



Appeal Decisions

Site visit made on 17 February 2026

by K Dryden BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2026

Appeal A Ref: APP/N5090/W/25/3375139

Outside 16 High Road, London N2 9PJ

- 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 Simon Warner of BT Telecommunications PLC against the decision of the Council of the London Borough of Barnet.
- The application reference is 25/2770/FUL.
- The development proposed is the removal of an existing telephone kiosk and the deployment of a replacement Street Hub 3 unit.

Appeal B Ref: APP/N5090/Z/25/3375013

Outside 16 High Road, London N2 9PJ

- 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 Simon Warner of BT Telecommunications PLC against the decision of the Council of the London Borough of Barnet.
- The application reference is 25/2771/ADV.
- The advertisement proposed is described on the application form as the removal of an existing telephone kiosk and the deployment of a replacement Street Hub 3 unit.

Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. As set out above, there are two appeals on the site. Appeal A relates to an appeal under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission. Appeal B relates to an appeal under section 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Advertisement Regulations) against a refusal to grant express consent. I have considered each on its individual merits, but I have combined these cases into a single decision letter as they are intrinsically linked and raise the same issues.
4. On 16 December 2025 the Government published a consultation 'Proposed reforms to the National Planning Policy Framework and other changes to the planning system', together with an accompanying Written Ministerial Statement. The proposed reforms are draft and therefore may be subject to change. Whilst this is a material consideration, insofar as it is relevant to the appeals, there is little change to the direction or thrust of the policies within the National Planning Policy Framework (December 2024) (the Framework) and there is no proposed change to the consent process for advertisements. As such, it has not been necessary to consult the parties on the proposed reforms.

5. In determining Appeal A, I have statutory duties¹ to have special regard to the desirability of preserving listed buildings, their settings, and any features of special architectural or historic interest that they possess.
6. The description of the proposal in the banner heading for Appeal B is taken from the application form. However, the Council has described the proposal as 'installation of two digital internally illuminated, intermittent, double sided display screens to BT Street Hub'. As this is a more accurate description, that specifies the advertisements proposed, I have determined the appeal on this basis.
7. In respect of Appeal B, the Advertisement Regulations require that decisions are made only in the interest of amenity and public safety. Therefore, whilst I have taken account of the policies the Council refers insofar as they may be relevant, these have not been decisive in my determination of this appeal.

Main Issue

8. The Council has raised no objection in respect of public safety or noise (aural amenity) and based on my observations at the site visit and the evidence provided, I have no reason to take a different view. The main issue in dispute with respect to both appeals is the effect of the proposal on the amenity, including the character and appearance, of the area; having particular regard to its effect on the setting and thereby the significance of the Grade II listed building known as 'East Finchley Station Including Platforms, High Road, N2.' (the LB).

Reasons

9. The appeal site comprises a section of footway on High Road, which is situated to the front of a children's day nursery at No 16. Properties to the north of the site are predominantly commercial at ground floor level, with residential uses over upper storeys. Whilst the appeal site is not located within a designated conservation area, the locality displays a coherent pattern of development, with consistent building lines and attractive period properties. Mature planting further contributes to the area's established character and visual interest.
10. A telephone kiosk, lamp post, bicycle racks and utility kiosk are located within the appeal site. Within the wider site context, there is a signal-controlled pedestrian crossing, bus shelter and railway bridge which spans High Road. From observations at my site visit, I find that advertisement signage in the wider locality is plentiful, with large wall mounted advertising panels beneath the railway bridge to the south, as well as integrated advertisement screens within bus shelters.
11. The proposal would be sited close to the LB, on the opposite side of High Road, and thus within its setting. The listing describes the station as constructed in 1939 and displays a richness of architectural details including tall triple windows with decorative design. Moreover, the significance and special interest of the LB as a designated heritage asset is drawn, in-part, from its age, historic fabric and eclectic architectural interest. Upon inspection, I observed the valuable contribution that the building's aesthetic and architectural significance make to the locality.

¹ under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

12. Whilst the street hub would be sited on a wide area of public footway, it would be positioned near to the highway edge and would appear visually prominent. Moreover, the scale and height of the proposal, combined with its large double-sided illuminated digital screens, would be excessive and visually intrusive in this context. Further, with regard to materials, the use of a black, powder coated aluminium exterior finish would appear visually oppressive and discordant within the street scene; such that a domineering and unsympathetic feature would be introduced that would conflict with the distinctive character and appearance of the area and cause harm to the setting of the LB.
13. The appellant has referred to inconsistency in decision making and draws my attention to free standing advertising units that have been granted planning permission and advertisement consent in the locality, in addition to examples of integrated advertisement panels within bus shelters along High Road and wall mounted advertising panels. The examples provided include a free-standing double-sided advertising unit outside a Grade II listed building, The Phoenix Cinema, High Road², which is sited around 150m north of the appeal site.
14. Although I do not have full details of all the examples provided, each proposal must be assessed on its own merits and in accordance with current planning policy. From observations at my site visit, the area contains several large wall mounted advertisement panels, alongside other illuminated and non-illuminated advertisements and street furniture. I find that the introduction of the street hub in such a prominent and sensitive location would contribute to a proliferation of visual clutter, where the cumulative effect would be detrimental to visual amenity. Their existence does not alter my above findings.
15. Whilst I acknowledge the proposed use of non-glare glass and planning conditions could be used to control the level of brightness, frequency of image change, and hours of illumination, such measures would not overcome the harm I have found to the siting of the proposal in this prominent and sensitive location on the amenity of the locality. The large, illuminated displays would appear as a conspicuous and discordant feature that would undermine the established character of the area.
16. I therefore find that the proposal in Appeal A would be harmful to the character and appearance of the area, and cause harm to the setting and thereby the significance of the LB. Conflict also arises with Policy CDH09 of the Barnet Local Plan 2021-2036 (2025) (BLP) which requires that advertisements do not cause unacceptable harm to the area and are sensitively designed and located within the street scene and wider townscape, along with an appropriate size and siting; and which preserve or enhance heritage assets.
17. Additionally, I find conflict with Policy CDH01 of the BLP in so far as it seeks to promote high quality design which responds sensitively to the distinctive local character and use materials of a suitable quality and appearance to respect local character and setting. Further, the proposal is contrary to Policy CDH03 of the BLP which requires proposals to contribute positively to the public realm by relating to the local and historic context and incorporate high quality design and street furniture. The proposal is also in conflict with Policy D3 of The London Plan (2021) (LP) which requires new development to enhance local context by positively

² 20/4489/ADV

responding to local distinctiveness through layout, orientation, scale, appearance and shape.

18. Furthermore, the proposal is contrary to Policy CDH08 of the BLP which requires that special regard will be given to the desirability of preserving the setting of statutory listed buildings. As required by Policy CDH08, where less than substantial harm has been found, the harm has been weighed against the public benefits of the proposal. I additionally find conflict with Policy HC1 of the LP where development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
19. In reaching this view, I have also had regard to the Barnet Design Guidance Note 1, Advertising and Signs (1993) which reinforces local policy with guidance requesting advertisements to be well related to their surroundings in terms of size, scale and siting and located to avoid visual clutter. The proposal would conflict with this guidance, which is a material consideration and thus reinforces my findings.
20. With regard to Appeal B, I conclude that the proposed advertisements would cause harm of an unacceptable degree to the amenity of the area.
21. In respect of the Framework, given its relatively modest scale, the proposal would result in less than substantial harm to the significance of the LB. It is noteworthy that even less than substantial harm to a designated heritage asset carries considerable importance and weight. Paragraph 215 of the Framework establishes that any harm should be weighed against the public benefits of the proposal, which I address in my Heritage and Planning Balance below.

Other Considerations and Matters

22. The appeal site is located a significant distance from the boundary of the Hampstead Garden Suburb Conservation Area (CA), and the separation is such that the site does not contribute towards its heritage significance. The proposal would be experienced within the street scene context to the north of the railway line and bridge spanning High Road which separates the site from the CA. Consequently, there would be no adverse effect to the significance or the setting of the CA with regard to Appeal A.
23. The appellant has set out that there have been planning permissions granted across a number of council areas in London and other major cities where existing InLink Units are removed and, in their place, street hub units are installed within the public highway. However, any proposal for development must be assessed on its own individual merits in accordance with the specific case and site circumstances.
24. The additional policies referenced by the appellant from the Barnet Local Plan 2021-2036 (2025) (BLP) and The London Plan (LP) (2021), alongside the London Infrastructure Delivery Plan 2050 (2014), and any support offered by it to the installation of the street hub have been taken into account, but do not lead me to different overall conclusions.
25. The appellant has claimed that the Council has engaged in long term partnerships with advertising companies and that they should not be favoured over others. I find that any such suggestions are not relevant to the planning merits of the proposal before me.

26. The appellant has cited the Council's delegated report³ as referencing compliance with Policy CDH01 of the BLP, however, reference to noise and disturbance relates to aural amenity and not visual amenity, the basis of the dispute in these appeals.

Heritage and Planning Balance

27. The appellant has referenced a number of public benefits in support of Appeal A, which in summary include the provision of improved and cost-free digital connectivity for the local community including wi-fi and UK calls, together with wayfinding assistance and an emergency services button. Additional digital services are also cited as supporting economic growth and productivity. The appellant further states that a proportion of screen time would be reserved for the display of public messages issued by the Council. Safeguarding benefits have also been raised where charity phone lines could be accessed from the installation. I do not dispute that meaningful public benefits would be provided through the proposal.
28. Further benefits are claimed by the appellant whereby the existing kiosk on the site, in addition to two additional 'legacy' units within the Council area⁴ would be removed and replaced with a single street hub unit, thereby allegedly reducing street clutter and improving the visual appearance of the area in addition to the setting of the LB. The removal of existing and redundant kiosks may improve pedestrian movement and the appearance of the wider locality to some degree, and it is noted that this would include the existing kiosk within the appeal site which appears weathered. However, the proposed street hub would be significantly taller and wider than the existing kiosk. Together with its dark, oppressive materials and large display screens, it would appear discordant and overly dominant in both its immediate context and in wider views along High Road, thereby introducing an unsympathetic feature to the setting of the LB.
29. Furthermore, the benefit associated with removing additional 'legacy' units within the wider locality does not relate to the appeal site itself and does not overcome the harm that I have identified arising from the siting of the street hub, with its large double-sided illuminated displays, in this prominent and sensitive location. Therefore, whilst removing redundant kiosks in the locality may be of some public benefit through improving the visual appearance of the area and pedestrian movement, this matter does not outweigh the harm that I have identified.
30. In addition, I have been provided with insufficient information to demonstrate that the benefits of the proposal could not be provided in a less harmful way and/or in a less sensitive location. It is therefore my judgement that the scheme's public benefits, when considered in cumulative terms, attract limited weight that would not outweigh the less than substantial harm that I have identified to the LB. Conflict therefore arises with the historic environment conservation and enhancement policies contained within the Framework.

Conclusion

31. For the reasons given above, the proposal that is the subject of Appeal A conflicts with the development plan when read as a whole and material considerations do

³ 25/2770/FUL

⁴ East Finchley High Road, London, N2 8AA and Old White Lion Public House, Great North Road, London, N2 0NW (Planning, Design and Access Statement, Dalcour Maclaren).

not lead me to a decision otherwise. With regard to Appeal B, I conclude that the proposed advertisements would cause harm of an unacceptable degree to the amenity of the area. I therefore conclude that Appeal A and Appeal B should be dismissed.

K Dryden

INSPECTOR