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Mr. Patrick Whymer
Development Management
South Hams District Council
Follaton House
Plymouth Road
Totnes
TQ9 5NE

Our ref: 9941

21 December 2020

Dear Mr Whymer

**TOWN & COUNTRY PLANNING ACT 1990
ART INSTALLATION AT BURGH ISLAND, BIGBURY-ON-SEA
FULL PLANNING APPLICATION ON BEHALF OF THE PRODUCERS**

PLANNING STATEMENT

This planning statement has been produced to accompany the planning application that has been submitted on behalf of our client for an art installation at Burgh Island.

The purpose of this statement is to set out the planning issues relevant to the determination of the application, and to evaluate the scheme against National and Local Planning Policy, and other relevant material considerations. Please find the following documents enclosed with this submission:

- Planning application forms, signed and dated;
- Certificate B, signed and dated;
- Site Location Plan, produced by Bell Cornwell LLP;
- Sculpture Elevation (including structural installation details) drg. C062-A produced by Studio Forty Three;
- Planning Statement produced by Bell Cornwell LLP;
- Photo render images x 4
- Press Release document, provided by applicant;
- Creative development document provided by applicant.

BACKGROUND

This application seeks planning permission for an art installation at Burgh Island which represents two of Britain's forgotten pirates, Anny Bonny and Mary Read. The sculpture has been created by artist Amanda Cotton and is inspired by new original drama, 'Hell Cats', which is available from Audible. The applicant has provided a detailed "creative development" document which accompanies this application and seeks to explain the concept for the sculpture which will provide permanent homage to "two of history's greatest swashbucklers", with a statue that honours their boundary pushing, gender defying lives."



The artwork is titled *Inexorable* and the piece represents the 'freedom of the high seas' and was inspired by both Bonny and Read's individuality, and their bond to one another. The application is supported by a press release confirms the artist took into account their personalities, symbolism, passions and significant features in considering the current design.

The creative development pack submitted with the application confirms; "during their time Anne Bonny and Mary Read were as renowned for their ruthlessness as for their gender, defying the old sailors' adage that a woman's presence on board invites bad luck. Fighting side-by-side they would go on to become two of the world's most notorious pirates, but their story remains largely forgotten. Both Anne and Mary were disguised as boys in their childhoods to escape poverty, propriety and disgrace, only to find freedom on the high seas..."

The statue has been unveiled at Execution Docks, London, famous for its pirate history; before it makes its journey to its intended home on the shores of Burgh Island, which is a fitting location on the basis of the island's heritage and its historic links to pirates and smugglers.

DEVELOPMENT PROPOSALS

The sculpture will measure approximately 2.4m high and will sit on plinths that are 50x30cm and 25x30cm, respectively.

The sculpture will be constructed of marine class concrete to ensure it is suitably robust with the use of other natural materials such as shell and quartz to be contained in the cast. The use of concrete and its robustness does not however preclude the design or construction of slender and elegant structures as the case with these proposals.

The installation will be held in place with a stainless steel buried plinth anchored approximately 15cm into the rock face, with reinforced H12 bars installed a further 25cm into the rock. The reinforced bars would be resin anchored holding the statue in place.

The sculptures are located at a level which sits above the tideline, so they will not be emerged in tidal water or have to resist tidal forces. The materials proposed will also allow the development to weather appropriately over time, and for wildlife/biodiversity to become embedded on the structure.

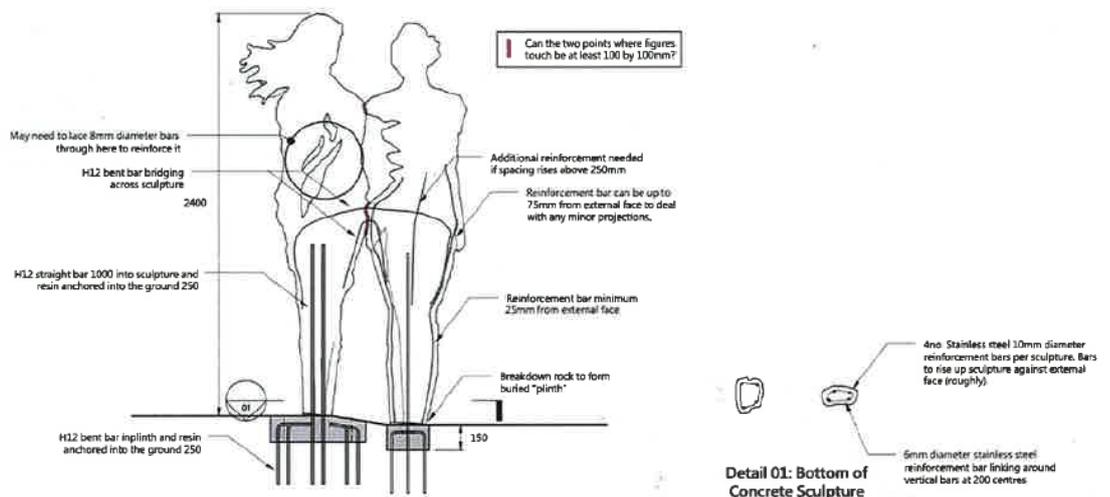


Figure 1 - Sculpture Sketch/Elevation - produced by Studio Forty Three



The works would be implemented in a short timeframe (1 to 2 days) and the site is located on land within the ownership of Burgh Island Limited (rather than being located on the foreshore or land within the control of the Crown Estate). The installation will be placed on exposed rock on a natural level platform that is accessible from the grounds of the Hotel.

The installation is set above the high water mark and does not appear ecology sensitive. It will be located in a position which sits above this mark and sited on a level expanse of rock clear of barnacles and vegetation.

The installation point can be accessed from the car park shown in figure 2. This is also where the installation would be accessed for maintenance purposes.



Figure 2 - application site (denoted by red line) and surrounding context – Bell Cornwell LLP Google License Code GEP-3



Figure 3 - application site (denoted by red line) and wider surrounding context – Bell Cornwell LLP Google License Code GEP-3



APPLICATION SITE AND CONTEXT

The application site comprises an area of exposed rock within the ownership of Burgh Island Limited. Whilst the site comprises an open rock face it is important to note that the sculpture has been deliberately located in this position rather than being located on Crown Estate land.

Render images showing the development in-situ have been produced and are submitted with this application. Examples are shown below:



Figure 4 - in-situ render of sculpture from rock face



Figure 5 - Looking from Bigbury-on-Sea toward the installation

PLANNING POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise. In this case, the key development plan documents are the adopted Plymouth and South West Devon Joint Local Plan and the Bigbury Neighbourhood Plan.

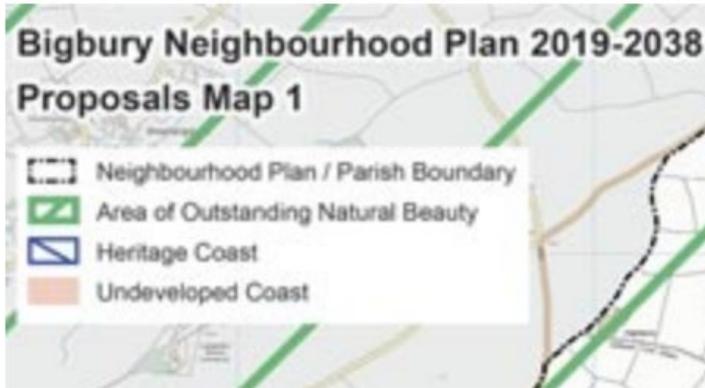


Figure 6 - Proposals Map 1 Key for Designations

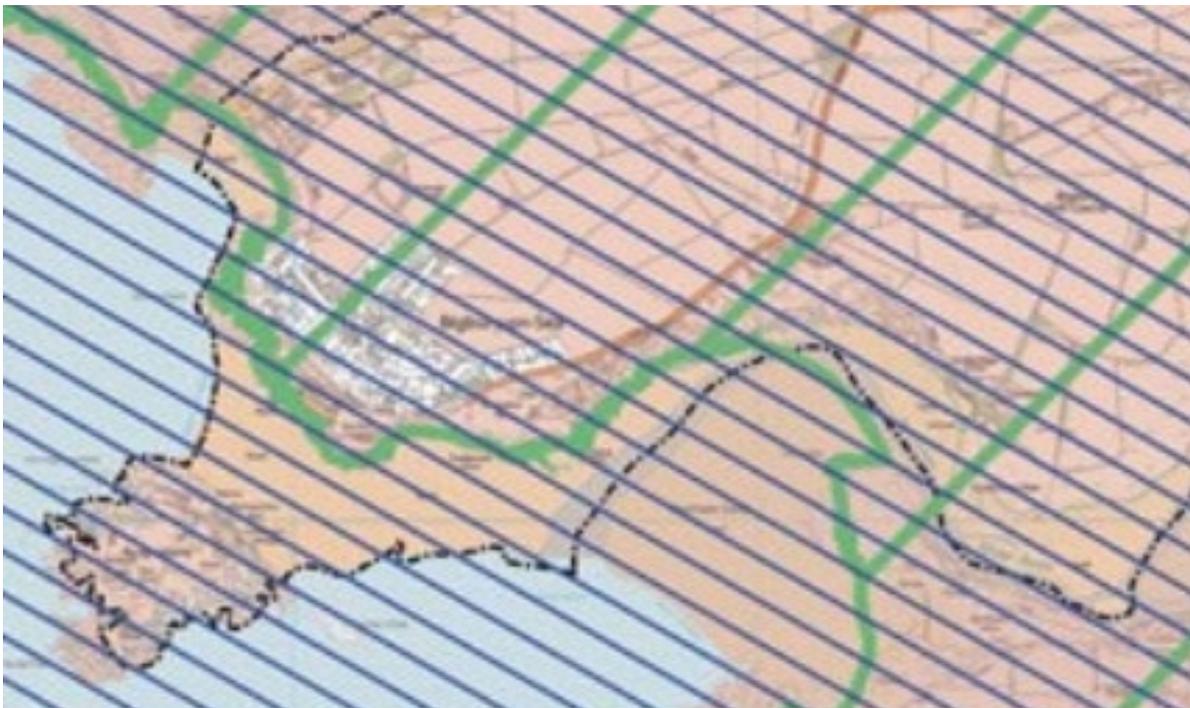


Figure 7 - Proposals Map 1 from the Bigbury Neighbourhood Plan - showing the designations affecting the site

As can be seen from the diagrams above, the land is not within the South Devon AONB, but it does sit within the Heritage Coast and the Undeveloped Coast. Within the Neighbourhood Plan, the application site is also adjacent to a County Wildlife Site and Burgh Island is designated as a Local Green Space on Proposals Map 2. The site is also affected by important views 1, 3 and 5, as identified on Proposals Map 3 within the Neighbourhood Plan.

Plymouth and South West Devon Joint Local Plan

POLICY DEV24 Undeveloped Coast and Heritage Coast

Policy DEV24 states that development which would have a detrimental effect on the undeveloped and unspoilt character, appearance or tranquillity of the Undeveloped Coast, estuaries, and the Heritage Coast will not be permitted except under exceptional circumstances.

Development will only be permitted in the Undeveloped Coast where the development:



1. Can demonstrate that it requires a coastal location.
2. It cannot reasonably be located outside the Undeveloped Coast.
3. Protects, maintains and enhances the unique landscape and seascape character and special qualities of the area.
4. Is consistent with policy statements for the local policy unit in the current Shoreline Management Plan.
5. Is consistent with the relevant Heritage Coast objectives, as contained within the relevant AONB Management Plan.

Development for the purposes of public access and enjoyment of the coast will be supported if it meets the above tests.

Bigbury Neighbourhood Plan

POLICY BP11 – Tourism related development

Paragraph 4.80 of the Neighbourhood Plan states that:

“4.80 Burgh Island is not within the AONB but is part of the Heritage Coast and Undeveloped Coast. It is important that the existing openness of the island is maintained, and any new development be restricted to that which is essential and related directly to ensuring the future viability of the Burgh Island Hotel or The Pilchard Inn. Any new development should also be located within the curtilage of existing development and not on land which is currently open.

4.81 Proposals which support the tourism industry will generally be supported providing these do not result in a harmful impact on the AONB, Heritage Coast and Undeveloped Coast.”

Policy BP11 specifically states that: Tourism related development Proposals which will support the existing tourism facilities such as new or extended beach shops, cafés, restaurants, leisure facilities, or enhanced facilities for the RNLI or Coastguards will be supported. These facilities should not however result in undue noise or disturbance or result in a significant increase in traffic, and they should not be located in locations outside of the existing village settlement boundaries, except upon the hard surfaced areas between the beach and Marine Drive at Bigbury on Sea. Development on Burgh Island will be supported where it is related to the preservation, renovation or enhancement of the existing hotel, inn or other buildings and assists in the preservation and enhancement of the function of the island as a tourist attraction and important area of open green space.

Whilst the sculpture will be located just beyond the curtilage of the hotel, the installation of the sculpture would maintain the openness of the island, by virtue of its design and appearance (e.g. this is not a bulky new building).

In addition, we would suggest that the installation of the sculpture will bring people to the local area and comprise a tourist attraction in its own right. In this regard, the sculpture can be seen to assist in the preservation and enhancement of the function of the island as a tourist attraction and add to the Island’s value as an important area of open green space by providing an additional asset on the island.

POLICY BP15 – Local Green Spaces

The Neighbourhood Plan confirms that the private open land which includes public footpaths at Burgh Island, outside of the existing built up part of the hotel complex are designated as a local green space. In



such locations there will be a presumption against development unless in exceptional circumstances. The sculpture will be located just outside of this allocation.

Policy BP22 – Views and vistas

Paragraph 4.123 of the Neighbourhood Plan confirms the topography of the parish and its location within an AONB and Heritage Coast results in there being a number of stunning views and vistas from many public vantage points. These include the iconic views of Burgh Island and the Art Deco hotel...”

The panoramic views shown in the plan shown in appendix 12 of the Neighbourhood Plan (and as identified earlier in this report) should be protected. This policy is clear that “any new development which adversely affects these views will not be supported. This includes development that might introduce incongruous features, cause harm to the openness of the area, be visible on the skyline, or intrudes into or otherwise adversely affects important views of the sea, the Avon Estuary or views of heritage assets.”

Whilst we acknowledge and fully appreciate the sensitivity of the landscape in this location, we consider that the photomontage work provided by the applicant shows that the artwork can assimilate well with its surroundings without appearing as an incongruous feature. As a 2.4m high, 0.75m wide installation, the installation would not be harmful to openness, and whilst it will be viewed in the context of important views of the sea, this is entirely the reason for situating the artwork in this location. In this regard, any conflict with the landscape policies of the neighbourhood plan, need to be considered against the environmental, economic, social and cultural benefits that locating the sculpture in this location will bring.

Policy BP23 – Built Heritage

Policy BP23 requires great weight shall be given to the conservation of both designated and non-designated heritage assets as identified within Appendix 13 of the Neighbourhood Plan and special regard shall be given to the desirability of preserving the asset or its setting and any features of special architectural or historic interest which it possesses.

Burgh Island Hotel is a Grade II Listed Building and the Pilchard Inn, Huer’s Hut and two Pill Boxes are identified as Non-Heritage Assets in the Neighbourhood Plan. Having assessed the impact of the public art installation and its position and location in relation to these adjacent heritage assets there would be no adverse impacts on their setting or their respective historic and architectural interest.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF) AND PUBLIC ART AND PLANNING

NPPF

Section 6 of the NPPF advises on building a strong, competitive economy, and Paragraph 83 (criterion c) of the NPPF encourages Local Authority’s to issue planning decisions that enable sustainable rural tourism and leisure developments which respect the character of the countryside.

Public Art and Planning

Ixia, the think tank which provides guidance on the role of Public Art, defines Public Art as three types of activity, one of which includes the location of art in public places through permanent artworks like this. Public Art is widely recognised as having a broad range of benefits including:



- Environmental – regeneration, place-making, identity
- Economic – encourages inward investment, promotes a sense of confidence and positivity
- Social – promotes civic and personal pride, encourages people to rediscover and interact with their environment, used as a tool to facilitate social inclusion
- Cultural – community development tool, raises the profile of the arts in general, offers opportunities for people to participate in the arts.

The NPPF states that the social role of the planning system should create ‘a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being’ and the significance that public art can play within this should be recognised. The proposals put forward can help generate such benefits.

In line with good practice, this planning statement has also sought to demonstrate the following:

- The strategic approach taken outlining the rationale behind why the applicant is proposing this particular scheme and how it relates to the site and its uses
- Artists brief/s
- Proposed implementation plan including phasing.
- Arrangements for project management.
- Maintenance and Health & Safety.

Guidance also advises whatever its form, public art should be unique and inspiring with one consistent quality: it should be site-specific and relate to the context or use of a particular site or location within the public realm.

Policy Analysis CONCLUSION

Having reviewed the policy content of both the Local Plan and Neighbourhood Plan, we believe there are strong grounds on which this art installation can be supported on this site. Whilst noting the landscape and heritage sensitivity of the location we believe the rationale behind the proposals and their justification can be supported and recognised as compliant with the spirit of policy BP11 of the Neighbourhood Plan which supports development on Burgh Island where that development can be said to help preserve and enhance the function of the island as a tourist attraction and add to the Island’s value as an important area of open green space.

TECHNICAL STUDIES

Several individual specialist assessments have been undertaken in support of this application. These are as follows:

Structural Installation

The submitted drawing provides details of the proposed installation of the sculpture.

Essentially, the sculpture would be situated on exposed rock with a stainless steel buried plinth anchored approximately 15cm into the rock face, with reinforced H12 bars installed a further 25cm into the rock. The reinforced bars would be resin anchored into the ground and then would pass up through the sculpture to a height of approximately 1m which is sufficient to hold the statue in place.

PLANNING ISSUES



Principle of Development

As per the policy section set out above, we consider that the principle of this art installation could be supported in this location for the reasons set out. The artwork to be installed is unique and inspiring with site-specific connections. It is well-related to the existing context and use of this site and the concept has clear links to Burgh Island's heritage. The scheme can also be considered to comply with Policy BP11 of the Local Plan.

Design and Appearance

The rationale behind the design and appearance of the proposed development is explored in greater detail in the submitted Design Pack provided by the applicants. The submission is also supported by a series of photomontages showing the artwork in situ. The pallet of materials proposed harmonise with the coastal setting of the site and would not cause undue conflict with the landscape policies that affect the location.

Other considerations

We do not anticipate any other material considerations arising with the proposals. For example, the development would not impact on amenity, transport and movement issues or have any other significant impacts. However, should any other issues be identified through the formal consultation process, we would welcome the opportunity to discuss the proposals with you in further detail.

CONCLUSION

We trust that the above overview of the planning issues raised by this scheme is of assistance in the consideration of the application. We look forward to liaising with you to enable the determination of this application in a timely and favourable manner.

Yours sincerely
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