

Application ref: 2019/2182/P
Contact: Kate Henry
Tel: 020 7974 3794
Date: 29 May 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Argent
4 Stable Street
London
N1C 4AB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Lewis Cubitt Park
London
N1C 4BE

Proposal:

Installation of permanent sculpture at the northern end of Lewis Cubitt Park including associated works.

Drawing Nos: KXC-PLAN-PLAP-46-A-P01; 037680-02-02 Rev R3; 037680-02-04 Rev R3; 037680-02-05 Rev R3; 037680-02-06 Rev R3; 037680-02-07 Rev R3; 037685-02-09 Rev R2; 037685-02-10 Rev R2; Submission Statement with Design & Access Statement (dated April 2019)

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: KXC-PLAN-PLAP-46-A-P01; 037680-02-02 Rev R3; 037680-02-04 Rev R3; 037680-02-05 Rev R3; 037680-02-06 Rev R3; 037680-02-07 Rev R3; 037685-02-09 Rev R2; 037685-02-10 Rev R2; Submission Statement with Design & Access Statement (dated April 2019).

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 In the event that contamination is found at any time when carrying out the approved development it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11) and where mitigation is necessary a scheme of remediation must be designed and implemented to the satisfaction of the Local Planning Authority before the development hereby permitted is completed.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with Policy A1 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting

The proposed permanent art installation, "My World and Your World", by Eva Rothschild, would be installed towards the northern end of Lewis Cubitt Square. The sculpture would measure up to 12 metres wide and 16 metres tall and is designed to be interacted with. The structure would be constructed with steel and coated with a durable metal paint and clear lacquer, to ensure durability. The structure would be connected to a reinforced concrete slab below ground level, and will appear to be 'planted' in the grass.

Policy D1 of the Camden Local Plan notes that the Council will only permit development for artworks, statues or memorials where they protect and enhance the local character and historic environment and contribute to a harmonious and balanced landscape design. Further guidance is provided within CPG Artworks, statues and memorials (2019), which notes that public art can act as a tool for helping to create a sense of place and can promote better visual legibility of the local area.

The proposed artwork complies with the CPG guidance insofar as it would not be situated in a location with a high concentration of other artworks, statues or memorials; it is of a high quality, from an artist who has been selected through a robust and transparent selection process; it does not raise health and safety concerns and is unlikely to lead to antisocial behaviour; robust maintenance/monitoring arrangements have been proposed; and the proposed installation would not affect the use of the public open space, as it has been designed to allow for people to sit underneath it. Neither would the proposed

artwork affect any pedestrian routes in the area. Furthermore, it is considered that the new artwork would contribute to a harmonious and balanced landscape design in Lewis Cubitt Park and the artwork would also respect and complement the surrounding built environment.

The application is within 100 metres radius of a former landfill site (1899) and railway land (1871 to 1971); however, the wider has undergone significant redevelopment and the risk of contamination is now considered to be low. A condition is attached to the permission to require the developer to notify the local authority in the event that contamination is found during the installation of the artwork.

Due to the nature of the proposal, it is not considered that there would be any harm caused to nearby and neighbouring properties. No objections have been raised in relation to the works. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

The proposed development is in general accordance with Policies A1, A2, D1 and C5 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016; and the provisions of the National Planning Policy Framework 2019.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and

emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

- 5 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope
Chief Planning Officer