



Appeal Decision

Site visit made on 18 October 2025

by **A U Ghafoor BSc (Hons) MA MRTPI FCMi fCMgr**

an Inspector appointed by the Secretary of State

Decision date: 4th November 2025

Appeal Ref: APP/N5090/C/23/3334486

22- 26 Golders Green Road London NW11 8LL

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 (the “1990 Act”).
- The appeal is made by Cakir Ltd¹ against an enforcement notice issued by the Council of the London Borough of Barnet.
- The enforcement notice was issued on 31 October 2023.
- The breach of planning control as alleged is the installation of a metal awning and fascia at the front of the property.
- The requirements of the enforcement notice are to: 1) Remove the metal awning and fascia from the property, and 2) reinstate the corbel between No's 22 and 24 Golders Green Road, as shown edged in green on Image 01 attached to the notice.
- The period for compliance is 5 months.
- The appeal is proceeding on the grounds set out in section 174(2) (a) and (f) of the 1990 Act.

Summary of Decision: The enforcement notice is quashed and planning permission is granted in the terms set out below in the formal decision.

Ground (a)

1. The **main issue** is whether the installation of a metal awning and fascia preserve the special architectural or historic interest of the listed building and whether the significance of the heritage asset is harmed.
2. No. 22-26 is a supermarket situated in a local centre along a busy route. The building is listed at grade II and is located within the Golders Green Conservation Area (CA). This section of Golders Green Road is characterised by vibrant commercial units with accommodation above ground floor.
3. The statutory list provides a thorough account of the property, highlighting a range of traditional architectural elements that contribute to its historic character. Amongst these, the configuration of the buildings and the extended principal frontages play a significant role in defining the visual coherence of the streetscape. A distinctive feature is the presence of stone corbels situated above ground floor level, which are integral to the building's architectural identity. Decorated pilasters and the stone corbel feature are not merely ornamental; they fulfil a practical function by visually demarcating individual retail units within the parade. This separation is further emphasised in the street scene by the prevalence of triple unit frontages, where signage is segmented into three distinct panels, each divided by a corbel. Such an arrangement ensures the maintenance of visual separation between units and preserves the historic rhythm of the commercial front wall.

¹ Normally, an appeal is made by an individual. The deemed application fee was paid by a Mustafa Cakir, and I take it that is the appellant.

4. The internally illuminated front fascia sign is 17.2 m wide, 1.2 m in height and 0.15 m deep. The length of the panel is a result of merging the three units, but they remain part of a long parade of shops with variety of shop fronts. The internal illumination of the appeal sign is likely to detract from the simple architectural style of retail shop fronts in this part of the CA and adds to its visual prominence. However, without the latter, the design and scale of the fascia panel and awning do not constitute an unduly dominant or intrusive feature, which is characterised by a diverse array of shop fronts. This conclusion is drawn primarily from the specific location and setting of the site within the broader street scene, where variety in shop frontages is already established.
5. I have reservations regarding the removal of the corbel between the retail units. As indicated previously, this corbel is attached to the listed building and represents a significant aspect of its historic fabric. Its removal, undertaken to facilitate the merging of the units' frontages, causes harm to the special architectural and historic interest of the listed building, and has a detrimental visual impact on the significance of the heritage assets.
6. Within the local context, it is evident that there are precedents where original stone corbels have been removed from the boundaries between retail units, generally when two units have been combined to create a uniform shop front. However, the situation at nos. 22-26 is distinguishable, as the shop frontage here is notably broader than these other examples.
7. Evidence indicates that the boundary between no. 28 and the appeal site has previously been altered, with the original stone corbel at fascia panel level having been removed at an earlier date. The appellant has put forward an alternative scheme that seeks to reinstate this important architectural feature by reinstating the corbel in its original style and using matching materials. I consider the alternative scheme would restore the architectural rhythm and visual separation that the corbel historically provided between these properties.
8. The proposal to restore the stone corbel can reasonably be regarded as part of the matters alleged and is positive, because it may offer a suitable means of addressing the heritage concerns. Evaluating the merits of this alternative approach is appropriate in reaching a resolution regarding the enforced development at less expense and disruption.
9. The alternative scheme under consideration proposes to retain the current fascia and awning while permanently deactivating the internal illumination. Notably, the fascia is already equipped with a subtle overhead lamp along its upper edge, which provides illumination at a lower intensity. This ensures a more understated visual impact that is in-keeping with the character of the surrounding area. While the alternative scheme would necessitate some new work, such as switching off the internal illumination and reconstructing the corbel between nos. 26 and 28, these measures can reasonably be considered as addressing the concerns raised regarding the matters alleged in the notice. The implementation of this scheme would not result in any visual harm to the significance of the heritage assets in question.
10. Restoring the corbel requires specific details to be submitted and agreed with the Council before any alterations are made to the fascia panel and awning. In situations where the development has already taken place, it is not feasible to impose a condition precedent or to require that outstanding details be agreed prior to the commencement or occupation of the development, regardless of the importance of

those details. Therefore, when a condition is imposed that requires the submission and approval of details or a scheme for development which already exists, it is essential that the condition incorporates a sanction or enforcement mechanism. This is necessary to ensure compliance if the required details are not submitted or approved as stipulated.

11. The key feature of the retrospective condition is that the operational development permitted must be removed if the required detail or scheme is not implemented in accordance with the submitted details within the prescribed timescale. Alternatively, it is submitted on time but not approved and an appeal against the Council's refusal to approve the details submitted pursuant to the condition is not made on time or an appeal is dismissed, or the scheme is submitted and approved but not implemented within the prescribed timescale. I consider a suitably worded condition requiring the submission and implementation of details of corbel restoration between nos. 26 and 28, and addressing the internal illumination, which meets the six tests, can be imposed.
12. Subject to the imposition of a suitably worded condition, and contrary to the Council's arguments, in my planning judgment, the installation of a metal awning and fascia, at the very least, preserves the special architectural and historic interest of the listed building and the significance of the CA. Accordingly, the grant of planning permission accords with the main aims of Policy CDH01, CDH08 and CDH09 of the Barnet Local Plan (2025), and heritage guidance found in the National Planning Policy Framework (2024). I attach limited weight to the perceived conflict with Barnet's Design Guidance No.10 Shopfronts (1996).

Overall conclusions

13. For the above reasons and having regard to all other matters raised, I conclude that ground (a) and the deemed application should be allowed. As the notice will be quashed, ground (f) does not need to be considered.

Formal decision

14. The appeal is allowed, the enforcement notice is quashed, and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act, for the development already carried out, namely, the installation of a metal awning and fascia to the property, subject to the following condition:
 - 1) the installation of a metal awning and fascia shall be demolished and all materials resulting from the demolition shall be removed within 6 months of the date of failure to meet any one of the requirements set out in i) to iv) below:
 - i) Within 6 months of the date of this decision details of switching off the internal illumination of the fascia panel hereby approved, and details of the proposed corbel to be restored between number 26 and 28 Golders Green Road, hereinafter called "the scheme", shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.
 - ii) If within 11 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

- iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.
- iv) The approved scheme shall have been implemented and the development completed in accordance with the approved timetable. Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be maintained and retained.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

A U Ghafoor

INSPECTOR