

Location	O/s 836 High Road London N12 9RE	
Reference:	21/4178/FUL	Received: 27th July 2021 Accepted: 27th July 2021
Ward:	Woodhouse	Expiry 21st September 2021
Case Officer:	Ashley Niman	
Applicant:	Ms Bella Noakes	
Proposal:	Removal of existing BT payphone and installation of 1no. new InLink structure (BT Street Hub)	

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: Digital Kiosk Proposal (Trueform), Existing and Proposed views (BT Ref BAR-213), Site and location plan (InLink Project BAR-213, dated 26.03.2021), Planning Statement (Harlequin, REF BAR 213) Covering letter (Harlequin, Ref BAR-213), Street Hub product statement (BT, February 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 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act

2004.

- 3 An Integrated CCTV camera shall be made operational from Day 1 of official unit 'switch-on' and maintained permanently thereafter.

Reason: In the interests of proper planning, neighbourhood safety 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).

- 4 The proposal shall be managed in strict compliance with the submitted Communication Hub Unit Management Plan (October 2020) and maintained as such thereafter.

Reason: 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).

- 5 The existing phone box shall be removed prior to installation of the new unit in accordance with the submitted planning documents.

Reason: To preserve the established character of the area and reduce street clutter in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012); Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012); and, Policy HC1 of the London Plan 2021.

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. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. 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 on public highway outside Sainsburys at 836 High Road close to the junction with Ravensdale Avenue. It is not within a designated conservation area and is not adjacent to any locally or statutory listed buildings.

2. Site History

Reference: 19/4852/FUL

Address: 836 High Road

Decision: Refused

Decision Date: 29.10.2019

Description: Installation of public payphone/commercial hub

Refused for the following reasons:

"1. The proposed development would, due to its proximity to the crossing, level of illumination and distraction to drivers, increase road safety risk.

The application is therefore considered unacceptable and contrary to Policy DM17 of Barnet's Development Management Policies Document DPD (2012) and the guidance contained with Barnet's Design Guidance Note No.1: Advertising and Signs (1994).

2. The proposed development would, by reason of its design, fail to adequately reduce opportunities for criminal and anti-social behaviour, and would fail to contribute to a sense of security for users and the wider community.

The application is therefore considered unacceptable and contrary to Policy CS12 of Barnet's Core Strategy DPD (2012), Policy DM01 of Barnet's Development Management Policies Document DPD (2012), London Plan Policy 7.3 and the National Planning Policy Framework (2019)."

Reference: 19/4853/ADV

Address: 836 High Road

Decision: Refused

Decision Date: 29.10.2019

Description: Installation of 86" inch advertisement located on the rear face of the communications apparatus

Refused for the following reason:

"1. The proposed development would, due to its proximity to the crossing, level of illumination and distraction to drivers, detrimentally impact on public safety.

The application is therefore considered unacceptable and contrary to Policy DM17 of Barnet's Development Management Policies Document DPD (2012), the guidance contained with Barnet's Design Guidance Note No.1: Advertising and Signs (1994) and the National Planning Policy Framework (2019). "

Reference: 21/1474/FUL

Address: 836 High Road

Decision: Refused

Decision Date: 12.05.2021

Description: Installation of public payphone/communication hub

Refused for the following reason:

"1. The proposed development would, due to its proximity to the crossing, level of

illumination and distraction to drivers, increase road safety risk.

The application is therefore considered unacceptable and contrary to Policy DM17 of Barnet's Development Management Policies Document DPD (2012) and the guidance contained with Barnet's Design Guidance Note No.1: Advertising and Signs (1994)."

3. Proposal

Removal of existing BT payphone and installation of 1no. new InLink structure (BT Street Hub)

It would be sited on the public pavement outside Sainsburys, 836 High Road, close to the junction with Ravensdale Avenue. The new structure would measure 298cm in height and 123.6cm in width, with a depth of 35cm.

The planning history above relates to a different site slightly further south fronting Sainsburys. Those applications were to replace the existing advertising column with a payphone/ commercial hub but did not remove the existing BT payphone. The siting was close to a traffic controlled crossing and received objection from highways officers and the police.

The supporting cover letter for this application by Harlequin dated 15 August 2021 states: "The Street Hub unit will be funded through the display of advertising in conjunction with other council and community content, via sponsorship from companies who will utilize the digital HD display screens on both sides of the unit. The two screens automatically dim at night to 600cd/m², following daylight hours and in accordance with the levels set for this type and size of screen (those under 10m) by the Institute of Lighting Professionals, Professional Lighting Guide 05 2015: The Brightness of Illuminated Advertisements - minimizing disturbances to residents in the evening.

The screens will display content at 10-second intervals, in the form of both the commercial content that funds the service, as well as a wide range of local community and council content. As such, the proposed Street Hub will provide 876 hours of free council advertising per year, with the opportunity for discounted advertising for local business groups (such as BIDs and Chambers of Commerce) and their members through BT's Street Hub Partners Program. "

4. Public Consultation

A site notice was erected 12 August 2021. Consultation letters were sent to 61 neighbouring properties. 4 responses have been received. The objections are

- o Street clutter
- o It narrows the pavement
- o Obstructs views for drivers
- o It is only for advertising revenue
- o Intrudes on privacy
- o Limited communications benefit
- o Excessive electricity use

An objection has been received from Councillor Cooke:

"The feature is out of character in the area, unnecessary street clutter and not popular with constituents. If officers are minded to approve please refer the application to a planning committee".

Highways: No objections raised

Metropolitan Police: The existing TK proposed for removal is in a very poor condition and

its removal is strongly recommended, as per the planning application. There is no objection to the proposal subject to removal of the existing BT box, and for the provision of CCTV.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning application 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 20 July 2021. 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, is indivisible from good planning, and should contribute positively to making places better for people'. 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.

Existing policies in Barnets Local Plan (2012) and the London Plan (2021) should not be considered out of date simply because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF.

The Mayor's London Plan 2021

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2041. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

Barnet's Draft Local Plan Reg 19 - Publication was approved for consultation on 16th June 2021. The Reg 19 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It is Barnet's draft Local Plan.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan.

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, CS9, CS12
- Relevant Development Management Policies: DM01, DM17

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Supplementary Planning Documents

- Design Guidance Note No.1: Advertising and Signs (1993)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the street scene and the surrounding area;
- Whether harm would be caused to the safety of road users and pedestrians;
- Whether the proposal would minimise and reduce opportunities of crime and anti-social behaviour

5.3 Assessment of proposals

Impact on character and appearance on the street scene and surrounding area:

Policy CS5 of Barnet's Core Strategy DPD (2012) states that the Council will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design.

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

Design Guidance Note No.1: Advertising and Signs (1994) sets out guidance on signage and advertising. It states that on page 2 and 3 -

"Advertisement and signs should, where appropriate;

- be well related to their surroundings in terms of size, scale and siting;
- be located to avoid visual clutter;
- not conflict with traffic signs or signals or be likely to cause confusion or danger to road users;
- respect the character and architectural details of any building on which they are to be located;
- be carefully designed and controlled in sensitive areas such as conservation areas, in open countryside or on or near important buildings
- in the case of projecting signs overhanging the highway, project no more than 1m (3ft 3ins) from the face of the building or have a depth greater than 0.75m (2ft 5ins)"

The site is not located within a conservation area and is not immediately adjacent to locally or statutory listed buildings. The removal of the redundant BT phone box is welcome, and its replacement would be with a structure that is of broadly similar dimensions. It is wider and higher but slimmer and less bulky, and consequently the impact on the street scape

would be marginal. Moreover, unlike many similar structures, it is set against the substantial brick wall of the property behind and is located within the town centre. It will therefore not materially increase visual clutter and would relate in an acceptable manner in terms of its size and siting.

Therefore, in terms of Policy DM01, the proposal would not harm local character, nor harm the appearance of surrounding buildings, spaces and streets.

Impact on highways and pedestrian safety:

Policy DM17 of Barnet's Development Management Policies Document DPD (2012) states in point a that the Council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users.

Design Guidance Note No.1: Advertising and Signs (1993) sets out guidance on road and pedestrian safety.

The highways officer has reviewed the application and raises no objection.

As such, the local authority is satisfied that the proposed development would ensure the safety of all road users, in accordance with Policy DM17 of Barnet's Development Management Policies Document DPD (2012) and Design Guidance Note No.1: Advertising and Signs (1994).

Safety and security:

Policy CS12 of Barnet's Core Strategy DPD (2012) states that the council will aim to make Barnet a safer place. It is important that we ensure through the management of growth that Barnet is a place where people from different communities get on together. This includes working with our partners to tackle crime, fear of crime and anti-social behaviour; require developers to demonstrate that they have incorporated design principles which contribute to community safety and security in all new development.

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should create safe and secure environments and reduce opportunities for crime and minimise the fear of crime.

London Plan Policy D11 states that development should include measures to design out crime.

The National Planning Policy Framework (2021) highlights the importance of reducing crime and the fear of crime.

The Design out Crime Office of the Metropolitan Police has reviewed the application:

"The existing TK proposed for removal is in a very poor condition and its removal is strongly recommended, as per the planning application. This is a location that was highlighted by local police officers as an area where there are ASB issues with begging and vagrancy. Begging tends to predominantly occur in areas with high footfall such as outside supermarkets, near ATM machines or busy transport hubs. The proposed location for this device appears to be situated far enough away from the main entrance of the large Sainsbury's supermarket to be more unattractive for begging purposes. However, with a large blank wall of Sainsbury's offering no additional natural surveillance of this device, it is recommended that integrated CCTV is incorporated within this device.

I do not object to this application but would respectfully request the following for your

consideration as a formal planning condition (upon any approval):

- Strict compliance with Communication Hub Unit Management Plan (October 2020)
- Integrated CCTV camera (operational from Day 1 of official unit 'switch-on')
- Removal of existing telephone kiosk as per planning submission. "

Therefore, in terms of safety and security there is no objection to this proposal.

5.4 Response to Public Consultation

Discussed under evaluation

6. Equality and Diversity Issues

The proposal does 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

Having taken all material considerations into account, the application is recommended for approval.

