

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

**Reference:** 24/0277/ADV 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. double-sided internally illuminated LCD screen with integral electrical vehicle charging point

### **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  
EVA2.0 Prelim UK design  
Design and access statement  
S9171 Sheet 6 Cabinet general arrangement

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 The maximum luminance of the signs shall not exceed the values recommended in the association of Public Lighting Engineer's Technical Report No. 5, Zone 3.

Reason: In the interest of highway safety and amenity in accordance with Policies DM01 and DM17 of the Development Management Policies DPD (adopted September 2012).

- 6 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.

- 7 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.

- 8 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 is located outside of 79 - 83 High Road, N2 8AD. The site is collocated 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: 24/0276/FUL

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

Decision: Pending Consideration

Decision Date: N/A

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

**3. Proposal**

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

#### **4. Public Consultation**

Public consultation is not carried out for advertising consent applications. However, 10 public comments were received in objection and can be summarised as follows:

- Unsightly
- Not needed
- Causes visual clutter
- In contravention of Barnet's local plan
- Harm to character of the area
- Detrimental to public safety
- Dangerous to drivers and pedestrians
- Too many adverts in 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 raised.

#### **5. Planning Considerations**

##### **5.1 Main issues for consideration**

Planning Practice Guidance states that the 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'. This is reinforced by the NPPF which advocates that advertisements should be subject to control only in the interests of amenity and public safety.

##### **5.2 Policy context**

###### National Planning Policy Guidance / Statements:

The determination of applications for advertisement consent is made mindful of Central Government advice and the Development 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 'National Planning Policy Framework' (NPPF) was published on 19th December 2023. The NPPF 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 "poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those

advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts".

### Barnet's Local Plan (2012)

Relevant Core Strategy Policies: CS NPPF, CS9.

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 siting. 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**

### **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 site can be found outside of 79 -83 High Road, N2 8AD. The existing footway has a total width of 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. This leaves over 3.45m of clear footway width between the back of the charging unit and the back of the footway. 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.

Officers have received a formal internal response from the Director of Highways and Transportation which raised no objection to the proposal.

## **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.

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 installation of 1no. double-sided internally illuminated LCD screen with integral electrical vehicle charging point would be in keeping with the character of the area and not lead to the detriment of the streetscene through giving rise to undue visual clutter and is considered acceptable.

## **5.4 Response to Public Consultation**

Concerns raised have been addressed within the appraisal above.

## **6. Equalities and Diversity Issues**

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set out in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

## **7. Conclusion**

The proposed double-sided internally illuminated LCD screen with integral electrical vehicle charging point will not 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.

