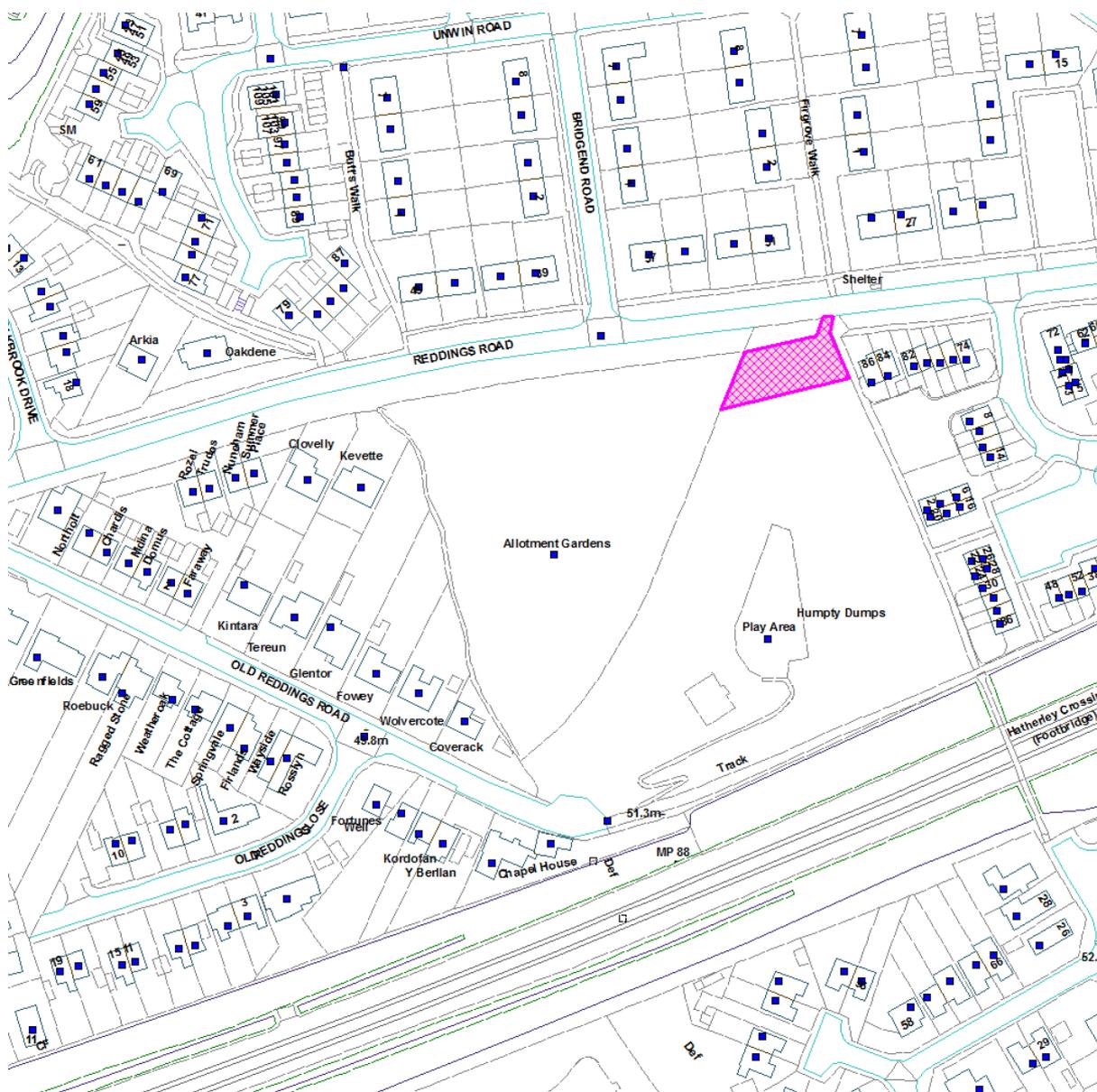


APPLICATION NO: 17/01790/FUL		OFFICER: Mr Ben Hawkes	
DATE REGISTERED: 13th September 2017		DATE OF EXPIRY: 8th November 2017	
WARD: Benhall/The Reddings		PARISH:	
APPLICANT:	Mr Malcom Walls		
AGENT:	n/a		
LOCATION:	Playground, Old Reddings Road, Cheltenham		
PROPOSAL:	Proposed installation of 3 public realm art panels		

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to an area of the 'Humpty Dumps' open space located on Reddings Road.
- 1.2 The applicant is seeking planning permission for the installation of 3 public realm art panels.
- 1.3 The application is at planning committee as Cheltenham Borough Council is the applicant and the land owner.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m
Made-up ground

Relevant Planning History:

None.

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design
RC 1 Existing community facilities
RC 2 Youth and adult outdoor playing facilities
RC 3 Outdoor playing facilities in educational use
RC 4 Casual play space
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Public art (2004)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Ward Councillors

18th October 2017

As ward Councillor I fully support the proposed installation of public art panels within this green space. The design is the culmination of a project in which young people from both schools in Benhall took part. I am delighted that the work of local children, i.e. the younger members of our community, will not be lost to the local area.

A positive point to remember is that this long running project is almost complete and at no cost to local tax payers as the whole scheme is funded from Section 106 monies received from developments in the area. These funds are ring-fenced so cannot be used for anything else.

The Borough is home to a vibrant collection of public art. Public art encompasses many different types of artwork, from sculpture to lighting installations. It can commemorate, celebrate, inspire and amuse. Overall, I believe this artwork will enhance the local environment and so increase awareness and appreciation of where we live and work.

Parks & Landscapes Division

20th October 2017

I am aware of this. Malcolm Wall has picked public art stuff up since Wilf Tomaney left. There have been a couple of aborted attempts to locate this in the Benhall area, and we are hoping this will be its final resting place.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	0
Total comments received	7
Number of objections	5
Number of supporting	2
General comment	0

5.1 The application was advertised by way of a site notice, 7 letters of representation have been received, 5 in objection to the application.

5.2 Within the letters of objection received, the main concerns relate to:

- Cost of the project
- Maintenance

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations of this application are the impact on the local surroundings and character of the area, impact on neighbouring amenity and highway safety.

6.3 Impact on the surroundings

6.4 The proposed art panels are located within an area of public open space, which is considered to be an acceptable location for the proposal.

6.5 The art panels are considered to be of an appropriate scale, form and design for the proposed location and will not result in any unacceptable harm to the character of the area.

6.6 The proposal is considered to be compliant with local plan policy CP7 in terms of achieving an acceptable standard of design.

6.7 Impact on neighbouring amenity

6.8 Due to the location and scale of the proposed art panels and the relationship with any neighbouring land users, it is not considered that the development will result in any unacceptable impact on neighbouring amenity.

6.9 The proposal is considered to be compliant with local plan policy CP4 in terms of protecting neighbouring amenity.

6.10 Highway safety

6.11 Given the proposed location of the 3 new art panels and the distance away from the road, it is not considered that the proposed art panels will result in any highway safety implications.

6.12 The proposal is considered to be compliant with local plan policy TP1 in terms of highway safety.

6.13 Other considerations

6.14 Officers have duly noted the comments and concerns within the letters of representation received. Some of these comments raise concerns regarding the cost of the project and the future maintenance of the art panels.

6.15 With regard to the cost, this is not a material consideration of the application. However for clarification, as detailed in the ward councillor's response, the money for this project is from Section 106 agreements received from other developments in the area. Upon receipt of this knowledge, further neighbour comments have been received and have retracted their earlier objections.

6.16 With regard to maintenance, confirmation from the applicant details that the proposed art panels will become the responsibility of the Cheltenham Borough Council Parks Green Space Division and will fall into their general scheme for safety inspection and maintenance.

7. CONCLUSION AND RECOMMENDATION

7.1 Having considered all of the above, officer recommendation is that planning permission should be granted, subject to the conditions set out below;

8. CONDITIONS / INFORMATIVES

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

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

INFORMATIVES

1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions

of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.