks and Gardens Designation Criteria

Map 1

Contact:

Paul Thomson / paul.thomson@cityoflondon.gov.uk / 020 8532 5300

Appendix 1 - A Brief History of the acquisition of Knighton Wood

- i. Edward North Buxton purchased the Knighton Estate in 1863. Buxton, and his brother Sir Thomas Fowell Buxton, played an important role in the conservation of Epping Forest through their involvement in the campaign group, the Commons Preservation Society. Edward North Buxton also served as a Verderer of the Forest from the beginning of the Epping Forest Act for 44 years.
- ii. Under Buxton's ownership the Knighton Estate was widely landscaped in the Victorian style with extensive plantings of non-native trees, shrubs and plants. Knighton Wood was specifically landscaped to provide a transition between the house and formal gardens of the estate and the relative 'wildness' of Epping Forest represented by Lords Bushes and beyond.
- iii. The wood was planted in what is argued to be the 'Picturesque' style. The Picturesque movement which was at its height between 1650 and 1850 drew its philosophical basis from the new informal 'order' of human freedoms which was seen to be represented by the natural world. This informality was outwardly represented in the relationship between garden and landscape views and the visual arts.
- iv. The picturesque character of the woodland was 'enhanced' though the restrained planting of individual non- native trees such as European Black Pine; Corsican Pine; Copper Beech; Norway Maple; Wellingtonia; Cedar and flowering Cherry at strategic locations and 'bundles' native trees particularly on earth mounds to emphasise the exposed root systems which were an object of picturesque fascination. Further interest was added through the widespread planting of hybrid Rhododendrons and Azaleas, together with drifts of daffodils; bluebells; Solomon's Seal and Lily of the Valley.
- v. Additional 'picturesque' contrast was provided by the construction of artificial rock exposures comprising of imitation stone known as 'Pulhamite' and a series of ponds and lakes created by gravel workings. Building was restricted to a pair Lodges on the edge of the Wood, one of which survives, and a now lost thatched boathouse adjacent to Knighton Lake.
- vi. Edward North Buxton died in 1924, followed by his wife Emily in 1929, which resulted in the sale of the then 100 acre Knighton estate. Some 59 acres, including the house and formal gardens, were sold for housing development with development commencing from 1931.
- vii. Your Committee further resolved *'that the Coal and Corn and Finance Committee be informed that this Committee is of the opinion*

that the acquisition of the pink land forming part of the Knighton Estate, would be very advantageous to the public, and make a valuable addition to the Forest; that if the land be acquired the Conservators would be prepared to administer the same in accordance with the terms of the Epping Forest Act, 1878; further this Committee considers that the local authorities and residents should make a substantial contribution towards the cost of acquiring the land in question’.

- viii. Knighton Wood was subsequently purchased for return to the Forest at a cost of £10,500 (equivalent to £518,000 by 2010 values) for 32.5 acres with the cost shared equally between the Corporation of London and Woodford Urban District Council. A further 5 acres were gifted by Buxton’s heirs in addition to the purchase. A total of 37.5 acres of Knighton Wood were officially opened for public access by The Ranger, the Duke of Connaught at a ceremony on 21st July 1930.

Appendix 2 – English Heritage Parks and Gardens Designation Criteria

- i. Sites formed before 1750 where at least a proportion of the layout is still in evidence.
- ii. Sites laid out between 1750 and 1840 where enough of the layout survives to reflect the original design
- iii. Sites with a main phase of development post-1840 which are of special interest and relatively intact, the degree of required special interest rising as the site becomes closer in time
- iv. Particularly careful selection is required from the period after 1945
- v. Sites of less than 30 years are only normally registered if they are of outstanding quality or under threat.
- vi. Sites which were influential in the development of taste, whether through reputation or reference in literature.
- vii. Sites which are early or representative examples of a style of layout or type of site, or the work of a designer (amateur or professional) of national importance.
- viii. Sites having an association with significant persons or historic events.
- ix. Sites with a strong group value with other heritage assets