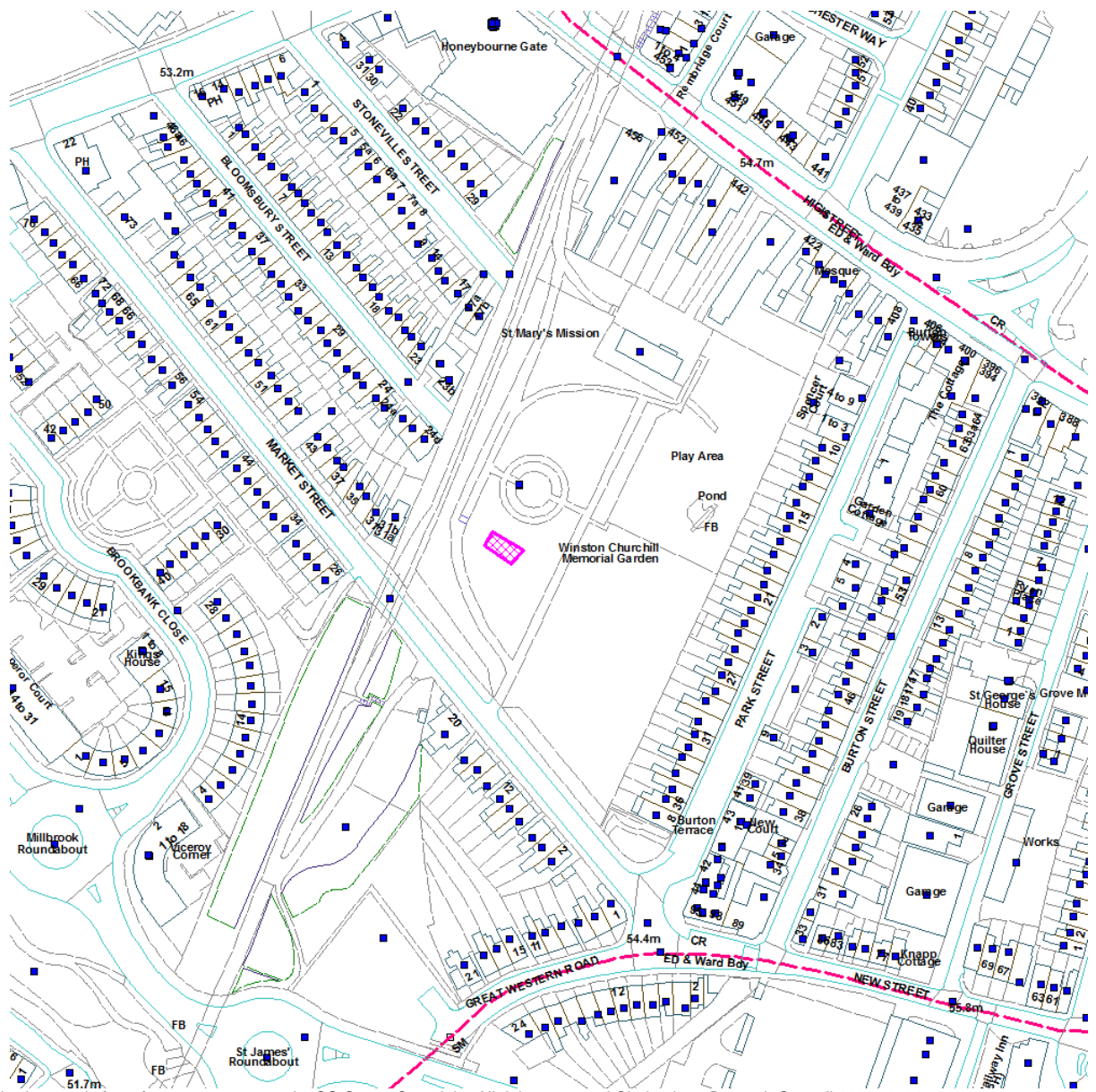


APPLICATION NO: 22/01540/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 26th August 2022	DATE OF EXPIRY: 21st October 2022
DATE VALIDATED: 26th August 2022	DATE OF SITE VISIT:
WARD: St Peters	PARISH:
APPLICANT:	Cheltenham Borough Council
AGENT:	
LOCATION:	St Marys Mission High Street Cheltenham
PROPOSAL:	Installation of a ground mounted flagpole within Winston Churchill Memorial Garden

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises of the St Mary's Mission Grade II listed building and its associated grounds known as the Winston Churchill Memorial Gardens, a designated public green space. The site is located within Cheltenham Central Conservation Area and is accessed via the High Street.
- 1.2 The applicant is seeking planning permission for the installation of a ground mounted flag pole to be located within the grounds of the Winston Churchill Memorial Garden.
- 1.3 The application is at planning committee as Cheltenham Borough Council is the applicant and land owner.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Honeybourne Line
Principal Urban Area
Public Green Space (GE36)
Residents Associations
Smoke Control Order

Relevant Planning History:

07/00846/LBC 26th September 2007 GRANT

Remedial repair works to include new render coat to upper west elevation and installation of bird guarding/proofing systems to front elevation

18/01770/FUL 19th October 2018 PER

Installation of a roof mounted flagpole to the front elevation of St Marys Mission to display the recently awarded 2018 Green Flag for Winston Churchill Memorial Garden

18/01770/LBC 19th October 2018 GRANT

Installation of a roof mounted flagpole to the front elevation of St Marys Mission to display the recently awarded 2018 Green Flag for Winston Churchill Memorial Garden.

20/01010/FUL 20th November 2020 PER

Change the current colour of the 2 main entrance gates (Lower High Street and Market Street and attached entrance railings from black to RAL 6000, and also of the entrance archway to the adjacent Honeybourne Line. To remove the railings around St Mary's Mission Hall.

20/01010/LBC 20th November 2020 GRANT

Change the current colour of the 2 main entrance gates (Lower High Street and Market Street and attached entrance railings from black to RAL 6000, and also of the entrance archway to the adjacent Honeybourne Line. To remove the railings around St Mary's Mission Hall.

21/02648/LBC 27th April 2022 WDN

Remove, refurbish, and re-install street light

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 4 Decision-making

Section 12 Achieving well-designed places

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design

SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD8 Historic Environment

SD14 Health and Environmental Quality

Central conservation area: Lower High Street Character Area and Management Plan (July 2008)

4. CONSULTATIONS

Building Control - *5th September 2022*

No comment

Heritage And Conservation - *5th September 2022*

No observations.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 The application was advertised by way of a site notice and an advert published in the Gloucestershire Echo. No letters of representation have been received in response to this public consultation process.

6. OFFICER COMMENTS

- 6.1 The main considerations of this application are the principle, impact on the setting of the listed building, memorial gardens and conservation area and impact on amenity.
- 6.2 As already noted in the introduction, the application site consists of a detached Grade II listed building known as St Mary's Mission and is set within the grounds of the Winston Churchill Memorial Gardens, which is a designated public green space.
- 6.3 The proposal is to install a ground mounted flag pole within a central section of the memorial gardens and located to the rear of the St Marys Mission building. The pole will be 8 metres high and manufactured from a white powder coated aluminium tube. The pole will be used to display a recently awarded 2022/23 Green Flag award which recognises parks and open spaces which fulfil a number of criteria including design, bio-diversity, sustainability, community involvement and visitor experience.
- 6.4 The flags associated with previous awards accredited to this site have been displayed on a flag pole mounted to the roof of the St Mary's Mission building which was granted consent in 2018, application reference 18/01770/FUL. However due to building maintenance needs, an alternative flag pole is now required.
- 6.5 Due to the listed status of the building and its position within the conservation area the council's conservation team were consulted on this application, no concerns or objections have been raised.
- 6.6 Officers consider the principle of a single flag pole, centrally located within the site to be acceptable and do not consider that this would result in any unacceptable harm to the design, character or setting of the listed building or the surrounding conservation area. The proposal is therefore considered to be compliant with Cheltenham Plan policy D1 and adopted JCS policies SD4 and SD8, which requires development to achieve an appropriate design and to conserve the historic environment.

6.7 Due to the scale and location of the flag pole it will have no impact on neighbouring amenity and is therefore compliant with Cheltenham Plan policy S11 and Adopted JCS policy SD14.

6.8 Other considerations

Climate change

The recently adopted Cheltenham Climate Change SPD (adopted June 2022), sets out a strategy to help Cheltenham become Carbon Neutral by 2030 and identifies how new development can help achieve this aim. Due to the nature of the development there is no scope for any specific low carbon technologies or any way for this form of development to help achieve this goal, in this instance this is considered to be acceptable.

Public Sector Equalities Duty (PSED)

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

7.1 Having considered all of the above, officer recommendation is to permit the application, subject to the conditions set out below;

8. CONDITIONS / INFORMATIVES

1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted 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) Order 2015 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.