



Appeal Decisions

Site visit made on 29 January 2026

by **C Skelly BA (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 March 2026

Appeal A Appeal Ref: APP/N5090/Z/25/3375653

41 High Street, Barnet EN5 5UW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Martin Richards of Hunters against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 25/3545/FUL.
 - The development proposed is installation of front canopy.
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Appeal B Appeal Ref: APP/N5090/Z/25/6001580

41 High Street, Barnet EN5 5UW

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Martin Richards of Hunters against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 25/3544/ADV.
 - The advertisement proposed is shop advertisement on canopy.
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Decision

1. Appeal A and Appeal B are dismissed.

Preliminary Matters

2. There are two appeals on this site. Appeal A relates to the refusal of planning permission for the installation of a canopy. Appeal B is in respect of the refusal of advertisement consent on the canopy. The canopy and the advertisement are integral to each other, and both are the subject of these appeals. I have dealt with each case on its individual merits, but to avoid duplication both proposals are considered together in this decision, unless otherwise indicated.
3. The appeal site lies within the Wood Street Conservation Area and is within the setting of several listed buildings. Accordingly, I have had regard to the duties set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires that with regard to buildings or land within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
4. In respect of Appeal A, I have had regard to Section 66(1) of the Act, which requires that in considering whether to grant planning permission for development which affects a listed building, or its setting, special regard shall be paid to the desirability of preserving the building, its setting or any features of special interest it possesses.

5. In respect of Appeal B, Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the National Planning Policy Framework (the Framework), make it clear that advertisements are subject to control only in the interests of amenity and public safety. Factors relevant to amenity include the general characteristics of the locality, including the presence of any features of historic, architectural, cultural or similar interest.

Background and Main Issues

6. The main parties agree that the proposed advertisement would not be detrimental to public safety. Therefore, for Appeal A, the main issue is whether the proposal would preserve or enhance the character or appearance of the Wood Street Conservation Area and the effect on the setting of the nearby listed buildings.
7. For Appeal B, the main issue is the effect of the advertisement on the visual amenity of the area.

Reasons

8. The appeal site is the larger of two shop units, occupied by an estate agents and is located on the ground floor of a three-storey property in Chipping Barnet Town Centre. The shopfront is modern in appearance and has a large, deep fascia sign in comparison with neighbouring shopfronts. The business lettering takes up much of the fascia space and therefore it is prominent within the street scene.
9. The appeal site is within the Wood Street Conservation Area (CA). The CA runs east to west from the junction of the High Street along the ridge towards Arkley. Its significance is historic and architectural derived from its role as a market town in the 11th century. The high street is wide, with a well-defined and continuous building line and buildings positioned to the back edge of the pavement. It comprises a mix of architectural styles and a range of modern and more traditional shop frontages demonstrating its organic growth as a market town. In proximity to the appeal site there are a number of listed buildings including the Grade II* listed Church of St John the Baptist¹ which is a focal point of the CA at the junction of Wood Street and the High Street. The appeal site is prominent within views towards the Church. To the opposite side of the High Street, Nos 66, 56, 52, 54, 54a, and the Mitre House Public House are also Grade II listed².
10. Policy CDH08 of the Barnet Local Plan 2021-2036 states that proposals should retain architectural detailing and traditional features, including shopfronts, which contribute positively to the character, appearance and significance of a conservation area. The Design Guidance Note No:10 Shopfronts (2011) (DG) provides guidance in relation to the design of shop frontages and advertisements. It states that well designed canopies can add to the attractiveness of shops, but they should be retractable and fold into the fascia so that architectural features are not obscured.
11. Although there are a range of fascia designs and depths along the high street, many of the neighbouring shopfronts retain their traditional features such as pilasters and stallrisers. These traditional shopfronts contribute positively to the character and appearance of the CA. During my site visit, I observed that although there are some examples of canopies, these are typically of retractable design

¹ List entry 1359101

² List entries 1359072, 1287050, 1064950, 1359071

positioned below the fascia signs, so that the traditional fascia remains legible. Moreover, they do not form part of the prevailing character of the high street, which retains its original building line.

12. The proposed canopy would be maroon in colour and include white lettering showing the business name. It would be positioned above the fascia sign and would not be retractable. Although the appellant contends that the use of canvas is a traditional material, it would not be in keeping with the appearance of the host building nor the surrounding area. Whilst the existing shopfront has limited traditional features, the overall size of the canopy would conceal the existing large fascia sign, resulting in a visually dominant addition to the shopfront.
13. While its height of 2.4m from the ground would exceed the pavement clearance requirements set out in the DG, the projection of the canopy 0.7m into the pedestrianised area would be a prominent addition to the street scene and out of keeping with neighbouring traditional shopfronts and the prevailing character of the CA. The forward projection into the pedestrianised area would erode the appearance of the established, well defined building line of the high street adding to the visual clutter of the street scene. Furthermore, the visual prominence of the canopy would detract from the character and appearance of neighbouring shopfronts and the important vista towards the Grade II* Church of St John the Baptist. The proposal would therefore harm the character and appearance of the CA and the setting of the nearby listed buildings.
14. I have been referred to the fixed canopy in place at No. 47, however I note that the Council have no planning records in regard to this scheme and it is much smaller in scale than the appeal proposal and therefore not directly comparable. The appellant has also referred me to appeals at Goldsmiths, 15-19 St Ann Street, Manchester, the Former London Mail Centre, Islington, 25 Kensington Gardens, Brighton and 36 King's Road, Chelsea, however no details of these cases have been submitted and therefore I cannot be certain that they are directly comparable to this appeal case. In any event every application and appeal must be addressed on its own merits, as I have done.
15. The proposed canopy would harm the character and appearance of the CA and would fail to preserve the setting of the listed buildings. I find the harm to be less than substantial in this instance, and at the lower end of the spectrum, but nevertheless of considerable importance and weight. Paragraph 215 of the Framework states that where harm is identified to the significance of designated heritage assets and their setting, it should be weighed against the public benefits of the proposal. The proposed canopy would provide shelter for customers, but this would be of limited public benefit. Consequently, the limited public benefits of the proposal would not outweigh the harm that would be caused to the heritage assets.
16. In relation to Appeal A, I conclude that the proposal would harm the character and appearance of the Wood Street Conservation Area and the setting of the nearby listed buildings. This would be contrary to the Act, the Framework and to Policies D3 and HC1 of the London Plan (2021) and Policies CDH01, CDH03, CDH08 and CDH05 of the Barnet Local Plan (2025). Together, these policies amongst other things seek to ensure that designated heritage assets are conserved and enhanced.

17. In relation to Appeal B, I conclude that the proposed advertisement would cause harm to the visual amenity of the area. In so far as they are of material consideration, the proposal would be contrary to Policies D3 and HC1 of the London Plan (2021) and Policies CDH01, CDH03, CDH08 and CDH09 of the Barnet Local Plan (2025), which amongst other things seek to ensure that advertisements do not significantly detract from the amenity of the street scene and preserve and enhance heritage assets.

Conclusion

18. In terms of Appeal A, the proposal conflicts with the development plan as a whole and the material considerations I outline above, including the Framework do not indicate that the appeal should be decided other than in accordance with it. In terms of Appeal B, the advertisement would cause harm to the visual amenity of the area.
19. Accordingly, Appeal A and Appeal B are dismissed.

C Skelly

INSPECTOR