

Location **O/s 13 And 14 Varley Parade The Hyde London NW9 6RR**

Reference: **23/3784/FUL** Received: 1st September 2023
Accepted: 4th September 2023

Ward: Colindale South Expiry: 30th October 2023

Case Officer: **Olivia Becci**

Applicant: John Rainford

Proposal: Installation of 1no. electrical vehicle charging point unit with double-sided LCD screen, feeder pillar and associated electrical connection works

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:

JLT.001-EXISTING LAYOUT Rev B
JLT.002-PROPOSED LAYOUT Rev B
EVA 2.0 - Prelim UK Design Rev 1.0
Design and Access Statement dated 1st September 2023
Product Specifications (EVCP + 2x Display Advertising Screens)

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 The development hereby approved shall be installed in full accordance with the materials and specifications as set out within the approved drawings and documents.

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 The EV charging unit shall be operated and maintained in compliance with 'The Electric Vehicles (Smart Charging Points) Regulations 2021' for the lifetime of the unit.

Reason: To ensure that the development is carried out fully in accordance with the regulations as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM03 of the Local Plan Development Management Policies DPD (adopted September 2012).

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 is located outside 13-14 Varley Parade (Jct. with Woodfield Avenue), NW9 6RR, becoming a new piece of infrastructure in this location. Varley Parade is a row of shop lots situated off of Edgware Road, which is a heavily used main road connecting Hendon and Edgware, geographically located towards the west of the borough. The road has a high traffic count and hosts multiple shops and businesses in addition to being located along several bus routes.

The site is not listed or within a conservation area.

2. Site History

Reference: 23/3785/ADV

Address: O/s 13 And 14 Varley Parade, The Hyde, London, NW9 6RR

Decision: Pending Consideration

Decision Date: N/A

Description: Installation of 1no. double-sided internally illuminated LCD screen with integral electrical vehicle charging point

3. Proposal

This application seeks approval for the 'Installation of 1no. electrical vehicle charging point unit with double-sided LCD screen, feeder pillar and associated electrical connection works'.

4. Public Consultation

Consultation letters were sent to 37 neighbouring properties.

13 objection comments have been received, which can be summarised as follows:

- All leaseholders have objected due to loss of parking for the leaseholder shop and business. The benefit will go to Jolt Charge Limited.
- The Varley Parade is a private parade and freeholders are Varley Parade Estate and the lease holders are from 10-19 Varley Parade. Objection to have anything placed on this land which is private property.

4.1 Internal Consultation

Highways and Transportation - recommend the installation of JOLT charge points.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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 5th September 2023. 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, CS4, CS5,
Relevant Development Management Policies: DM01, DM03, DM17

Barnet's Local Plan (Reg 22) 2021

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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

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 site, the street scene and the wider locality.
- Whether harm would be caused to the living conditions of neighbouring residents;
- Highway impact;
- Public safety.

5.4 Assessment

Whether harm would be caused to the character and appearance of the site, the street scene and the wider locality.

Development proposals must represent high quality design, preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. This ensures that the development addresses the requirements of Policies DM01, CS05 (Barnet's Local Plan), Policies D3 and D8 of the London Plan and the NPPF.

Varley Parade is a row of shops situated off Edgware Road, which is a heavily used main road connecting Hendon and Edgware, geographically located towards the west of the Borough. The road has a high traffic count and hosts multiple shops and businesses in addition to being located along several bus routes.

The site has been selected based upon the need for additional fast EVCPs in the area, the high attraction rate of the site, and the suitability of the location for an EV charge point. The site conforms to the current standards in the IET Code of Practice for Electric Vehicle Charging Equipment Installation, 4th Edition. JOLT has reviewed the draft 5th Edition of the IET Code of Practice, currently out for consultation, and the site selection criteria meets the updated standards.

The unit is 1160mm wide will be situated 450mm from the kerb edge. This leaves 5090mm of clear footway width between the back of the unit and the back of the footway.

The location is not outside residential property and will utilise an existing parking bay with sufficient road width remaining for vehicles to pass.

The site will have an 'EV Charging Only' allocated bay, and would serve the EV charging needs of the surrounding residential properties with no access to off-street parking, namely residents on Edgware Road, Hay Lane, Haydon Close and residential properties above commercial premises on Varley Parade.

It is noted that the proposed unit has a non-reflective, Monument Grey finish, designed to be sympathetic with a variety of street settings. The unit is certified IP55+ for dust and water resistance, with easy clean, graffiti-resistant coatings, allowing the units to become an attractive, well-maintained part of the local streetscape.

The primary function of the unit is electric vehicle charging, with a secondary function of digital out-of-home advertising. The integral double-sided LCD screen will display paid-for adverts by third party companies, compliant with national and local advertising standards and requirements. The dual functionality of the unit reduces street clutter by combining the electrical vehicle charging point and a double-sided display screen into a single unit. This reduces the number of power connections required and reduces the number of vehicle movements within the London Borough of Barnet as maintenance is carried out on a single visit.

The proposal is considered to be of an appropriate size and scale in relation to the buildings on which they are set. It is considered that the proposed electrical vehicle charging point unit with double sided LCD screen would be in keeping with the character of the area and is considered acceptable.

As a result of the wide pavement and busy location, the proposed unit is not considered to give rise to undue visual clutter when taken together with other street furniture in the immediate vicinity.

It is therefore considered that the introduction of the proposed installation of 1no. electrical vehicle charging point unit with double-sided LCD screen, feeder pillar and associated electrical connection works would be in keeping with the local character and not to the detriment of the streetscene.

Whether harm would be caused to the living conditions of neighbouring residents

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policies D5 and D8 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

While the proposed electrical vehicle charging point unit may result in an increase in the use of the site by the public through the facilities provided, it is noted that the existing parking provision is in demand and it is not considered that this would be detrimental to the living conditions or amenity of neighbouring residents - in particular with regard to the ambient noise level. As such, the proposed development is not found to conflict with Policy DM01 of Barnet's Local Plan in respect of residential amenity.

Highway impact

Policy DM17 mandates 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.

Officers have received a formal internal response from the Director of Highways and Transportation which acknowledges that the size and placement of such on-street units poses several potential challenges to the public realm, most notably to the width of the footway. As such, Officers from across the Council, in particular Highways Service, Transportation and Town Centres have reviewed the sites to ensure the effective location and minimisation of conflict with other priorities on the Highway. Following this review, the proposed site has been recommended for the installation of JOLT charge points.

Highways officers have confirmed no objections are raised to the proposed works.

Taking these comments into consideration, the Local Planning Authority therefore considers that the proposed development would have an acceptable impact on the surrounding the pedestrian highway network, in compliance with DM17.

Public safety

Policy DM01 states that development proposals should create safe and secure environments and reduce opportunities for crime and minimise the fear of crime.

Design Guidance Note 1 (Advertising and Signs) 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. Policy D8 of the London Plan (2021) seeks to ensure that street

clutter, including street furniture that is poorly located, unsightly, in poor condition or without a clear function is removed, to ensure that pedestrian amenity is improved. The Council's emerging approach to Public Realm improvements and including reducing crime is contained within policy CDH03 Barnet's Draft Local Plan 19 which states Be designed to meet Healthy Street Indicators, promote active travel and discourage car usage, with avoidance of barriers to movement and consideration given to desire lines. The document expands on this by stating Good public realm should be uncluttered so that all pedestrians including those that are mobility impaired can use pavements. Town centre public realm strategies will address in more detail the management of obstacles such as: shops which use pavements for displaying goods; advertisement hoardings; and telephone kiosks.

The site can be found outside 13-14 Varley Parade (Jct. with Woodfield Avenue), NW9 6RR. The existing footway has a total width of 6700mm. The electrical vehicle charging point unit with double sided LCD screen is 1160mm wide and will be placed 450mm from the kerb edge. This leaves 5090mm of clear footway width between the back of the charging unit and the back of the footway - in excess of that sought by the Pedestrian Comfort Guidance for London (TfL, 2019). The display screen has multi-layer, laminated, vandal-resistant cover glass with anti-reflective coating to minimise mirror haze and reflection. The LCD screen proposed is not hazardous or overly distracting to the surrounding area and a condition is proposed requiring it to be operated and maintained in compliance with 'The Electric Vehicles (Smart Charging Points) Regulations 2021' for the lifetime of the unit. It is considered that the electrical vehicle charging point unit with double sided LCD screen would not be detrimental to public safety and that the application is therefore acceptable on this ground.

5.5 Response to Public Consultation

- All leaseholders have objected due to loss of parking for the leaseholder shop and business. The benefit will go to Jolt Charge Limited.

As discussed within the main body of the report, Highways officers have reviewed the proposal and have raised no objections to the proposed works. The financial benefit from the works is not a relevant planning matter.

- The Varley Parade is a private parade and freeholders are Varley Parade Estate and the lease holders are from 10-19 Varley Parade. Objection to have anything placed on this land which is private property.

The application form demonstrates that the applicant has served Certificate B on owners of the land, therefore any dispute as to ownership or access rights is a civil matter between the parties concerned. A grant of planning permission would not supersede any other obligation required to be satisfied prior to implementation.

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

Having taken all material considerations into account, the application is therefore recommended for APPROVAL subject to conditions.

