

Location O/s 79 - 83 High Road London N2 8AD

Reference: 24/0276/FUL Received: 23rd January 2024
Accepted: 24th January 2024

Ward: East Finchley Expiry 20th March 2024

Case Officer: Basya Markovits

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 Rev C Existing layout
JLT.002 Rev C Proposed layout
S9171 Sheet 6 Cabinet general arrangement
EVA 2.0 Prelim UK design
Technical specifications
Design and access statement

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 with the materials as set out within the approved application 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 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 79 - 83 High Road, N2 8AD. The site is located within high street commercial and retail uses and can be found adjacent to the marked on-street parking.

The site is not listed or within a conservation area.

2. Site History

Reference: 24/0277/ADV

Address: O/S 79 - 83 High Road, N2 8AD

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

A site notice was displayed on 29 February 2024.

Consultation letters were sent to 132 neighbouring properties. 16 objections were received, with the comments summarised as:

- More EV charging points are not needed as there are existing ones already in the area
- Parking on main street will be reduced causing residential streets to be clogged up
- Advertising hoardings are unsightly and will cause street clutter and hazard to pedestrians with and without disabilities and those with pushchairs.
- Digital advertising is a dangerous distraction for drivers
- All EV charging in the area should be made under one application
- Unnecessary light pollution and energy use
- Proposal does not meet Barnet's local plan policies
- Advertising will promote poor health choices such as fast food
- Harm to character of the area

The application was also referred to committee by Councillor Farrier for the following reason: "The reason for call in is the impact on the High Road of both increased street furniture and advertising."

4.1 Internal Consultation

Highways and Transportation - no objection.

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 19th December 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.

Barnet's New Local Plan (Reg 24)

Barnet's Draft Local Plan - Reg 24: The Reg 22 version of the draft new Local Plan was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan underwent an Examination in Public (Reg 24). The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites.

In order to address issues of legal compliance and deficiencies in soundness the Council has produced Main Modifications to the Local Plan ([LINK](#)). These Main Modifications were approved by Cabinet on March 12th and will now be subject to a period of formal public consultation commencing in May 2024. Whilst the Council moves forward to formal adoption of the Local Plan (subject to the outcome of the public consultation and the Inspectors Report) the Main Modifications shall be considered, in the interim, a relevant material consideration in the Council's decision making on planning applications.

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 Assessment of proposals

5.3 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.

The site is located among high street retail uses within an area of high footfall and vehicle activity and forms a suitable site to receive the proposed development.

The site has been selected based upon the need for additional fast electrical vehicle charging points in the area, the high attraction rate of the site and the suitability of the location for an electrical vehicle charge point.

The unit is 1160mm wide and will be situated 450mm from the kerb edge. A width of 3.45m of clear footway width between the back of the charging unit and the back of the footway would be provided.

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 street on which it is to be installed. It is considered that the proposed electrical vehicle charging point unit with double sided LCD screen would not detract unduly from the character of the area and would not lead to the detriment of the streetscene through giving rise to undue visual clutter and is considered acceptable.

Taking into account the siting nearby to existing advertising, it is 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. It is not considered that the proposal would contribute to clutter though, as a sufficient separation distance is retained to the nearest existing advertising billboard.

The proposal additionally includes a feeder pillar of 1.1m in height, 1m in width and 0.38m in depth, as demonstrated within the RB Single Door Cabinet General Arrangement Plan (dwg no.: S9171 sheet 6). It is identified that under Schedule 2, Part 12 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015, a feeder pillar built in association with electric vehicle charging points by or on behalf of Local Authorities, is deemed permitted development. Considering this, the subsequent built form of the feeder pillar would comply with permitted development.

In consideration of the above, the proposed development would have an acceptable impact upon the character and context of the site and surrounds.

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/turnover of vehicles attending the site by the public through the facilities provided, it is not considered that this would be detrimental to the living conditions or amenity of neighbouring residents relative to the potential use of the existing parking space. The advertisement, by virtue of its size, siting and luminence, would not give rise to undue light pollution to the detriment of nearby occupiers. As such, the proposed development is not found to conflict with Policy DM01 of Barnet's Local Plan in respect of residential amenity.

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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 raised no objection to the proposal. The footpath is sufficiently sized to both receive the proposal and safeguard the safe and efficient use of the footpath for pedestrians.

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 siting. 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 which states that developments should 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 of 79 - 83 High Road, N2 8AD. The existing footway has a total width of approximately 5.1m. The electrical vehicle charging point unit with double sided LCD screen is 1160mm wide and will be placed 450mm from the kerb edge. A width of 3.45m of clear footway width between the back of the charging unit and the back of the footway is provided. 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. 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

Concerns raised have been addressed within the appraisal above.

6. Equality 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 recommended for approval subject to conditions.

