

Camden Planning Guidance

Artworks, statues and memorials

March 2019



CONTENTS

What is Camden Planning Guidance?	3
What does this guidance cover?	3
Prior to submitting a planning application	3
Corporate guidance	4
Permissions and other legislation	4
Funding	5
Planning permission	5
Further considerations	6

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.

What is Camden Planning Guidance?

- 1.1 The Council has prepared this Camden Planning Guidance (CPG) on Artworks, statues and memorials to support the policies in the Camden Local Plan 2017. This guidance is therefore consistent with the Local Plan and forms a Supplementary Planning Document (SPD) which is an additional "material consideration" in planning decisions.
- 1.2 This document should be read in conjunction with and within the context of the relevant policies in Camden's Local Plan, other Local Plan documents and other Camden Planning Guidance documents.

What does this guidance cover?

- 1.3 This guidance provides information on artworks, statues and memorials within the Borough and supports Local Plan Policy D1: Design.
- 1.4 The document was adopted in March 2019 and replaced the advice on artworks in Camden Planning Guidance 1: Design (July 2015, updated March 2018).
- 1.5 Camden regularly receives 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. The Council supports the provision of public art, particularly when new major developments are being designed and commissioned (e.g. developments likely to attract significant numbers of visitors or large enough to change its context), and where this takes into account the advice contained in this CPG. Public art can act as a tool for helping create a 'sense of place' and promote better visual 'legibility' of the local area. 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

- 1.6 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

- 1.7 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.
 - Saturation 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. We are unlikely to grant permission for new artworks, status or memorials where identified as inappropriate in site surveys as areas considered to have a high saturation of 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.
 - Diversity: We welcome initiatives and proposals for artworks and memorials that recognise the variety of experiences and cultures the borough enjoys and that commemorate and celebrate people and events that have important connections to the local community.
 - Safety: Any proposals need to consider safety and anti-social behaviour issues.
 - Support: Artworks and memorials should have the support of the landowners, as well as a demonstrated support of the wider community, relative to the scale of the proposal.
 - Maintenance and sustainability: Artworks and memorials should have robust maintenance arrangements to ensure they can be managed and maintained for as long as they are in place.
- 1.8 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

- 1.9 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.
- 1.10 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

- 1.11 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?

- 1.12 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. They may sometimes be provided or funded through the Section 106 legal agreement or through a planning condition.
- 1.13 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. In such cases, public art may form an integral component of the design and commissioning process for the development. 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

- 1.14 Applications for planning permission for memorials and artworks will be assessed against the National Planning Policy Framework, the Camden Local Plan, the relevant Conservation Area Appraisal and Management Plan (if in a Conservation Area), and Camden Planning Guidance.

High quality design

- 1.15 Local Plan Policy D1 Design: the Council will seek to secure high quality design in development that respects local context and character, preserves or enhances the historic environment and heritage assets, is sustainable in design and construction, comprises details and materials that of high quality and integrates well with surrounding streets and open spaces.
- 1.16 Local Plan Policy A2 Open Space: The Council will protect all designated public and private open spaces as shown on the Policies Map. Exceptionally, and where it

meets a demonstrable need, small-scale development will be supported which is associated with the use of the land as open space and contributes to its use and enjoyment by the public. 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.

- 1.17 Local Plan Policy C5 Safety and Security: The Council will require developments to demonstrate that they have incorporated design principles which contribute to community safety and security. Policy C6 Access for all: The Council expects spaces, routes and facilities between buildings to be fully accessible.
- 1.18 Local Plan Policy D2 Heritage: The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments, historic parks and gardens and locally listed heritage assets.
- 1.19 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.

Further considerations for artworks and memorials

- 1.20 In line with the Camden Local Plan 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

- 1.21 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.
- 1.22 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 need to keep the spaces free of clutter to allow unimpeded pedestrian access and for aesthetic considerations.

Historic and thematic context

- 1.23 Artworks and memorials will only be permitted where they are 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, an installation 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. While this is can be a risk in some open spaces, appropriate use of public art may also present an opportunity to enliven existing areas of public realm, help generate community

ownership and become a source of local identity and pride (e.g. the use of everyday objects in installations by Gilbert Bayes on housing estate land in Somers Town). Where there are proposals for such amenity areas, local residents and stakeholders should be involved in the development of designs.

- 1.24 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).
- 1.25 In line with the National Planning Policy Framework (NPPF) we will seek to conserve heritage assets according to their significance and development leading to substantial harm to 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

- 1.26 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.