

LOCATION:	Surrey Heath House, Knoll Road, Camberley, Surrey, GU15 3HD,
PROPOSAL:	Application for Advertisement Consent for Progressive PRIDE flag.
TYPE:	Advert
APPLICANT:	Surrey Heath Borough Council
OFFICER:	Melissa Turney

This application is being reported to the Planning Applications Committee because the applicant is Surrey Heath Borough Council.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The application seeks advertisement consent to fly the Progressive PRIDE flag.
- 1.2 The flag would be located erected on an existing pole located on the grassed area in front of Surrey Heath House adjacent to Knoll Road. The site currently displays a number of different flags throughout the year.
- 1.3 The introduction of a Progressive PRIDE flag to be flown in this location would not result in harm to the visual amenity of the site or surrounding area to the detriment of its character or result in adverse impacts on public safety.
- 1.4 It is therefore recommended to grant advertisement consent subject to conditions.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on a parcel of green space outside of the Surrey Heath House adjacent to Knoll Road. There is an existing flagpole at the main entrance of Surrey Heath House. The flagpole is located adjacent to Knoll Road. Currently there are different flags flown throughout the year on differing occasions such as the Union Flag or the Armed Forces Day.

3.0 RELEVANT HISTORY

- 3.1 No relevant planning history.

4.0 THE PROPOSAL

- 4.1 The application seeks advertisement consent for the progressive PRIDE flag.

- 4.2 The Progressive Pride flag was developed in 2018 by non-binary American artist and designer Daniel Quasar. Based on the iconic rainbow flag from 1978, the redesign celebrates the diversity of the LGBTQ+ (LGBTQ+ stands for lesbian, gay, bisexual, transgender and questioning, intersex, asexual, and more) community and calls for a more inclusive society.
- 4.3 The flag would have a height of 1 metre, a width of 1.52 metres and would be displayed 9 metres above the ground. Over the last few years the Pride flag has been updated and changed to better include and represent more communities. The design comprises of six coloured stripes stacked on top of each other (red, orange, yellow, green, blue and purple), a chevron with five stripes of different colours (white, pink, light blue, brown and black) and yellow chevron with purple circle inside.

5.0 CONSULTATION RESPONSES

- 5.1 The following external consultees were consulted and their comments are summarised in the table below:

External Consultation	Comments Received
County Highway Authority	No objection raised no highway issues with the proposed flag

6.0 REPRESENTATION

- 6.1 At total of 96 individual letters of notification were sent out on 19th July 2023 and 27th July 2023. To date no letters of representation have been received.

7.0 PLANNING CONSIDERATION

- 7.1 The application site is located within the Camberley Town Centre, as set out in the proposals map included in the Core Strategy and Development Management Policies Document 2012 (CSDMP). For this proposed development, consideration is given to policies DM9 and DM11 of the CSDMP, The Camberley Town Centre Area Action Plan (CTCAAP), The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

Article 3(1) of Part 1 of the Town and Country (Control of Advertisements) (England) Regulations 2007 require Local Planning Authorities to consider the impact of advertisements in respect to amenity and public safety, taking into account the provisions of the development plan and other relevant factors. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Factors relevant to public safety include, the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military), whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air or whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle. There is no statutory definition of amenity but the PPG states this 'is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement'

Therefore, the material issues to consider with the application are:

- Amenity (including residential and visual amenity); and,
- Public Safety (including highway and pedestrian safety)

7.2 Amenity

- 7.2.1 Paragraph 136 of the NPPF states that *'The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'*
- 7.2.2 Policy DM9 of the CSDMP requires development proposals to be of a high quality design layout, respecting the location context and character and ensuring that new development does not result in detrimental impacts on the amenity of existing and future occupiers of development. Policy TC1 of the Camberley Town Centre Action Plan echoes aims and objectives of Policy DM9 of the CSDMP.
- 7.2.3 The proposed flag would be located on top of the existing flag pole which currently displays a variety of different flags including the Union Flag, St George's Flag and Armed Forces Day on the various occasions. The above flags in particular the Union Flag, St George's Day and Armed Forces Day have deemed consent via Class H of the Advertisement Regulations 2007 (as amended). Therefore, there is no planning history on the erection of the pole and displaying of these flags. Due to the existing situation where currently there are existing flags which are flown and that the flag would be non-illuminated, the proposed Pride flag would not result in harm to the visual amenity of the area to the detriment of the character of the surrounding area.
- 7.2.4 The proposal would not introduce a new pole and the existing one would be utilised. Also, as mentioned there are a variety of different flags that are already flown and given that the flag would be non-illuminated the proposed Pride flag would not result in harm to the amenity of the neighbouring residential occupiers.
- 7.2.5 For the reasons given above the advert flag results in no harm to the amenity of the surrounding area and neighbouring occupiers and are in accordance with Policies DM9 of the CSDMP, Policy TC1 of the CTCAAP and paragraph 136 of the NPPF.

7.3 Public Safety

- 7.3.1 The proposed flag would be flown on an existing pole which displays a number of other flags. The County Highway Authority have reviewed the application and raised no objection. Considering the existing situation, the flag being non-illuminated the proposal would not result in unsafe environment for pedestrians and other highway users and are acceptable in respect to public safety in accordance with Policy DM11.

8.0 PUBLIC SECTOR EQUALITY DUTY

- 8.1 Under the Equalities Act 2010 the Council must have due regard to the need to eliminate discrimination, harassment, or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this duty.

9.0 CONCLUSION

- 9.1 The proposed progressive Pride flag would not result in harm to the appearance of the site and would not result in harm to the amenity of the surrounding area or neighbouring occupiers amenity. The advert application would not result in unsafe highway conditions to

the detriment of the safe and efficient operation of the public highways network. Therefore, the application complies with Policies DM9 and DM11 of the CSDMP, Policy TC1 of the CTCAAP and NPPF.

10.0 RECOMMENDATION

GRANT subject to the following conditions:

1. This consent shall be limited to a five year period from the date of the permission, when the advertisement hereby permitted shall be removed and the land reinstated to its former condition to the reasonable satisfaction of the Local Planning Authority.

Reason: To accord with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. The proposed development shall be built in accordance with the following approved plans:

Location Plan Received 07.07.2023.
Proposed Flag Received 07.07.2023.
Proposed Flag Location Received 07.07.2023 .

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

3. (a) Any advertisements displayed, and any site 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 an 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).

Reason: To comply with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the National Planning Policy Framework.