

A02

F/TH/20/1699

PROPOSAL: Installation of a temporary artwork on the site for a maximum of 1 year

LOCATION: East Cliff Bandstand Wellington Crescent RAMSGATE Kent CT11 8JD

WARD: Eastcliff

AGENT: No agent

APPLICANT: Miss Josephine Martin

RECOMMENDATION: Approve

Subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 19116.201 Rev P1, 19116.301 Rev P1 and 19116.302 Rev P1, and the submitted layout plan and block plan, received 09/12/2020.

GROUND;

To secure the proper development of the area.

3 At the expiration of a period 12 months from the date the installations are substantially completed, unless further permission has been granted, all works hereby approved shall be removed and the land restored to its former condition in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority.

GROUND;

In view of the temporary nature of the proposal and the identified harm to the historic environment in accordance with policies SP36, HE02 and HE03 of the Thanet Local Plan and paragraphs 127 and 196 of the NPPF.

4 Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

(a) Routing of construction and delivery vehicles to / from site

- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Temporary traffic management / signage
- (e) Measures to control noise affecting nearby residents
- (f) Dust control measures
- (g) Access arrangements
- (h) A pre-start highway condition survey for the area of highway footway that the Hiab will need to cross to gain access/egress
- (i) Evidence to support the structural adequacy of the promenade and supporting structure to resist the additional loads applied by the construction and delivery vehicles

GROUND;

In the interests of highway safety and neighbouring amenity, in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

INFORMATIVES

Please be aware that obtaining planning permission and complying with building regulations are separate matters - please contact building control on 01843 577522 for advice on building regulations

It is the responsibility of the applicant to ensure, prior to the commencement of the development hereby approved, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highway and Transportation to progress this aspect of the works prior to commencement on site

SITE, LOCATION AND DESCRIPTION

The Eastcliff Bandstand is located along the eastern side of the cliff tops in Ramsgate, and above Ramsgate Main Sands. The site sits within the Ramsgate Conservation Area and lies adjacent to a crescent of Grade II listed residential terraces in Wellington Crescent. It sits in close proximity to Ramsgate Harbour and waterfront, as well as the town centre and large areas of public open space and parks.

The bandstand itself is a Grade II listed structure that dates back to the late 1930's and is centrally located in a small concrete and tiled space of around 0.2 hectares in area, set down from the public pavement but above the open space along the cliff top. Shallow concrete steps are formed to the seaward side of the bandstand, running in a set of three linear steps the length of the enclosed area. The area is set above the open space along the cliff top and enclosed with a brick wall and iron railings which surround a 'dancefloor' formed of varied colour tiles laid in a pattern. It is similarly enclosed on the other three sides, with shallow concrete steps to the three other sides.

The larger area surrounding the bandstand is designated as public open space.

RELEVANT PLANNING HISTORY

L/TH/18/1307 - Application for Listed Building Consent for erection and display of plaque. Granted 26 November 2018.

PROPOSED DEVELOPMENT

This application seeks planning permission for the temporary installation of artwork for a period of 1 year. The proposed art works comprise four structures on tripod stands that have a large circular disc appearance. The pieces will be interactive for the enjoyment of the public and accompanying temporary signage and information vinyls are proposed within the bandstand itself.

The proposal has arisen as a result of an Arts Council and National Heritage Lottery funded project led by the local community and the children of Ramsgate schools, who have been exploring themes around place-making (including three key elements around play and playfulness, caring, and modern machines). It is supported and proposed to be led by The Turner Contemporary in connection with design by the artist Conrad Shawcross, and each of the installations are intended to include nautical codes that when revealed will spell the word 'HOME'.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policies 2020

SP04 - Economic Growth

SP11 - Ramsgate

SP32 - Protection of Public Open Space

SP35 - Quality Development

SP36 - Conservation and Enhancement of Thanet's Historic Environment

SP38 - Healthy and Inclusive Communities

HE01 - Archaeology

HE02 - Development in Conservation Areas

HE03 - Heritage Assets

CC01 - Fluvial and Tidal Flooding

CC02 - Surface Water Management

QD01 - Sustainable Development

QD02 - General Design Principles

QD03 - Living Conditions
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Letters were sent to neighbouring property occupiers, a site notice was posted close to the site and an advert was posted in the local paper. No representations have been received.

Ramsgate Town Council: No comment.

Ramsgate Heritage and Design Forum: We note that this latest application takes account of comments of RHDF in December. No further comment.

CONSULTATIONS

TDC Conservation Officer: Following a review of the application of the temporary art installation to the listed bandstand I would like to state that I have no objections to the proposed scheme.

Given the size of the scheme there is obviously a level of impact caused to the setting of the listed East Cliff Bandstand, nearby listed Wellington Crescent and surrounding Ramsgate Conservation Area. However I believe this impact to be temporary given that the art installation is to be present for a maximum of one year. Alongside its temporary approach, mitigation measures have also been taken to protect the structure of the bandstand itself by the use of an external 'non intrusive'; structure supporting the installation.

I also believe that there are perceivable public and social benefits of the proposed installation given that it has been community led and aimed at local children who have been an influential part of its design.

Given that the application is temporary I believe that a condition should be applied confirming the length of time it will be standing in more detail setting out parameters of when this year begins, as well as the final details of making good following its removal.

TDC Environmental Health: It is unlikely that the proposed artwork will have any environmental impacts on the properties in Wellington Crescent given the design, however, the 4 steel structures have rotating discs with perforations so there is a small risk that at this exposed location where wind will be a significant factor the rotating discs could create unexpected noise - this an unknown but I would suggest a level of ongoing maintenance be required to ensure any issues are dealt with should they arise.

Can I clarify that they will only move when the handle is moved or also by wind power?

Further details were provided of the handles and Environmental health raised no further objections.

KCC Highways: I refer to the above planning application and confirm I have no objection in respect of highway matters subject to the following being secured by condition - the provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.

Further details were provided and KCC made the following comments:

'The temporary traffic management on the promenade will be dealt with by TDC as it's not part of the highway. However, the waiting of the larger delivery vehicle on the highway carriageway and the transferring of loads to the smaller Hiab across the highway footway will require suitable temporary traffic management. It won't be acceptable for this larger delivery vehicle to stop in the carriageway running lane at the northern end so it is suggested that it could utilise the current informal parking layby at the southern end. It is assumed that the materials will then be transferred from the larger vehicle to the Hiab. All of this will require suitable temporary traffic management to free up the layby and protect pedestrians using the footway. If the section of TDC promenade between the northern and southern ends is to be completely closed during the installation, then a suitable diversion route for pedestrians unable to use the highway footway will also need to be provided. A pre-start highway condition survey will also be required for the area of highway footway that the Hiab will need to cross to gain access/egress, with any damage caused by the installation works being rectified by the applicant.

I suggest the proposals therefore need a more detailed Construction Management Plan which can be secured by condition. I also suggest the applicant enters into early discussion with our Streetworks Team to resolve the traffic management issues'.

COMMENTS

This application is reported to Planning Committee at the request of Councillor Albon in order for Members to consider whether any harm is caused to the listed building and character and appearance of the Ramsgate Conservation Area.

Principle

There is no in-principle objection to development within the grounds of a listed structure or in a conservation area.

The site also forms, and is surrounded by, public open space. Policy SP32 of the Thanet Local Plan sets out that proposals resulting in the loss of protected open space will only be permitted if it is for an open recreation or tourism use and design considerations. Subject to an assessment of scale, setting, and amenity, there is not considered to be any conflict with the principle of the works and the aims of policy SP32.

Policy SP04 seeks to support the regeneration of the towns and the growth of the Port of Ramsgate. It sets out that new tourism development and the increased attraction of tourists to the area will be supported.

Overall there is not considered to be any in-principle objection to the works. The main considerations in relation to the proposal are the impact on the character and appearance of

the area (including the setting of nearby listed buildings and structures and the Ramsgate Conservation Area), on the living conditions of neighbouring occupiers and public safety, flood risk and drainage, archaeology and highways safety.

Character and Appearance

The proposal would see the erection of four art installations set on tripods to the sea facing side of the Eastcliff Bandstand. These would be formed of perforated discs at approximately 5m from ground level in this area, reaching up to 8.6m in height overall. The discs would be 3.6m in width and the tripods below would be three weighted pads covering a distance of around 8.7m between the outer edges of each. These would be spaced in front of the steps on the southeastern side of the bandstand, and would be evenly spread across the area in a linear arrangement.

Paragraph 127 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Paragraphs 193 and 196 of the NPPF advise that LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them into viable uses consistent with their conservation. In determining applications great weight should be given to the asset's conservation irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance.

Policy SP36 of the Thanet Local Plan sets out that the Council will support, value and have regard to the historic or archaeological significance of Heritage Assets by protecting the historic environment from inappropriate development, encouraging new uses to bring listed buildings back into use and encouraging their survival and maintenance without comprising the conservation or significance of the asset and supporting development that is of a high quality design and supports sustainable development. Policy HE02 sets out that within conservation areas, development proposals which preserve or enhance the character or appearance of the area, and accord with other relevant policies of the Plan will be permitted but new development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted. Policy HE03 sets out that the Council supports the retention of local heritage assets, including structures, features and gardens of local interest. Proposals that affect both designated and non-designated heritage assets will be assessed by reference to the scale of harm or loss of the significance of the asset in accordance with the criteria set out in the NPPF.

Policy SP32 sets out that development on protected open space should be of an appropriate scale and design for its setting, being the minimum amount necessary to support the use and being sensitively located, and that there would be no material harm to the contribution the protected open space makes to the visual and recreational amenity of the area. Policy QD02 outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be

well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

The submitted plans indicate that the installations would exceed the height of the bandstand and would be likely to dominate this area, taking away some of the visual prominence of this Grade II listed structure and its associated dancefloor. The installations would have a large circular appearance at odds with the otherwise open character, and low scale nature of any built form across this part of Wellington Crescent, and the otherwise undeveloped character of the adjacent promenade and sense of openness experienced here and out towards the sea. The tripod bases are likely to offer some visual bulk at the lower level and would cover a large area. They would be steel constructions on pads that would appear out of character with the built form in the vicinity. The materials and finishes proposed largely consist of steel frames and poles, with the circular elements being finished in primary colours and having moveable and changing features, again at odds with the predominant material palette along the cliff top and the listed crescent adjacent. As a result the works are likely to cause some harm to the setting of the bandstand, and to the character and appearance of the Ramsgate Conservation Area, and to cause some conflict with the aims of policies SP32, SP36, HE02 and HE03 of the Thanet Local Plan, and the aims of the NPPF.

In considering the level of harm caused, paragraph 194 of the NPPF requires clear and convincing justification for the proposal, and paragraph 196 sets out that any such harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.

The applicant has set out the extensive works that have led to the development of the proposal for this artwork, and state that the installations have been inspired by community led initiatives in association with a famous artist to reflect the past, present, and future of Ramsgate. It is stated in the application documents that the design of the installations has been inspired by Ramsgate's maritime heritage and the design of the circular elements has been informed by research into communication methods with ships, coding, nautical flag design, the predominant steel material used in ship building and seen around the Port of Ramsgate, and around the idea of the Port as a 'beacon' towards 'home', or as a place of refuge. This site has been chosen for its prominent clifftop location, relationship with the Port and to the sea, and its attempts to bring an underutilised heritage asset (the Bandstand) more interest and attraction. The applicant contends that other benefits of the proposal will be increased tourism, civic pride, outdoor display space and increased opportunities for community involvement during the global pandemic, maximisation of public outdoor open space, and an increased sense of place-making.

In considering these matters paragraph 7 of the NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development and this is later categorised into achieving three objectives relating to economic sustainability, social sustainability and environmental sustainability. Paragraph 91 of the NPPF states that decisions should aim to achieve healthy and inclusive communities, by promoting social interaction, including meetings between people who might not otherwise come together, creating strong neighbourhood centres, and to provide cultural facilities and services the

community needs. Policy SP11 of the Thanet Local Plan sets out that within Ramsgate the Council will seek to support continued regeneration and development that focuses on the maritime heritage and developing leisure role that it has to play. Policy SP38 seeks to improve health and wellbeing by safeguarding or providing public open space, promoting healthier options for transport such as cycling and walking, creating social interaction and by creating safe environments through mixed uses, design, and layout. Policy QD02 of the Thanet Local Plan outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design.

Whilst the works would undoubtedly cause some harm to designated heritage assets and the historic environment, as the Council's Conservation Officer highlights, this would be for a temporary period of 1 year, and given the proposed method of support, would not cause any physical harm to the bandstand or its surrounds. There would be some public benefit in the provision of the installations in terms of creating social interaction and inclusivity, and some economic benefit in terms of the potential for increased tourism and regeneration to Ramsgate. Therefore, on balance, the provision of temporary installations here is considered to create a community benefit that would outweigh the temporary harm to the historic environment and character and appearance of the area, and is considered by Officers to comply with the overall aims of policies SP11, SP32, SP38, and QD02 of the Thanet Local Plan, and aims of paragraphs 7, 91, 127 and 196 of the NPPF.

It is also proposed to use temporary vinyls inside the bandstand to accommodate information about the installations. No details of this have been provided and this should therefore form a condition requiring further details prior to display.

Living Conditions and Public Safety

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 127 states that decisions should ensure development creates, inclusive and accessible and which promote health and well-being, with a high standard of amenity for future users. Policy QD02 of the Thanet Local Plan outlines that new development should be compatible with neighbouring buildings and spaces, and should be inclusive in its design for all users. It should improve people's quality of life by creating safe and accessible environments and promote public safety and security. Policy QD03 outlines that new development must not lead to unacceptable living conditions through overlooking, noise, vibrations, light pollution, overshadowing, loss of natural light or a sense of enclosure.

The proposed installations would be nearly 40m from properties to the north and west of Wellington Crescent. They would be set on a lower land level and are not expected to result in any overbearing, sense of enclosure, loss of light or loss of privacy to any occupiers as a result. The works would change some of the outlook for neighbouring property occupiers here, however they would not result in any loss of outlook, and the circular elements are proposed to have perforated surface areas to limit any sense of solidness in this location. Some views may be restricted or changed at points, however views of this kind are not protected by the planning system. The Council's Environmental Health team have commented on the application and initially raised concerns that the clifftop location, wind

direction and perforations, along with turning mechanisms could result in unknown noise impacts and recommend that this be dealt with through regular maintenance. The Planning Department has confirmed with the Estates Team that a license would be required for the works as they would be on Council owned land, and that issues of liability and site management would be addressed through this process. In addition the applicant has set out that they have budgeted for monthly maintenance checks consisting of checks and graffiti removal. As a result this is expected to lead to a reduced likelihood of future harm to nearby occupiers. Environmental Health raised no further concerns about the operable elements of the installations.

In terms of public safety the installations will be large load bearing structures on the clifftop, and are proposed to have an operable element during certain times which will reveal coded letters. Counterweights are proposed to prevent the artworks blowing over or causing public safety concerns, but in terms of final loads and public participation, a building control application will be required for the installations prior to any works on site and the applicant will be required to comply with the Building Regulations to ensure public safety.

Flood Risk and Drainage

Paragraph 155 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from those areas at highest risk (whether existing or future).

The site lies adjacent to Flood Zone 2, being in a coastal and cliff top location. The installations are temporary artworks and would not be likely to cause any increased risks of flooding, or be harmed by any such occurrence, in accordance with the aims of the NPPF and policies CC01 and CC02 of the Thanet Local Plan.

Archaeology

Thanet is an area rich in archeology, with a long history of trade, settlers and invasion and defence given its former island status and proximity to Europe. Paragraph 190 of the NPPF sets out that LPAs should avoid or minimise any conflict between a heritage asset's conservation and any aspect of a proposal. Policy SP36 of the Thanet Local Plan sets out that the Council will support, value and have regard to the archaeological significance of heritage assets by protecting the historic environment from inappropriate development. Policy HE01 sets out that the Council will promote the identification, recording, protection and enhancement of archaeological sites, monuments and historic landscape features and that development proposals adversely affecting the integrity or setting of Scheduled Monuments or other heritage assets will normally be refused. Where development would be likely to affect a site of archaeological importance, preservation in situ will be sought. If this is not possible or justified appropriate investigation and recording will be required.

The proposed installations would be set on a tripod base that would distribute the weight of the main pole and circular feature evenly across the listed dancefloor. No below ground excavations or fixings are therefore required and there is not considered to be any harm to archeological assets that may be present.

Highways

Paragraph 102 requires that transport issues be considered at the earliest stages of plan-making and development proposals. Paragraph 110 states that development should give priority to pedestrian and cycle movements, facilitate access to public transport, address the needs of people with disabilities and allow for efficient delivery of goods or access by service and emergency vehicles. Paragraph 109 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy QD02 of the Thanet Local Plan outlines that new development proposals should incorporate a high degree of permeability for pedestrians and cyclists and provide safe and satisfactory access for pedestrians, public transport and other vehicles. Policy TP02 sets out that new development will be designed to facilitate safe and convenient movement by pedestrians, including people with limited mobility, elderly people and people with young children. Proposals should provide and enhance safe and convenient walking routes. Policy TP03 states that new development will be expected to consider the need for the safety of cyclists. Policy TP06 outlines that proposals for development will be expected to make satisfactory provision for the parking of vehicles.

The proposed structures would be supported on tripods with a minimum separation distance of 3.3m at ground level. There is both stepped and ramp access to this area and it is considered that there would be a suitable level of permeability retained here to access the bandstand area and walk around the installations.

In terms of visitors and parking, there is on-street provision and a nearby car park that could serve the site. KCC Highways have raised no objections in terms of parking, or hazards to highway users.

In terms of the construction and removal process, KCC Highways require a construction management plan to address waiting areas for large delivery vehicles, transferring of loads, traffic management and access arrangements. This can be dealt with by condition and applied for the promenade area as well. The works across the promenade area will also require the applicant to provide evidence to support the structural adequacy of the promenade and supporting structure to resist the additional loads applied by the construction and delivery vehicles. The applicant has agreed that this could be achieved through a pre-commencement highway condition and as such, subject to the above, the works are not considered to cause harm to pedestrians or highway users.

Conclusion

Overall the site is very sensitively located, being within the Ramsgate Conservation Area, the grounds of a listed structure and in close proximity to a number of other listed buildings, and forming a large part of public open space. Other locations have been considered for the installations, with the Main Sands and promenade area being one such site identified to avoid any potential impact on the historic environment. The submitted Planning Statement with the application indicates that further research and investigations into other areas around

the beach and the port have not been practical or safe for the installations and as a result this site has been considered the most suitable in relation to the theme of artworks.

The works would not cause any significant or material harm to nearby occupiers, and subject to a number of conditions around the permitted duration of the installations and highways matters, the works are not considered to cause any unacceptable or prolonged harm to the environment, or any harm to highway users and safety.

Where harm is identified the NPPF requires a balancing exercise with any public benefit that might outweigh the harm caused. In this case, these would be temporary installations that give regard to the maritime heritage of Ramsgate's past, and would be a community-led project in place-making. There would be social and economic benefits that, given the temporary nature of the works, are considered to outweigh any temporary harm and therefore Officers recommend this application be approved.

Case Officer

Vicky Kendell

TITLE:

F/TH/20/1699

Project

East Cliff Bandstand Wellington Crescent RAMSGATE Kent CT11 8JD

