

Location **Central Reservation High Road London N12 0AP**

Reference: **18/3315/ADV** Received: 30th May 2018
Accepted: 7th June 2018

Ward: Woodhouse Expiry 2nd August 2018

Applicant: Mr Martin Stephens

Proposal: Installation of a single sided 48 sheet digital internally illuminated LED advertising display

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Submission (JCDecaux) (dated May 2018)

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 ten 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 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.

- 4 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).

- 5 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.

- 6 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.

- 7 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.

- 8 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.

- 9 Prior to the commencement of development, details of the proposed construction, including plan of access and maintenance for the proposed advertisement shall be submitted and approved in writing by the Local Planning Authority in consultation with Transport for London.

Reason: To ensure that the adjacent bus stop is not blocked during the planned construction and maintenance periods.

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 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. A pre-application advice service is also offered. 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 DESCRIPTION

The application site is an area of highways verge which is located on the eastern side of High Road (A1000) and to the south of the central reservation which connects High Road with the North Circular Road (A406). The slip road from the North Circular Road to High Road lies to the east. The proposed site is located to the north of the pedestrian path and southbound bus stop.

The site is not within a Conservation Area and there are no listed buildings in the vicinity.

2. PLANNING HISTORY

No previous planning history.

3. PROPOSAL

The application seeks permission for the installation of 1no. single sided internally illuminated 48-sheet advertising LED display.

The display would have a total width of 6.4m, height of 3.5m height and would be sited 2.5m above ground level. The actual size of the display would be 6.2m in width, 3.1m in height and 3m above ground level, which excludes the size of the frame.

The display sign would be internally illuminated at a level of 300.00 cd/m and would have static illumination. The images are proposed to change in sequence every ten seconds.

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 132 of the NPPF (2018) 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 24 July 2018. 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 132 states that "the quality and character of places can suffer when advertisements are poorly sited and designed. 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 site is located on High Road which is a Strategic Road Network (SRN) and therefore falls under the control of Transport for London (TfL) who have a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN. TfL were consulted and commented that they do identify a potential distraction of the proposal for users as a problem, especially considering the close proximity of a busy junction, however, not to such an extent which would result in a strong objection to the proposed advertisement. The proposal is also in close proximity to a bus stop and TfL have advised that further details in relation to the proposal's construction and maintenance should be submitted to ensure that the bus stop is not blocked. TfL have confirmed that this information is not required up front and are happy for the requested information to be satisfied through suitable conditions. Subject to the abovementioned conditions being

attached and satisfied, TfL do not consider that the proposal as it stands would result in an unacceptable impact to the Strategic Road Network.

As the land is maintained by TfL, the Council's Traffic and Development service have no comments to make on the proposal.

Considering the above and taking into account that the proposed location is sited on a relatively straight stretch of road with good visibility and is subject to a 30mph limit, the proposed advertisement is not considered to be detrimental to public safety. Therefore, the application is 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 and 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.

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

The surrounding area has a very mixed context including a traditional retail parade, a large-scale retail park, storage warehousing and residential flats. There is also open undeveloped land to the east in the form of highway islands with mature landscaping and trees.

The proposal is located on the eastern undeveloped area of open land. Considering the wide-ranging uses and scale of existing buildings, the proposed advertisement in this position is not considered to adversely affect the visual amenity of the neighbourhood of the site. The proposal is considered to be sufficiently distanced away from the residential properties.

Overall, it is considered that the proposed sign would not be detrimental to the visual amenity of the area and therefore the application is therefore acceptable on this ground.

As such, the application is recommended for approval.

5. CONSULTATION

- Statutory public consultation is not required for this form of application.
- However, 12 objection(s) have been received.

The objections can be summarised as follows:

- Impact on amenity as proposal affects one of the few stretches of the High Road where the views of roads and buildings is broken by trees; this view would be marred by a deliberately large and obtrusive advertisement; wildlife, including bats, in the vicinity might also be affected;
- Drivers will be distracted from their prime task of driving safely;
- An illuminated and frequently changing display is much more distracting than fixed unilluminated ones;
- Unsightly and dangerous distraction of drivers at a busy junction;

- Proposed sign will detract from the character of the road, obscuring the trees;
- Illuminated sign would be a dangerous distraction at junction

Highways officers have been consulted and have advised that as the land is maintained by TfL, they have no comments to make.

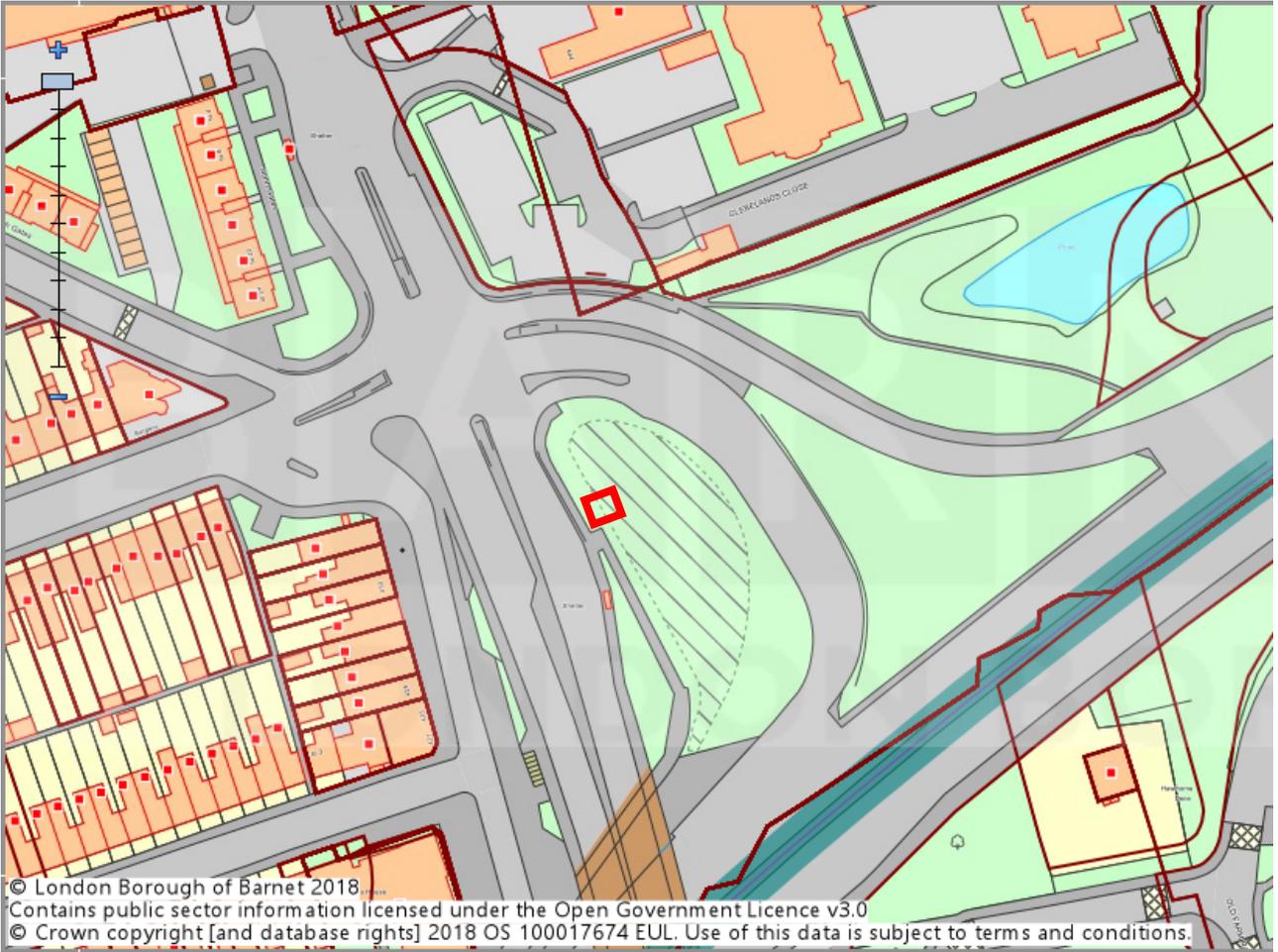
TfL have stated that subject to conditions being met, the proposal as it stands would not result in an unacceptable impact on the Strategic Road Network.

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.



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