

**Location** **Mill Hill Broadway Junction With Watford Way To The North] And Along Bunns Lane Into Grahame Park Way [to Junction With Aerodrome Road NW7 2AS**

**Reference:** **21/0710/ADV** Received: 10th February 2021  
Accepted: 10th February 2021

**Ward:** **Covering Mill Hill, Edgware, Burnt Oak, Colindale North and Colindale South** Expiry 7th April 2021

**Case Officer:** **Elizabeth Thomas**

**Applicant:** Miss Lizzie Miller

**Proposal:** Installation of up to 37no PVC lampost banners [AMENDED PLANS AND 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 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:  
Banner Dimensions  
Site Location Plan showing 1-43  
Site Location Plan showing 44-117  
Mill Hill Broadway (Ref 43) revised July 2023  
Bunns Lane (Ref 44) revised July 2023  
Grahame Park Way (Ref 45) revised July 2023  
Grahame Park Way (Ref 46) revised July 2023  
Grahame Park Way (Ref 47) revised July 2023

Grahame Park Way (Ref 48) revised July 2023  
Grahame Park Way (Ref 49) revised July 2023  
Grahame Park Way (Ref 50) revised July 2023  
Grahame Park Way (Ref 51) revised July 2023

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 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.

- 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 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.

- 5 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.

- 6 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**

This application has been brought before the Committee by Cllr Duschinsky for the following reason:

*"We have been working closely with the Mill Hill Broadway traders and the town teams to maximise the space that restaurants and coffee shops can use to trade - pavement licences and parklets - and to declutter the environment to make it pleasant and clean for the residents. Using The Broadway for the first trial of time banded refuse collections as suggested by [former] Cllr. John Hart, thereby removing all wheelie bins from the pavements, has decreased clutter and made the street cleaner and more welcoming. All of these efforts will be negated if we accept an application for 100 street advertising banners which would clearly have a negative impact on the visual impact of the street scene as well as impact negatively the efforts of the town team and councillors to support our traders to make a success of the revival of their local businesses in the Broadway.*

Advertising banners in the Broadway would be over bearing and the bulk and number of banners would be out of proportion and would adversely affect the character of a pleasant suburban shopping high street which still has a sense of their local 'village' to many of our residents. The Broadway is unlike other high streets and has tried to preserve its character - the banners definitely would go against the image and character of the area and should be rejected."

## **Committee Deferral**

The application has previously been reported to committee B on 21st June. The proposal

comprised of 98 banners in total.

The application was deferred for officers to seek additional information on the material for the banners, their number and their locations.

The proposal has been significantly reduced to a total of 37 banners. The previously proposed banners along Mill Hill Broadway have been reduced from 16 to 7. These 7 banners will be concentrated at either end of the Broadway.

Along Bunns Lane the proposed number of banners has been reduced from 13 to 8 with banners taken out on either side of the road.

Graeme Park Way banners have largely been removed on the side of the road comprising of residential units with banners located on the railway side of the road up until the Sainsburys site where banners will be placed on either side of the road. These have been reduced from 69 banners to 22.

## **1. Site Description**

The application site relates to several lampposts which run from the Mill Hill Broadway Junction (With Watford Way to The North) And Along Bunns Lane Into Grahame Park Way (to Junction With Aerodrome Road)

The banners would not sit within a designated Conservation Area, nor do they affect the setting of a listed building.

## **2. Relevant Planning History**

N/A

## **3. Proposal**

The applicant - in conjunction with the Council - has submitted for advertisement consent to attach up to 37no banners to lampposts along the Mill Hill Broadway [junction with Watford Way to the north] and along Bunns Lane into Grahame Park Way [to the junction with Aerodrome Road].

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

## **4. Consultation**

3 objections comments were received in the lifetime of the application. These are summarised below:

- Street clutter
- Harmful to visual amenity
- Environmentally unsound materials

- Uncharacteristic development
- Harmful to amenity of neighbouring occupiers
- Too many
- Need to be maintained
- Adverse impact on the streetscene
- Concerns over highways safety

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 revised in 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 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 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**

The applicant - in conjunction with the Council - have submitted for advertisement consent to attach up to 37no banners to lampposts along the Mill Hill Broadway [junction with Watford Way to the north] and along Bunns Lane into Grahame Park Way [to the junction with Aerodrome Road].

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 - such as the RAF museum and educational institutions who have already shown a keen interest in the sites.

### **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 Local Highway Authority have been consulted and 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 running from the Mill Hill Broadway Junction (With Watford Way to The North) And Along Bunns Lane Into Grahame Park Way (to Junction With Aerodrome 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 attached to 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.

### **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, 2no. advertisements were removed from the scheme prior to referral to the previous committee. This was due to their siting in relation to fenestration on nearby dwellings.

Following deferral by the committee, significant further reductions in the number of banners have been proposed.

The advertisements do not reside in a designated conservation area, nor would they exist in close proximity to listed buildings.

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.

The proposed advertisements would not appear alien in their setting, with similar advertisements noted on Grahame Park Way. In terms of the advertisements on Mill Hill Broadway, whilst there does not appear to be similar lamp post advertisements, a variety of adverts on shops and bus stop are noted and therefore in this setting the proposal would not appear alien.

Whilst no similar advertisements are noted on Bunns Lane, given the scale of the proposed

banners, it is not found that the proposal would result in an unacceptable level of harm to the visual and residential amenity in this location. As noted, this should also be considered within the context 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. A previous example is the use of lamp posts to display important COVID messaging. The advertisements will vary and it is suggested in support of the application that clients from local businesses will also utilise the banners - such as the RAF museum and educational institutions who have already shown a keen interest in the sites.

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.

### **Comments of previous committee in relation to banner material**

In the previous committee discussion the use of a more environmentally sound material for the banners was suggested as opposed to PVC. In response to this the agents have commented that the banners are recycled/repurposed. They state that for short-term campaigns they can look to use a non-PVC banner, but given most of the banners are sold for annual campaigns they need to use the strongest material otherwise they end up being re-printed.

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

### **- Street clutter**

Whilst it is accepted that the proposal would substantially 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.

### **- 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.

### **- Environmentally unsound materials**

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

### **- Uncharacteristic development**

As noted, similar advertisements are noted on Grahame Park Way. In terms of the advertisements on Mill Hill Broadway, whilst there does not appear to be similar lamp post advertisements, a variety of adverts on shops and bus stop are noted and therefore in this setting the proposal is not considered to appear alien. Whilst no similar examples exist on Bunns Lane, given the scale and design of the banners it not found that the proposal would be of detriment to the character of this area.

### **- Harmful to amenity of neighbouring occupiers**

Following a detailed review of the lamp posts, during the lifetime of the application 2no. advertisement banners were removed due to their siting in relation to nearby dwellings.



- Too many

Whilst it is accepted that the proposal would substantially 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 - therefore contributing toward sustaining the vitality and viability of the local economy.

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.

- Need to be maintained

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.

- Adverse impact on the streetscene

The siting, scale and design of the banners would ensure the scheme would not adversely impact on the streetscene.

- Concerns over highways safety

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.

## **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 visual amenity or 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.

