

Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>24/00474/REG3</b>
<b>LOCATION:</b>	<b>Landscaped Area Adjacent to Arc Cinema</b>
<b>PROPOSAL:</b>	<b>Installation of sculpture to landscaped area adjacent to Arc Cinema following relocation from The Square</b>

The application is brought to the Committee as it is a Council project.

1. Purpose of the Report

1.1 The application seeks planning permission for the installation of a sculpture to landscaped area adjacent to Arc Cinema, following relocation from Beeston Square.

2. Recommendation

**The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the Appendix.**

3. Detail

3.1 The existing sculpture, previously a water feature, is at present located within Beeston Square, on top of a base.

3.2 The proposal would see the sculpture moved from this location to outside of the Arc Cinema, just north of the Beeston Square tram stop and west of the car park.

3.3 The main benefit of the proposal is that it would free up space within Beeston Square for further events and market stalls.

3.4 The committee is asked to resolve that planning permission be approved.

4. Financial Implications

4.1 The comments from the Head of Finance Services were as follows:

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

5.1 The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6 Data Protection Compliance Implications

6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Background Papers:

7.1 Nil.

## Appendix

1. Details of the application

- 1.1 The application seeks to move the existing sculpture from Beeston Square, to inside a planter outside of the Arc Cinema.
- 1.2 The sculpture as existing stands within Beeston Square, on top a base made from stone. The sculpture will be moved from this base to within a planter outside the cinema complex. The existing base in the square will be demolished to allow for further room in the square for events. The sculpture has a width of 65cm to the top, 98cm at the bottom and a height of 2.79m.

2. Site and surroundings

- 2.1 The application site is a planter, located directly south of the Arc Cinema and north of the Beeston Centre Tram stop. To the south-east of the site is an existing car park.

3. Relevant Planning History

- 3.1 No relevant planning history post 1974.

4. Relevant Policies and Guidance4.1 **Broxtowe Aligned Core Strategy 2014:**

The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy 6: Role of Town and Local Centres
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019**

The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 10: Town Centre and District Centre Uses
- Policy 11: The Square Beeston
- Policy 17: Place-making, Design and Amenity

4.3 **National Planning Policy Framework (NPPF) 2023**

- Policy 4: Decision Making
- Policy 7: Ensuring the vitality of town centres

5. Consultations

- 5.1 No specific neighbours were consulted on the application and a site notice was put up and any comments received will be submitted as late items.

5.2 There were no internal/external consultees contacted with regard to this application.

5.3 Councillors & Parish/Town Councils:

- Councillor G Marshall – no comment received
- Councillor E Winfield – no comment received

6. Assessment

6.1 Principle

6.1.1 The main issue for consideration is whether or not the principle of the relocation of the sculpture from the square to a prominent position outside of the cinema complex, would have an acceptable impact on the visual amenity within a public space.

6.2 Design

6.2.1 Policy 10 (d and e) states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development.

6.2.2 The sculpture is 2.79m tall, with a width at the base of 98cm and 65cm at the top. It will sit within an existing planter and the existing base within the square will be removed.

6.2.3. The sculpture is made of grey stone and was previously used as a water feature. It will not be used as a water feature in the proposed location unless deemed feasible further in the future.

6.2.4 It is considered that the design is acceptable and the scale of the sculpture will mean that it does appear over-prominent from the street scene.

6.3 Amenity

6.3.1 Policy 10 (f) states that the impact of a development on neighbour amenity will be a consideration. Policy 17 (4d) states that development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

6.3.2 Since the surrounding buildings closest to the proposed location are businesses, no neighbours were consulted. A site notice was put up and any comments will be reported as late items.

6.3.3 It is considered that the relocation of the sculpture will cause minimal amenity impact due to the modest size of the statue and its location within the public realm.

6.4 Highway Safety

6.4.1 It is considered that the proposed relocation of the sculpture will have no impact on highway safety or parking arrangements.

7. Planning Balance

7.1 Whilst acknowledging that the sculpture will be removed from its original location within a prominent town centre space, its new location will mean it can still be appreciated within the public realm whilst freeing up valuable space within Beeston Square for markets and other activities.

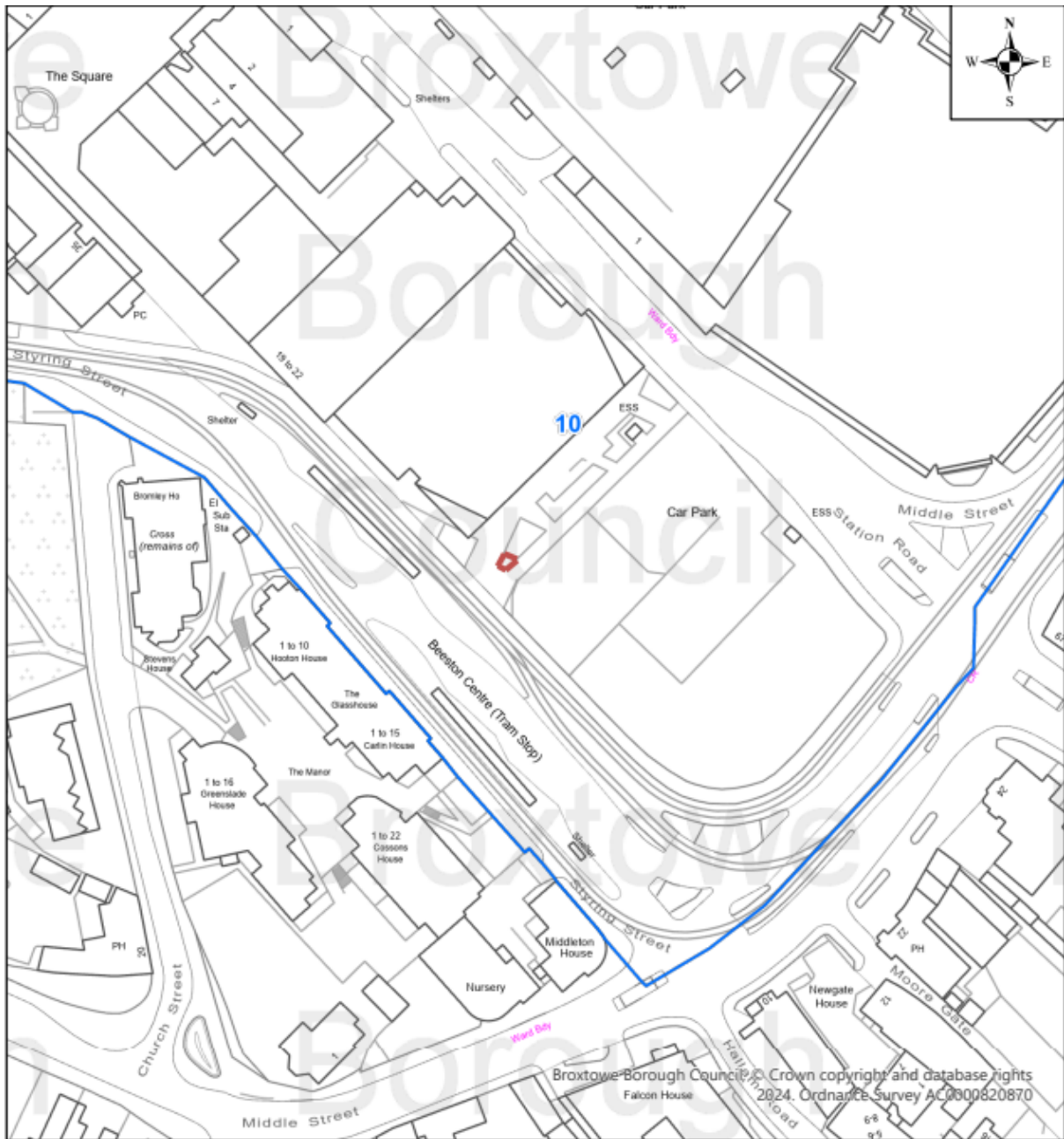
8. Conclusion

It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including the Public Sector Equality and comments raised in representations received, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

<b><u>Recommendation</u></b>	
<p><b>The Committee is asked to RESOLVE that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:</b></p> <p><b>(i) the following conditions:</b></p>	
<b>1.</b>	<p><b>Condition</b></p> <p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><b>Reason:</b></p> <p><i>To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
<b>2.</b>	<p>The development hereby permitted shall be carried out in accordance with the Proposed Site Block Plan (1:500) received by the Local Planning Authority on 8 August 2024 and in accordance with the Site Location Plan (1:1250) received by the Local Planning Authority on 13 August 2024.</p> <p><b>Reason</b></p> <p><i>For the avoidance of doubt.</i></p>

	<b>NOTES TO APPLICANT</b>
<b>1.</b>	<b>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</b>

**Map**



Photographs



Photograph to show mock-up image of sculpture in new location.



Photo of sculpture as existing from the south.



Photograph of sculpture in existing location from the west.



Photographs



Photograph of sculpture within existing Beeston Square location.



Photo of walk up to the new site.



Photograph of proposed location for the sculpture, within existing planter – to the front of Arc Cinema.



Photograph of proposed location.