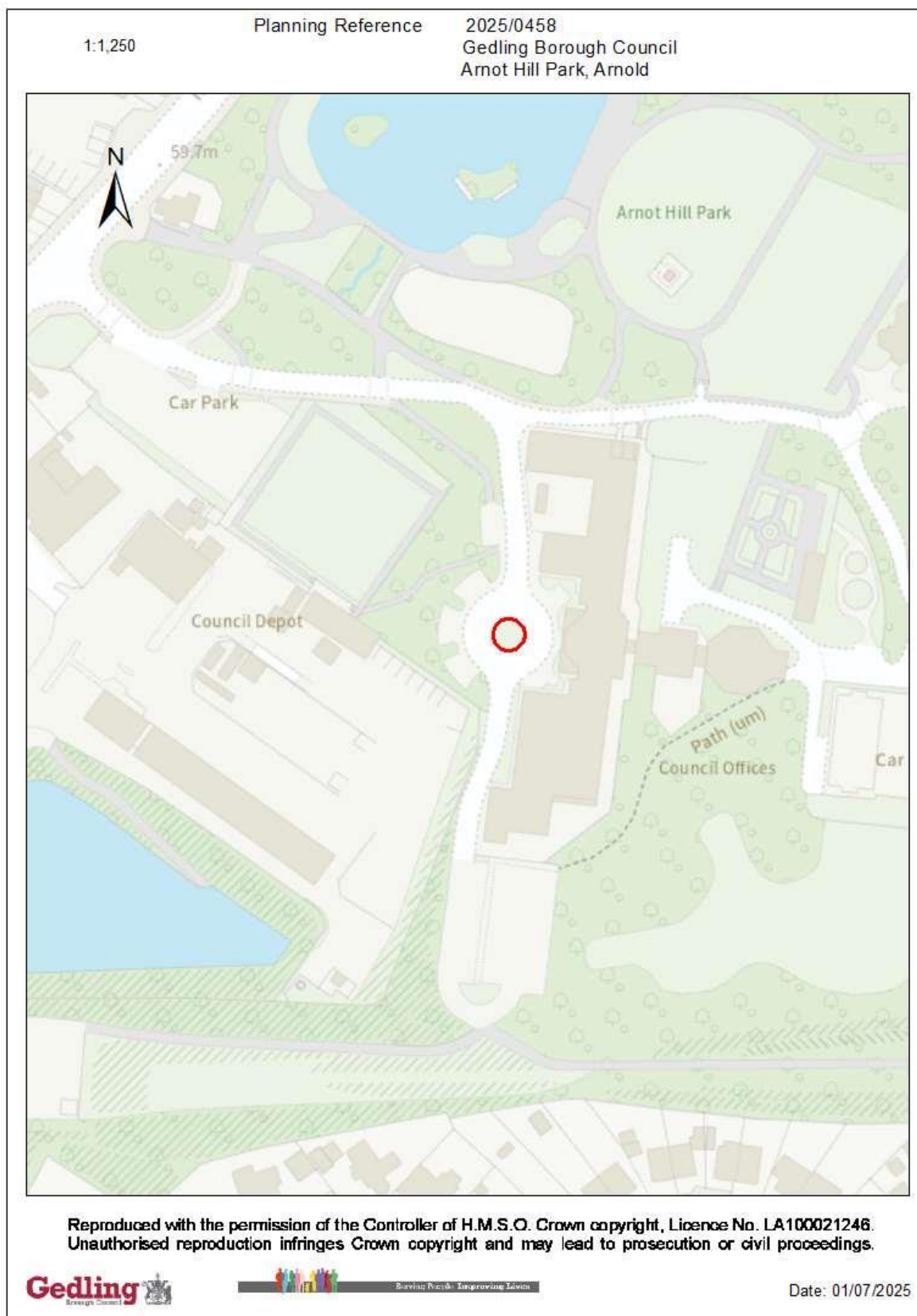




Planning Report for 2025/0458



Report to Planning Committee

Application Number: 2025/0458

Location: Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold. NG5 6LU

Proposal: Display of one of the following flags on a flagpole:-
Pride Flag, Progress Flag, Windrush Flag, VE Day Flag, D-Day Flag (including any future versions).

Applicant: Gedling Borough Council

Case Officer: Claire Turton

The application is referred to Planning Committee because the applicant is Gedling Borough Council.

1.0 Site Description

1.1 The site is within the grounds of Arnot Hill Park and relates to the roundabout on the private driveway in front of the Gedling Borough Council Civic Centre office.

1.2 The roundabout contains 3 no. flagpoles measuring 7 metres in height.

2.0 Proposed Development

2.1 Advertisement Consent is sought for:-

“Display of one of the following flags on a flagpole;- Pride flag, Progress flag, Windrush flag, VE Day Flag, D-Day Flag (including any future versions).”

2.2 The flags will be displayed on one of the existing flagpoles which measures 7 metres in height.

2.3 It is understood that the flags will only be displayed at certain times throughout the year. If advertisement consent is granted for this proposal then the flags could be displayed or taken down at any time.

3.0 Relevant Planning History

3.1 None directly relevant to this application.

- 3.2 It should, however, be noted that a number of different flags are displayed on the 3 no. existing flagpoles at the site. Many of these flags do not require consent from the Local Planning Authority because they are specifically listed as flags excluded from requiring consent, these include a national flag of any country or a county flag.

4.0 Consultations

- 4.1 Nottinghamshire County Council Highway Authority:- State that they have no comments to make as the flags are displayed on private land and do not affect the highway.
- 4.2 Neighbouring properties a site notice was placed at the site. No neighbour or third party letters have been received as a result of this.

5.0 Relevant Planning Policy

Legal Framework

- 5.1 The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) ("the Regulations") govern the flying of flags in England.
- 5.2 Under the Regulations there are three categories of flag:
- (a) Exempt from control (regulation 4(2)): these can be displayed without the need for express or deemed consent and are set out in Schedule 1 of the Regulations ("Schedule 1 flags")
 - (b) Deemed Consent (regulation 6): these are granted consent under the Regulations, subject to the standard conditions (which are contained in Schedule 2 of the Regulations and are noted at para 11 of this report). Flags which are given deemed consent are set out in Schedule 3 ("Schedule 3 flags")
 - (c) Express Consent (regulation 9): all other applications require express consent through an application to the Local Planning Authority.

Schedule 1 Flags:

- Any country's national flag, civil ensign or civil air ensign
- The flag of the Commonwealth, the United Nations or any other international organisation of which the United Kingdom is a member
- A flag of any island, county, district, borough, burgh, parish, city, town or village within the United Kingdom
- The flag of the Black Country, East Anglia, Wessex, any Part of Lincolnshire, any Riding of Yorkshire or any historic county within the United Kingdom
- The flag of Saint David
- The flag of Saint Patrick

- The flag of any administrative area within any country outside the United Kingdom
- Any flag of His Majesty's forces
- The Armed Forces Day flag

Schedule 3 Flags

- a flag is allowed to display the name, emblem, device or trademark of the company (or person) occupying the building;
- a flag is allowed that refers to a specific event of limited duration that is taking place in the building from which the flag is flown;
- any sports club (but cannot include sponsorship logos);
- the Rainbow / Pride flag (6 horizontal equal stripes of red, orange, yellow, green, blue and violet);
- specified award schemes (Eco-Schools, Queen's Awards for Enterprise and Investors in People);
- the NHS flag; and
- certain environmental awards (such as the Green Flag Award Scheme flown on part of a park, garden or other green space).

To come within the conditions and limitations within Schedule 3, no part of the flagstaff may be more than 4.6 metres above ground level.

Planning Framework

5.3 The Regulations (regulation 3) stipulate that:

(1) "A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account:

- (a) the provisions of the development plan, so far as they are material; and
- (b) any other relevant factors"

Other factors are only relevant insofar as they relate to amenity and / or public safety.

5.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.

- 5.5 At the national level the National Planning Policy Framework (NPPF) (2024) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development. The following sections and paragraphs are relevant in considering this application:
- Section 12 (Achieving well-designed places).
- 5.6 The following policies are relevant because they seek to protect amenity and public safety and are therefore material in this matter.
- 5.7 Gedling Borough Council Aligned Core Strategy 2014
- Policy 10: Design and Enhancing Local Identity
- 5.8 The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The relevant policies in the determination of this application are as follows:
- LPD 32: Amenity
 - LPD 61 - Highway Safety
- 5.9 The planning considerations in the determination of this application are amenity and public safety. The advertisement regulations state that factors relevant to amenity include the general characteristics of the locality and factors relating to public safety include the safety of persons using any highway. The regulations state that unless it appears to the Local Planning Authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is being displayed.

Appraisal

6.0 Introduction

- 6.1 Paragraph 141 of the NPPF states “Advertisements should be subject to control only in the interests of amenity and public safety.”

7.0 Amenity – Visual Amenity and Impact on the character and appearance of the area

- 7.1 The flags are to be displayed on existing flagpoles. The flagpoles are used to display a variety of flags, most of which do not require consent. The flags will be viewed within a group of 3 no. flags.
- 7.2 The flags form the entrance to the Civic Centre. It is not uncommon to see flags flying outside of public offices.
- 7.3 The scale of the flags do not dominate the other flags displayed at the site, the host building or the surrounding park.

7.4 It is therefore considered the flags are visually appropriate in an area of this character and as such do not harm the visual amenity of the area. The adverts are in keeping with Section 12 of the NPPF and Policy 10 of the ACS.

8.0 Amenity – Neighbouring Amenity

8.1 There are no residential properties immediately close to the flags.

8.2 Due to the scale of the flags and their location, they will not have an unacceptable impact on the amenity of the users of the nearby office in terms of overbearing or massing / overshadowing.

8.3 For the reasons stated above, the proposal is in accordance with Section 12 of the NPPF and Policy LPD 32 of the Local Planning Document.

9.0 Public Safety

9.1 The Highway Authority has raised no objections to the proposal. I see no reason to disagree with the professional advice of the Highway Officer. The flags are not visible from the public highway. Other flags are often displayed on these flagpoles that do not require consent.

9.2 A site visit showed that the flagpoles appeared to be in a good condition and did not appear to pose any immediate health and safety risks.

9.3 There are no other matters of public safety that arise with the proposal that is the subject of this application.

9.2 It is considered there is no unacceptable adverse impact on highway safety in accordance with Section 12 of the NPPF and Policy LPD61 of the Local Planning Document.

10.0 Conclusion

10.1 The proposed development is consistent with local and national planning policies. The proposal does not have an unacceptable impact on amenity or safety. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Part 12), Policy 10 of the ACS and Policies LPD 32 and 61 of the LPD.

11.0 **Recommendation: GRANT ADVERTISEMENT CONSENT subject to the following conditions:-**

1 The consent shall be read in accordance with the following submitted documents:-

Application form, received by the Local Planning Authority 27th June 2025
Site Location Plan, received by the Local Planning Authority 18th June 2025
Elevation Plan - VE Day flag, received by the Local Planning Authority 1st July 2025
Elevation Plan - D-Day Flag, received by the Local Planning Authority 1st July 2025

Elevation Plan – Progress Flag, received by the Local Planning Authority 9th June 2025

Elevation Plan – Progress and Intersex Flag, received by the Local Planning Authority 3rd July 2025

Elevation Plan – Pride Flag, received by the Local Planning Authority 3rd July 2025

Elevation Plan – Windrush Flag, received by the Local Planning Authority 3rd July 2025

- 2 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.
- 3 No advertisement shall be sited or displayed so as to— (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or;(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- 4 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- 5 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- 6 Where an advertisement is required to be removed under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) Regulations, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reasons

- 1 Reason: For the avoidance of doubt and to define the terms of this consent.
- 2 Reason: In accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 3 Reason: In accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 4 Reason: In accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 5 Reason: In accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
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