

Delegated Report

Planning Ref: 25/00075/FUL
Applicant: Mrs Joanne Lowe
Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

**Site: Stanton Under Bardon Village Hall 2 St John Cole Crescent
Stanton Under Bardon**

Proposal: Installation of 6 metre high flagpole

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full planning consent for the installation of a 6.00 metre flagpole at Stanton Under Bardon Village Hall, 2 St John Cole Crescent, Stanton Under Bardon.
- 2.2. The proposed flagpole would have a white powder coated aluminium finish, would measure 6.00 metres in height and 0.60 metres in width and would be supported by a below ground concrete base measuring 1.00 square metre.
- 2.3. A separate advertisement consent application is not required to be submitted in respect of the proposed flag as it is proposed to fly the Union Jack, which is a national flag, falling under the exemptions of Schedule 1, Class H of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) which permits the erection of a flag pole which displays any country's national flag, civil design or civil air design under permitted development subject to the below conditions being complied with;
- "1. A flag may not display any advertisement or subject matter additional to the design of the flag other than a black mourning ribbon.*
- 1A. Subject to Part 4A, the flagstaff may not fly any flag or display any advertisement other than a black mourning ribbon.*
- In paragraphs (a) and (g) of this Class, "country" includes any of the Channel Islands, the Isle of Man and any British Overseas Territory."*
- 2.4. By virtue of the above, the flying of the Union Jack would fall under the remit of Schedule 1, Class H of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

3. Description of the site and surrounding area

- 3.1. The application site relates to a village hall situated within the settlement boundary of Stanton Under Bardon. The village hall has a dual set of forward facing gables connected by a side facing pitch. One of the gables has a replicating gable to its frontage albeit on a smaller scale to accommodate the main access way. It comprises red brick to the walls with stone accents to the openings and to the sites entrance. The site can be accessed to the south-east of Main Street.
- 3.2. The village hall along with the surrounding residential development was permitted under the 2013 reserved matters application (13/00199/REM) which sought consent

for the erection of 38 dwellings, community centre and formation of allotments and balancing pond with associated access (Reserved Matters - landscaping only) following the approval of the previous reserved matters application (12/01072/REM) and the approval of original outline application (11/00988/OUT).

4. Relevant planning history

11/00988/OUT

- Erection of 38 dwellings, community centre and formation of allotments, balancing pond with associated access (outline - access only)
- Planning Permission
- 02.10.2012

12/01072/REM

- Erection of 38 dwellings, community centre and formation of allotments and balancing pond with associated access (Reserved Matters for appearance, layout and scale)
- Planning Permission
- 22.02.2013

13/00199/REM

- Erection of 38 dwellings, community centre and formation of allotments and balancing pond with associated access (Reserved Matters - landscaping only)
- Planning Permission
- 03.06.2013

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. No comments have been received.

6. Consultation

6.1. Stanton Under Bardon Parish Council:

- No comments have been received.

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 12: Rural Villages
- 7.2. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
- 7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity

Design and impact upon the character of the area

8.2 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials and architectural features.

8.3 The application seeks full planning consent for the installation of a 6.00 metre flagpole at Stanton Under Bardon Village Hall, 2 St John Cole Crescent, Stanton Under Bardon.

8.4 The proposed flagpole would have a white powder coated aluminium finish, would measure 6.00 metres in height and 0.60 metres in width and would be supported by a below ground concrete base measuring 1.00 square metre. It would be positioned to the south-west of the village hall on an area of grassed landscaping immediately adjacent to the row of three visitor parking spaces and would be set back from the adjacent highway, St Cole Crescent by 4.76 metres.

8.5 By virtue of its siting, design and appearance the proposed flag pole will not have any adverse impact on the character of the area. The proposal is therefore in accordance with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

8.6 Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighboring properties.

8.7 By virtue of the minor nature and location of the proposal a minimum of 16.66 metres from the nearest neighbouring dwelling there is not considered to be any material adverse impact on the residential amenity of any neighbouring properties and is therefore considered to be in accordance with Policy DM10 of the SADMP

9. Equality implications

9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. Policy DM1 of the adopted SADMP and paragraph 11 of the NPPF (2023) provide a presumption in favour of sustainable development. The site is located within the settlement boundary of Stanton Under Bardon where there is a presumption in favour of sustainable development.
- 10.2. By virtue of the flag poles siting, design and appearance the proposal will not have any adverse impact on the character surrounding area, or neighbours amenities and is in accordance with Policy DM1 and DM10 of the SADMP together with the overarching principles of the NPPF and is therefore recommended for approval subject to standard conditions.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

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

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

- 2. The materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 21st February 2025.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM1 and DM10 of the SADMP together with the overarching principles of the NPPF.

- 3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Site Local Plan;
- Flagpole Installation Instructions;
Both as received by the Local Planning Authority on the 31st January 2025.

Reason: To ensure a satisfactory form of development in accordance with Policy DM1 and DM10 of the SADMP together with the overarching principles of the NPPF.

11.3 **Notes to applicant**

- a) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.