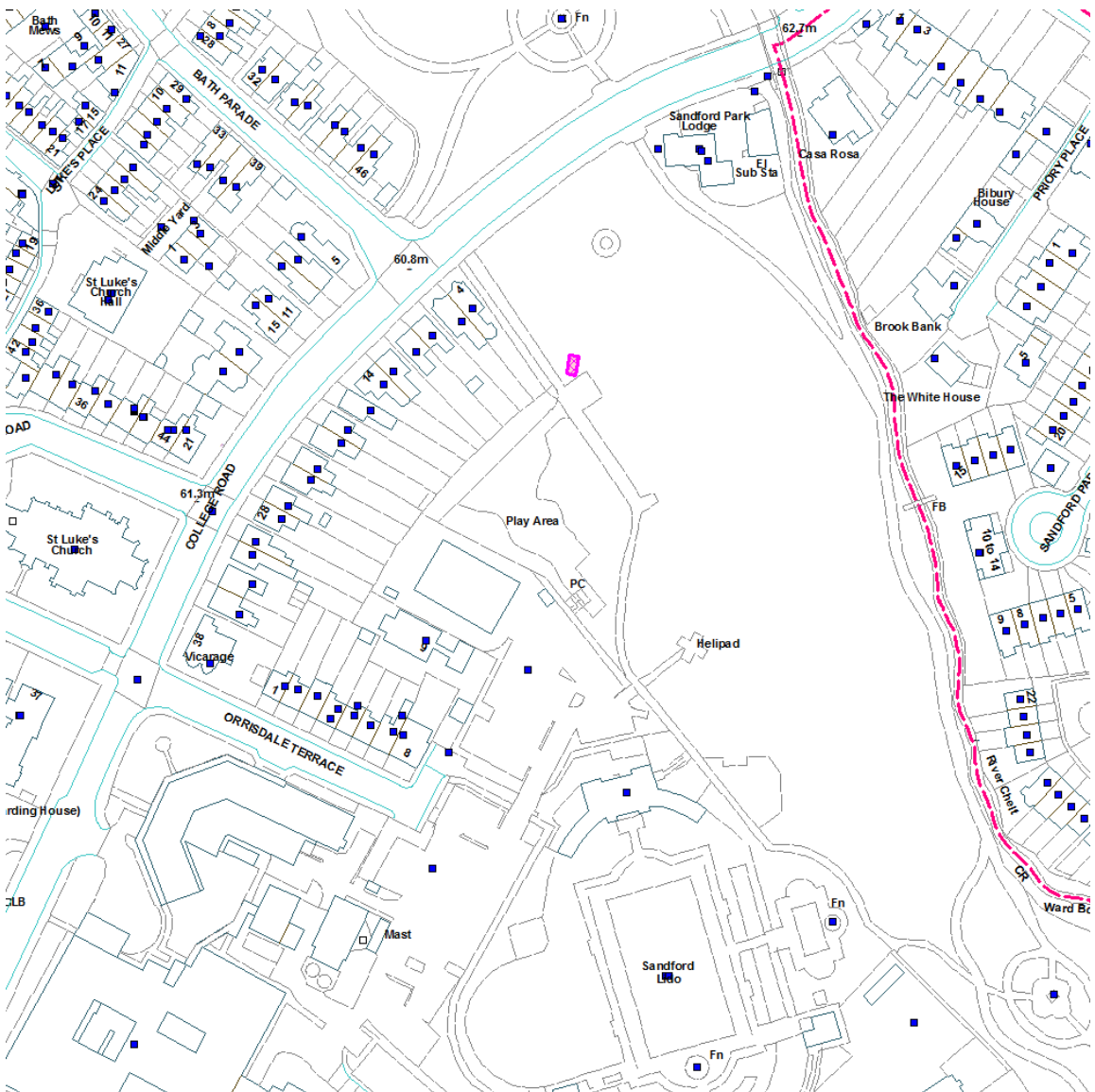


<b>APPLICATION NO:</b> 24/01650/FUL	<b>OFFICER:</b> Miss Claire Donnelly
<b>DATE REGISTERED:</b> 11th October 2024	<b>DATE OF EXPIRY:</b> 6th December 2024 Extension of time agreed until 20th December 2024
<b>DATE VALIDATED:</b> 11th October 2024	<b>DATE OF SITE VISIT:</b>
<b>WARD:</b> College	<b>PARISH:</b>
<b>APPLICANT:</b>	Cheltenham Borough Council
<b>AGENT:</b>	
<b>LOCATION:</b>	Sandford Park College Road Cheltenham
<b>PROPOSAL:</b>	Installation of a ground mounted flagpole within Sandford Park.

**RECOMMENDATION:** Permit



## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to Sandford Park which is located within the St Lukes Character Area of Cheltenham's Central Conservation Area and is a designated Public Green Space. Sandford Park extends over College Road with the Northern Park a more formal garden, and the southern part an open area of green space.
- 1.2 The applicant seeks planning permission for the siting of ground mounted flagpole to the southern part of Sandford Park.
- 1.3 The application is at planning committee as the applicant is the Borough Council.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Airport Safeguarding over 45m  
Conservation Area  
Central Conservation Area  
Flood Zone 2  
Flood Zone 3  
Principal Urban Area  
Smoke Control Order

### Relevant Planning History:

**81/00348/PF 11th September 1981 PER**

Sandford Park Off Cheltenham Gloucestershire - Erection Of New Stores Building  
(Cbc Parks Dept. Application - No Observations)

**83/00324/PF 20th September 1983 PER**

Sandford Park Off Cheltenham Gloucestershire - New Stores Building For Parks Department

**87/01396/PF 21st January 1988 PER**

Sandford Park Depot Cheltenham Gloucestershire - Erection Of Mess Room

**87/01490/PF 25th February 1988 REF**

Sandford Park/College Road Cheltenham Gloucestershire - Relocation Of Existing 2.4m High Security Fence And Re-Alignment Of Existing Footpath

**88/01516/RZ 15th December 1988 PER**

Renewal Of Temporary Permission Cb.16972/05 For A Further Twelve Months

**89/01595/PR 18th January 1990 PER**

Renewal Of Planning Permission For Three Portacabin Units

**90/01190/PC 13th December 1990 PER**

Temporary Use As Office And Storage Compound For Sewer Construction (For A Period Of 12 Months)

**91/00074/PR 21st March 1991 REF**

Renewal Of Planning Permission For Three Portacabin Units

**91/01149/AN 19th December 1991 WDN**

Erection Of Hoarding For Temporary Period From November 1991 To March 1992

**92/00568/PF 30th July 1992 PER**

Proposed Erection Of Circle Of Friendship At Sandford Park

**92/01068/PF 21st January 1993 PER**

Development Of Twinning Garden With Alteration And Addition Of Features In Park

**92/01140/PC 21st January 1993 PER**

Cheltenham Borough Council Gardens Dept Depot - Continued Use Of Warehouse Store And Change Of Use Of Land To Provide Approx 55 Car Parking Spaces And Associated Lighting

**93/00150/PC 29th April 1993 PER**

Former Parks Department Yard And Office - Change Of Use To Childrens Recreational Facilities In Connection With The Cheltenham Holiday Recreation Programme

**96/00272/PC 21st May 1996 UNDET**

Change Of Use To Hospital Car Park With Access Through General Hospital. Demolition Of Buildings

**98/00189/PC 23rd April 1998 PER**

Use As Landing Site For Air Ambulance

**98/00698/PF 10th September 1998 PER**

Former Council Depot - Change Of Use From B8 (Warehousing/Storage) Of Council Grounds Machinery To B1 - Offices and Maintenance Base For Hospital Tradesmen. Insertion Of New Doors and Windows. F

**08/00222/CACN 11th March 2008 NOOBJ**

Norway maple - remove branches overhanging boundary to Barratts Mill

**09/00303/FUL 11th May 2009 WDN**

Installation of railings at Upper Sandford Park to surround the drainage inlet structure (The Plughole).

**10/01915/FUL 2nd February 2011 PER**

Enlargement of existing Flood Attenuation Reservoir, as part of the Cheltenham Flood Alleviation Scheme, involving raising height of embankment adjacent to College Road, increasing height of existing walls on the south western edge of the Park and construction of additional low flood walls

**11/00970/AMEND 6th March 2013 DISPOS**

Non-material amendment to ref: 10/01915/FUL (Enlargement of existing Flood Attenuation Reservoir, as part of the Cheltenham Flood Alleviation Scheme, involving raising height of embankment adjacent to College Road, increasing height of existing walls on the south western edge of the Park and construction of additional low flood walls) to allow for disabled access to The Lodge

**15/00899/FUL 21st August 2015 PER**

Construction of three self-binding gravel petanque courts, new tarmac path, picnic table areas, planting and the removal of an existing tarmac path

**24/00926/FUL 16th August 2024 PER**

Siting of a coffee pod and fold away chairs and tables.

### **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 Joint Core Strategy Policies**

SD4 Design Requirements  
SD8 Historic Environment  
SD14 Health and Environmental Quality

### **Cheltenham Plan Policies**

D1 Design  
SL1 Safe and Sustainable Living

### **Supplementary Planning Guidance/Documents**

Central conservation area: St. Luke's Character Area and Management Plan (July 2008)

## **4. CONSULTATIONS**

### **Gloucestershire Centre For Environmental Records**

18th October 2024  
Report in documents tab.

### **Building Control**

22nd October 2024  
No comment

## **5. PUBLICITY AND REPRESENTATIONS**

- 5.1 The application has been publicised by way of letters sent to four nearby addresses, a site notice has been displayed and an advert placed in the Gloucestershire Echo. Following the statutory public consultation period, no responses have been received.

## **6. OFFICER COMMENTS**

- 6.1 The key considerations for this application are the principle, impact on the character and setting of the conservation area, and impact on amenity.
- 6.2 The application site is within Sandford Park, a designated Public Green Space, and the St Lukes Character Area of the Central Conservation Area of Cheltenham.
- 6.3 The proposal is to install a ground mounted flag pole within the southern section of Sandford Park, and would be sited near to a play area, and car parking area associated with the hospital. To the west of the proposed siting is a number of residential properties fronting College Road.
- 6.4 The flagpole will be 8 metres in height manufactured from a single piece white powder coated aluminium tube, at a width of 0.1 metres at the base, and narrowing to 0.06 metres at the top. The flagpole will be used to display the recently awarded 2024/25 Green Flag. The flag itself would be 0.9 metres by 1.85 metres. The submitted design and access statement sets out that the flag *“represents a nationally recognised symbol and is only awarded to parks and open spaces which fulfil a number of criteria such as design, biodiversity, sustainability, community involvement, and visitor experience. It also recognises the historical significance of the park, and the conservation area in which it sits”*. Officers consider the siting of the flag pole within Sandford Park appropriate, given it would be located to the side of the open grassed area and close an existing play area. There are therefore no concerns that there would be any unacceptable harm to the character of the area or wider conservation area, and it of an appropriate design for the development proposed. The proposal is therefore considered to be compliant with policy SD4 and SD8 of the JCS, and policy D1 of the Cheltenham Plan in terms of achieving an appropriate design and would suitably conserve the designated heritage assets.

6.5 The flagpole would be site approximately 23 metres from residential properties to the west of the site. Given the nature of the development, officers consider there would not be any harm to the amenity of neighbouring land users. The proposed development is therefore considered to protect the amenity of adjoining land users, complying with policy SD14 of the JCS and SL1 of the Cheltenham Plan.

#### 6.6 **Other considerations**

##### 6.7 Climate Change and sustainability

Policy SD3 of the JCS and Cheltenham's Climate Change SPD requires development to meet the aims of sustainability and be adaptable to climate change. Given the nature of development proposed, there is little to no opportunity to include low carbon features of technologies.

##### 6.8 Protected Species

Whilst records show important species or habitats have been sighted near to the application site in the past, it is not considered that the scale of the proposed development will have a harmful impact on these species.

##### 6.9 Flood Risk

The site falls within Flood Zone 2 and 3; given the nature of the proposed development, it is considered that the development would not contribute to flood risk, nor would there be any harm as a result of flooding. Therefore no information is required to address this. The applicant has had contact with the Environment Agency (EA) outside of the application process; the correspondence is set out within the submitted design and access statement.

##### 6.10 Public Sector Equality Duty (PSED)

As set out in the Equality 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 the above, officers recommendation is to permit this application subject to the suggested conditions below.

## **8. SUGGESTED CONDITIONS**

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.