

**Location** **High Road Through Oakleigh London N20 9BH**

**Reference:** **21/0668/ADV** Received: 8th February 2021  
Accepted: 2nd March 2021

Ward: Oakleigh Expiry 27th April 2021

**Case Officer:** **Mansoor Cohen**

Applicant: Miss Lizzie Miller

Proposal: Installation of up to 20no PVC lamppost banners

### **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:

Site information, by BayMedia, received on 15 June 2021

Location Plan Supplied by Stanfords: Order Ref OI1444874, received on 15 June 2021

Banner Size/Lower Banner Arm, received on 02 March 2021

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.

## **OFFICER'S ASSESSMENT**

### **1. Site Description**

The application site relates to several lampposts which run along the High Road within the Totteridge and Oakleigh wards passing through the Whetstone Town Centre and beyond.

The lamp post sites do not reside within a designated Conservation Area, however, there are a number of statutory listed buildings as well as locally listed buildings dispersed along the subject section of the High Road. The character of the area is typical of a town centre with a variety of mix use developments.

### **2. Relevant Planning History**

N/a

### **3. Proposal**

The applicant - in conjunction with the Council - has submitted for advertisement consent to attach up to 20 banners to lampposts along The High Road, primarily within the Whetstone Town Centre.

The PVC banners would be sited 2.8m above ground level, with a width of 0.8m and height of 2.2m.

Amendments were sought during the application process, requesting the number of banners to be reduced from 41 to 20, in order to ensure that they were sited within the Whetstone Town Centre, to maintain a sufficient distance from listed buildings and would not adversely impact neighbouring amenities.

### **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. Notwithstanding this, 111 representations were received at the time of writing this report which consisted of 2 letters of support and 109 letters of objections including an objection from MP Theresa Villiers. The representations can be summarised as follows:

In support:

-It's a great initiative for clients and local businesses to advertise their services. I have seen this scheme in many areas in the UK and adds to a city.

Objections:

- Will ruin the visual amenity of the streets
- No financial benefit to Borough
- Environmentally unsound materials
- Distracting for drivers in a congested area
- Danger to pedestrians and cyclists
- Out of character and unattractive, disrupting the tree-lined high street
- Obstructing visual amenity of first floor residences
- An excessive number for a small area
- Will do nothing to enhance this historic area
- Will increase clutter along the high road
- No control over what advertisements would be placed
- Bombardment of propaganda for commercial interests
- Would impact historic buildings
- Too large scale
- Multiple applications around the borough is not in keeping with the character of the borough
- No maintenance plan
- Conflict of interest as result of advertising revenue over character of the area
- Advertising content could distract from local businesses

#### **4.1 Internal Consultees**

The Highways department were consulted during the lifetime of the application and raised no objection to the scheme.

### **5. Planning Considerations**

#### **5.1 Main issues for consideration**

##### National Planning Policy Framework

The determination of planning applications is made mindful of Central Government advice and the Local 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 revised National Planning Policy Framework (NPPF) was published on the 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.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

## The Mayor's London Plan 2021

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan.

## Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- 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.

### **5.3 Assessment of proposals**

The applicant - in conjunction with the Council - have submitted for advertisement consent to attach up to 20 banners to lampposts dispersed along the stretch of the High Road within the Whetstone Town Centre.

The Council has had for many years a number of forms of advertising (particularly in our Town Centres) and these have been in the form of free standing backlit advertising screens and similar screens mounted on, or built into bus shelters. The costs of advertising on these types of displays tends to attract the multi-national companies who have large advertising budgets and this does not give independent local businesses the opportunity to promote/advertise and/or way-find their business as they are too expensive.

By introducing unlit lamp post banners, this introduces an opportunity for local businesses to advertise and promote their business at a much lower - and hence affordable - cost.

It is also recognised that lamp posts provide a good opportunity for the Council to promote important public messaging and this also includes the promotion of local not for profit events. The arrangements put in place will ensure a degree of flexibility to allow a mix of both requirements. A current example is the use of lamp posts to display important COVID messaging. Therefore, the advertisements will vary and it is suggested in support of the application that clients from local businesses will also utilise the banners.

### **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.

This application seeks consent for the installation of up to 20no. PVC lamppost banners.

Amendments were sought during the application process, reducing the number of banners from 41 to 20; the reduction reflected the need to ensure that these would not have a detrimental impact on heritage buildings and sites and in addition to contain these primarily within the Whetstone Town Centre. Whilst it is noted that the revised proposal would extend beyond the southern end of the Whetstone Town Centre, this is only marginal and given the mix of uses along this stretch, this aspect would be considered acceptable. The highways department have reviewed the submitted scheme and have raised no concern over the proposal in terms of the impact on the highways and public safety.

The PVC banners would be sited 2.8m above ground level, with a width of 0.8m and height of 2.2m. They would not be illuminated, nor would they present moving images.

Whilst it is accepted that a majority of the advertisements would be sited in prominent locations within the Town Centre, it is considered that given the static nature and siting above ground level, the proposal would not distract passing drivers or impede on pedestrian safety to an extent that would warrant a refusal.

Several conditions are to be attached to the permission to ensure public safety, ensuring that 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. In addition, a condition requiring that no advertisements 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, is to be attached to the permission.

The proposal is therefore acceptable in this respect, subject to conditions.

## **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.

Following a detailed review of each of the site locations, it was considered that the proposed banners would not obstruct neighbouring outlook or fenestration. Amendments were sought during the application process which sought to remove banners which were considered to be too close to first floor habitable rooms.

The advertisements do not reside within a designated conservation area, however, there are a number of listed buildings within the vicinity. The proposal has been amended during the course of the application to remove banners which would be considered to adversely impact heritage buildings. The revised proposal would ensure that an amicable distance of any banners would be maintained to any buildings of historic/architectural merit.

The PVC banners would be sited 2.8m above ground level, with a width of 0.8m and height of 2.2m. The advertisements would be located above head height and given their scale, are not considered to adversely impact on the visual amenity of local residents.

Given the nature of the Town Centre, the proposed advertisements would not appear alien in their setting, with examples of advertisements on a number of bus stop shelters, telephone booths and information points along the High Road.

Given the scale of the proposed banners and the reduced number, it is not found that the proposal would result in an unacceptable level of harm to the visual and residential amenity of the area.

As noted, introducing unlit lamp post banners, provides an opportunity for local businesses to advertise and promote their business at a much lower - and hence affordable - cost. It is not considered that the proposed advertisement would generate any additional harm to the visual amenity of the local area, above and beyond the existing. The proposal is thus acceptable in this regard.

## **6. Response to public comments**

Mainly addressed in the report.

- Harmful to visual amenity

Covered in the main body of the report. Given the scale and siting of the proposed banners it is not considered that the proposal would be harmful in terms of visual amenity. Amendments were sought during the application process which requested the number of banners proposed to be reduced from 41 to 20, containing them primarily within the Whetstone Town Centre.

- Environmentally unsound materials

This is not a material planning consideration in determining this application.

- Out of character

Whilst there does not appear to be any similar lamp post advertisements, there is however a variety of adverts on shops and bus stops which are noted and therefore in this setting the proposal is not considered to appear alien.

- Harmful to amenity of neighbouring occupiers

Following a detailed review of the lamp posts, it was considered that the proposed banners would not obstruct neighbouring outlook or fenestration. Amendments were sought during the application process which sought to remove banners which were considered to be too close to first floor habitable rooms.

- Too many

Amendments were sought during the application process which requested the number of banners proposed to be reduced from 41 to 20, containing them primarily within the Whetstone Town Centre. Whilst it is accepted that the proposal would increase the number of lamp post advertisements in this location, given the scale and design of the proposals it is not considered that the scheme would result in street clutter. Further, it should be noted that introducing unlit lamp post banners, provides an opportunity for local businesses to advertise and promote their business at a much lower - and hence affordable - cost.

It is also recognised that lamp posts provide a good opportunity for the Council to promote important public messaging and this also includes the promotion of local not for profit events. The arrangements put in place will ensure a degree of flexibility to allow a mix of both requirements.

- No maintenance plan

A maintenance plan is not a material planning consideration. A condition is to be applied to ensure that 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.

- Distracting for drivers

As noted in the main body of the report the Highways department have raised no objection to the scheme. In addition, several conditions are to be added to the permission in respect of highway safety.

- Historic building impact

Amendments were sought during the application process which requested banners near to listed buildings to be removed from the proposal.

- Advertising content control and financial benefits

These are not material planning considerations.

- Advertising content could distract from local businesses

The scheme aims to facilitate local businesses to advertise themselves at an affordable cost.

## **7. 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.

## **8. Conclusion**

The proposal is not considered to 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.