

Services

Dear Sir/Madam,

**Application for consent to display an advertisement(s).  
Town and Country Planning (Control of Advertisements) (England) Regulations 2007.  
On behalf of Integrated Accommodation Services.  
GCHQ Benhall, Hubble Road, Cheltenham, GL51 0EX.**

**Proposed use of existing 2 Flag Poles within the main site of GCHQ Benhall, to allow the flying of all flags.**

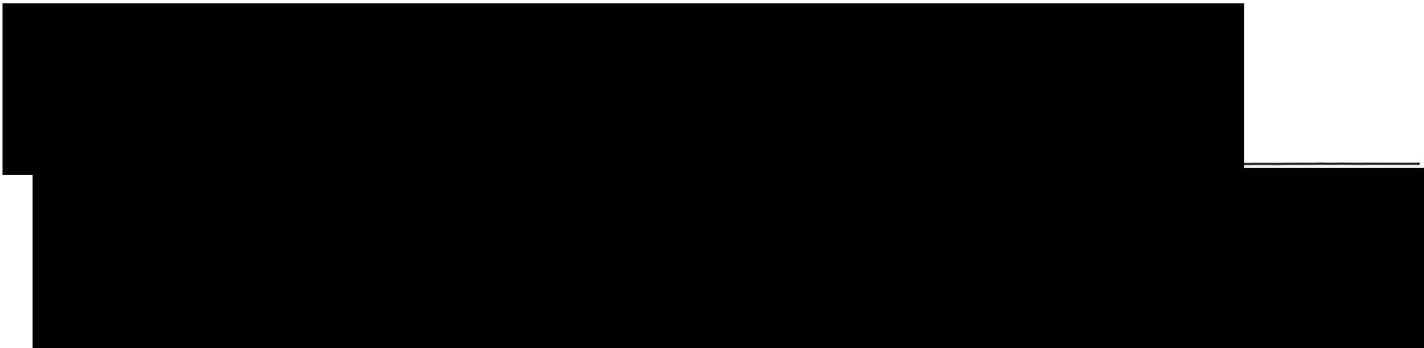
Please find the following:

- .1. This supporting letter.
- .2. The completed application form.
- .3. A 1:1250 Location Plan of the location of the 2 existing flag poles within the site boundary.
- .4. Photographs of the existing flag poles within the enclosed site and from public viewpoints in Hubble Road/Telstar Way outside the enclosed site.
- .5. The application fee (advertisements) of £132.00.
- .6. Examples of a variety of additional "all flags" as requested.

**Background**

Within the main GCHQ site, there are two existing flag poles located between the main visitor entrance building and the main building itself (see attached plan). These flag poles are already in use for national flags, typically the Union Flag and any other national flag of significance at that point in time.

It is noted that Advertisement Consent guidance does make provision for flag flying. The Government has also provided additional guidance including "*Flying flags: a plain English guide*" (updated 20.7.21) to add further detail on an existing wide variety of flags that can be flown without Advertisement Consent.



However, these provisions do not cover all flags of any kind.

### **Requirement**

The proposal is in addition to generally using the two flag poles for permitted national flags of countries and those listed within existing Government guidance, to widen the use to any other relevant flags to represent a variety of other groups or interests. This may include, for example the Progress Pride Flag, the Transgender Flag, Autism Pride or indeed any other combination of two flags as to which is deemed suitable on site.

The flags to be flown will be of a standard size of 2m across and 1m height and will be flown on the existing 2 poles at various relevant points through the year when needed, which may for example mark specific national events or follow events in the Equality, Diversity and Inclusion Calendar. For example, this year from 13<sup>th</sup> to the 19<sup>th</sup> November was Transgender Awareness Week. In the future by applying for “all flags” would allow the use of the 2 existing flag poles for both the Union Flag and Transgender Flag that week.

### **Acceptability of use of 2 existing Flag Poles for all flags.**

It is noted that when deciding applications for advertisement consent, Local Authorities will only have considerations of “**amenity**” and “**public safety**”.

A pre-application submission has already been made to Cheltenham Borough Council in respect of this proposal (23/01850/PREAPP) as received on 27.10.23 by the Council. This confirmed that *“whilst the flagpoles are located some distance away from public land, the flag poles and any flags hung on these poles would be visible from various points along the highways that run along the front and side of the site. Namely views are possible from both Hubble Road and Telstar Way which are both publicly accessible.... This means that any flags, that do not fall within the permitted flags set out in Schedule 1, Class H or Schedule 3 Class 7 would likely require advertisement consent.”*

In respect of the consideration of whether the use of all flags would be acceptable should an application be forthcoming that Council’s Planning Officer notes:

*“Should an application for advertisement consent be submitted to display additional flags that are already not permitted under Schedule 1 Class H of the regulations, officers are of the opinion that this is likely to be acceptable and advertisement consent is likely to be granted.”*

As noted within the pre-application submission, anything within the GCHQ Benhall site has strictly restricted access, is fully enclosed within a secure fence line and is specifically a “*designated site*” where it is a criminal offence to trespass on a protected site designated under SOCPA 2005 (Sites under the Serious Organised Crime and Police Act 2005). As such this is fully enclosed land without any right of public access. Public views of the flag poles outside the site are therefore extremely limited as they are obscured by a combination of existing buildings, landscaping, security fencing, topography of the land together with physical distance. The attached photographs with this application illustrate how well the existing flag poles are already visually contained and therefore although visible in glimpse views from outside the site within not have a negative impact on either amenity or public safety.

## Conclusions

- The purpose of this application therefore is to seek confirmation from the Council that they would accept the flying of any flags on the existing two flag poles within the main site at GCHQ Benhall.
- Therefore, GCHQ in the future could use 2 flags for both existing listed consented uses under the Advertisement Regulations but also in addition, fly flags of other groups or interests particularly to mark events throughout the calendar.
- The Council have noted at the pre-application stage that although the existing flag poles are visible from outside the site from some distance, an application to widen the use to all flags in the opinion of officers is likely to be deemed acceptable and advertisement consent is likely to be granted.
- Given the nature, location, distance, and level of screening the regular changing of flags throughout the year to mark differing events will neither impact public amenity or public safety.
- The flying of flags outside Government buildings is generally encouraged and there has been a long tradition of flag flying at this site within the existing wide variety of permitted flags. Therefore, this proposal will again have little material impact on public amenity when viewed from outside the site.
- Examples of three differing flags have been included within the application but the application is for all flags to allow the option to use any flags to mark the wide diversity of interests and requirements throughout the year. The flags, as existing, will always be on the existing 2 flag poles (one flag on each pole) and will always be at a standard flag size of 2m by 1m.

If any additional information is required please make contact through the details provided.

