

## Blackpool Council - Development Management

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### Officer Report to Committee

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<b>Application ref:</b>	20/0664
<b>Ward:</b>	Talbot
<b>Application type:</b>	Full
<b>Location:</b>	Talbot Square
<b>Proposal:</b>	Erection of mermaid statue on northern footway outside 10 Talbot Square (Counting House).
<b>Recommendation:</b>	Approve
<b>Case officer:</b>	Pippa Greenway
<b>Case officer contact:</b>	01253 47622

### **1.0 BLACKPOOL COUNCIL PLAN 2019-2024**

- 1.1 The Council Plan sets out two priorities. The first is 'the economy: maximising growth and opportunity across Blackpool', and the second is 'communities: creating stronger communities and increasing resilience.
- 1.2 This application accords with the second priority in that it adds to the cultural offer.

### **2.0 SUMMARY OF RECOMMENDATION**

- 2.1 The location of the proposed sculpture is considered to be acceptable and its form has already been determined. As such, in land use planning terms, the proposal is acceptable and the recommendation is for approval.

### **3.0 INTRODUCTION**

- 3.1 This application is before Members because it is a Council-led development and is of general public interest.

#### **4.0 SITE DESCRIPTION**

4.1 The sculpture would be located in Talbot Square on the northern footway outside 10 Talbot Square (The Counting House) on the corner with the Promenade.

4.2 The site is in the Resort core and within Leisure Zone of the Town Centre. It is also within the Town Centre Conservation Area and the setting of four Listed Buildings (the Town Hall, the former Clifton Hotel, North Pier and the Cenotaph).

#### **5.0 DETAILS OF PROPOSAL**

5.1 The proposal is for a 2 metre high, bronze (painted blue) mermaid statue, in the act of striding forward with one arm extended and holding a shell in the extended hand and with its back to the sea. It would stand on a rectangular concrete pad foundation (1.3 m x 1 m), with the original footway paving slabs reinstated after the foundation is installed.

5.2 The application has been supported by:

- Planning Statement

#### **6.0 RELEVANT PLANNING HISTORY**

6.1 None relevant.

#### **7.0 MAIN PLANNING ISSUES**

7.1 The main planning issues are considered to be:

- the principle of the public artwork
- visual and heritage impact in the Town Centre Conservation Area

#### **8.0 CONSULTATION RESPONSES**

8.1 **Blackpool Civic Trust:** No objections

8.2 **Conservation Officer:** This is in the heart of the oldest part of the Conservation Area, designated in 1984 to protect the historic civic core of the town. It is within the setting of four listed buildings including the grade II\* cenotaph. There was no accompanying heritage statement setting out how the installation would impact on the significance of these buildings or the conservation area. Although it may have been the result of extensive consultation with the local community, it has not taken account of the heritage impact. The modern design of this statue will therefore cause an unacceptable level of harm to the setting of 4 listed buildings, and I strongly recommend refusal of the application.

8.3 **Local Highway Authority:** I have no objection to the proposal. It will require Highways Act and other permissions and I would expect that the exact location will be confirmed only by trial excavations. The installation can only be carried out by a suitably qualified contractor. I would suggest that you condition or request a proportionate CMP covering installation, preferably written by the installation contractor.

## 9.0 **REPRESENTATIONS**

9.1 Site notice published: 27/10/2020

9.2 Neighbours notified: 22/10/2020

9.3 No response to notification

## 10.0 **RELEVANT PLANNING POLICY**

### 10.1 **National Planning Policy Framework (NPPF)**

10.1.1 The NPPF was adopted in February 2019. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

- Section 8 – Promoting healthy and safe communities
- Section 12 - Achieving well-designed places
- Section 14 - Conserving and enhancing the historic environment

### 10.2 **National Planning Practice Guidance (NPPG)**

10.2.1 The NPPG expands upon and offers clarity on the points of policy set out in the NPPF.

### 10.3 **Blackpool Local Plan Part 1: Core Strategy 2012-2027**

10.3.1 The Core Strategy was adopted in January 2016. The following policies are most relevant to this application:

- CS7 Quality of Design
- CS8 Heritage
- CS17 Blackpool Town Centre

### 10.4 **Blackpool Local Plan 2011-2016 (saved policies)**

10.4.1 The Blackpool Local Plan was adopted in June 2006. A number of policies in the Local Plan have now been superseded by policies in the Core Strategy but others have been saved until the Local Plan Part 2: Site Allocations and Development

Management Policies has been produced. The following saved policies are most relevant to this application:

- SR8 Leisure Zone
- RR1 Visitor Attractions
- LQ1 Lifting the Quality of Design
- LQ10 Conservation Areas
- BH3 Residential Amenity
- BH4 Public Health & Safety

## **10.5 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (emerging policies)**

10.5.1 The Blackpool Local Plan Part 2 has been subject to an informal consultation exercise and will be subject to formal consultation later this year. At this point in time limited weight can be attached to the policies proposed. Nevertheless, the following draft policies in Part 2 are most relevant to this application:

- DM25: Public Art

## **11.0 ASSESSMENT**

### **11.1 Principle**

11.1.1 The principle of public artwork is acceptable within the designated Town Centre.

### **11.2 Visual and heritage impact**

11.2.1 The location proposed allows the “Call from the Sea” sculpture to be appreciated in 360 degrees and in full sunlight. The mermaid design links the sculpture to the sea (she is emerging from the sea and making her way up Talbot Road) and the colour is designed to make it stand out from a distance and be distinctive. The design has arisen from the artist’s commission to work with various community groups and college students and has been approved outside of the planning process. As such, the artistic interpretation and merit is not considered to be a planning consideration and, in planning policy terms, the location is acceptable for public artwork.

11.2.2 It is noted that the Conservation Officer has objected to the location of the statue due to its modern design. The statue has to be located within the Conservation Area as it is part of the Quality Corridors scheme and is funded by that project. As stated above, the artistic form of the installation of itself is not considered to be a matter of planning judgement. Although little weight can be attached to it at present, emerging Policy DM25 of the Local Plan Part 2 encourages the provision of public art, including within the defined Town Centre. The policy makes no attempt to be prescriptive with regard to the form of the public art or to suggest that installations of modern design would be inappropriate in areas of sensitive heritage value. The

juxtaposition of old and new is a feature of many visually sensitive urban streetscenes. As such, it is not considered that the proposal could reasonably be resisted on heritage grounds.

### **11.3 Other**

11.3.1 No objections have been raised by the Head of highways, there is therefore no issue with highway or pedestrian safety.

11.3.2 There are no issues with drainage, flood risk or biodiversity. There is no environmental impact  
With regard to air, water and land quality

11.3.3 The application has been considered in the context of the Council's general duty in all its functions to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998 (as amended).

11.3.4 Under Article 8 and Article 1 of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. This application does not raise any specific human rights issues.

### **11.4 Sustainability and planning balance appraisal**

11.4.1 Sustainability comprises economic, environmental and social components.

11.4.2 Economically the scheme would have a very limited impact but might attract additional visitors into Talbot Square and some employment would be generated during construction.

11.4.3 Environmentally, environmental quality, drainage and biodiversity would not be materially affected.

11.4.4 Socially, the scheme would add to the cultural offer within the town centre and there would be no adverse impacts with regard to highway safety.

11.4.5 In terms of planning balance, the development proposed is considered to constitute sustainable development. No other material planning considerations have been identified that would outweigh this view.

## **12.0 FINANCIAL CONSIDERATIONS**

12.1 The proposal is being grant funded under the Quality Corridors initiative.

### **13.0 CONCLUSION**

13.1 The location is appropriate for public artwork

### **14.0 RECOMMENDATION**

14.1 Members are respectfully recommended to grant planning permission 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.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority including the following plans and information:

*Location plan recorded as received by the Council on 28 October 2020*

*Drawing number 700-099-001 Rev A*

*Supporting information dated 21 October 2020.*

The development shall thereafter be retained and maintained in accordance with these approved details.

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

- 3 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:

- dust mitigation measures during the construction period
- control of noise emanating from the site during the construction period
- hours and days of construction work for the development
- contractors' compounds and other storage arrangements
- provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
- arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways

- measures to prevent contamination of surface and sub-surface water bodies during the construction period
- routing of construction traffic

The construction of the development shall then proceed in full accordance with the approved Construction Management Plan.

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.