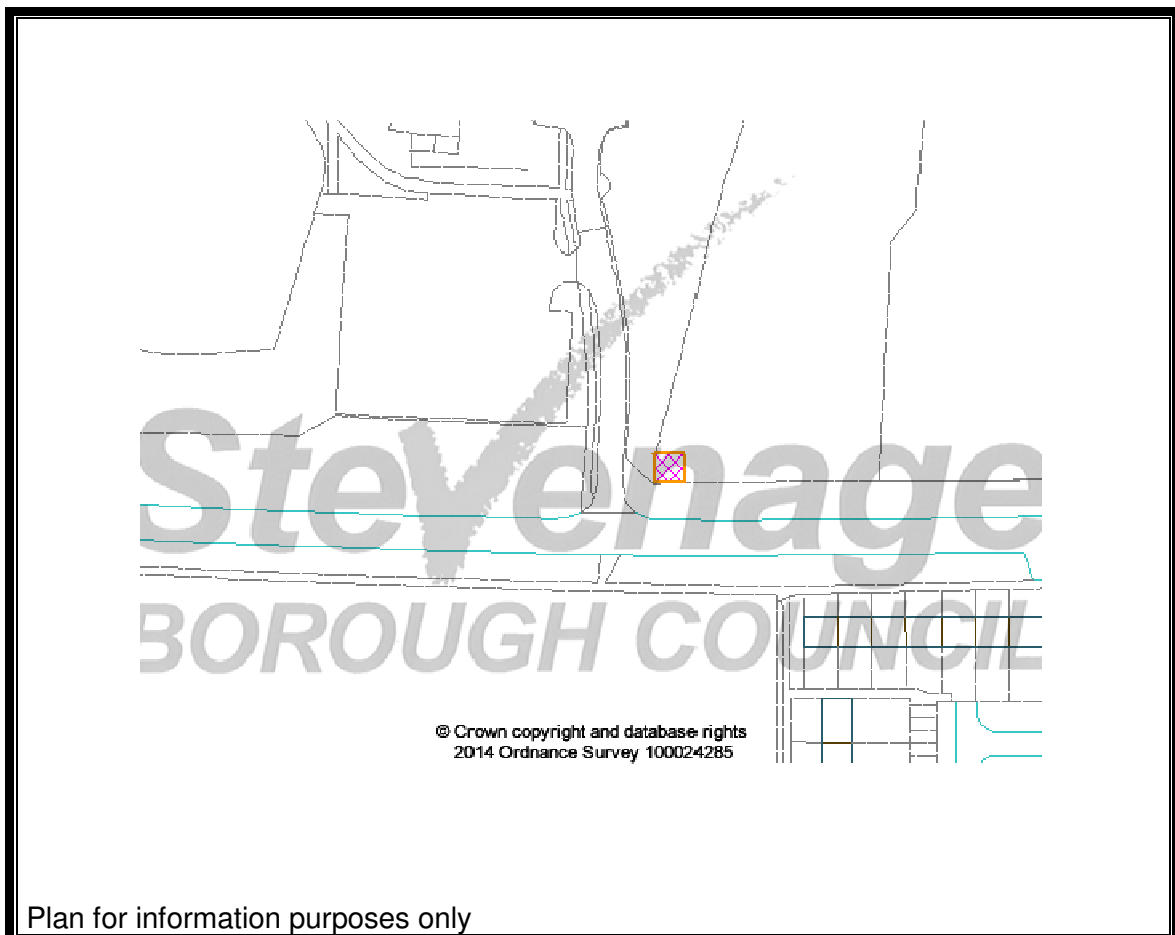


Meeting: Planning and Development Committee **Agenda Item:** 6
Date: 13 October 2015
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Application Nos:	15/00518/AD
Location:	Hampson Park, Webb Rise, Stevenage, Herts.
Proposal:	Erection of 1 no. 6m high flagpole.
Drawing Nos.:	'Location of Flag' and 'Flag Details'.
Applicant:	Stevenage Borough Council
Date Valid:	24 th August 2015
Recommendation:	GRANT ADVERTISEMENT CONSENT



1. SITE DESCRIPTION

- 1.1 The application site is located on the southern end of Hampson Park which is designated as a Principal open space. The park itself is bordered on all four sides by public highway and is connected by existing cycle and public footpaths. The site comprises the children's play area which is punctuated by mature trees and bordered by a hedgerow. Beyond the site is public open space which comprises manicured grass land, trees and mature shrubbery.
- 1.2 To the north-eastern edge of Hampson Park is the Water Tower site which lies adjacent to the approved Taylor Wimpey residential development site. On the eastern edge of the Park is the skateboard park. The surrounding area is characterised by two-storey terraced properties which are set within rigid building lines. These properties are constructed from brick with pitched roofs clad in concrete inter-locking roof tiles.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning permission reference 2/0192/68 in July 1969 for the proposed erection of a sports pavilion.
- 2.2 Planning permission granted under reference 14/00338/FP in September 2014 for the proposed construction of a new community centre.

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 not generate any significant highway safety issues.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

- 6.1.1 In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014)
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007)
- The Stevenage District Plan Second Review 2004.

The former Stevenage Draft Core Strategy and Development Management Policies were withdrawn on 1st February 2012. However, the Site Specific Policies Plan, the Old Town Area Action Plan and the Gunnels Wood Area Action Plan have all been approved locally by the Council's executive as material considerations in the determination of planning applications and continue to be used for Development Management purposes. Additionally, the Council's Interim Planning Policy Statement adopted in April 2012 is a material consideration in the determination of planning applications registered on or after the 18 April 2012.

- 6.1.2 Where a Development Plan Document has been submitted for examination but no representations have been made in respect of relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will be adopted. The converse may apply if there have been representations which oppose the policy. However, much will depend on the nature of those representations and whether there are representations in support of particular policies.
- 6.1.3 In considering the policy implications of any development proposal the Local Planning Authority will assess each case on its individual merits, however where there may be a conflict between policies in the existing Development Plan and policies in any emerging Development Plan Document, the adopted Development Plan policies currently continue to have greater weight.

6.2 Central Government Advice

- 6.2.1 In March 2012 the National Planning Policy Framework (NPPF) was published and in doing so it replaced many documents including all Planning Policy Guidance Notes and Planning Policy Statements. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 215 of the NPPF applies which states that only due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.
- 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 the National Planning Practice Guidance (March 2014) also needs to be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 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.

7 APPRAISAL

- 7.1 Paragraph 67 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 (2012) advises that in relation to the impact of an advertisement on visual amenity, regard should be given to its effect on the appearance of the building or on the visual amenity of their surroundings where it is to be displayed.
- 7.2.2 It is recognised that the proposed flagpole and associated flag is to be located in Hampson Park, where there are currently no adverts or signage of this type. However, the flagpole and associated flag relate specifically to Hampson 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 and therefore, 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 need 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 Webb Rise and the access road into the surface car park. The flag pole would also be sited away from the children's play area and positioned against the back drop of the existing mature trees. Consequently, it 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 Webb Rise, 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, they do not consider the proposal to have a significant impact on Webb Rise. 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 Hampson 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 District Plan Second Review 1991-2011.
3. Central Government advice contained in the National Planning Policy Framework March 2012 and National Planning Policy Guidance 2014.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.