

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 8 November 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b>	
<b>Subject of Report</b>	<b>Rose Garden In Hyde Park, Rotten Row, London.</b>		
<b>Proposal</b>	Creation, in the western section of Hyde Park's Rose Garden, of a new memorial garden to honour enslaved Africans and their Descendants, with new planting and a new bronze sculpture.		
<b>Agent</b>	Mr Tony Dyson		
<b>On behalf of</b>	Ms Oku Ekpenyon		
<b>Registered Number</b>	15/09753/FULL	<b>Date amended/ completed</b>	19 October 2015
<b>Date Application Received</b>	19 October 2015		
<b>Historic Building Grade</b>	Park is registered Grade I on the Register of Historic Parks and Gardens.		
<b>Conservation Area</b>	Royal Parks		

## 1. RECOMMENDATION

For Committee's consideration:

1. Does the Committee agree that the particular circumstances of this proposal constitute "an exceptionally good reason" to justify a departure from the Council's presumption against new memorials in this part of the City as set out in The Statues and Monuments Supplementary Planning Document (2008)?
2. Subject to 1. above, grant conditional permission.

## 2. SUMMARY

This proposal is for the creation of a memorial garden with a new bronze sculpture as the focal point to honour enslaved Africans and their descendants. The site is located in the Rose Garden in the south east sector of Hyde Park. Hyde Park is on the Register of Historic Parks and Gardens (Grade I) and within the Royal Parks Conservation Area.

The sculpture is by the artist Les Johnson and depicts a series of figures upon a raised circular plinth. It will be cast in bronze and stands approximately 4.3m high. The area around the sculpture will be landscaped to provide a series of paths radiating from the central space with new landscaping beds between. Flexible resin bound aggregate will be the main surface material with contrast bands of granite setts. Within the floorscape will be seven engraved slate slabs inscribed with key dates leading to the abolition of slavery. Four benches will be provided within the new memorial garden.

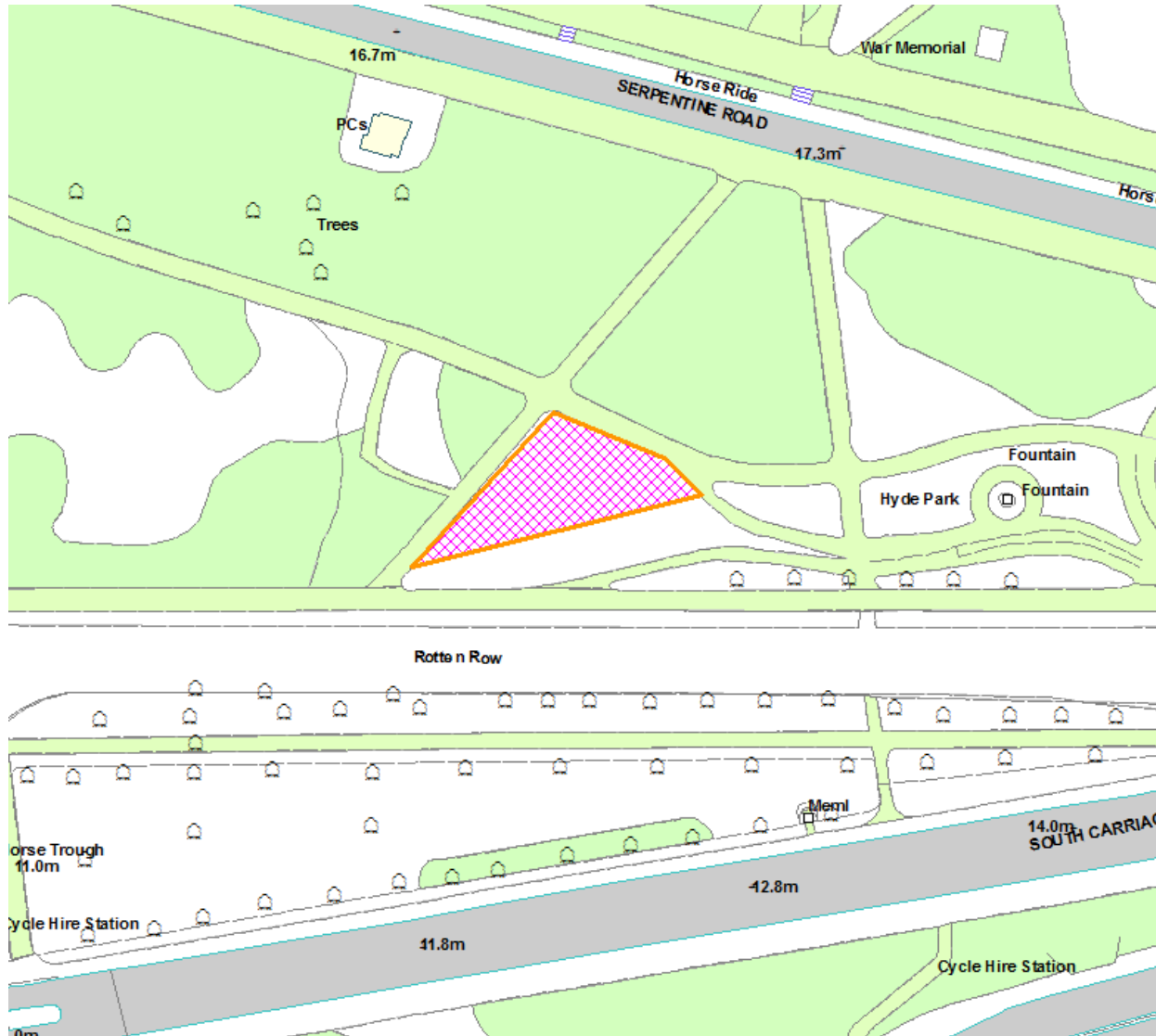
The gestation period for this proposed memorial has been extremely long. Royal Parks started work with the design team on this project in 2006 and earmarked the current site as a suitable location for the memorial. Westminster's former Public Art Advisory Panel commented favourably on the scheme at the time. It is only now that a planning application has come forward for the proposal.

Policy DES 7 of the UDP generally welcomes public art and statuary within the City. However, the unprecedented demand for statues and monuments in recent years has led to an over-concentration of memorials in parts of the City and suitable locations are becoming increasingly difficult to find. The Council's Supplementary Planning Document (SPD) "Statues and Memorials in Westminster" provides guidance for the erection of new monuments. It identifies a Monument Saturation Zone covering most of Whitehall, St James's and the Royal Parks where applications for new statues and monuments will not be permitted unless there is an exceptionally good reason. The site proposed falls within this zone.

The proposed memorial should therefore only proceed if there is an "exceptionally good reason" to justify its location in the Monument Saturation Zone. The subject matter of the memorial is one that is considered worthy of representation in a high profile location and the artist is well-respected and has carried out other public commissions, including in Westminster. The site is evidently capable of accommodating a memorial and the Royal Parks support the proposal. Most significantly, though, the memorial has been proposed since 2006 when both the Royal Parks and the City Council gave indication of support. The Statues and Monuments SPD that introduced the Monument Saturation Zone was approved in May 2008 and therefore the new guidance only came into force after the memorial promoters had been given indicative support by the City Council and Royal Parks. While this previous support is not binding on the Council in any way, it could be considered bad faith to reverse the previous support for the proposal.

There has been one letter of objection to the proposal by The Friends of Hyde Park & Kensington Gardens. They object to the principle of any memorial in the park and consider this location entirely unsuitable. They consider the new garden has too much hard surfacing and that the planting is unsustainable in the long term. While these concerns are noted, it should be borne in mind that the proposed hard and soft landscaping works would be permitted development if carried out by the Royal Parks.

## 3. LOCATION PLAN



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4. PHOTOGRAPHS



## 5. CONSULTATIONS

Historic England  
No comment

Knightsbridge Association  
Any response to be reported verbally.

The Royal Parks  
No objection, confirm they have been working with the memorial promoters on the scheme design

Friends Of Hyde Park & Kensington Gardens  
Objection to the principle of a memorial in the park and to the extent of paving and the proposed landscaping detail.

London Historic Parks and Gardens  
Any response to be reported verbally.

Royal Borough of Kensington & Chelsea  
Any response to be reported verbally.

South East Bayswater Residents Association  
Any response to be reported verbally.

The Gardens Trust  
Any response to be reported verbally.

Arboricultural Manager  
No objection

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## 6. BACKGROUND PAPERS

1. Application form
2. Letter from Historic England, dated 25 November 2015
3. Letter from The Royal Parks, dated 4 December 2015
4. Letter from the Friends of Hyde Park and Kensington Gardens dated 9 December 2015.
5. Memorandum from the Arboricultural Manager dated 4 December 2015.

### Selected relevant drawings

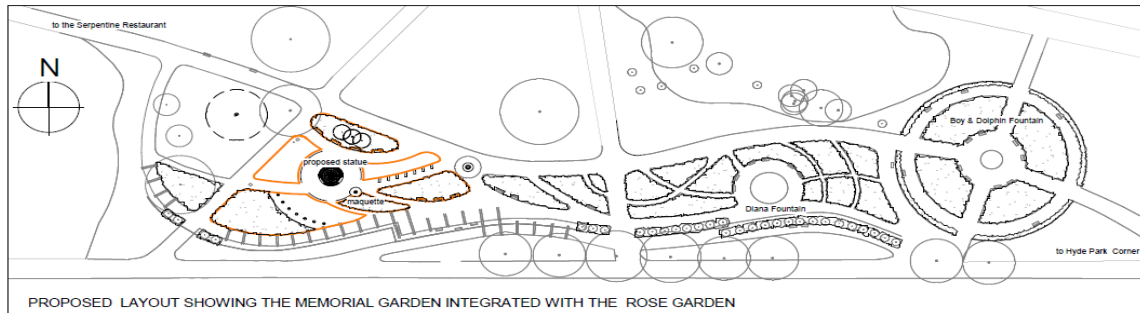
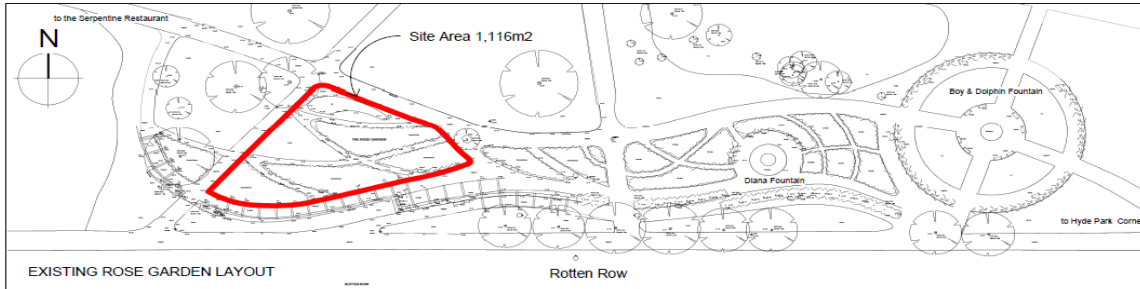
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: LOUISE FRANCIS BY EMAIL AT [southplanningteam@westminster.gov.uk](mailto:southplanningteam@westminster.gov.uk)

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7. KEY DRAWINGS



**Timothy Associates**  
 St Johns Hall, 9 Fair Street, London SE1 2XA website: <http://www.timothy.co.uk>

ENSLAVED AFRICANS  
 MEMORIAL GARDEN  
 Issue Date:  
 17 September 2015

Sheet Name:  
 SITE CONTEXT  
 Dwg:  
 10-212-A4-PL-01

Scale @ A4:  
 1 : 1000  
 Rev:  
 H







**DRAFT DECISION LETTER**

**Address:** Rose Garden In Hyde Park Off, Rotten Row, London, ,

**Proposal:** Creation, in the western section of Hyde Park's Rose Garden, of a new memorial garden to honour enslaved Africans and their Descendants, with new planting and a new bronze sculpture by Les Johnson.

**Reference:** 15/09753/FULL

**Plan Nos:** 10-212-A4-PL-001, 002, 003, 01 - 26 (all revision H), 10-212-A4-PL-004 (Hard Landscape) and 10-212-A4-PL-005 (Planting Design)

**Case Officer:** David Clegg

**Direct Tel. No.** 020 7641 3014

**Recommended Condition(s) and Reason(s):**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
- o between 08.00 and 18.00 Monday to Friday;
  - o between 08.00 and 13.00 on Saturday; and
  - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

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Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.