

A01

F/TH/22/1372

PROPOSAL: Variation of condition 3 of planning permission F/TH/21/1051 for the "Installation of a temporary artwork on the site for a maximum of 1 year" to allow the artwork to be displayed for an additional 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 approved shall be carried out in accordance with the submitted drawings received on 30 June 2021, the proposed block plan submitted on 13 July 2021.

GROUND:

To secure the proper development of the area and in the interests of highways safety.

2 The artwork installations installed shall be removed by 30 September 2023 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 130 and 202 of the NPPF.

INFORMATIVES

Information on how to appeal this planning decision or condition is available online at <https://www.gov.uk/appeal-planning-decision>

The applicant is encouraged to make arrangements for the removal of the temporary artwork prior to the revised expiry date of the 30th September 2023, including the identification of a new location (if being relocated), and the process required for its removal.

SITE, LOCATION AND DESCRIPTION

The public open space is located along the eastern side of the cliff tops in Ramsgate, above the Ramsgate Main Sands and immediately adjacent to the East Cliff Bandstand. 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 site lies to the immediate north east of the bandstand which 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 and the proposed development would be sited on the grassed triangular area to the north east.

RELEVANT PLANNING HISTORY

F/TH/20/1699 - Installation of a temporary artwork on the site for a maximum of 1 year. GRANTED 16/4/2021.

L/TH/20/1700 - Application for Listed Building Consent for the installation of a temporary artwork on the site for a maximum of 1 year. GRANTED 16/4/2021

F/TH/21/1051 - Installation of a temporary artwork on the site for a maximum of 1 year GRANTED 31/08/2021

The F/TH/21/1051 application was a resubmission of the originally approved application (reference F/TH/20/1699) due to a change in siting of the proposed temporary artwork installation. The altered location has been necessary on the basis of the findings of a ground radar survey of the bandstand area which raised concerns in relation to the stability of the ground in this area.

PROPOSED DEVELOPMENT

The application is for the variation of condition 3 of planning permission F/TH/21/1051 for the Installation of a temporary artwork on the site for a maximum of 1 year. The amendment being applied for is to allow the artwork to be displayed for an additional year. The revised removal date would be 30 September 2023.

DEVELOPMENT PLAN POLICIES

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

Neighbours have been notified and a site notice posted and 3 representations have been received; 2 objecting and one in support.

The objections are summarised below:

- Artwork too large and impacts the sea views from flats at Wellington Crescent.
- Any funds better spent on refurbishing the bandstand area itself or installing speed ramps at Wellington Crescent which is dangerous given the speeds at which people drive.
- A better use of space would be more green area/seating around the bandstand itself.
- The structures are intrusive and objectionable.

The supportive comment outlines that the local people, visitors and tourists engage with the artwork, it is an asset to the Ramsgate coastline, increasing access to art and benefitting businesses through increase footfall.

Ramsgate Town Council: Objects to the application and agrees with the comments of the TDC Conservation Officer.

CONSULTATIONS

TDC Conservation Officer: This variation of condition is for the prolonged retention of the temporary artwork upon this site in Ramsgate within the conservation area and directly affronting Waterloo Crescent which is grade II listed.

Under the Listed Buildings and Conservation Areas Act 1990, Section 16 Paragraph 2 it states In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

At the time of the original approval it was established and clarified that this scheme was temporary and as such the harm considered to be caused to the setting and appearance of the nearby listed structures was temporary. Given that the scheme is directly in front of the listed crescent and directly upon a listed structure it is considered to cause a level of interference to its setting and appearance, which typically would not be accepted. Given the scheme has already been in place for a year, I would now consider that prolonging this level of harm would be inappropriate and as such the structures should be removed.

No accompanying justification has been included as part of this application and as such I have little to weigh any harm against any social and communicable benefits.

Therefore I object to the application and would suggest that the scheme is removed and the listed grounds it sits upon made good.

Kent Highways and Transportation - I refer to the above planning application and consider that there are no highway implications associated with the proposals and as such raise no objection on behalf of the local highway authority.

COMMENTS

The application has been called to the planning committee at the request of Councillor Steve Albon for Members to consider the impact of the retention of the temporary artwork upon the Ramsgate Conservation Area.

Principle

Planning permission for the art installation was granted by Members on 16 April 2021 with a condition requiring it to be removed '12 months from the date the installations were substantially completed, unless further permission has been granted'. A ground radar survey of the bandstand area subsequently raised concerns regarding the stability of the ground and a further planning application was submitted for the same artwork to be located adjacent to the original location. The resubmitted application (reference F/TH/21/1051) was granted planning permission with the same condition requiring the artwork to be removed 12 months from the installation date. The installation was officially opened on 30 September 2021 and it is therefore reasonable to assume that the date by which the artwork should be removed would be 30 September 2022. The time period for the artwork to be displayed has now expired.

The site forms, and is surrounded by, public open space. Thanet Local Plan Policy SP32 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. The scale, setting and amenity of the development was previously considered acceptable and to be in line with 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.

Policy SP36 states 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.

Paragraph 130 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 199 and 202 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.

Overall there is not considered to be any in-principle objection to the installation. The main considerations are therefore whether the continued display of the artwork, until 30th September 2022, would 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 and highways safety.

Character and Appearance

The site lies to the immediate north east of the bandstand which is a Grade II listed structure and the area is designated as public open space. The site sits within the Ramsgate Conservation Area and lies adjacent to a crescent of Grade II listed residential terraces in Wellington Crescent.

The application is for the variation of condition 3 of planning permission F/TH/21/1051 which required the temporary art installation to be removed 1 year from the installation date (30 September 2022). The revised removal date through this amendment would be 30 September 2023.

The Council previously agreed that for a temporary period of 1 year the artwork installation would have limited harm to designated heritage assets and the historic environment, as

there would be some public benefit in terms of creating social interaction and inclusivity, and some economic benefit in terms of the potential for increased tourism and regeneration to Ramsgate. The variation application seeks to extend the display time for a further year. The application form states the reason for the additional time is so that the artwork can have 'as much exposure in this location as possible before it moves onto a new location. There is an interest from other organisations to host the artwork, and once it has been removed, it will be on long term loan, so we want to make the most of it in its original location before this happens.' The application form reiterates the background of the artwork being created in collaboration with local children and that the 'artist is of international renown, and the artwork is a draw for visitors to come to the town. It has been mentioned in many news outlets and provides a landmark for the town. The artwork is increasing local interest in an area sometimes overlooked.'

The Council's heritage policies (SP36, HE02 and HE03) seek to protect the historic environment and proposals which preserve or enhance the character or appearance of the area, and accord with other relevant policies of the Plan will be permitted. 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. Paragraph 196 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The paragraph goes on to state that this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The Framework also states, in paragraph 202, that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The Council's Conservation Officer has raised concerns that the installation interferes with the setting and appearance of the nearby listed structures and the retention of the installation for a further period of time prolongs the level of harm. The artwork sits directly in front of the listed Wellington Crescent and directly upon a listed structure, and without justification, this level of interference would not normally be acceptable and the Conservation Officer sees no social or communicable benefits that would outweigh the level of harm caused.

Following the Conservation Officer's comments the applicant has drawn attention to evidence of the positive impact the artwork has had on tourism benefits:

“Thanet District Council's Local Plan itself recognises the importance of culture, cultural heritage and Ramsgate's maritime heritage. The public artwork Beacons by Conrad Shawcross is part of the cultural heritage, drawing inspiration from Ramsgate's nautical history (the materials used are based on those in shipbuilding, the colours are drawn from nautical flags, and the idea behind it based on nautical communication).

This is consistent with objectives identified in Strategic Priorities in the Local Plan, including -

Strategic Priority 1:

Objective 7: "Take advantage of the area's unique coast, countryside, its townscape and cultural heritage and potential of the coastal towns"

Strategic Priority 2:

Objective 3: "Assist Ramsgate to achieve its full potential capitalising on its historical and nautical heritage and visitor economy"

Strategic Priority 11:

"The council will continue to support the continued regeneration and development of Ramsgate focusing on its maritime heritage and developing leisure role"

In addition, the project has won awards, received national recognition and has set the grounds for a lasting legacy. As one of the most visible and long-lasting legacies of the wider Pioneering Places project, Conrad Shawcross's Beacons installation has brought national attention and recognition to Ramsgate as a model of good practice in celebrating cultural heritage.

The applicant cites the Royal Town Planning Institute (RTPI) Award for Best Project: Commendation (<https://www.rtpi.org.uk/media/12160/pioneering-places-east-kent.pdf>) and the Local Government Association (LGA) Culture Commission Case Study (Place) which specifically references the Ramsgate Beacons artwork and surrounding project (<https://www.local.gov.uk/case-studies/pioneering-places>).

In addition the application has referred to the *'Five10Twelve to Department of Culture Media and Sport (DCMS) Committee on Cultural Placemaking and the Levelling Up Agenda, specifically referencing this project as follows:*

"1.2.2. The new work by Conrad Shawcross, Beacons - commissioned by Ramsgate schoolchildren through PPEK (Pioneering Places East Kent) and installed in Ramsgate's Eastcliff - one of the top 10% most deprived LSOAs - acts as a prime example whilst also going further and addressing other levelling up white paper missions. The Shawcross artwork was the culmination of a two year educational programme with local schools, serving as an illustration of how cultural projects can also support the education and skills missions.

1.2.3. Delivered through a complex partnership including the local authority (Thanet District Council), local schools, an Arts Council NPO, (Turner Contemporary), Turner Prize winning artists and local community groups involved in the Heritage Action Zone (HAZ) board, the project supported the local leadership levelling up mission. With the Shawcross public artwork activating and increasing footfall along Ramsgate's coastal East Cliff Promenade in this deprived part of town, this public artwork also encourages walking, cycling and engaging with the town's natural environment, addressing the wellbeing mission."

Full version of this written evidence is available at:

<https://committees.parliament.uk/writtenevidence/106439/pdf/>

The information provided by the applicant demonstrates that the artwork has achieved significant national attention and accolades and there is a recognition that increased footfall has been encouraged along the East Cliff Promenade.

Policy SP04 supports development that attracts tourism and helps to regenerate the town, and the loss of protected open space is supported by policy SP32 where there is open recreation or tourism use. The installation therefore meets the aims of these town regeneration and tourism policies whilst being consistent with the cultural and maritime heritage set out in the Council's Strategic Priorities previously mentioned.

These cultural, regeneration and tourism benefits need to be weighed up against the identified harm to the setting of the heritage assets. Since the original temporary planning permission was granted the Council has adopted the Ramsgate Conservation Area Appraisal (31 March 2022). The Appraisal document (adopted by full Council on Thursday 31 March 2022) was funded by Historic England as part of the Ramsgate Heritage Action Zone, and sets out the special historic and architectural significance of the conservation area and suggests areas for change.

The document identifies the Eastcliff area and Wellington Crescent as making a significant contribution to the Ramsgate Conservation Area. It refers to focal points within the conservation area that provide 'set-piece views'. *Focal points are prominent buildings or structures (or sometimes spaces) which make a significant positive contribution to the views within the conservation area.*

The appraisal document includes photographs of the Bandstand with Wellington Crescent behind (p50) and explains *"These are views of prominent historic buildings or structures which have a designed element and are typically viewed from a fixed location which showcases a degree of symmetry or a complete architectural composition, often combined with landscape features in the foreground and middle ground. A key example is the axial, direct views of the large clifftop crescents, with designed landscaping in front.* Open space and greenery is also highlighted as making *a positive contribution to the special character of the conservation area, in its historic interest as part of the planned urban development of Ramsgate as an important element of the setting of other heritage assets."* Expanding on this the document identifies seafront promenades and formally laid-out square, gardens and crescents providing tranquil space for rest and relaxation.

The East Cliff is one of thirteen Character Areas specifically identified by the appraisal and is characterised by its wide clifftop promenade and prominent iconic buildings. The document states *"The character area makes a very strong positive contribution to the special interest of the conservation area through possessing many elements of considerable architectural and historic interest, and containing extensive, highly-valued public open space which is well-used for recreation and leisure, and from which remarkable coastal panoramas are gained."*

The document notes *"The townscape character of East Cliff is characterised by the juxtaposition of a series of large, set-piece buildings set within generous grounds overlooking a wide expanse of open space created by the pedestrian promenade and vehicular route.* The appraisal refers to public artworks, memorials and shelters within the public open space and notes *"The only building within the open space is the Granville Theatre, which is very low in height to preserve sea views from the other clifftop buildings"*.

In considering harm to special character of the area the document notes that *'Over-scaled new buildings and those lacking sympathetic contextual referencing within and just outside the boundary of the conservation area detract from the character and appearance of the area, especially those in views from key vantage points.'*

Planning policy supports the display of artwork within public open space where there are clear tourism, cultural and regeneration benefits to the town. However, the installation is substantially higher than that of other structures along the promenade, and disrupts views through to Wellington Crescent, the Bandstand and along the promenade, being key characteristics of the East Cliff Character Area identified in the Appraisal. Whilst the temporary one year display of the artwork could be justified due to its short term and reversible harm to the significance of the heritage assets, consideration now needs to be given as to whether its continued display for an additional 8 months, until 30th September 2022, would result in any discernible public benefits that would sufficiently outweigh the identified significant harm to the character and appearance of the conservation area.

It is considered that whilst there is identified harm to the heritage assets resulting from its extended display period, there are also tourism, cultural and regeneration benefits identified. Therefore, on balance, for the limited additional time requested the variation of this application to allow a further temporary period of time until the end of the summer period (30 September 2023) is considered acceptable and in line with the requirements of QD02 and HE02; however, we would encourage the applicant to make arrangements for the removal of the artwork prior to the expiry of this revised date applied for given the harm to the designated heritage assets that needs to be rectified.

Living Conditions

The impact on living conditions has been considered through the original application and the installation was not considered to result in loss of amenity due to its distance (approximately 22 metres) from the closest residential property, No. 1 Wellington Crescent. The spacing between the structures allow views through to the sea and the circular perforated surfaces areas allow light through and limit any sense of solidness in this location. Concern has been raised that the installation is an eyesore and restricts views of the sea. Whilst some views may be restricted or changed at points, loss of view cannot be taken into account through the planning process as it is not a material consideration.

The extended display of the artwork until the end of September is not considered to adversely impact upon the residential amenity of nearby residential occupiers.

Highway Safety

There is no change proposed to the siting of the structures and therefore no additional impact upon highway safety. The structures do not encroach heavily upon the tarmacked area and as such adequate space is available for movement along the walkway and between the artwork installations.

In terms of visitors and parking there is on-street provision and a nearby car park that could serve the site. KCC Highways previously raised no objections in terms of parking or hazards to highway users and have made no further comment with regards to its extended siting.

The original permission for the artwork included information relating to the installation and deinstallation methods. KCC Highways assessed this and agreed the details of the Construction Management Plan received 27 August 2021. It would be reasonable to carry forward this condition.

Conclusion

Information has been provided that demonstrates the artwork meets the requirements of the tourism policy, however there is identified harm to the East Cliff Character Area and the contribution it makes to the Ramsgate Conservation Area, from its extended display. The applicant confirms that there is interest from other organisations to host the artwork and therefore its siting in this location is not intended to be long term. Given the limited additional time requested and the tourism, cultural and regeneration benefits identified for the town It is recommended that Members approve a further temporary period of time until 30 September 2023 for the artwork to be displayed.

Case Officer

Rosemary Bullivant

TITLE:

F/TH/22/1372

Project

East Cliff Bandstand Wellington Crescent RAMSGATE Kent CT11 8JD

