

Location **A1000 High Road, Junction With Bedford Road To The North
And Brompton Grove To The South, N2 8AQ**

Reference: **21/0673/ADV** Received: 8th February 2021
Accepted: 8th February 2021

Ward: East Finchley Expiry 5th April 2021

Case Officer: **Andrew Turner**

Applicant: Miss Lizzie Miller

Proposal: Installation of up to 24no 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 Chair (or in their absence the Vice-Chair) 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:

Drawing with Banner Dimensions: Banner size W:785mm, H: 2200mm, D: 785mm, LBM: 2800mm

Banner Visuals: Locations: Barnet 2016, Camden, Hammersmith & Fulham Method Statement, Method Statement for Lamppost Mounted Banner Installations, version 3.8, dated January 2014, produced by Bay Media

Site location plan V2 showing 24 locations

Site Maps, A1000 High Road [1 of 3], Site Information x, X24 Sites, produced by Bay Media

Site Maps, A1000 High Road [2 of 3], Site Information x, X24 Sites, produced by Bay Media

Site Maps, A1000 High Road [3 of 3], Site Information x, X24 Sites, produced by

Bay Media

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 A1000 High Road in East Finchley. They would be located from just south of Bedford Road along A1000 High Road to East Finchley Tube Station (west side) and Brompton Grove (east side).

The site is not in a conservation area. There are two statutorily listed buildings along this stretch of the A1000 High Road: East Finchley Station is a Grade II listed building (listing reference 199225) and the Phoenix cinema which is a Grade II listed building (listing reference 1385096) . However there are a number of locally listed buildings along that stretch of the A1000 High Road. Details of which locally listed buildings will be most directly impacted will be considered in the appraisal section of this report.

The site is located within the East Finchley Town Centre.

2. Relevant Planning History

Although there is no relevant planning history for the area covered by this planning application, there have been other similar applications along the A1000 High Road:

Application reference: 21/0668/ADV
Address: High Road Through Oakleigh, London, N20 9BH
Description: Installation of up to 20no PVC lamppost banners
Decision: Withdrawn
Decision date: 02/09/2021

Application Reference: 21/1209/ADV
Address: The High Road Into Ballards Lane, N12 8QR
Description: Installation of up to 21no PVC lamppost banners [amended]
Decision: Approved subject to conditions
Decision Date: 10/08/2021

The most northern most point of the application site is approximately 1.58 miles north of the most southerly point of the approved scheme (ref. 21/1209/ADV) from point to point (or 1.6 miles travelling along the street).

3. Proposal

The applicant has submitted for advertisement consent to attach up to 24no PVC banners to lampposts along A1000 High Road. The banners are located from Bedford Road to the north to Brompton Grove to the south. During the lifetime of the application, officers sought amendments to reduce the number of PCV banners from 31no to 24no. This was to avoid having the banners being located outside of the East Finchley Town Centre or outside the statutorily listed buildings of East Finchley Library, East Finchley Station including Platforms and the Phoenix Cinema.

The PVC banners would be sited 2.8m above ground level, with a width of 0.785m and height of 2.2m.

4. Consultation

No consultation is necessary for applications for advertisement consent. However, two objections from the public were received in the lifetime of the application. They can be summarised below:

- Insufficient information to say what the banners are going to be used for
- The longevity of the banners being in place is unacceptable
- Creation and proliferation of additional clutter along East Finchley High Road
- Causes distractions to users of the road and pavement
- Misleading number of banners
- Location of banners next to several listed buildings including Phoenix Cinema
- Location of banners next to Amazing Grates and Bald Faced Stag
- Impact on Edwardian terraces of good quality

The application was called in to committee by Councillor Farrier and Councillor Mittra. This was on the grounds of the impact the banners would have on the character of East Finchley High Road.

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 20th 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, 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 Draft Local Plan -Reg 22 - Submission was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission the Local Plan will now undergo an Examination in Public. The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It represents 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 and the stage that it has reached.

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, DM06, 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.

5.3 Assessment of proposals

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'.

The applicant has submitted for advertisement consent to attach up to 24no PVC banners to lampposts along the A1000 High Road. The banners are located from Bedford Road to the north to Brompton Grove to the south. Following revisions to the number of banners, no banners are proposed to be located outside of the East Finchley Town Centre and outside statutorily listed buildings (East Finchley Library, East Finchley Station including Platforms and the Phoenix Cinema).

The following statement has been submitted by the Head of Network and Infrastructure - Environment:

"Bay Media are acting on behalf of the Council's Highways Team, in terms of providing one element (lamp post banner advertising) of the Councils recently adopted Advertising Policy, as already agreed by the Councils Environment Committee. This is part of the Environment Committees agreed savings targets over the next 5 year period as this agreement with Bay Media provides the Council with guaranteed annual income which ensures that the Council are achieving best value from the efficient use of existing Highway Assets.

Bay Media have worked closely with the Planning Team in order to identify suitable sites that seek to avoid conservation areas and locations near listed buildings and therefore the applications now being considered are for less sites than originally identified as being potentially viable advertising sites within the borough. This recognises the need for sensitive deployment of commercial advertising in the borough.

It is also import to understand that these applications are looking to establish an inventory of lamp posts which could potentially be utilised for the attachment of commercial advertising banners and hence provide flexibility on available sites across the borough. There are very few occasions where we would foresee all sites being booked at the same time. The creation of an inventory of approved sites allows Bay Media flexibility to sell to clients looking for specific sites for directional purposes and is something that has worked well in other boroughs where Bay Media are operating advertising schemes, such as the neighbouring boroughs of London Borough of Harrow and the London Borough of Camden.

For this application we foresee the type of client buying the banners to be local businesses and educational institutions, who have already shown a keen interest in this format of advertising as it is the most economical advertising format available to them. In addition to the deployment of commercial advertising it is also envisaged that Bay Media will assist the Authority to utilise the same lighting columns to deploy public messaging banners and local event promotions at appropriate times. This has already occurred in respect to specific COVID messaging and for the Barnet Medieval Event where banners have been installed for the past two years along Barnet High Street and are planned again in support of this years event.

The initial concession with Bay Media is for a 5-year period and has a requirement for all campaigns and clients being vetted and approved prior to installation by an Authorised Council Officer within the Highways Team of the London Borough of Barnet. There are also standard requirements such as meeting the advertising standards/codes to avoid any inappropriate forms of advertising being displayed."

The Council has had for many years a number of forms of advertising (particularly in 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 recent 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 advertisements 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 24no. PVC lamppost banners. Amendments were sought during the application process, so that banners are contained within the primary and secondary retail frontage within East Finchley Town Centre.

The highways department 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 0.785m 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 running along East Finchley High Road, 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.

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, subject to conditions, thus complying with policy DM17.

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.

The advertisements are not proposed in a designated conservation area, nor would they be erected in close proximity to listed buildings. All of the advertisements are now located within the designated East Finchley Town Centre and are therefore considered appropriately located in a designated retail and commercial location.

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.

It is acknowledged that there are a limited number of on street advertisements within the application site. This includes:

- A digital LED advertisement display on the corner of the A1000 High Road and Kitchener Road;
- A non-illuminated static advertisement board at a bus station outside 109 High Road (a Dry Cleaning and Laundrette shop)
- A digital LED advertisement display outside Jeremy Leaf & Co (no 98 High Road)
- A non-illuminated static advertisement display on a pillar outside Budgens (no 71 High Road)
- A non-illuminated static advertisement board at a bus station outside Martyn Gerrard (no 66 - 68 High Road)
- A non-illuminated static advertisement board at a bus station outside Diploma Court
- A digital LED advertisement display outside Phoenix Cinema (no52 High Road)

The advertisements are only being proposed on lampposts which are by their very nature well spaced out. This reduces the level of potential visual clutter as a result of the proposed banners to the visual amenity of the area and nearby locality at large.

Policy DM06 states that all heritage assets will be protected in accordance with their significance. There are a number of locally listed buildings along this stretch of the High Road. The proposed banners will be close to, and therefore potentially impact the most, the following locally listed buildings:

- Bald Faced Stag, 69 High Road (local listing ref HT00316)
- 54 - 82 High Road (local listing ref HT01049)
- 61-63 High Road (local listing ref HT01050)

There are three lampposts which impact the locally listed buildings overall, two outside the parade of nos. 54 to 82 High Road and one outside nos. 61-63 High Road.

Given the limited number of locally listed buildings which are impacted and when considering the size and siting of the banners, in an established commercial setting, it is considered that less than significant harm is caused to the heritage assets. In the context of the scheme as a whole, it is considered that the impact on heritage assets is, on balance, acceptable.

Given the scale of the proposed banners, the number and locations of existing street advertisements and the limited impact on the locally listed buildings, it is not found that the proposal would result in an unacceptable level of harm to the visual amenity of the area, including visual clutter.

As noted above, 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 considered that the proposed advertisements would not generate any significant additional harm to the visual amenity of the local area. The proposal is thus acceptable in this regard, complying with policy DM01.

6. Response to public comments

- Insufficient information to say what the banners are going to be used for.

Response: this has been addressed in the submission documents: they will be permanent features for the benefit of business advertisement as well as Council public messaging campaigns

- The longevity of the banners being in place is unacceptable

Response: give the impact on the visual amenity and highway safety is considered acceptable, the longevity of the proposed scheme is considered acceptable

- Creation and proliferation of additional clutter along East Finchley High Road

Response: given the proposal has been amended so as not to have banners outside statutorily listed buildings or outside of the designated town centre, and the banners only being located on lampposts which are well spaced out, the locations of the advertisements are not deemed to result in unacceptable clutter and are considered acceptable when considered in the round.

- Unacceptable impact on the character of East Finchley High Road

Response: this has been covered in the body of the report: given the proposal has been amended so as not to have banners outside statutorily listed buildings or outside of the designated town centre, this potential harm to the character of East Finchley outside the commercial area and where there is extra sensitivity has been overcome. Given the banners are now only being located on lampposts which are well spaced out; are in a designated town centre and are not outside statutorily listed buildings, the impact on this section of the A1000 High Road is considered acceptable.

- Causes distractions to users of the road and pavement

Response: this has been addressed in the body of the report: given the height, siting and static, non-illuminated nature of the advertisement, they are not considered to cause pedestrian or highway safety issues, supported by the view of Barnet Council's Highways Officer.

- Misleading number of banners

Response: this comment was noted by the case officer: no.31 banners were being proposed originally but the proposals have been amended to no..24 banners.

- Location of banners next to several listed buildings including Phoenix Cinema

Response: this has been addressed in the body of the report: only two locally listed buildings have banners outside them; the Phoenix is not one of them. The heritage impact of the proposal is addressed in the report. On the planning balance overall this is still considered acceptable.

- Location of banners next to Amazing Grates and Bald Faced Stag

Response: this has been covered in the body of the report: Amazing Grates (no.61-63) would have a banner directly outside it but The Bald Faced Stag would not. The heritage impact of this is considered to be limited given it is a locally not statutory listed building and the size and siting of the banners and them being non-illuminated. On the planning balance overall it is still considered acceptable.

- Impact on Edwardian terraces of good quality

Response: given the potential benefits to local businesses, the location of the banners inside a designated town centre and their size, siting and overall design, the impact on the Edwardian terraces is considered limited and will not tip the planning balance in the case officer's judgement.

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.

