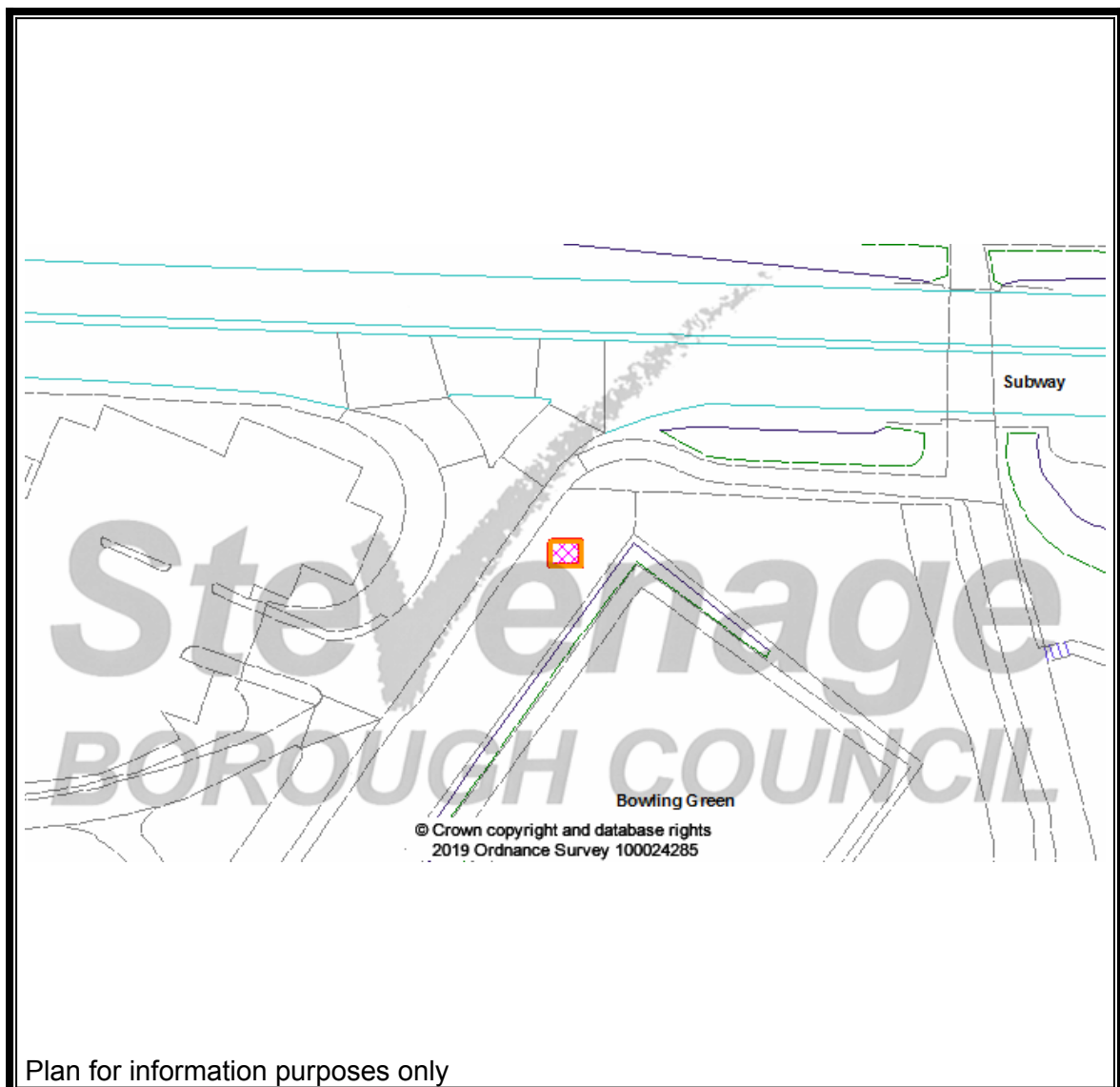


Meeting: Planning and Development Committee **Agenda Item:**
Date: 26 May 2020
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Application Nos:	20/00085/AD
Location:	Shephalbury Park, Broadhall Way, Stevenage, Herts.
Proposal:	Erection of 1 no. 6m high flagpole.
Drawing Nos.:	'Location of Flag' and 'Flag Details'.
Applicant:	Stevenage Borough Council
Date Valid:	06 February 2020
Recommendation:	GRANT ADVERTISEMENT CONSENT



1. SITE DESCRIPTION

- 1.1 The application site is located at the northern end of Shephalbury Park which is designated as Principal Open Space under the adopted Local Plan (2019). The park itself is accessed from Broadhall Way (A602) with various pedestrian access points from the surrounding residential estates.
- 1.2 At the north-western edge of the park is the Shephalbury Sports Academy which comprises the main academy building and associated 3G football pitches. To the east of the academy is the Bowling Green and clubhouse and to the south of this are the enclosed tennis courts. The park also comprises the Council's Depot as well as The Coptic Orthodox Church and associated buildings. The surrounding area is characterised by a mixture of two-storey terraced and semi-detached properties which are set within rigid building lines. These properties are generally constructed from brick with pitched roofs clad in concrete inter-locking roof tiles.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 07/00659/FP sought permission for the erection of new sports pavilion and associated car parking area. This application was granted planning permission in November 2007.
- 2.2 Tree Preservation Order application 07/00789/TPTPO sought consent for a 30% crown reduction to 1 no. Oak Tree. Consent was granted in January 2008.
- 2.3 Planning application 08/00409/REG3 sought permission of new sports changing facilities and community hall with associated car parking and landscaping following the removal of existing temporary facilities. This application was granted planning permission in October 2008.

3. THE CURRENT APPLICATION

- 3.1 The current application seeks advertisement consent for the proposed erection of 1 no. 6m high flag pole. The flag pole would be constructed from fibreglass with a hinged base plate. The proposed flag would be cloth with white lettering on a green background. The flag would measure 90cm in height by 180cm in width with the maximum height of the lettering being 11cm and the maximum height of the green flag symbol being 77cm. The flag would read "Green Flag Award" and include the green flag symbol of two figures and a tree.

4. PUBLIC REPRESENTATIONS

- 4.1 The application has been publicised by the erection of a site notice. At the time of drafting the report, no comments or representations had been received.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

- 5.1.1 The proposal would be located adjacent to a private road on land in control of the applicant offset from Broadhall Way that is designated as the A602 Principal Main Distributor Road that is subject to a speed limit restricted to 40 mph.
- 5.1.2 The sign is proposed adjacent to a public highway. Given that the flag is set back from the public highway it is considered that the proposal would not affect drivers along the adjacent highway the flag would not be a significant highway safety issue. The flag is

set at a sufficient height for the head clearance of pedestrians consequently the proposal is considered acceptable in highway terms.

6. RELEVANT PLANNING POLICIES

6.1 Background to the development plan

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007)

6.2 Central Government Advice

6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. At the time the revised NPPF was published, the Stevenage Local Plan was subject to a Holding Direction by the Secretary of State following an Examination in Public in 2017. On 25 March 2019 the Secretary of State withdrew the Holding Direction on the understanding that the Council would adopt it as part of the Development Plan. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan be considered up to date for the purpose of determining planning applications.

6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.

6.2.3 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Stevenage Borough Local Plan 2011-2031 (Adopted 2019)

Policy SP8: Good Design;
Policy GD1: High Quality Design;

7 APPRAISAL

7.1 Paragraph 132 of the NPPF states that "...advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts". Therefore, the main issues for consideration in the determination of this application are the effects of the proposal on the visual amenities of the area and also public safety.

7.2 Visual amenity

- 7.2.1 The NPPF (2019) advises that in relation to the impact of an advertisement on visual amenity, the quality and character of places can suffer when advertisements are poorly sited and designed.
- 7.2.2 It is recognised that the proposed flagpole and associated flag is to be located in Shephalbury Park, where there are currently no adverts or signage of this type. However, the flagpole and associated flag relate specifically to Shephalbury Park in which it is located, promoting the fact that the Park has won an award and, as such, is considered to be an appropriate feature. Additionally, the flagpole and associated flag would be set against the backdrop of the existing mature trees. Moreover, the existing academy has a number of advertisement signage promoting the facilities available. As such, the proposal would not appear as an incongruous feature.
- 7.2.3 Given the aforementioned comments, it is considered that the proposed flagpole and associated flag would not have a detrimental impact on the visual amenities of the surrounding area. The proposal would also have to be well maintained to ensure that its visual impact is acceptable over time; this can be achieved through the imposition of a condition.

7.3 Public safety

- 7.3.1 In terms of assessing the impact upon public safety, regard needs to be given to the effect of an advertisement upon the safe use and operation of any form of traffic or transport on land (including pedestrians). With regard to pedestrians, the flag pole would be located near the junction of Broadhall Way (A602) and the access road into the park. The flag pole would also be sited away from the bowling green area and positioned against the back drop of the existing mature trees. In addition, the flagpole is also positioned back from the public footpath which runs along the edge of the spur road off Broadhall Way. Consequently, the proposal would not impede on pedestrians in anyway. Additionally, the flag pole is 6m in height and as such, would not result in any safety issues for pedestrians.
- 7.3.2 Given the proximity of Broadhall Way, Hertfordshire County Council as Highway Authority has been consulted. The Highway Authority, noting that the proposal is to be non-illuminated and is set back from the edge of the highway; do not consider the proposal to have a significant impact on Broadhall Way. Consequently, the proposal is considered acceptable in highway terms.

8 CONCLUSIONS

- 8.1 In conclusion, it is considered that the signage proposed would not have an adverse effect on the visual amenity of Shephalbury Park and would acceptably promote the fact that the Park has been awarded Green Flag status. Additionally, the signage would not present a safety risk to members of the public.

9 RECOMMENDATIONS

- 9.1 That ADVERTISEMENT CONSENT BE GRANTED subject to the following conditions:
1. The development hereby permitted shall be carried out in accordance with the following approved plans:

'Location of Flag' and 'Flag Details'

REASON:- For the avoidance of doubt and in the interests of proper planning.

2. This consent shall be for a limited period only, expiring five years after the date of this notice and on or before that date the advertisements shall be removed and the buildings/land restored to its former condition.

REASON:- To comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. (A) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitles to grant permission.

(B) No advertisement shall be sited or displayed so as to:-

- i) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- ii) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- iii) Hinder the operation of any device used for the purpose of security of surveillance or for measuring speed of any vehicle.

(C) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(D) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

(E) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

REASON:- In accordance with Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

10 BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and Stevenage Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.