



Appeal Decision

Site visit made on 26 September 2022

by Chris Couper BA (Hons) DiP TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th October 2022

Appeal Ref: APP/N5090/Z/22/3296138

Footpath at High Street, Barnet, outside nos. 135 to 137, EN5 5UZ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Ms Bella Noakes (British Telecommunications PLC) against the decision of the London Borough of Barnet Council.
 - The application Ref 21/1139/ADV, dated 22 February 2021, was refused by notice dated 4 February 2022.
 - The advertisement proposed is described as two digital 75 inch LCD display screens, one on each side of the InLink unit.
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Decision

1. The appeal is allowed. See formal decision below.

Procedural Matters

2. Whilst the Council's decision refers to paragraph 67 of the National Planning Policy Framework ('Framework'), as that relates to housing supply it is not relevant to this appeal.
3. The description in the banner heading above is taken from Part 4 of the application form. However, approval of the InLink Unit (also referred to as a 'Street Hub') is not before me and would require a separate planning application/approval. In this appeal, therefore, I am only empowered to consider whether or not the two advertisement displays, in themselves, ought to be granted advertisement consent.
4. The proposed advertisements are intended to be displayed on each side of the InLink Unit/Street Hub, which is said to replace an existing BT phone box. I observed on my visit that the phone box had already been removed, but that no InLink/Street Hub unit had been installed.
5. As indicated above, the matter of planning permission for the InLink Unit/Street Hub is not before me, and my approach on this matter is thus consistent with that taken in appeal Ref: APP/Z5630/H/18/3209488, which is referred to in the appellant's statement.
6. The Regulations are clear that powers should be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors. I have considered the appeal on this basis and I have framed the main issue accordingly.

Main Issue

7. The main issue is the effect of the two digital 75 inch LCD display screens on the character and appearance of the area.

Reasons

8. This part of High Street is characterised by commercial units at ground floor, with a range of uses above. Consequently, whilst the appeal site lies just outside the designated town centre, it is nonetheless a busy environment, with a range of advertising, including shop fascia signs and hanging signs, some of which are illuminated. Close to the appeal site, there is also some highway signage, and street furniture such as a bus shelter, lamp posts and bicycle stands.
9. Each advertisement would be 1.67 metres high and 0.95 metres wide. That would be larger than the advertisements which were previously consented on a smaller InLink unit in this pavement location (Ref: 19/2301/ADV). Despite the increase in size of the advertisement displays I do not consider that in views looking along the pavement those dimensions would appear out of scale with existing street furniture, including the bus shelter; and they would not dominate the pedestrian environment or appear obtrusive in the streetscene.
10. Additionally, given the limited amount of street furniture nearby, and existing advertising, which is primarily on the buildings themselves, these proposed advertisements would not introduce a significant sense of visual clutter. Although I did not observe any other nearby digital displays on my visit, modern, statically illuminated digital displays are not an uncommon feature in commercial High Street locations such as this.
11. I have taken into account Policies DM01 and DM18 of the Barnet Development Management Policies 2012, and Barnet Design Guidance Note 1: Advertising and Signs which, in general terms, seek to preserve local character and amenity, and which state that advertisements should relate to their surroundings and avoid visual clutter. They are thus material in this case. However, as the proposal would not harm amenity, it would not conflict with those policies and that advice.
12. As the quality and character of the area would not suffer, having regard to cumulative impacts, the advertisements in themselves would not conflict with the approach at Framework paragraph 136. The appeal will therefore be allowed.
13. This consent only relates to the two 1.67m high x 0.95m wide 75 inch LCD displays. It does not relate to any part of a larger InLink/Street Hub installation which would require a separate application/approval if the two advertisements are to be displayed. The consent for the advertisements is for five years and subject to the standard conditions set out in the Regulations.
14. For the reasons outlined above, and having regard to all other matters raised, the proposed advertisements would not harm the amenity of the area and the appeal is allowed.

Formal Decision

15. The appeal is allowed and express consent is granted for the display of two 75 inch LCD displays (1.67m x 0.95m) one each side of an InLink Unit on the footpath outside of Nos 135 to 137 High Street, Barnet EN5 5UZ subject to the following conditions:

1. The consent hereby granted is for 5 years from the date of this decision.
2. The consent is subject to the 5 standard conditions set out in the Town and Country Planning (Control of Advertisement) (England) Regulations 2007.

Informative: For the avoidance of doubt this consent does not relate to the InLink Unit/Street Hub referred to in the advertisement consent application and/or the appeal submissions.

Chris Couper

INSPECTOR