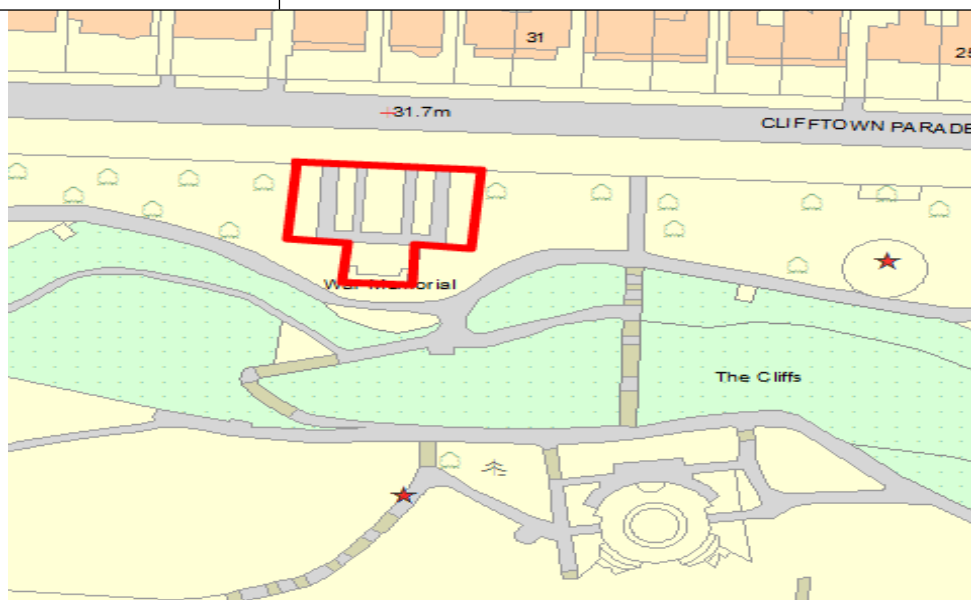


Reference:	1. 19/01093/BC3 2. 19/01094/LBC
Application Type:	Listed Building Consent and Planning Permission
Ward:	Milton
Proposal:	Erect bronze statue of soldier in front of Cenotaph War Memorial (Listed Building Consent and Planning Permission)
Address:	War Memorial, Clifftown Parade, Southend-On-Sea
Applicant:	Southend Borough Council
Agent:	Southend Borough Council
Consultation Expiry:	8th August 2019
Expiry Date:	13th September 2019
Case Officer:	Janine Rowley
Plan Nos:	CNTPH/PLNapp/DG/BLUE001; CNTPH/PLNapp/DG/RED001 CNTPH/PLNapp/DG/BLUE002 CNTPH/PLNapp/DG/RED002 CNTPH/PLNapp/DG/Vs+Elvns/001
Recommendation:	1. GRANT PLANNING PERMISSION 2. GRANT LISTED BUILDING CONSENT



1 Site and Surroundings

- 1.1 The War Memorial is a Grade II* Listed Building located on the south side of Clifftown Parade within the area known as 'The Cliff's. The area is of an open character with sea views across the Thames Estuary to the south. To the north of Clifftown Parade are building in uses as flats, dwellings and hotels. The site is located within the Clifftown Conservation Area.
- 1.2 The Cenotaph is situated in Clifftown Parade, within formal gardens and landscaped areas. The Cenotaph is accessible to the public at all times.
- 1.3 In addition to the heritage designations the site falls within a protected green space, within the seafront landmark area as defined by Policy DS3 and within the Central Seafront Policy Area and Policy PA6 Clifftown Policy Area as defined by the Southend Central Area Action Plan.

2 The Proposal

- 2.1 Listed building consent and planning permission is sought to erect a bronze statue of soldier 1.8m high and 0.5m wide in front of Cenotaph War Memorial, a grade II* listed structure. The statue will be cast in bronze secured to a concrete block below the surface of the ground.
- 2.2 The proposed Statue is to commemorate 100 years since the cessation of hostilities during World War 1. The Statue will be cast in Bronze and will depict a soldier from the period (1918) in the Rest Rifles position. This position was adopted during ceremonial proceedings. The statue will be of the following approximate dimensions; 1.75 metres tall and 0.6 metres between the elbows. The Statue will be set flush to the ground with none of the plinth sides showing.
- 2.3 The application is accompanied by a heritage and access statement.

3 Relevant Planning History

- 3.1 13/00612/BC3- Erect bronze memorial plaque to front of north-east pier adjacent to steps- Grant Planning Permission.

4 Representation Summary

4.1 Public Consultation

29 neighbouring properties were consulted and a site notice displayed. A notice was also placed in the press. One letter of representation has been received:

- Siting of the new statue is not appropriate and would mar the cenotaph
- The Cenotaphs appearance is simple and clean lined and this sculpture should be reconsidered

4.2 **Historic England**

The Southend-on-Sea War Memorial is a very distinguished structure, constructed in 1921 in the immediate aftermath of the First World War. The Portland Stone and painted flag composition, and its wider landscape, were designed by Sir Edwin Lutyens, unquestionably the most distinguished and arguably the most talented of the architects involved in the commemoration.

Lutyens designed 58 memorials commemorating the war, including the Cenotaph in Whitehall and the Memorial to the Missing of the Somme at Thiepval, France. Of these, six follow a similar form, being based around an obelisk with flags. Of those six, Southend was the earliest built version, while the Northampton memorial of 1926 was the latest. The significance of the Southend Memorial is reflected in its listing at Grade II*.

It is proposed to install a life-sized bronze figure of a First World War soldier as part of the commemoration of the centenary of the end of the war. The bronze figure will stand on axis with the obelisk, as part of the central composition of the memorial. Its contrasting yet appropriate materials will complement the existing composition, adding a further layer of meaning.

National policy as set out in the NPPF makes clear the government's commitment to sustainable development (para 7 & 8). Heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance (para 184). When considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the assets conservation (para 193). Harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use (para 196).

Recommendation

Historic England has no objection to the applications on heritage grounds. We consider that the applications meet the requirements of the NPPF.

In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (NPPF) (2019)
- 5.2 Core Strategy (2007): Policies, KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance)
- 5.3 Development Management Document (2015): Development Management Document (2015) Policies DM1 (Design Quality) DM3 (Efficient and Effective Use of Land), and DM5 (Southend's Historic Environment)
- 5.4 Design & Townscape Guide (2009)

5.5 Southend Area Action Plan (SCAAP) (2018) Policy PA6 (Clifftown Policy Area Development Principles) and DS3 (Landmark and Landmark Buildings)

5.5 CIL Charging Schedule (2015)

6 Planning Considerations

6.1 The main considerations in relation to this development are the design and impact on the character and appearance of the site and wider area, impact on the heritage assets, the impact on neighbour amenities, transport issues and CIL. The only consideration in relation to the application for listed building consent is the impact on the architectural and historic character and significance of the listed building and its setting.

7 Appraisal

Principle of Development

7.1 The National Planning Policy Framework and local planning policies support alterations to listed buildings and properties in conservation areas provided the proposal has due regard for the impact of the works on the special historic character and significance of the listed building and on the wider conservation area, including the setting of other listed buildings in the vicinity. Any changes must also have regard for the amenities of the surrounding neighbours. The proposal is therefore acceptable in principle subject to demonstrating that the changes and additions are compatible with these requirements and that no harm would result to the protected green space and objectives of policy for such space.

Design and Impact on the heritage asset and the Character of the Area

7.2 In determining this application the Council has a statutory duty under section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

7.3 Paragraph 195 of the National Planning Policy Framework states where a proposed development will lead to '*substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or total loss...*'

7.4 Paragraph 196 of the National Planning Policy Framework states '*Where a development proposal will 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.*'

7.5 Policy CP4 of the Core Strategy seeks high quality sustainable development which safeguards and enhances the historic environment including listed buildings and conservation areas.

7.6 Policy DM1 of the Development Management Document advocates the need for the Council to support proposals that respect and enhance the character of the site, have appropriate detailing, protect the amenity of the area. In relation to listed buildings and buildings in conservation areas.

7.7 Policy DM5 seeks to protect the character and significance of the Borough's heritage assets including listed buildings stating:

'2. Development proposals that result in the total loss of or substantial harm to the significance of a designated heritage asset, including listed buildings and buildings within conservation areas, will be resisted, unless there is clear and convincing justification that outweighs the harm or loss. Development proposals that are demonstrated to result in less than substantial harm to a designated heritage asset will be weighed against the impact on the significance of the asset and the public benefits of the proposal, and will be resisted where there is no clear and convincing justification for this.'

'5. Any alterations and additions to a heritage asset will need to be evidenced. They should be informed by a heritage statement explaining the significance of the building, including any contribution made by its setting, giving a justification for the works, and clearly identifying their impact on the building's fabric and character in a manner appropriate to the significance of the heritage asset. Where appropriate this may be incorporated in the Design and Access Statement.'

7.8 The Southend-on-Sea War Memorial is a grade II* listed structure, constructed in 1921 in the immediate aftermath of the First World War. The Portland Stone and painted flag composition, and its wider landscape, were designed by Sir Edwin Lutyens.

7.9 It is proposed to install a life-sized bronze figure of a First World War soldier as part of the commemoration of the centenary of the end of the war. The bronze figure will stand on axis with the obelisk, as part of the central composition of the memorial. In relation to the setting of the listed statue and character of the wider conservation area, the statue will be a prominent addition to the streetscene, however it has been designed to contrast with the use of material complementing the existing historic setting of the cenotaph. It is considered the impact on the listed structure of the cenotaph and that of the wider conservation area is acceptable and policy compliant in this regard.

7.10 Paragraphs 7 and 8 of the National Planning Policy Framework make the government's clear commitment to sustainable development. Paragraph 184 of the NPPF goes on to state:

"Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations".

7.11 Paragraph 196 of the NPPF states *"Where a development proposal will 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".*

- 7.12 The statue is located within an area of protected green space within landscaped Cliff Gardens overlooking the estuary. It is not considered the siting of the statue would impact on the protected green space and that the openness of the surrounding area would be maintained.
- 7.13 The proposed statue will preserve the historic character and setting of the grade II* listed structure the cenotaph and preserve its contribution to the character and appearance of the Clifftown Conservation Area. It will have no impact on any other adjacent heritage assets. Historic England have raised no objections on heritage grounds and consider the proposal meets the requirements of the National Planning Policy Framework. The proposal is therefore acceptable and the proposal is policy compliant in these regards.

Impact on Residential Amenity

- 7.14 The application relates to a 1.8m bronze statue, some 41m away from the nearest residential property along Clifftown Parade to the north of the site. There are no residential properties to the east, south and west of the site which is landscaped garden area and protected green space. Given the nature of the proposal it is not considered to result in any harmful impact on residential amenity. The proposal is therefore acceptable and policy compliant in this respect.

Traffic and Transportation Issues

- 7.15 The site is located adjacent to a public footpath and road. It is not considered the proposal would result in any harm to highway safety nor obstruct access for pedestrians to the cenotaph. The proposal is therefore acceptable and policy compliant in this regard.

Community Infrastructure Levy

- 7.16 The proposed development does not result in the creation of any new floorspace and as such no charge is payable in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

8 Conclusion

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The principle of the development is found to be acceptable and the proposal would have an acceptable impact on the character and setting of the grade II* listed Cenotaph War Memorial and the character and the appearance of the conservation area more widely. The development would have an acceptable impact on the protected green space. The impact on the amenities of neighbouring occupiers and the highways impacts of the proposal are also acceptable. These applications are therefore recommended for approval subject to conditions.

9 Recommendation

9.1 GRANT PLANNING PERMISSION subject to the following conditions:

- 01 The works covered by this consent shall begin not later than three years from the date of this consent.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990

- 02 The development hereby permitted shall be carried out in accordance with the approved plans CNTPH/PLNapp/DG/BLUE001; CNTPH/PLNapp/DG/RED001; CNTPH/PLNapp/DG/BLUE002; CNTPH/PLNapp/DG/RED002; CNTPH/PLNapp/DG/Vs+Elvns/001.**

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.

9.2 GRANT LISTED BUILDING CONSENT subject to the following conditions:

- 01 The works covered by this consent shall begin not later than three years from the date of this consent.**

Reason: Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 02 The development hereby permitted shall be carried out in accordance with the approved plans CNTPH/PLNapp/DG/BLUE001; CNTPH/PLNapp/DG/RED001; CNTPH/PLNapp/DG/BLUE002; CNTPH/PLNapp/DG/RED002; CNTPH/PLNapp/DG/Vs+Elvns/001.**

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval.

Informatives:

- 1 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.**