

Location **The Alexandra 1 Church Lane London N2 8DX**

Reference: **15/02919/ADV** Received: 12th May 2015
Accepted: 12th May 2015

Ward: East Finchley Expiry 7th July 2015

Applicant: Mrs Ruta Lebiodaite

Proposal: Installation of 1no. externally illuminated fascia sign and 1no.
externally illuminated wall mounted sign (Retrospective Application)

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Drawing no./SI-000; Drawing no./SI-001; Drawing no./PL-010 Rev A; Drawing no./PL-011 Rev A; Drawing no./PL-012; Drawing no./PL-013; Drawing no./PL-014; Drawing no./SI-003; Drawing no./PL-000 Rev B; Drawing no./PL-001 Rev B; Drawing no./PL-002 Rev D; ; Drawing no./PL-003 Rev B; ; Drawing no./PL-004 Rev B.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 The period of consent shall be a period of five years commencing with the date of this decision.

Reason: To comply with Regulation 14(7) of Part 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 3 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.

Reason: To comply with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 4 Where an advertisement is required under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity and shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: To comply with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 5 The maximum luminance of the signs shall not exceed the values recommended in the association of Public Lighting Engineer's Technical Report No. 5, Zone 3.

Reason: In the interest of highway safety and amenity in accordance with Policies DM01 and DM17 of the Development Management Policies DPD (adopted September 2012).

- 6 No advertisement shall be sited or displayed so as to endanger persons using the highway, obscure or hinder the ready interpretation of any road traffic sign, or obscure or hinder the operation of any device used for the purpose of security or surveillance.

Reason: To comply with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 7 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.

Reason: To comply with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 8 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, to the reasonable satisfaction of the Local Planning Authority.

Reason: To comply with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. SITE

The application site is a two storey end-of-terrace building located on the southern side of Church Lane, near the junction with High Road in the East Finchley Ward. The property is not listed nor does it lie within a conservation area. It is however locally listed. The properties on this section of the road are generally characterised by commercial units on the ground floor and residential accommodation on the floors above.

To the east, the site borders the Esso Petrol Station at the junction with High Road. Further to the north east, approximately 50 metres from the site lies Martin Primary School. To the north, lies a three storey block of flats known as Rew Lodge.

The documents submitted indicate that the use of the upper floor is currently offices and other facilities ancillary to the ground floor commercial unit. At the time of the site visit, there was no evidence of the first floor being used for independent residential accommodation.

2. PLANNING HISTORY

Reference: 15/01019/FUL

Address: The Alexandra, 1 Church Lane, London, N2 8DX

Decision: Withdrawn

Decision Date: 12 May 2015

Description: Change of use from A4 (drinking establishment) to A3 (restaurants and cafes), erection of 2 no. canopy structures to rear, rebuild of existing canopy in rear garden, demolition of outbuilding and rebuild with a new canopy in rear garden, erection of new roof to front patio area

Reference: 15/01020/ADV

Address: The Alexandra, 1 Church Lane, London, N2 8DX

Decision: Withdrawn

Decision Date: 12 May 2015

Description: 1 no illuminated fascia sign to front, 3 no. illuminated signs to side.,

Reference: 15/02918/FUL

Address: The Alexandra, 1 Church Lane, London, N2 8DX

Decision: Pending Consideration

Decision Date: No Decision Made.

Description: Change of use from A4 (drinking establishment) to A3 (restaurants and cafes) combined with secondary sui generis use (shisha). Removal of existing canopy structures at rear and erection of new canopy structure with perspex roof. Single storey front/side extension (Amended description)

Reference: C06650B/07

Address: The Alexandra, 1 Church Lane, London, N2 8DX

Decision: Approve subject to conditions

Decision Date: 22 February 2008

Description: First floor rear extension to existing flat.

Reference: C06650A

Address: The Alexandra, 1 Church Lane, London, N2 8DX

Decision: Approve subject to conditions

Decision Date: 29 September 1998
Description: Single storey side extension.

Reference: C06650

Address: The Alexandra, 1 Church Lane, London, N2 8DX

Decision: Approve subject to conditions

Decision Date: 20 March 1979

Description: Single storey rear extension

3. PROPOSAL

The applicant seeks retrospective planning approval for the installation of 1no. externally illuminated fascia sign and 1no. externally illuminated wall mounted sign. The previous signs located on the flank elevation have been removed and do not form part of the current application.

The fascia sign has a height of 0.6m and width of 4.8m and is illuminated by down lights. The wall mounted sign has a width of 1.1m and height of 0.855m. The signs have replaced the numerous signs of the original unit.

4. PLANNING CONSIDERATIONS

4.1 Main issues for consideration

Planning Practice Guidance states that the Local Planning Authority's power to control advertisements under the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 may be used only in the interests of 'amenity' and 'public safety'. This is reinforced by paragraph 67 of the NPPF which advocates that advertisements should be subject to control only in the interests of amenity and public safety.

4.2 Policy context

National Planning Policy Guidance / Statements:

The determination of applications for advertisement consent is made mindful of Central Government advice and the Development Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

Paragraph 67 states that "poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts".

Barnet's Local Plan (2012)

Relevant Core Strategy Policies: CS NPPF, CS9.

Relevant Development Management Policies: DM01, DM17.

Barnet's Design Guidance

Design Guidance Note 1 (Advertising and Signs) was approved in 1994 following public consultation. It states that advertisements should relate to their surrounding in terms of size, scale and siting. In addition they should be located to avoid visual clutter and not conflict with traffic signs or signals or be likely to cause confusion or danger to road users. In respect to council policy and guidance it is considered that the proposed signage is acceptable.

4.3 Assessment of proposals

Public Safety

When considering public safety, Local Planning Authorities are expected to have regard to the adverts effect upon the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), over water, or in the air. Local Planning Authorities will therefore consider such matters as the likely behaviour of drivers of vehicles who will see the advertisement; possible confusion with any traffic sign or other signal; or possible interference with a navigational light or an aerial beacon. Local Planning Authorities will also bear in mind that some advertisements can positively benefit public safety by directing drivers to their destination. In their assessment of the public safety implications of an advertisement display, Local Planning Authorities will assume that the primary purpose of an advertisement is to attract people's attention and will therefore not automatically presume that an advertisement will distract the attention of passers-by, whether they are drivers, cyclists or pedestrians.

The vital consideration, in assessing an advertisement's impact, is whether the advertisement itself, or the exact location proposed for its display, is likely to be so distracting, or so confusing, that it creates a hazard to, or endangers, people in the vicinity who are taking reasonable care for their own and others' safety. Further advice on assessing the public safety implications of the display of an advertisement is given in the Government's Planning Practice Guidance.

The sign on the flank elevation is considered to be modest in size, sited well away from the main road and the previous signs indicating the shisha use have been removed.

It is considered that the signs would not be detrimental to public safety and that the application is therefore acceptable on this ground.

Visual Amenity

When assessing an advertisement's impact on amenity, Local Planning Authorities should have regard to its effect on the appearance of the building and on the visual amenity of the immediate neighbourhood. The relevant considerations for this purpose are the local characteristics of the neighbourhood, including scenic, historic, architectural or cultural features, which contribute to the distinctive character of the locality.

Design Guidance Note 1 (Advertising and Signs) states that advertisements should relate to their surrounding in terms of size, scale and siting. In addition they should be located to avoid visual clutter

Although the building is a locally listed building, as mentioned, the signs are considered to be modest in size and in keeping with the character of the area. As such they are considered to be acceptable.

5. CONSULTATION

Although no public consultation is required for this type of application, 13 objections have been received. The objections can be summarised as follows:

- Signs for shisha unsuitable outside a school
- Large signs interfere with peace and quiet of residential road.
- Signs dominate the area.
- Out of character
- Aesthetically unpleasing
- Dangerous to traffic
- Vulgar & obtrusive
- Light pollution

Comments on the grounds of objection:

- The signs originally erected (and without consent) advertising the shisha use have been removed and do not form of the current application.
- As mentioned in the report, the sign on the flank wall is considered to be modest in its size.

In addition, Councillor Arjun Mitra has requested that the application is referred to the planning committee. The grounds for objection specified were that the signs were unacceptable outside a school.

6. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. CONCLUSION

The proposal is considered to not adversely affect the amenity or public safety of the surrounding area and is therefore considered to accord with the NPPF and the Development Plan. The application is therefore recommended for approval.

