



Appeal Decision

Site visit made on 3 December 2024 by N Manley BA (Hons) MSc

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th February 2025

Appeal Ref: APP/N5090/Z/24/3352207

19 Hampden Square, Southgate, Barnet, London N14 5JP

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
 - The appeal is made by Mr Christopher Partou of Hampdens German Kitchens & Bedrooms against the Council of the London Borough of Barnet.
 - The application Ref is 24/2863/ADV.
 - The advertisement proposed is a change of existing shop sign to LED digital sign with still images.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) set out that powers under those Regulations shall be exercised in the interests of amenity and public safety. In this case, neither the Council nor any other party has raised any objection to the proposed advertisement in relation to public safety. From the evidence before me, and my observations on site, I see no reason to disagree.

Main Issue

4. The main issue is the effect of the proposal on the amenity of the area.

Reasons for the Recommendation

5. The Planning Practice Guidance (PPG) sets out that in practice 'amenity' is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement, and the local characteristics of the neighbourhood should always be considered. The National Planning Policy Framework (the Framework) sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.
6. The appeal site is a ground-floor shop located on the southeast corner of Hampden Square, a shopping parade of a local level. The square consists of three parades of three-storey, brick-built buildings, each featuring ground-floor shops with residential

apartments above. These buildings share a similar design, with consistent architectural features, size, and form. On the ground floors, while there are some larger units, the majority of commercial properties are of a comparable scale. The shopfronts on display predominantly feature traditional fascia signs, with some variation in design, style, and occasional use of illumination. Despite these minor differences, the area maintains a uniform and visually harmonious appearance.

7. The proposed illuminated digital LED screen, due to its elevated position and fully illuminated nature, would, create an advertisement that appears visually striking and discordant when compared to the traditional fascia signs of the surrounding shops. As a result, it would be an incongruous addition to the streetscape, harming the amenity of the wider area. Whilst the proposed advertisement is slightly smaller in size than the existing advert, this does not mitigate the harm to the visual appearance of the shopping parade's front elevation.
8. The appellant has cited the presence of a JOLT charging station with rolling advertisements as a precedent for LED screens in the area. Whilst I acknowledge the charging station's existence, it is a free-standing structure and not attached to a shopfront, as the current proposal would be. As such, its positioning and lower height means it does not have the same impact in the same way the proposal before me would. Consequently, I afford limited weight to this argument.
9. I have noted the appellant's position that the proposal would only be illuminated during business hours and would comply with industry standards to avoid any harmful light pollution. While a planning condition could regulate the hours of use, the fully illuminated aspect of the proposal would still harm the area's amenity during business hours. Therefore, limiting the illumination aspect to business hours would not overcome the aforementioned identified harm.
10. Given the above, I conclude that the advertisement would lead to a visually dominant and incongruous feature at the appeal site which would harm the amenity of the area. I have taken into account the National Planning Policy Framework (the Framework) and Policy DM01 of the Barnet Local Plan Development Management Policies (adopted 2012), Policy D8 of the London Plan (adopted 2021) and the Barnet Design Guidance Note 1: Advertising and Signs (1994) (adopted September 2012). Amongst other things, these policies seek to protect amenity by ensuring proposals preserve local character, relate well to their surroundings and are well designed.

Other Matters

11. As the control of advertisements under the regulations may be exercised only in the interests of public safety and amenity, the need for the proposal to enhance the visibility and identity of the associated business and the broader economic benefits it may bring to the local economy are not matters for my consideration.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

N Manley

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

A M Nilsson

INSPECTOR