

Location **A552 The Ridgeway Junction With Partingdale Lane South
Along Bittacy Hill Ending At The Junction With Devonshire
Road**

Reference: **20/3059/ADV** Received: 8th July 2020
Accepted: 9th July 2020
Ward: Mill Hill Expiry: 3rd September 2020

Case Officer: **Jonny Chan**

Applicant: Ms Lizzie Miller

Proposal: Installation of up to 19no PVC lamppost banners [AMENDED
DESCRIPTION]

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 their 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:

Banners details

Method Statement for lamppost mounted banner installations v3.8 January 2014

Site information Ref. 29 to 33 by Baymedia

The location plan

The applicant's email dated 26.11.2020

The applicant's email dated 11.12.2020

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 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.

Informative(s):

- 1 In accordance with paragraphs 38-57 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.
- 2 The developer is required to apply to the Highway Authority for a Projection Licence under Highways Act 1980 for any overhanging over the public highway. The overhang must be a minimum height of 2.7 metres above the footway and 4.1 metres above the carriageway.

OFFICER'S ASSESSMENT

1. Site Description

The application site relates to 19 existing lamp columns located along The Ridgeway Junction with Partingdale Lane South along Bittacy Hill and ending at the junction with Devonshire Road (B552).

The site is not subject to any relevant planning restrictions.

The site does not lie within a town centre. The area has a mixed character, comprised predominantly residential development, a Mill Hill East Underground station and rows of terraced houses with commercial units on the ground floor and residential units above.

2. Planning History

N/A

3. Proposal

The application seeks planning permission for the installation of up to 19 no. PVC lamppost banners.

The display of temporary UPVC banners measuring 2.2 metres in height and 0.79 metres in width affixed to 19 existing bespoke lamp columns using Bay Media patented spring pensioned bracket system along road No. B522. The UPVC banners would be measuring 2.8m above the road level.

The banners would be sited on the following locations:

- 2 banners would be located at the junction between Inglis Way and Bittacy Hill;
- 8 banners would be located on the western side of Bittacy Hill (including 2 banners located outside the Mill Hill East Underground station);
- 1 banner would be located in Langstone Way;
- 1 banner would be located at the junction of Bittacy Hill and New Road
- 1 banner would be located at the roundabout of Bittacy Hill and Devonshire Road
- 6 banners would be located on the eastern side of Bittacy Hill.

The banner would be for the display of commercial advertising as confirmed by the applicant's email dated 11.12.2020.

There would be one banner on each lamp post as confirmed by the applicant's email dated 26.11.2020 and they would not be illuminated, though light would shine on them from the main lamp column.

The applicant is in agreement with the London Borough of Barnet to deliver advertising banner opportunities on behalf of LBB.

It must be noted that during the lifetime of the application, the scheme has been amended to reduce the number of banners proposed, from the original 42 locations proposed to the current scheme involving 19 lampposts. This was due to the feedback received from officers about the unsuitability of the omitted locations. Sites on The Ridgeway have now been omitted and the included lampposts are at the junction of Inglis Way and Bittacy Hill, south up to Devonshire Road.

4. Consultation

It must be noted that there is no statutory requirement to consult on advertisement applications. Therefore, no public consultation has been undertaken on this application. Nonetheless, 27 objections were received.

They could be summarised as follows:

- The proposed banners will be a distraction on this busy road and compete for attention with genuine road signs making this route even more dangerous.
- The proposed new development will increase traffic and buses to the area.
- It does not keep with the local character. It would look like the entrance to the Olympic arena.
- The subject site is within the green belt.
- Out of character.
- Approving this scheme would set up a precedent for the future as there are no advertising banners in the area of Mill Hill.
- This proposal is just another disgraceful and money-making proposal.
- There are several schools and many signages along this road so it would cause distractions for the drivers.
- The new banners are an eyesore.
- The new banners will take away the distinctive character of this area.
- Issues with the permission of the owner of the land.
- Adverse visual impact on the character of the green belt.

- The Planning Committee of the Mill Hill Preservation Society has inspected the plans for the plethora of advertising signage in this location wish to object to it because the proposed advertisement banners, by reason of their excessive number, positions, size, design and appearance would result in a proliferation and clutter of signs that would have an adverse impact on the street scene and visual amenity of the locality of the area. The proposed location runs right up to the boundary of the Mill Hill Conservation Area and the multitude of advertising signage would provide a very poor approach to this sensitive area. This type of proposal would not suit this suburban residential area.
- It will cause harm to the character of Mill Hill Conservation Area.

5. Planning Considerations

5.1 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 19th February 2019. 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 sitting. 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 Highways Department have reviewed the application and commented:

1. The location of the proposed signage (above 2.8m from the public footway) is in line with highways requirements and is therefore acceptable on highways grounds.
2. However, taking into account the already existing large number of road signs and etc on this particular location, it is recommended to reduce the amount of signs proposed by 50% in order to retain a clean and acceptable street scene and to not bombard road users with further distracting signs.
3. The proposed signs are not expected to have a significantly detrimental impact on the surrounding public highway, therefore, it is considered that the proposal does not have sufficient grounds for objection to the proposed on highways grounds.

Whilst Highways advised that the number of banners should be reduced, objection was not raised as it was deemed that there were not sufficient grounds to consider the scheme harmful to road users or to warrant refusal on these grounds. It must be noted that the number of banners have been reduced to account of officer comments about the suitability of some locations.

The proposed banners would have an appropriate size and scale in relation to the

surrounding buildings. Moreover, the proposed banners meets the highways requirements. It is not considered that the banners, due to their modest size, height above ground and lack of illumination, would impede public safety or obscure highway sightlines.

On this basis, it is considered that the proposed banners 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 sitting. Besides they should be located to avoid visual clutter.

The concerns about the proliferation of signage are noted. Amendments were requested by the planning officer to reduce the total number of banners down to 19 and no banners would be installed within the Greenbelt, within the Mill Hill Conservation Area or within close proximity to the neighbouring properties (such as right in front of the residences). The locations close to the Conservation Area have been omitted. In addition, locations which are directly in the eyeline of residential units have also been removed.

It is acknowledged that the proposed banners would be 2.2m high and 0.8m wide, and the document listing the locations has been conditioned; therefore the dimensions of the banner and the quantity of the banners (a maximum of 19 banners on 19 lampposts) would be implemented as shown on the supporting information. The scale and height of the banner would not be too excessive, therefore, it would not obscure and disrupt the architectural form of the buildings along this road. Therefore, it is considered the banners would not detract from the character and appearance of the street scene and, given the distance, from the conservation areas generally.

A condition on time limited would also be attached on this advertisement consent. In this connection, the proposed banners would have to be removed immediately when this consent is expired.

The proposed banners would not be illuminated so it would not cause any levels of light pollutions to the neighbours or drivers. Therefore, it is not considered that the banners would have a negative impact on the residential amenity of any residents along this road.

Overall, it is considered that the display of 19 temporary banners would not significantly detract from the character or appearance of the conservation area, or from the general street scene.

5. Response to objections

- The lampposts are located on the classified road.

- The financial income or revenue of the proposal is not a material planning consideration in this planning application.

It is considered that all other planning considerations raised by objectors have been addressed in the above report.

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.

