

Report of the Chief Executive

**18/00332/ADV
 ERECT FLAG POLE
 BRINSLEY PICNIC SITE MANSFIELD ROAD BRINSLEY
 NOTTINGHAMSHIRE**

This application must be determined by Planning Committee as it is a Broxtowe Borough Council application.

1 Details of the application

1.1 This is an application for consent to display a flag pole at Brinsley Picnic Site. The flag pole will have a height of 6m with the flag projecting out of the top by approximately 1.5m displaying the green flag award.

2 Site and surroundings

2.1 The application site is within an existing open space and picnic site with a car park. The proposed flag pole will be positioned to the north of the car park, approximately 15m from the public highway.

2.2 The application site is bordered by existing woodland to the north and east, with the car park to the south, which is accessed directly off Mansfield Road. There are residential dwellings to the west (No. 55 Mansfield Road) and south east (No. 52A Mansfield Road), although these are approximately 41m and 35m away respectively. There is also a public house to the north west which is approximately 62m away.

2.3 The application site is located within the Nottinghamshire Green Belt.



Access to application site from Mansfield Road.



Approximate position of proposed flag pole.

3 Relevant Planning History

- 3.1 In 1989, planning permission (ref: 89/00872/CCR) was granted for the relocation of original Colliery Headstocks from Lord Hall Mining Museum to Brinsley Picnic Site.

4 Policy Context

4.1 **National policy**

- 4.1.1 The National Planning Policy Framework (NPPF) March 2012, contains a general presumption in favour of sustainable development whereby planning permission should be granted for proposals that accord with the development plan without delay.

- 4.1.2 Paragraph 67 of the NPPF states that Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

- 4.1.3 Paragraph 87 of the NPPF states that 'As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.' Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, although it does list a number of exceptions to this. One such exception is the provision of appropriate facilities for outdoor sport and outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purpose of including land within it.

4.2 **Broxtowe Aligned Core Strategy**

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

- 4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

4.3 **Saved Policies of the Broxtowe Local Plan**

- 4.3.1 The Part 2 Local Plan is currently under preparation. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:

4.4 Part 2 Local Plan (Draft)

4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. Consultation on the draft plan occurred between 18 September and 3 November 2017. The consultation comments are currently being considered and a summary of the comments provided were reported to the Council's Jobs and Economy Committee on 14 December 2017. Due to the current stage of the plan preparation, only limited weight can be attached to the policies.

4.4.2 Policy 18: 'Shopfronts, signage and security measures' states that proposals for signage will be granted consent provided that they relate well to the design of the building concerned; are in keeping with the frontage as a whole ; and respect the character of the area.

5 Consultations

5.1 Letters of consultation were sent out to four neighbouring properties and a site notice was posted at the site on 31 May 2018. No responses from members of the public in relation to this application have been received.

6 Appraisal

6.1 In accordance with the National Planning Policy Framework, the advertisements should only be assessed in the interests of public safety and amenity.

6.2 In respect of public safety, the flag pole is set in from the highway boundary. The flag pole will not cause an obstruction to either vehicles or pedestrians, will be clearly different in form to any road signs and will not be illuminated. Therefore, it is considered that it will not cause a distraction to drivers and will not cause an obstruction.

6.3 In respect of amenity the flag pole will be erected in an area of public open space. Whilst there are some residential dwellings in the surrounding area the development is low density and set away from the application site. The nearest dwelling is No. 54B Mansfield Road, a derelict property which is approximately 33m from the proposed flag pole. The nearest occupied dwelling is No. 52A Mansfield Road, which is approximately 35m from the proposed flag pole. Whilst the flag pole will be 6m high, the scale of the development is not considered to have any unacceptable impact on the amenity of nearby properties considering the significant distance it will be from the dwellings.

6.4 The erection of the flag pole is considered to have a very minor impact on the openness that characterises the Green Belt, due to its slimline nature and siting.

6.5 The proposed flag pole is set within the Green Belt where development should not be granted unless it constitutes appropriate development. Whilst the proposal is for an advertisement not a 'development' its impact on the 'visual amenity' of the area should be considered. The proposed flag pole will be used to raise the Green Flag Award. The Green Flag Award Scheme recognises and rewards well managed parks and green spaces and it is considered that the erection of the flag pole to highlight this award will improve the recreational potential of the land.

6.6 The proposed flag pole is set to the south of Vine Cottage and within the Brinsley Headstocks site, both of which are non-designated heritage assets. The proposed flag pole is approximately 30m from Vine Cottage and on the outer edge of the Brinsley Headstocks Site. Taking into account the position and minor nature of the development it is considered that the proposal will not have an undue impact on either of these non-designated heritage assets.

7 Conclusion

7.1 In conclusion, it is considered that the flagpole is acceptable in the interests of public safety and amenity and is therefore consistent with national and local policy in this respect.

Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions:

- 1. The development hereby permitted shall be carried out in accordance with drawings Plan 1 (1:1250), Plan 2 (1:750), Drawing 1 (1:100); received by the Local Planning Authority on 14 May 2018.**
- 2.**
 - (a) Any advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.**
 - (b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.**
 - (c) Where any advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.**
 - (d) 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 entitled to grant permission.**
 - (e) No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military)**

Reasons

1. For the avoidance of doubt.
2. In the interests of amenity and public safety.

Note to Applicant

The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework, by communicating with the agent throughout the course of the application.

Background papers
Application case file

