

Our Ref: 24138/SH/ta/mym
Your Ref: PP-12908452
Email: [REDACTED]

Broadwall House 020 3096 7000
21 Broadwall info@firstplan.co.uk
London SE1 9PL firstplan.co.uk

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London Borough of Barnet
2 Bristol Avenue
Colindale
NW9 4EW

Dear Sir/Madam,

ADVERTISEMENT CONSENT APPLICATION – FIVE GUYS, 144-146 HIGH STREET, BARNET EN5 5XP

We have been instructed by our client, Five Guys JV Ltd, to submit the enclosed advertisement consent application for the display of Five Guys signage at the commercial unit at 144-146 High Street Barnet. The application follows a recent permission to subdivide the former Sainsbury's into two commercial units of which Five Guys will occupy one. The application has been submitted online via the Planning Portal (ref: PP-12908452) and the requisite fee of £165 has also been paid online.

In accordance with national and local validation requirements, the following documents have been submitted with the application:

- Completed Advertisement Consent Forms;
- Site Location Plan;
- Existing Floor Plans;
- Existing Elevations;
- Proposed Floor Plans; and
- Proposed Building Elevations.

Site Description

The application site comprises an existing ground floor Class E unit. The property was last occupied by Sainsbury's, who have now vacated the property. The commercial unit has now been subdivided into two commercial units with planning permission recently granted for the necessary alterations as further explained below.

The wider Barnet High Street area includes an array of commercial and retail uses. There are also residential uses largely located on upper floors including at the application site. The Spires shopping centre is located on the opposite side of the road from the site.

The site is not identified as a statutory listed building, nor is it located within a conservation area or an identified flood risk area.

Planning History

As previously mentioned, planning permission was granted on 7 February 2024 for "*sub-division and reconfiguration of the existing retail unit to create 2no. retail units (Class E) and associated external alterations including the creation of a new front entrance and glazed infill extension to front elevation*" (ref: 23/4378/FUL). Five Guys will occupy one of the subdivided units.

There are a number of applications pending consideration at the site as follows:

Variation of Conditions 4 (Deliveries) and 6 (Hours of Use) attached to planning permission ref: 23/4378/FUL (ref: 24/0635/S73); and

Submission of details for Condition 8 (refuse/recycling storage) 9 (cycle parking) pursuant to planning permission 23/4378/FUL (ref: 24/1180/CON).

Application Proposals

Advertisement consent is sought for the installation of advertisements on the building to facilitate the ingoing tenancy of the Five Guys restaurant. The proposals include one fascia sign and one projecting sign to be affixed to the principal elevation, to create a welcoming entranceway and alert customers to the new occupant.

The specific advertisements sought are detailed on the drawings submitted in support of the application and prepared by Blacksheep. The proposed signage is as follows:

1 no. 'FIVE GUYS' fascia sign
1125mm x 7625mm fascia
Internally illuminated letters only

1 no. 'FIVE GUYS' projecting sign
700mm x 820mm
Internally illuminated letters only

Additional internal signage is also shown on the submitted drawings which benefit from deemed consent due to their positioning behind the glazing (Town and Country Planning (Control of Advertisements) (England) Regulations, Schedule 3, Class 12, and Schedule 1, Class I). With Schedule 1 and Schedule 3 combined, no internal advertisements require express consent. Therefore, these advertisements are shown on the drawings for completeness only.

Planning Policy

The Barnet Local Plan comprises the Core Strategy (2012), Development Management Policies (2012), Barnet Proposals Map (2012), along with adopted Area Action Plans and the North London Waste Plan and the London Plan (2022). The National Planning Policy Framework (NPPF) (2023) Supplementary Planning Documents (SPDs) are considered relevant material considerations.

The Barnet Policies Map identifies the application site as being located within the Main Town Centre of High Barnet.

National Planning Policy Framework (NPPF, 2023)

The NPPF provides the overall policy framework for England.

The importance of well-designed and beautiful places is highlighted in Chapter 12 of the NPPF.

Regarding advertisements, Paragraph 141 of the NPPF states the following:

“The quality and character of places can suffer when advertisements are poorly sited and designed. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”

Barnet Local Plan Core Strategy and Development Management Policies (2012)

Policy CS6 'Promoting Barnet's Town Centres' sets out how development within town centres should contribute towards promoting the centres as successful and vibrant places.

Policy CS9 'Promoting a Strong and Prosperous Barnet' sets out how development proposals should look towards contributing towards Barnet's economic growth.

Paragraph 2.5.1 of the Development Management Policies document states:

“Advertising can look unattractive if poorly sited and designed. The amenity impacts and safety implications of all advertisements will be carefully considered. Permission will not be given for proposals which detract from the character of a building or street. Design guidance on Advertising and Signs is available on the council's website. This also identifies the 'Areas of Special Advertisement Control' in the borough that were designated in 1993.”

Planning Considerations

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 provides the legislative framework for determining applications for advertisement consent. Section 3(1) confirms that LPAs should exercise powers under the Regulations in the interests of amenity and the public safety of the proposed signage. Paragraph 79 of the Advertisement NPPG defines “amenity” as the effect on aural and visual amenity in the immediate surroundings of an advertisement. LPAs should consider any advertisement proposal in relation to the local scenic, historic, architectural, or cultural features of the locality which contribute to its distinctive character.

The application proposal seeks two signs relevant to the ingoing operator at the approved commercial unit. The overall design has been carefully considered to ensure it sits comfortably with the host building as well as the wider area. In this regard, the type, location, height, and size of the fascia sign is similar to the previous tenants, matches with the modern design of the approved shopfront and will enhance the appearance of the site and improve the visual amenity of the local area. The projecting sign has been located within a sensible location too to ensure that the shopfront remains uncluttered. The proposed signage on this basis is considered to be acceptable in amenity terms without causing adverse impact to the host building or neighbouring properties nor the wider commercial area.

In terms of public safety, the proposal would not impact on highway flow given their size, location and low level of illumination. The installations would not project into the highway, or be hazardous or overly distracting to the surrounding area in terms of glare or impairing sightlines, and would not be detrimental to public safety. The application should be considered acceptable in this regard.

Conclusions

The proposal is considered to not adversely affect the amenity or public safety of the surrounding area and is therefore considered to accord with the NPPF and the Development Plan.

I therefore trust that you have sufficient information to enable the application to be validated and to enable a positive determination. In the meantime, should you require any further information please do not hesitate to contact me.

Yours faithfully,


TITO AROWBUSOYE
Associate