

12 Artworks, statues and memorials

KEY MESSAGES

Applications for artworks, statues or memorials are only likely to be acceptable if they:

- meet the requirements of Camden's corporate guidance 'New statues, memorials and artworks in parks, open spaces and the public highway in Camden' and
- protect and enhance the local character and historic environment and contribute to a harmonious and balanced landscape design.

It may be inappropriate to site any artworks and memorials in some locations for contextual or historic reasons.

Background

- 12.1 Camden is receiving an increasing number of applications for artworks, statues and memorials and there is a limited and reducing supply of suitable locations in the public realm and parks and gardens to accommodate new works. This guidance sets out the minimum requirements that Camden expects for applications for public art and all commemorative works including statues and memorials.

Prior to submitting a planning application

- 12.2 Before applying for planning permission you should ensure your proposal meets the requirements of the corporate guidance, you should secure all the relevant permissions, and arrange sufficient funding including for ongoing maintenance. Details of this should be provided as part of your planning application.

Corporate guidance

- 12.3 LB Camden has prepared corporate guidance entitled 'New statues, memorials and artworks in parks, open spaces and the public highway in Camden'. The guidance sets out what the council expects for artworks and memorials in the borough. The corporate guidance includes the following principles:
- **Site specificity and context:** The subject of an artwork, statue or memorial must have a clear historical or conceptual connection to the proposed location.
 - **20 year principle:** At least 20 years after the death of an individual or the date of the event should elapse before an artwork, statue or memorial is erected in commemoration.
 - **Protected areas:** Artworks, statues and memorials should not be sited in spaces which already have a high concentration of other artworks, statues or memorials. LB Camden Parks and Open Spaces have surveyed key artworks, statues and memorials across the borough

and identified areas where any further development of artworks, statues and memorials is unlikely to be appropriate. These have been identified in site survey documents for Council owned or managed land and also through mapping of the density (saturation) of artworks, statues and memorials across the entire borough. We are unlikely to grant permission for new artworks, statues or memorials where identified as inappropriate in site surveys or in areas mapped as having a high saturated or existing works.

- **Quality:** Statues and memorials must be of the highest quality, from an artist who has been selected through a robust and transparent selection process.

- 12.4 The Council will not grant planning permission for artworks, statues and memorials which are not generally in line with the corporate guidance.

Permissions and other legislation

- 12.5 Prior to applying for planning permission you should you have all relevant permissions includes permission from the land owner and from leaseholders and managers of the land.

- 12.6 You should have regard to other legislation including:

- The Highways Act 1980: works affecting the public highway will require consent of the highway authority.
- Public Statues (Metropolis) Act 1854: Section 5 requires consent of the Secretary of State for Culture, Media and Sport, although this is generally provided as a matter of course if the scheme receives planning permission.
- The London Squares Preservation Act 1931 and Public Statues Act 1884 may be relevant to your proposal.

Funding

- 12.7 You should ensure you have made arrangements for the ongoing maintenance of an artwork, statue or memorial. If the artwork, statue or memorial is on Council owned or managed land you are likely to be required to arrange funding to provide to the Council for maintenance of the work in perpetuity. If the work is on private land you are likely to have to be required to provide a maintenance plan as part of planning permission. You may be required to enter a legal agreement (such as s106 Agreement) to secure these measures.

Planning Permission

When is planning permission required?

- 12.8 Depending on the size and location, construction or installation of an artwork or memorial may be constitute development under the Town and Country Planning Act 1990 and therefore require planning permission. Artworks or memorials which are outside or will materially alter the appearance of an area or building will generally require planning

permission. Any artworks or memorials on the interior of a building and which do not materially alter the outside appearance of the building are unlikely to require planning permission. If an artwork or memorial forms part of a larger development it should form part of the planning application for the entire scheme. Listed building consent will be required for any work to which affects the special architectural or historic character of a listed building or structure including internal or external alterations.

Assessment of applications for artworks and memorials

- 12.9 Applications for planning permission for memorials and artworks will be assessed against the National Planning Policy Framework, Council's Local Development Framework (LDF) Core Strategy and Development Policies planning policy documents, the relevant Conservation Area Appraisal and Management Plan (if in a Conservation Area), and Camden Planning Guidance.

High quality design

- 12.10 Core Strategy CS14 'Promoting high quality places and conserving our heritage' requires development to be of a high standard of design and respect local character. CS14 promotes high quality landscaping and works to streets and public spaces.
- 12.11 Core Strategy CS15 'Protecting and improving our parks and open spaces and encouraging biodiversity' states that Camden will protect and improve its parks and open spaces.
- 12.12 Development Policy DP24 'Securing high quality design' requires all development to be of the highest standard of design, and expects developments to consider the character, setting, context, form and scale of neighbouring buildings, the quality of materials used, natural features and landscaping. The policy encourages outstanding design in contemporary or traditional styles. The policy requires development to consider existing rhythms, symmetries and uniformities in the townscape, the compatibility of materials and their texture, tone and colour, the contribution of a design to views and vistas, and the wider historic environment and features.
- 12.13 This Camden Planning Guidance document sets out further design considerations, refer to page 7 for general guidance on design and refer to page 43 for guidance on landscape design and trees.

Conservation of heritage

- 12.14 Core Strategy CS14 'Promoting high quality places and conserving our heritage' requires development to respect local character and requires development to preserve and enhance heritage assets including historic parks and gardens.
- 12.15 Development Policy DP25 'Conserving Camden's heritage' requires development take account of conservation area statements, appraisals

and management plans. Development will only be permitted within conservation areas which preserves and enhances the character and appearance of that area. The policy requires the preservation of trees and garden spaces which contribute to the character of the conservation area and protects parks and gardens of Special Historic Interest and London Squares.

- 12.16 If the artwork of memorial is in a Conservation Area you must refer to the relevant Conservation Area Appraisal and Management Plan which are available on www.camden.gov.uk.
- 12.17 This Camden Planning Guidance document sets out further heritage considerations, refer to page 13.

Crime prevention through design

- 12.18 Core Strategy CS17 'Making Camden a safer place' requires developments to demonstrate that they have incorporated design principles which contribute to community safety and security and promotes safer streets and public areas. This may include through design, lighting and management.
- 12.19 This Camden Planning Guidance document sets out further heritage considerations, refer to page 77.

Further considerations for artworks and memorials

- 12.20 In line with the LDF Core Strategy and Development Policies as summarised above new artworks and memorials will only be permitted where they preserve and enhance the character of the local area, historic environment and heritage assets. Further planning considerations of particular relevant to artworks, statues and memorials are set out below.

Landscape design and over-saturation

- 12.21 New artworks or memorials should only be sited where they contribute to a harmonious and balanced landscape design. Many of the public spaces in Camden particularly open spaces in Central London have limited opportunities for siting of new artworks or memorials. The existing and historic design of spaces must be respected and new structures should not be imposed where they would not complement or improve this existing landscape design. New artworks or memorials are unlikely to be acceptable in locations where there are a number of existing artworks or memorials. Siting of artworks and memorials should also take consideration of the corporate priority to keep the spaces free of clutter to allow unimpeded pedestrian access and for aesthetic considerations.

Historic and thematic context

- 12.22 Artworks and memorials will only be permitted where appropriate in terms of the history, context and purpose of a site. The history or context of a

space may make siting of artworks or memorials inappropriate even when it may be acceptable from design or aesthetic considerations. If a location (for example a garden or square) has been traditionally free from artworks or memorials the introduction of a piece can shift the emphasis and meaning of that space from being an open space in its own right to that of a landscaped setting for an artwork, statue or memorial. Due to the impact they have in changing the character of a space artworks, statues or memorials which form the centrepiece or focus to a space, particularly higher profile spaces such as Central London Squares are unlikely to be acceptable in all but exceptional circumstances (for example where there is overwhelming public support for a person or event of national importance). In line with the National Planning Policy Framework great weight will be given to the conservation of heritage assets and development leading to substantial harm to the significance of a designated heritage asset will be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Temporary artworks and memorials

- 12.23 Temporary memorials provide a focus for community commemoration while being significantly less costly and time consuming to establish. Planning permission may still be required for temporary structures and you should contact to the Council at an early stage for advice.

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