

## Other Documents

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# DEVELOPMENT CONTROL TECHNICAL INFORMATION

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

**ADDRESS**

NEWCOMBE HOUSE  
45 NOTTING HILL GATE

**POLLING DISTRICT**

CAA

CA031483

- |     |  |        |  |
|-----|--|--------|--|
| HB  | Buildings of Architectural Interest          | LSC    | Local Shopping Centre                          |
| AMI | Areas of Metropolitan Importance             | AI     | Sites of Archeological Importance              |
| MDO | Major Sites with Development Opportunities   | SV     | Designated View of St. Paul's from Richmond    |
| MOL | Metropolitan Open Land                       | SNCI   | Sites of Nature Conservation Importance        |
| SBA | Small Business Area                          | REG 7  | Restricted size and use of Estate Agent Boards |
| PSC | Principal Shopping Centre (Core or Non-core) | ART IV | Restrictions of Permitted Development Rights   |

Conservation Area	HB	CPO	TPO	AMI	MDO	MOL	SBA	Unsuitable for Diplomatic Use	PSC		LSC	AI	SV	SNCI	REG 7	ART IV	
									C	N							

	Within the line of Safeguarding of the Proposed Chelsea/Hackney underground line
	Within the line of Safeguarding of the Proposed Eastwest/Crossrail underground line

Density	
Site Area	
Habitable Rooms Proposed	
Proposed Density	

Plot Ratio	
Site Area	
Zoned Ratio	
Floor Area Proposed	
Proposed Plot Ratio	

<b>Daylighting</b>	Complies	
	Infringes	

<b>Car Parking</b>	Spaces Required	
	Spaces Proposed	

**Notes:**

# **TRANSPORTATION AND HIGHWAYS**

*Please can you provide me with observations on the following:*

*Application Address: Newcombe House, 45, Notting Hill Gate W11*

*Application Ref: CA/03/1483/*

*Plans Enclosed: YES*

*Date: 24/07/03*

*Officer: Ian Williams ,N*

*Telephone no. 2734*

*Also enclosed is a copy of a recent letter by the applicant. I'm minded to recommend this application for refusal on the grounds of amenity and public safety. If you are also of the same opinion, please can you provide adequate detailed transportation information for my report as this one is probably going to an appeal.*



SITE VISIT





Visible from : Hillgate St Junction  
: Camden Hill Road  
: Junction on corner of NHG.  
: Pembroke Gds Junction.

High Buildings : Camden Hill Tower (19 Storeys)  
: Terrace of GAP G + Five Storeys  
Distinctive.

Adverts : ~~Shop Signs, Ground level~~  
: ~~No high level: only one renewal~~  
~~on flank elevation of 66. NHG~~

Visible from Coronet Cinema upper + Lower  
floors.

Pembroke Gds.

Use : Offices : ~~All floors 12 incl Ground.~~

~~Set-back from road.~~

~~Overlooking upper office floors of~~  
~~terrace 47-85.~~

Please read it carefully because even if you have claimed benefit for a long time you will probably still need to supply new evidence.

If you don't provide original evidence we will have to write to you which will delay any payment of benefit. You might want to bring the evidence in to our reception so that it can be returned to you immediately.

You will find a leaflet enclosed that will explain some of the other changes. Please read it carefully.

Remember, if you have any benefit queries you can telephone our help line on 020-7361-2486.



~~Visible from Farmer St., HillGate Place,~~

~~+ Upper floors of rear of Capden Hill Rd.~~

~~+ Callcott St., Uxbridge St.~~

Please read it carefully because even if you have claimed benefit for a long time you will probably still need to supply new evidence.

If you don't provide original evidence we will have to write to you which will delay any payment of benefit. You might want to bring the evidence in to our reception so that it can be returned to you immediately.

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**RBKC - Planning and Conservation - Card Index - Site Map**



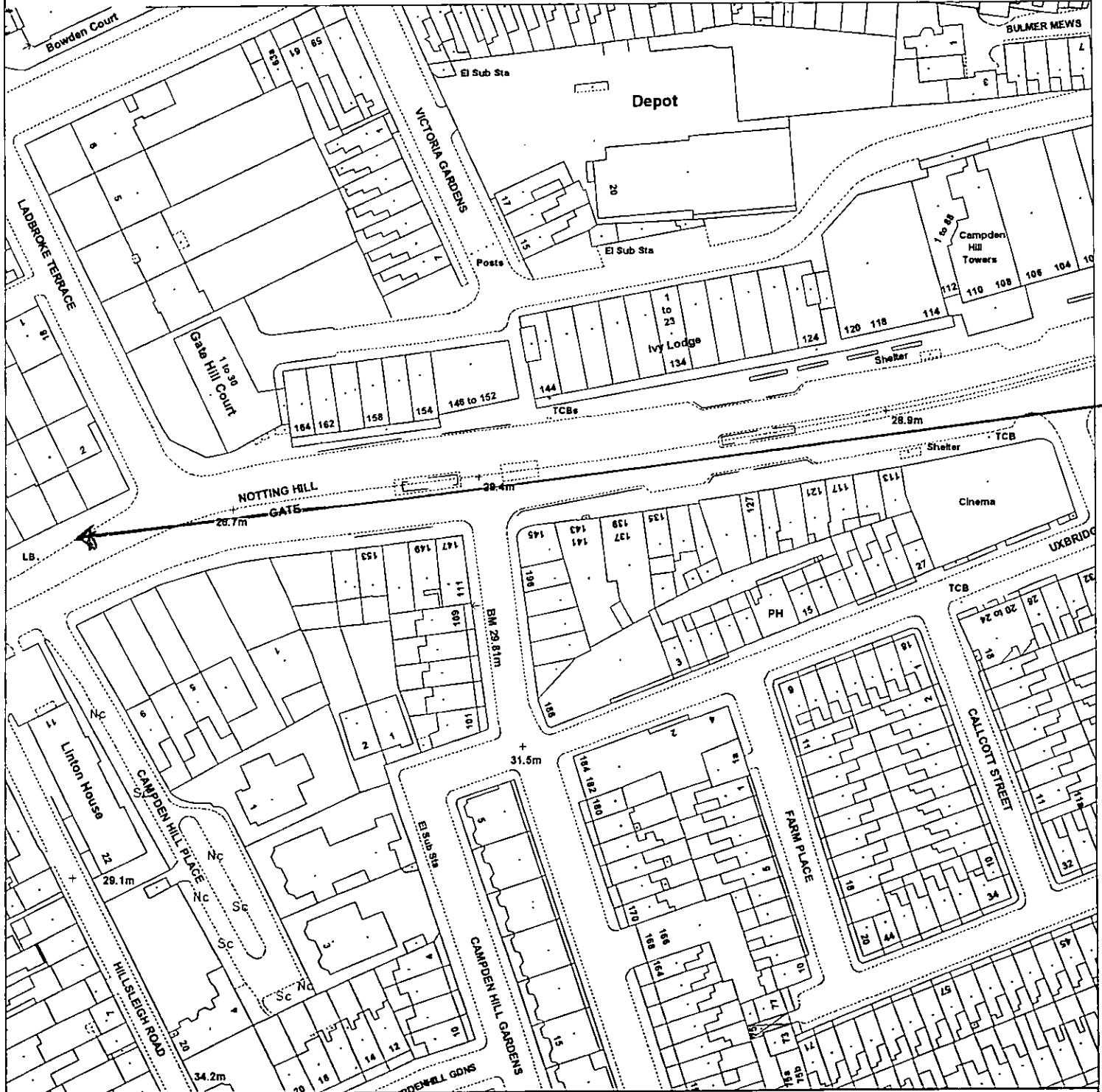
Ordnance Survey Map Extract - Crown Copyright Reserved - RBKC Internal Use Only

QuickMap(29/07/03)

Map width : 243.74m

Scale 1 : 1250

# RBKC - Planning and Conservation - Card Index - Site Map



Ordnance Survey Map Extract - Crown Copyright Reserved - RBKC Internal Use Only

QuickMap(29/07/03)

Map width : 243.74m

Scale 1 : 1250

# JCL Planning

38 Brunswick Place  
Hove  
East Sussex  
BN3 1NA

Phone: 01273 729799  
FAX: 01273 207212  
Mobile: 0777 5556463  
Email: jclplanning@mistral.co.uk

OPC  
W

22 July 2003 Our Ref: JCL/248

Yh  
24/7

Ian Williams Esq  
Planning and Conservation Department  
Royal Borough of Kensington and Chelsea  
Town Hall  
Hornton Street  
London W8 7NX

EX DIR	HDC	TP	CAC	AD	CLU	AG AK
R.B. K.C.	24 JUL 2003				PLANNING	
/	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

33

Dear Mr Williams

## APPLICATION FOR CONSENT TO DISPLAY AN ADVERTISEMENT NEWCOMBE HOUSE, 45 NOTTING HILL GATE, W11

I refer to our recent telephone conversation and to your fax of yesterday's date.

As you know Section 54A of the 1990 Act does not apply to advertisement applications which are subject to the 1992 Control of Advertisements Regulations and the guidance contained in PPG19. UDP Policies are nonetheless a material Consideration.

As it happens the recently adopted Policy CD76 reflects the criteria identified in the Regulations and the PPG and there is therefore no conflict between them in this case.

The Appellant Company is, of course, well aware that the very large advertisements comprise a new concept which is innovative and therefore bound to be treated with suspicion by some Planning Authorities. However such advertisements, though fairly unusual in urban areas, are not without precedent. Indeed there are numerous precedents where permissions for much larger advertisements have been granted and within areas of much greater sensitivity than the area around this appeal site.

For example temporary permission was granted in 2001 for an illuminated safety scaffold screen covering the whole of the façade of the Fort Dunlop building in Birmingham (a well known local landmark building north of the M6 to the north of Birmingham city centre) with an area of 2,921 sq m – over 10 times larger than that currently proposed on the appeal site. This was also for a limited period and it seems to me that its implications, in terms of road safety, can only have been much more serious than in this case in view of the existing record of accidents on that stretch of the M6.

What makes very large advertisements acceptable in many locations is not just a growing realisation that they very often do not give rise to either safety or amenity concerns but also because the new pvc mesh technology enables them to remain looking good through the period of their display. This is because they are not

susceptible to wind damage and there is no danger of their becoming torn and unsightly. This is an important consideration. It is, indeed, increasingly accepted that they can enhance the appearance of buildings which are reaching the end of their economic lives.

## **AMENITY ISSUES**

### **Local Characteristics of the Neighbourhood**

Paragraph 11 in PPG 19 identifies local characteristics which contribute to the distinctive character of a neighbourhood. These include:-

- (i) scenic;
- (ii) historic;
- (iii) architectural; and
- (iv) cultural

The site lies within an area which is predominantly commercial in character and where advertisements are normally found to be acceptable. Newcombe House itself is believed to have been built in the 1960s and has little, if any, architectural merit. It is, however a prominent feature within Notting Hill Gate but not one which adds anything to its appearance or amenity. Indeed many would agree that it is something of an eyesore which would benefit from being enlivened by interesting and regularly changing advertisement displays at least for the period for which permission is being sought.

As I said earlier there are numerous precedents where large advertisements have been permitted on buildings which are reaching the end of their economic lives pending redevelopment. A recent appeal decision by Mr Noel Hutchinson, relating to a site in Nottingham, was reported in "Planning". I enclose a copy of the article together with a copy of the appeal decision

It is interesting to note that in that case the banner covered only part of an otherwise symmetrical elevation, including extensive fenestration. In this case the proposed banner will only cover windows serving an emergency staircase and will be located symmetrically on the elevation in question. In short the effect on the appearance and architectural integrity of the building will be significantly less.

The building in Nottingham appears to be of a similar age to Newcombe House and was considered by the Inspector to be of unattractive appearance. Since it is of a similar design to Elizabeth House it is reasonable to assume that the same view should be taken in this case.

Also of interest in the fact that the banner was not placed on scaffolding. Despite this it was considered that the building was of sufficiently unsightly appearance to warrant its use for displaying a banner.

In addition the building in Nottingham is in a Conservation Area, and overlooked by another Conservation Area. In this case it is apparent immediately from the UDP Proposals Map that most of the southern and middle parts of the Royal Borough lie

within Conservation Areas. It is exceptional that the application site lies within an area which does not have such a designation. It is therefore particularly suitable for the type of advertisement which is proposed. Similar large advertisements have, in fact, been permitted within the Royal Borough even within Conservation Areas. The former Kensington Market site in Kensington High Street, where I made the successful application for a large advertisement, is such a case.

### **Residential Amenity**

Paragraph 7 of the Annex to PPG19 points out that poster advertising is not normally appropriate in a predominantly residential locality but may be acceptable in mixed use areas. In this case the area is, as I have said, predominantly commercial and very few residential units will be able to see the proposed banner.

### **Advertisements on large buildings**

I said earlier that the type of advertisement which is being proposed constitutes a new concept. The technology which enables such large advertisements to succeed was not available in March 1992, when PPG 19 was first published. Indeed the guidance contained in the Annex to the PPG dates back still further to 1984. Detailed and up to date Central Government Guidance is therefore not available.

Clearly many Local Planning Authorities recognise that there are now occasions when the circumstances are such that very large advertisements are acceptable. Paragraph 4 of PPG 19 makes reference to the then Environment White Paper which stated that it is the appearance of a building which is of greatest importance. "A good building can contribute towards a sense of pride of place".

Nobody would, I believe, suggest that the building on which the proposed advertisement is to be located is attractive or that it could conceivably contribute towards pride of place.

### **PUBLIC SAFETY**

Often, in cases of this nature, I would consider it appropriate to instruct a Highway Consultant to take a view. Indeed initially it was my intention to do so. However, in this case, I decided, on reflection, that there really is no safety case to answer.

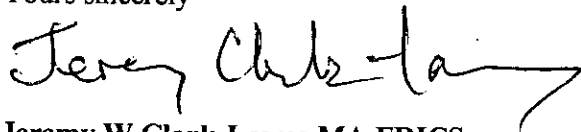
The banner will only be seen by motorists travelling in an easterly direction along Notting Hill Gate. This traffic is slow moving because of a series of traffic lights and it is therefore most unlikely that any advertisement would be sufficiently distracting to be a hazard .

The advertisements will comply with the Advertising Standards and any lettering will be limited to 6 words or less to minimise distraction. There will be no moving elements. If travelling from the east in a westerly direction the advertisement will not be seen at all by drivers.

To conclude, this is not a case where a banner within a Conservation Area is proposed nor would any Listed Buildings be affected. Nor is there a public safety issue. I would

urge you, therefore, to think very carefully and objectively about the criteria set out in PPG19 which, on reflection, I feel sure you will agree are met in the circumstances of this case.

Yours sincerely

A handwritten signature in cursive script that reads "Jeremy Clark-Lowes". The signature is written in black ink and is positioned above the printed name.

**Jeremy W Clark-Lowes MA FRICS**



## Court cases

### Inspector overruled on dwelling curtilage test

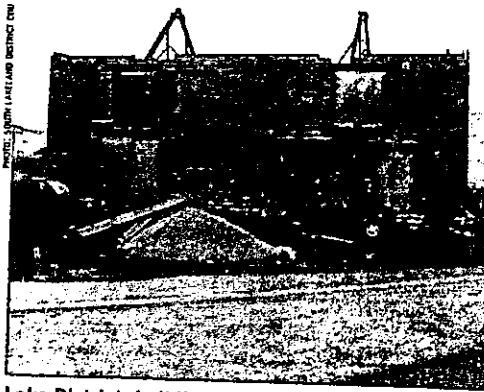
The High Court has quashed an inspector's decision to grant planning permission for various uses at a property in Sussex because he had incorrectly applied the wrong legal test in assessing whether a building fell within the curtilage of a dwellinghouse.

The claimant had appealed against Wealden District Council's refusal of planning permission for the use of a detached annexe for self-catering holiday accommodation and for a replacement workshop in the grounds. The inspector had concluded that the workshop did not serve a useful ancillary purpose and accordingly did not fall within the curtilage.

The claimant argued that this was the wrong test. He claimed that the judgement in *Sinclair-Lockhart's Trustees v Central Land Board [1950]* only required that the workshop should serve the dwelling in some reasonably useful way, as opposed to the inspector's contention that it must serve a useful purpose irrespective of the residential use.

Mr Justice Harrison agreed that the inspector had overstated the test and had applied a higher threshold that was not supported by judicial authority. Because the inspector had concluded that the workshop did not meet the *Sinclair-Lockhart* test, there was no way to be sure that he had applied the law correctly, the judge ruled.

**Wheeler v First Secretary of State and Another;**  
Date: 7 May 2003; Ref: C0/29/2003.



Lake District: building not necessary for agriculture

hinterland". The beam panned 150 degrees and gave a maximum visibility up to 11km from the town.

In assessing its impact, the advertisement appeal inspector held that the beam would dominate the night sky, appearing as a distinct moving feature that would undermine the amenity of the surrounding countryside. However, he rejected concerns that the beam would undermine highway safety by distracting drivers in and around the town.

**DCS No: 40856256; Inspector: Malcolm Sainsbury;**  
Written representations.

## AGRICULTURAL DEVELOPMENTS

### Agricultural need claim undermined by design

An application to retain a large portal-framed farm building within a county landscape area in the Lake District has been rejected after an inspector concluded that no agricultural need for it had been shown.

The building, which was located away from a group of other farm structures, was approximately 5.4m high and clad in boarding above a blockwork plinth. The inspector remarked that it was similar to a type of traditional barn whose restricted and inflexible internal layout was generally inappropriate to the needs of modern agriculture.

Modern farm buildings were usually more utilitarian in appearance with single-skin blockwork and large sliding doors, he noted. In contrast, he commented, the appeal building was built to a higher standard and had a number of windows, openings and internal walls that provided "built-in obsolescence" and reduced its ability to meet agricultural needs.

He concluded that its design, siting and internal layout demonstrated that the building was not designed for agriculture and accordingly was not reasonably necessary for the operational needs of the farm. He upheld an enforcement notice requiring demolition of the building.

**DCS No: 33095627; Inspector: Antony Fussey;** Hearing.

An inspector has agreed to lift an agricultural tie from a farm bungalow in Hampshire that there was no market demand for the on its own or as part of the agricultural holding.

The council did not object to the principle condition, but was concerned that it would resist an application for another dwelling were sold as one lot. But the inspector judged such application would be considered in national and local policies and other matters, including the planning history of the farm.  
**DCS No: 29007781; Inspector: Martin A**  
Written representations.

## COMMERCIAL AND INDUSTRIAL

### Laboratory refused on sustainability grounds

The development of a replacement building for a laboratory and offices at a site in Hampshire rejected despite an appellant's contention could lawfully be used for industrial purposes.

The site contained a complex of buildings mainly been used for the production of pig eggs for use as a medium in the production of animal viral vaccines. The appellant submitted evidence which suggested that the use was industrial in character.

The inspector concluded that the proposal was not one that required a rural location that the site was not identified in the development plan for employment use. The proposed building, inappropriate in terms of mass and design in a rural location, he concluded.

While accepting that the appellant's night-time use of existing buildings for employment purposes was a rural consideration, he held that the proposal for a new building for employment purposes was contrary to the principles of sustainable development because it would encourage car usage.

**DCS No: 40234423; Inspector: John Head;**

### Moral objections to massage parlour overruled

In granting retrospective planning permission for premises in a small shopping parade in Manchester for a massage parlour, an inspector has accepted potential for clients to be offered sexual services for material planning consideration.

The use had been operating for 18 months and the rooms at the premises accommodated a shower and a shower or bath and had pornographic photographs on the walls. All rooms used by customers were visible from view. Access to the property was obtained through a reception area protected by security cameras.

The inspector noted that none of the letters of objection received by the council referred to noise or nuisance. He considered that objections to the use of the premises were not relevant to planning, although the possibility of sexual activities taking place on the premises was a material consideration. The inspector gave rise to fear and apprehension among local residents.

However, he judged that customers using the premises were likely to be discreet and would not wish to draw attention to themselves, so the risk of crime or nuisance was low. He found no evidence to suggest that local residents or schoolchildren had been threatened or harassed by customers or staff. He ruled that the use was acceptable subject to a restriction on hours of operation.

**DCS No: 41673002; Inspector: David Rusden;**  
Written representations.

### Modern design judged out of keeping with area

A proposed office development close to St James' Church in Nottingham has been rejected on the grounds that its unashamedly modern design would appear incongruous and out of character with the surrounding buildings.

## Appeal cases

### ADVERTISEMENTS

#### Shroud judged appropriate at redevelopment site

Temporary consent has been granted for a shroud display covering a disused office building in a Nottinghamshire conservation area, after the advertisement was held to be acceptable for a short period. The building was scheduled to be demolished to enable redevelopment of the whole site.

The advertisement appeal inspector held that in view of the building's limited life and unattractive appearance, the display would have little adverse impact and no long-term harm would ensue provided it was not permanent. Accordingly, he granted consent for a period of nine months to allow the redevelopment of the site to come forward.

**DCS No: 47701330; Inspector: Noel Hutchinson;**  
Hearing.

#### Light beam judged to harm rural hinterland

The display of a rotating light beam from the roof of a nightclub in Newquay, Cornwall, has been rejected on the grounds that it would disrupt "the visual calm of the rural



Nottingham: shroud display allowed to stay in place for temporary period to screen disused office building



## Appeal Decision

Hearing held on 08 April 2003

by Noel Hutchinson

an Advertisement Appeals Inspector appointed by the First  
Secretary of State

2488 SOURCE FROM HMSO  
Terms of Use 52 310566  
Cristo 851644  
☎ 0117 372 6372  
e-mail enquiries@planning-  
inspectorate.gsi.gov.uk

Date 06 MAY 2003

Appeal Ref: APP/Q3060/H/02/1105752  
Great Northern Plaza, Station Road, Nottingham

- The appeal is made under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992 against a refusal to grant express consent.
- The appeal is made by Mega Profile Limited against the decision of City of Nottingham Council.
- The application (Ref. 02/02436/ADV2) is dated 7 November 2002.
- The advertisement proposed is PVC shroud display, hung down the face of the building together with external illumination

**Summary of Decision:** The appeal is allowed and consent granted for the display of the shroud advertisement on the terms set out below in the Formal Decision.

### Main Issues

1. I consider the main issues to be:
  - Whether the shroud display would harm the appearance of the Station and Lace Market conservation areas for the limited period of 9 months.

### Planning Policy

2. The Council have drawn my attention to their advertisement control policies and I have taken them into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.

### Reasons

3. The appeal premises consist of a tall six-storey office building, set back from the junction between Station Road and London Road. Between London Road and the appeal building is a single-storey furniture store. It is a commercial area with the railway to the immediate south, which passes under London Road, with two former railway stations on the eastern side of the road, a new Premier Lodge hotel and BBC premises to the north east. London Road is the main approach to the city from West Bridgeford and Trem Bridge.
4. At the time of my site inspection the appeal shroud was in position together with a small banner at the top of the south facing wall of the block. Currently, the shroud is promoting the redevelopment of the site, but the application is for general advertising. Other advertisements displayed in the area included two 48-sheet panels on the opposite of Station Road, individually lettered signs, box signs, fascia signs, signboards, totem sign and 6-sheet panels.

Appeal Decision APP/Q3060/H/02/1105752

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5. The proposal concerns the temporary use of the building to display a shroud advertisement. Consent for the display is sought for a period of 9 months only. The building is no longer used and will be demolished with a view to redeveloping the whole site. The building is not attractive and is a rather austere example of 60s office architecture. In view of the building's limited life and unattractive appearance I see relatively little concern about any visual impact that the proposed display would have. However, the building is sited within the Station Conservation Area where it is necessary to pay special attention to the desirability of preserving or enhancing its character and appearance. It is important to ensure that this development does not harm the area even for a limited period and a strict control is expected to ensure that any outdoor advertisements do not spoil the appearance of the area. In addition the Lace Market overlooks the site from the high ground to the north and the Council have expressed considerable concern over the impact that the display would have on the setting of this conservation area.
6. Taking the immediate setting of the appeal premises first, it is mainly commercial and not particularly attractive. Large office premises, with the appeal premises playing a dominant role, together with railway land and other industrial properties dominate it. The fine Midland Railway station building, which must be the jewel in the crown, is at the western end of the conservation area, some considerable distance away from the appeal site facing west. The redevelopment of the appeal site could make a significant contribution to the townscape qualities of this part of the conservation area. It is part of the significant changes that are being undertaken within the area. To the north of the canal has been a considerable amount of demolition and clearance of building and the former high level railway line, with its arches and bridge over the canal. The former Great Central railway arches are in the process of modification for part of the new tramway terminating at the railway station. However, unsightly buildings still remain that do little to contribute to the visual qualities of the area. One of these, the Heating Station, is immediately north of the appeal site. Because of its bulk and large chimney it represents a "powerful" industrial backcloth to the appeal site when travelling north along London Road. The conservation area is therefore undergoing considerable upheaval and its appearance is subsequently affected during these extensive operations, which ultimately will include the redevelopment of the appeal site. The limited period of display sought will, be well within the period of these major changes in the area. While I consider that the use of this site as a long term display would be inappropriate, I believe that the addition of the colour and interest from the shroud would help to enliven the appearance of the immediate area and in particular the otherwise dead appearance of this now disused building. I consider that its display would not cause any long-term harm to this conservation area.
7. While the Council objected to the display within the Station Conservation Area, they were particularly concerned about the effect of the appeal display on the Lace Market Conservation Area. They drew special attention to the appearance of various prominent listed buildings on the northern skyline, in particular St. Mary's church and its tower, which rise well above the cliff face. The Council submit that the shroud display would be clearly viewed against the backdrop. I accept that some of the buildings, in particular the church tower may be seen through the buildings in the vicinity of the appeal site. But such views are only obtainable from certain points with the buildings seen at some distance away. The appellants quoted a distance of one third of a kilometre. The large Heat Station provides a particularly significant foreground screen to these buildings.

Appeal Decision APP/Q3060/H/02/1105752

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8. The shroud is directed primarily to users of London Road, to both north and south bound, although it has a greater impact on persons travelling north. It becomes visible obliquely from the southern end of the bridge over the railway with the Heat Station effectively terminating the immediate vista to the nearside of north bound drivers and pedestrians. At the northern end of the bridge the display is fully discernible and when focussing upon it at a relatively short distance, the northern skyline will not normally be assimilated at the same time. In my opinion the appeal site is too distant from the buildings within the Lace Market to affect their setting or their value as part of the townscape within this part of the city. I cannot therefore agree with the Council over the degree of sensitivity that they have attributed to the background view from the appeal site. I am not therefore convinced that the temporary display of the shroud advertisement would harm the appearance of the Lace Market Conservation Area.
9. There appears to be little doubt that the appeal site is to be redeveloped. The Council have indicated that they have recently granted planning permission for the erection of a mixed use development comprising offices, food and drink facilities, and residential apartments. This permission is subject to a section 106 agreement, which has still not been completed. Although there is no timetable for the redevelopment of the site, matters seem to be progressing. I note that the Council have an informal policy towards shroud displays and that they look favourably on them being used on building scaffolding, while works are undertaken. The Council indicated that they would look at this proposal favourably once the building was under scaffold. Despite the need to complete the section 106 agreement there are no obvious indications that redevelopment will not commence in the near future.
10. I consider that the shroud's large rectilinear form when seen against the functional design of the building does not create an unduly harmful relationship. The display is also set back from the road so that it does not overpower or dominate the road, but appears generally in scale with its surroundings. Accordingly I consider that the display of the shroud advertisement for a 9 month period to be reasonable and pending the redevelopment of the site would not look out of place, but would add a degree of interest to the appearance of the site in its current lifeless state.

Conclusions

11. For the reasons given above and having regard to all other matters raised, I conclude that the display of the shroud advertisement would not be detrimental to amenity.

Formal Decision

12. In exercise of the powers transferred to me, I allow the appeal and grant consent for the display of the externally illuminated shroud advertisement as applied for. The consent is for 9 months from the date of this decision and is subject to the following standard conditions set out in the Regulations:
  - 1) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.
  - 2) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Appeal Decision APP/Q3060/H/02/1105752

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- 3) Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.
- 4) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 5) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

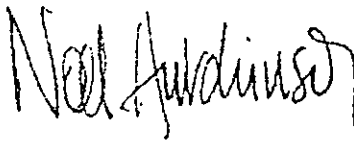
The following special condition also applies to this consent:

At the expiry of the period of express consent the advertisement shroud shall be removed and not replaced unless the subject of a further express consent.

13. This decision does not convey any approval or consent, other than under Regulation 5 of the Regulations.

**Information**

14. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.



NOEL HUTCHINSON  
Advertisement Appeals Inspector

Appeal Decision APP/Q3060/H/02/1105752

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APPEARANCES

FOR THE APPELLANT:

Ben Gilpin

Mega Profile Limited

FOR THE LOCAL PLANNING AUTHORITY:

Bev Pearson

Planning Department

Phil Shaw

Planning Department

DOCUMENTS

Document 1 List of persons present at the inquiry

07 July 2003 Our Ref: JCL/248

Planning and Conservation Department  
Royal Borough of Kensington and Chelsea  
Town Hall  
Hornton Street  
London W8 7NX

Dear Sirs

**APPLICATION FOR CONSENT TO DISPLAY AN ADVERTISEMENT  
NEWCOMBE HOUSE, 45 NOTTING HILL GATE, W11**

I enclose the necessary documentation with regard to the above together with my cheque in the sum of £220 in payment of the application fee.

When the Case Officer is appointed I will make contact with him/her to provide any further information which he/she may consider to be necessary.

Yours faithfully



**Jeremy W Clark-Lowes MA FRICS**

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		09 JUL 2003			PLANNING	
N	C	SW	SE	APP	IO	REC
				DES	FEES	

## 45 NOTTING HILL GATE

Property Card N° : 0589 061 00

Sitename : NEWCOMBE HOUSE

Comment :  
TP Arch/History : 81044 H 7419  
See Also :

CA031483

Xref :  
Notes :

TP No	Brief Description of Proposal	1	of	11	Adverts & History No
	ERECTION OF A CHAUFFERS HUT IN EXISTING CAR PARK AT NO.45.				CA 515 CA 81/225 CA 92/31

Received	Decision & Date	
Completed	Unconditional	26/01/1962
Revised		

TP No	Brief Description of Proposal	2	of	11
	EXTENSION OF EXISTING CHAUFFEURS HUT ON CAR PARK AT NEWCOMBE HOUSE, NO. 45.			

Received	Decision & Date	
Completed	Unconditional	20/11/1964
Revised		

TP No	Brief Description of Proposal	3	of	11
	ALTERATIONS TO THE EXTERNAL APPROACH STAIRS TO NEWCOMBE HOUSE.			

Received	Decision & Date	
Completed	Unconditional	19/10/1965
Revised		

TP No	Brief Description of Proposal	4	of	11
	CIRC. NO. 100/1950 OBS - PROPOSAL TO ERECT A 50' HIGH WIRELESS MAST ON THE ROOF - NO OBJECTION.			

Received	Decision & Date	
Completed	Unconditional	01/05/1970L
Revised		



## 45 NOTTING HILL GATE

Property Card N° : 0589 061 00

Sitename : NEWCOMBE HOUSE

Comment :  
TP Arch/History : 81044 H 7419  
See Also :

CA031483

Xref :  
Notes :

TP No Brief Description of Proposal 5 of 11

ERECTION OF A 25' HIGH FLAGPOLE.

Received Decision & Date  
Completd Conditional 15/12/1972  
Revised

TP No TP/84/2199 Brief Description of Proposal 6 of 11

ERECTION OF A ONE FLOOR OFFICE BUILDING OF APPROXIMATELY  
810 SQ.M. OVER THE CAR PARK. OUTLINE.

APPEAL LODGED

Received 05/12/1984 Decision & Date Appeal  
Completd 20/12/1984 Conditional 21/05/1985 Lodged  
Revised 19/03/1985 Y

TP No Brief Description of Proposal 7 of 11

TCPACT 1971 - SECTION 36 AND SCHEDULE 9: APPEAL AGAINST  
DECISION DATED 21.5.85. VARIATION OF CONDITION 3.  
APPEAL ALLOWED.Received Decision & Date  
Completd Conditional 28/01/1986  
Revised

TP No TP/96/1314 Brief Description of Proposal 8 of 11

ERECTION OF NEW ENTRANCE STAIRCASE WITH ASSOCIATED  
WATER FEATURE, INCLUDING PROVISION OF NEW LIGHTING,  
SIGNAGE, HANDRAILS AND BALUSTRADINGReceived 07/06/1996 Decision & Date  
Completd 13/06/1996 Conditional 23/08/1996  
Revised

## 45 NOTTING HILL GATE

Property Card N° : 0589 061 00

Site name : NEWCOMBE HOUSE

Comment :  
TP Arch/History : 81044 H 7419  
See Also :

CA031483

Xref :  
Notes :

TP No PP/00/0350 Brief Description of Proposal 9 of 11

PLANNING PERMISSION IS SOUGHT FOR THE USE OF PART OF THE CAR  
PARK TO ALLOW A FARMERS MARKET TO BE HELD EACH SATURDAY  
BETWEEN THE HOURS OF 7.00AM AND 2.00PM FOR A PERIOD OF ONE  
YEAR.

\*\* WITHDRAWN BY COUNCIL AS USE OF FARMERS MARKET HAS CEASED \*\*

Received 17/01/2000 Decision & Date  
Completed 10/02/2000 Withdrawn 19/09/2000  
Revised COUNCIL

TP No PP/01/2576 Brief Description of Proposal 10 of 11

USE OF THE ABOVE CAR PARK FOR FARMERS' MARKET EVERY SATURDAY  
FOR A LIMITED PERIOD.Received 06/11/2001 Decision & Date  
Completed 16/11/2001 Conditional 24/06/2002  
Revised LIMITED 30/06/2003

TP No PP/03/1205 Brief Description of Proposal 11 of 11

USE PART OF THE CAR PARK TO ALLOW A FARMERS' MARKET TO BE HELD  
EACH SATURDAY BETWEEN THE HOURS OF 7AM AND 2PM. (RENEWAL OF  
PLANNING PERMISSION DATED 24/06/2002 REF: PP/01/2576 WHICH  
GRANTED PERMISSION FOR A LIMITED PERIOD OF ONE YEAR).Received 03/06/2003 Decision & Date  
Completed 03/06/2003  
Revised CURRENT

# REASON FOR DELAY

CASE NO    /   /   

ed as a "Target" application, with the target of being passed of Development Control within 6 weeks of the completion date.

application, there has been a delay, beyond 8 weeks,

to ensure that this case has been determined within the 8 week  
wing reason(s) [*highlight - there may be more than one reason!*]

nging initial Site Visit [*a date for this should be fixed up in the  
er you receive the case!*]

- to internal Consultation [*as many as necessary*]
- (i) Design - Discussions/initial Obs.
  - (ii) Design - Formal Obs.
  - (iii) Transportation
  - (iv) Policy
  - (v) Environmental Health
  - (vi) Trees
  - (vii) Other

ighbour notification/external consultation necessary [*spread or time  
lease specify*]

not requested in time  
r - Request all revisions by end of fourth week to stand reasonable  
renotifying and determining case within 8 weeks!

s requested in time, but not received in time

s received but inadequate - further revisions requested

us received but reconsultation necessary

g Direction from English Heritage/other EH delays...

s of the Committee cycle

unt's instruction

R REASON Please state]

..... (Case Officer)

# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

THE ROYAL  
BOROUGH OF

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS



KENSINGTON  
AND CHELSEA

File Copy

2079/ 2080

020-7361- 2079/ 2080

020-7937-5464

Switchboard:

Extension:

Direct Line:

Facsimile 020-7361-3463

Date: 21 July 2003

My reference:

Your reference:

Please ask for:

My Ref: DPS/DCN/CA/03/01483/IW

Planning Information Office

Dear Sir/Madam,

## TOWN AND COUNTRY PLANNING ACT 1990

**Proposed development at: Newcombe House, 45 Notting Hill Gate, London, W11 3JB**

Brief details of the proposed development are set out below. Members of the public may inspect copies of the application, the plans and any other documents submitted with it. The Council's Planning Services Committee, in considering the proposal, welcomes comments either for or against the scheme. Anyone who wishes to make representations about the application should write to the Council at the above address **within 21 days** of the date of this letter. Please telephone should you require further information.

### Proposal for which permission is sought

Provision and display for a one year period of a large 20m. by 14m. PVC mesh banner sign (illuminated) to be affixed to the west side elevation of Newcombe House at high level.

Applicant Ravenseft Properties Ltd., 5 The Strand, London, WC2N 4AF

Yours faithfully

M. J. FRENCH

Executive Director, Planning and Conservation

## WHAT MATTERS CAN BE TAKEN INTO ACCOUNT

When dealing with a planning application the Council has to consider the policies of the Borough Plan, known as the Unitary Development Plan, and any other material considerations. The most common of these include (not necessarily in order of importance):

- The scale and appearance of the proposal and impact upon the surrounding area or adjoining neighbours;
- Effect upon the character or appearance of a Conservation Area;
- Effect upon the special historic interest of a Listed Building, or its setting;
- Effect upon traffic, access, and parking;
- Amenity issues such as loss of Sunlight or daylight, Overlooking and loss of privacy, Noise and disturbance resulting from a use, Hours of operation.

## WHAT MATTERS CANNOT BE TAKEN INTO ACCOUNT

Often people may wish to object on grounds that, unfortunately, cannot be taken into account because they are not controlled by Planning Legislation. These include (again not in any order of importance):

- Loss of property value;
- Private issues between neighbours such as land covenants, party walls, land and boundary disputes, damage to property;
- Problems associated with construction such as noise, dust, or vehicles (If you experience these problems Environmental Services have some control and you should contact them direct);
- Smells (Also covered by Environmental Services);
- Competition between firms;
- Structural and fire precaution concerns; (These are Building Control matters).

## WHAT HAPPENS TO YOUR LETTER

All letters of objection are taken into account when an application is considered. Revised drawings may be received during the consideration of the case and normally you will be informed and given 14 days for further response. Generally planning applications where 3 or more objections have been received are presented to the Planning Services Committee which is made up of elected Ward Councillors. Planning Officers write a report to the Committee with a recommendation as to whether the application should be granted or refused. Letters received are summarised in the report, and copies can be seen by Councillors and members of the public, including the applicant. The Councillors make the decisions and are not bound by the Planning Officer's recommendation. All meetings of the Committee are open to the public.

If you would like further information, about the application itself or when it is likely to be decided, please contact the Planning Department on the telephone number overleaf.

## WHERE TO SEE THE PLANS

Details of the application can be seen at the Planning Information Office, 3rd floor, Town Hall, Hornton Street W.8. It is open from 9am to 4.45pm Mondays to Thursdays (4pm Fridays). A Planning Officer will always be there to assist you.

In addition, copies of applications in the Chelsea Area (SW1, SW3, SW10) can be seen at The Reference Library, Chelsea Old Town Hall, Kings Road SW3 (020 7361 4158), for the Central Area (W8, W14, SW5, SW7) can be viewed in the Central Library, Town Hall, Hornton Street, W.8. and applications for districts W10, W11 and W2 in the North of the Borough can be seen at The Information Centre, North Kensington Library, 108 Ladbroke Grove, London W11 (under the Westway near Ladbroke Grove Station 020 7727-6583). Please telephone to check the opening times of these offices.

If you are a registered disabled person, it may be possible for an Officer to come to your home with the plans. Please contact the Planning Department and ask to speak to the Case Officer for the application.

***PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY***

THE ROYAL  
BOROUGH OF

# NOTICE OF A PLANNING APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990



KENSINGTON  
AND CHELSEA

## MEMORANDUM

TO: FOR FILE USE ONLY

From: EXECUTIVE DIRECTOR  
PLANNING & CONSERVATION

My Ref: CA/03/01483/IW

CODE SL

Room No:

Date: 21 July 2003

### DEVELOPMENT AT:

Newcombe House, 45 Notting Hill Gate, London, W11 3JB

### DEVELOPMENT:

Provision and display for a one year period of a large 20m. by 14m. PVC mesh banner sign (illuminated) to be affixed to the west side elevation of Newcombe House at high level.

The above development is to be advertised under:-

**NO REQUIREMENT FOR SITE NOTICE/ADVERTISEMENT IN THIS CASE.**

**M.J. French**

Executive Director, Planning & Conservation

**SITE NOTICE CRITERIA NOT MATCHED CHECK CORRECT CODE IS  
ENTERED**

8 CAMPDEN HILL TOWERS  
112 NOTTING HILL GATE, LONDON, W11 3QW  
020 7229 2312

① Ark ② W

in.  
30/7.

28th July 2003

Executive Director  
Planning & Conservation  
The Royal Borough of Kensington & Chelsea  
The Town Hall  
Hornton Street  
LONDON, W8 7NX

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	30 JUL 2003				13 PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

Attention: Mr Ian Williams

Dear Sirs,

Planning Application No. PP/03/01 483  
Newcombe House, 45 Notting Hill Gate, W11 3JB

I wish to record my objection to the above Planning application.

My flat is on the east side of Campden Hill Towers, and therefore overlooks the west side of Newcombe House, as do 47 other flats in the block.

A large illuminated banner on Newcombe House would be most detrimental to our environment. The only way to avoid the visual intrusion of such a monumental display would be to keep the curtains drawn at all times. Already our windows frequently have to be closed because of penetrating music and noise from the local pubs helped by departing merrymakers, together with unpleasant odours from McDonald's and Burger King: and this latest spectacular would be just another downgrading of our amenities.

However, if Planning permission were granted there should be no reason why Campden Hill Towers could not get Planning acceptance to hoist advertising banners, adding to the "colour" of the area. I, for one, would certainly not want to see this happen, and therefore request that the current Planning Application for a banner on Newcombe House be rejected. I believe any such banner would set an unhappy precedent, besides its effect on our outlook and its intrusion.

Yours faithfully,

*J. Outtrim*  
(Mrs J.E. Outtrim)

① Ach ② LW

AK  
30/7

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	29 JUL 2003			4 PLANNING		
M	C	SW	SE	APP	IO	REC
		ARB	FPLN	DES	FEES	

4, Hillgate Place,  
Kensington,  
London, W8 7SJ

28 July 2003

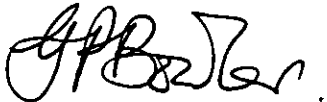
M.J. French, Esq.,  
Executive Director,  
Planning & Conservation,  
Town Hall,  
Hornton Street,  
W8 7NX

Dear Mr French:

**Re: PP/03/01483 – Newcombe House, 45 Notting Hill Gate, London W11 4JB**

I am writing to object to the above proposal. An illuminated sign on the West Side of Newcombe House would be appallingly unsightly, not only degrading the present environment of Notting Hill Gate but also affecting the roads around Hillgate Village. That West-facing side of Newcomb House rises above the roof line at the end of Uxbridge Street and dominates the end of Jameson Street. Such a monstrously intrusive sign as is envisaged would utterly destroy the character of the neighbourhood.

Over the past few years various bodies, including the Kensington and Chelsea Council have worked to improve Notting Hill Gate, especially around Newcombe House itself — it certainly needed it. It is unimaginable that these improvements should be swept away in one go by the acceptance of this awful proposal.

Yours faithfully,  


Dr G.P. Bowker



**RBK&C TRANSPORTATION COMMENTS**

<b>CA Number:</b> 03/1483	<b>Address:</b> Newcombe House, 45 Notting Hill Gate, W11	<b>Date of obs:</b> 28 <sup>th</sup> July 2003		
<b>Proposal:</b> Consent to display an advertisement on the side of Newcombe House, 20m by 14m.				
<b>More info needed</b>	<b>No Objection</b>	<b>No objection STC</b>	<b>Concern Raised</b>	<b>Objection</b>
	✓			
<b>Initial Observations</b>		<b>Transportation Officer:</b>		<b>DC Officer:</b>
<b>Full Observations</b>	✓	Robert Johnson		Ian Williams
<b>Further Observations (no. )</b>				

**Comments:**

The applicant proposes erection of a large PVC banner advertisement on the outside of the West elevation of Newcombe House, 20m by 14m, and illuminated from above.

TR36 of the UDP states the Council is *"to resist development which would result in inter alia any decrease in road safety..."*

I made a site visit to the location on Thursday 24<sup>th</sup> July 2003. I do not consider the erection of such an advertisement to have a noticeable effect on road safety in this location. This elevation of Newcombe House becomes visible from 350m away, when it is a relatively small part of the skyline. My only concern is that the sightline of the elevation for drivers approaching up Holland Park Avenue is very close to that of the elevated traffic signals at the junction with Campden Hill Road, but following my site visit I do not consider the danger from distraction of car drivers to be significant. I enclose a photo.

Relevant transportation policies: TR36

Recommendation: The Director of Transportation and Highways has no objection to the proposal.

Signed:



CA/03/01483.

obj

**Williams, Ian: PC-PlanSvc**

---

**From:** Clive Ebberson [clive.ebberson@scancoming.co.uk]  
**Sent:** 23 July 2003 16:54  
**To:** 'ian.williams@rbkc.gov.uk'  
**Subject:** NEWCOME HOUSE, 45 NOTTING HILL GATE, LONDON W11

JH  
24/7.

Dear Sir,

It has come to my notice that there is a current planning application from Ravenseft Properties Ltd for advertisement signage at Newcombe House. I understand that this is for the provision and display "for one year of a large 20m by 14m pvc mesh banner sign (illuminated) to be affixed to the west side elevation of Newcombe House at high level"

As a resident of Camden Hill Towers with all my windows facing east I vehemently object to such a banner which I would have to face day and night. I consider such an application to be detrimental to the character of the area, which I understood we are all trying to improve. The halos should never have been considered but this is just another step too far!

I am also interested to know why, since 48 flats in this building face directly towards the western end of Newcombe House, none of us have be notified of this application?

Yours faithfully,

Clive Ebberson

Co Chairman, Campden Hill Towers Management Co Ltd  
10 Campden Hill Towers  
112 Notting Hill Gate  
London W11 3QW

# JCL Planning

38 Brunswick Place  
Hove  
East Sussex  
BN3 1NA

Phone: 01273 729799  
FAX: 01273 207212  
Mobile: 0777 5556463  
Email: jclplanning@mistral.co.uk

①PCUB  
②IW

22 July 2003 Our Ref: JCL/248

Yh  
24/7

Ian Williams Esq  
Planning and Conservation Department  
Royal Borough of Kensington and Chelsea  
Town Hall  
Hornton Street  
London W8 7NX

EX DIR	HDC	TP	CAC	AD	CLU	AC AK
R.B. K.C.	24 JUL 2003				PLANNING	
/	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEEs

33

Dear Mr Williams

## APPLICATION FOR CONSENT TO DISPLAY AN ADVERTISEMENT NEWCOMBE HOUSE, 45 NOTTING HILL GATE, W11

I refer to our recent telephone conversation and to your fax of yesterday's date.

As you know Section 54A of the 1990 Act does not apply to advertisement applications which are subject to the 1992 Control of Advertisements Regulations and the guidance contained in PPG19. UDP Policies are nonetheless a material Consideration.

As it happens the recently adopted Policy CD76 reflects the criteria identified in the Regulations and the PPG and there is therefore no conflict between them in this case.

The Appellant Company is, of course, well aware that the very large advertisements comprise a new concept which is innovative and therefore bound to be treated with suspicion by some Planning Authorities. However such advertisements, though fairly unusual in urban areas, are not without precedent. Indeed there are numerous precedents where permissions for much larger advertisements have been granted and within areas of much greater sensitivity than the area around this appeal site.

For example temporary permission was granted in 2001 for an illuminated safety scaffold screen covering the whole of the façade of the Fort Dunlop building in Birmingham (a well known local landmark building north of the M6 to the north of Birmingham city centre) with an area of 2,921 sq m – over 10 times larger than that currently proposed on the appeal site. This was also for a limited period and it seems to me that its implications, in terms of road safety, can only have been much more serious than in this case in view of the existing record of accidents on that stretch of the M6.

What makes very large advertisements acceptable in many locations is not just a growing realisation that they very often do not give rise to either safety or amenity concerns but also because the new pvc mesh technology enables them to remain looking good through the period of their display. This is because they are not

VAT Reg No: 717 8028 27

Principal: Jeremy W Clark-Lowes MA (Cantab) FRICS



susceptible to wind damage and there is no danger of their becoming torn and unsightly. This is an important consideration. It is, indeed, increasingly accepted that they can enhance the appearance of buildings which are reaching the end of their economic lives.

## **AMENITY ISSUES**

### **Local Characteristics of the Neighbourhood**

Paragraph 11 in PPG 19 identifies local characteristics which contribute to the distinctive character of a neighbourhood. These include:-

- (i) scenic;
- (ii) historic;
- (iii) architectural; and
- (iv) cultural

The site lies within an area which is predominantly commercial in character and where advertisements are normally found to be acceptable. Newcombe House itself is believed to have been built in the 1960s and has little, if any, architectural merit. It is, however a prominent feature within Notting Hill Gate but not one which adds anything to its appearance or amenity. Indeed many would agree that it is something of an eyesore which would benefit from being enlivened by interesting and regularly changing advertisement displays at least for the period for which permission is being sought.

As I said earlier there are numerous precedents where large advertisements have been permitted on buildings which are reaching the end of their economic lives pending redevelopment. A recent appeal decision by Mr Noel Hutchinson, relating to a site in Nottingham, was reported in "Planning". I enclose a copy of the article together with a copy of the appeal decision

It is interesting to note that in that case the banner covered only part of an otherwise symmetrical elevation, including extensive fenestration. In this case the proposed banner will only cover windows serving an emergency staircase and will be located symmetrically on the elevation in question. In short the effect on the appearance and architectural integrity of the building will be significantly less.

The building in Nottingham appears to be of a similar age to Newcombe House and was considered by the Inspector to be of unattractive appearance. Since it is of a similar design to Elizabeth House it is reasonable to assume that the same view should be taken in this case.

Also of interest is the fact that the banner was not placed on scaffolding. Despite this it was considered that the building was of sufficiently unsightly appearance to warrant its use for displaying a banner.

In addition the building in Nottingham is in a Conservation Area, and overlooked by another Conservation Area. In this case it is apparent immediately from the UDP Proposals Map that most of the southern and middle parts of the Royal Borough lie

within Conservation Areas. It is exceptional that the application site lies within an area which does not have such a designation. It is therefore particularly suitable for the type of advertisement which is proposed. Similar large advertisements have, in fact, been permitted within the Royal Borough even within Conservation Areas. The former Kensington Market site in Kensington High Street, where I made the successful application for a large advertisement, is such a case.

### **Residential Amenity**

Paragraph 7 of the Annex to PPG19 points out that poster advertising is not normally appropriate in a predominantly residential locality but may be acceptable in mixed use areas. In this case the area is, as I have said, predominantly commercial and very few residential units will be able to see the proposed banner.

### **Advertisements on large buildings**

I said earlier that the type of advertisement which is being proposed constitutes a new concept. The technology which enables such large advertisements to succeed was not available in March 1992, when PPG 19 was first published. Indeed the guidance contained in the Annex to the PPG dates back still further to 1984. Detailed and up to date Central Government Guidance is therefore not available.

Clearly many Local Planning Authorities recognise that there are now occasions when the circumstances are such that very large advertisements are acceptable. Paragraph 4 of PPG 19 makes reference to the then Environment White Paper which stated that it is the appearance of a building which is of greatest importance. "A good building can contribute towards a sense of pride of place".

Nobody would, I believe, suggest that the building on which the proposed advertisement is to be located is attractive or that it could conceivably contribute towards pride of place.

### **PUBLIC SAFETY**

Often, in cases of this nature, I would consider it appropriate to instruct a Highway Consultant to take a view. Indeed initially it was my intention to do so. However, in this case, I decided, on reflection, that there really is no safety case to answer.

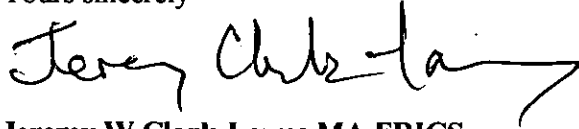
The banner will only be seen by motorists travelling in an easterly direction along Notting Hill Gate. This traffic is slow moving because of a series of traffic lights and it is therefore most unlikely that any advertisement would be sufficiently distracting to be a hazard .

The advertisements will comply with the Advertising Standards and any lettering will be limited to 6 words or less to minimise distraction. There will be no moving elements. If travelling from the east in a westerly direction the advertisement will not be seen at all by drivers.

To conclude, this is not a case where a banner within a Conservation Area is proposed nor would any Listed Buildings be affected. Nor is there a public safety issue. I would

urge you, therefore, to think very carefully and objectively about the criteria set out in PPG19 which, on reflection, I feel sure you will agree are met in the circumstances of this case.

Yours sincerely

A handwritten signature in black ink, appearing to read "Jeremy Clark-Lowes". The signature is written in a cursive style with a long, sweeping tail on the final letter.

**Jeremy W Clark-Lowes MA FRICS**

## COURT CASES

### Inspector overruled on dwelling curtilage test

The High Court has quashed an inspector's decision to grant planning permission for various uses at a property in Sussex because he had incorrectly applied the wrong legal test in assessing whether a building fell within the curtilage of a dwellinghouse.

The claimant had appealed against Wealden District Council's refusal of planning permission for the use of a detached annexe for self-catering holiday accommodation and for a replacement workshop in the grounds. The inspector had concluded that the workshop did not serve a useful ancillary purpose and accordingly did not fall within the curtilage.

The claimant argued that this was the wrong test. He claimed that the judgement in *Sinclair-Lockhart's Trustees v Central Land Board [1950]* only required that the workshop should serve the dwelling in some reasonably useful way, as opposed to the inspector's contention that it must serve a useful purpose irrespective of the residential use.

Mr Justice Harrison agreed that the inspector had overstated the test and had applied a higher threshold that was not supported by judicial authority. Because the inspector had concluded that the workshop did not meet the *Sinclair-Lockhart* test, there was no way to be sure that he had applied the law correctly, the judge ruled.

**Wheeler v First Secretary of State and Another;**  
**Date:** 7 May 2003; **Ref:** CO/29/2003.

## Appeal cases

### ADVERTISEMENTS

#### Shroud judged appropriate at redevelopment site

Temporary consent has been granted for a shroud display covering a disused office building in a Nottinghamshire conservation area, after the advertisement was held to be acceptable for a short period. The building was scheduled to be demolished to enable redevelopment of the whole site.

The advertisement appeal inspector held that in view of the building's limited life and unattractive appearance, the display would have little adverse impact and no long-term harm would ensue provided it was not permanent. Accordingly, he granted consent for a period of nine months to allow the redevelopment of the site to come forward.

**DCS No:** 47701330; **Inspector:** Noel Hutchinson; **Hearing.**

#### Light beam judged to harm rural hinterland

The display of a rotating light beam from the roof of a nightclub in Newquay, Cornwall, has been rejected on the grounds that it would disrupt "the visual calm of the rural



**Lake District: building not necessary for agriculture**

hinterland". The beam panned 150 degrees and gave a maximum visibility up to 11km from the town.

In assessing its impact, the advertisement appeal inspector held that the beam would dominate the night sky, appearing as a distinct moving feature that would undermine the amenity of the surrounding countryside. However, he rejected concerns that the beam would undermine highway safety by distracting drivers in and around the town.

**DCS No:** 40856256; **Inspector:** Malcolm Sainsbury; **Written representations.**

### AGRICULTURAL DEVELOPMENTS

#### Agricultural need claim undermined by design

An application to retain a large portal-framed farm building within a county landscape area in the Lake District has been rejected after an inspector concluded that no agricultural need for it had been shown.

The building, which was located away from a group of other farm structures, was approximately 5.4m high and clad in boarding above a blockwork plinth. The inspector remarked that it was similar to a type of traditional barn whose restricted and inflexible internal layout was generally inappropriate to the needs of modern agriculture.

Modern farm buildings were usually more utilitarian in appearance with single-skin blockwork and large sliding doors, he noted. In contrast, he commented, the appeal building was built to a higher standard and had a number of windows, openings and internal walls that provided "built-in obsolescence" and reduced its ability to meet agricultural needs.

He concluded that its design, siting and internal layout demonstrated that the building was not designed for agriculture and accordingly was not reasonably necessary for the operational needs of the farm. He upheld an enforcement notice requiring demolition of the building.

**DCS No:** 33095627; **Inspector:** Antony Fussey; **Hearing.**



**Nottingham: shroud display allowed to stay in place for temporary period to screen disused office building**

An inspector has agreed to lift an agricultural tie from a farm bungalow in Hampshire after that there was no market demand for the dwelling on its own or as part of the agricultural holding.

The council did not object to the principal condition, but was concerned that it would resist an application for another dwelling were sold as one lot. But the inspector judged such application would be considered in national and local policies and other material factors, including the planning history of the farm.

**DCS No:** 29007781; **Inspector:** Martin And; **Written representations.**

### COMMERCIAL AND INDUSTRIAL

#### Laboratory refused on sustainability grounds

The development of a replacement building to a laboratory and offices at a site in Hampshire was rejected despite an appellant's contention that it could lawfully be used for industrial purposes.

The site contained a complex of buildings mainly been used for the production of pig eggs for use as a medium in the production of animal viral vaccines. The appellant submitted evidence which suggested that the use was industrial in character.

The inspector concluded that the proposal was not one that required a rural location that the site was not identified in the development plan for employment use. The proposed building was inappropriate in terms of mass and design in a rural location, he concluded.

While accepting that the appellant's right to use existing buildings for employment purposes was a material consideration, he held that the proposed building was contrary to the principles of sustainable development because it would encourage car usage.

**DCS No:** 40234423; **Inspector:** John Head; **Hearing.**

#### Moral objections to massage parlour overruled

In granting retrospective planning permission for the use of premises in a small shopping parade in Manchester as a massage parlour, an inspector has accepted that the potential for clients to be offered sexual services was a material planning consideration.

The use had been operating for 18 months before the rooms at the premises accommodated a shower and a shower or bath and had pornographic pictures on the walls. All rooms used by customers were screened from view. Access to the property was obtained through a reception area protected by security cameras.

The inspector noted that none of the letters received by the council referred to noise disturbance. He considered that objections to the use of the premises were not relevant to planning, although he accepted that the possibility of sexual activities taking place on the premises was a material consideration that gave rise to fear and apprehension among local residents.

However, he judged that customers using the premises were likely to be discreet and would not wish to draw attention to themselves, so the risk of crime or nuisance was low. He found no evidence to suggest that local residents or schoolchildren had been harassed by customers or staff. He ruled that the use was acceptable subject to a restriction on hours of operation.

**DCS No:** 41673002; **Inspector:** David Rusden; **Written representations.**

#### Modern design judged out of keeping with surrounding area

A proposed office development close to St Paul's Cathedral in London has been rejected on the grounds that its unashamedly modern design would appear incongruous and out of character with the surrounding buildings.



## Appeal Decision

Hearing held on 08 April 2003

by Noel Hutchinson

an Advertisement Appeals Inspector appointed by the First  
Secretary of State

248  
RECEIVED FROM HMSO  
Temple Quay 52 310506  
Bristol BS1 6PH  
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e-mail: enquiries@planning-  
inspectorate.gov.uk

Date 05 MAY 2003

Appeal Ref: APP/Q3060/H/02/1105752  
Great Northern Plaza, Station Road, Nottingham

- The appeal is made under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992 against a refusal to grant express consent.
- The appeal is made by Mega Profile Limited against the decision of City of Nottingham Council.
- The application (Ref. 02/02436/ADV2) is dated 7 November 2002.
- The advertisement proposed is PVC shroud display, hung down the face of the building together with external illumination

**Summary of Decision:** The appeal is allowed and consent granted for the display of the shroud advertisement on the terms set out below in the Formal Decision.

### Main Issues

1. I consider the main issues to be:
  - Whether the shroud display would harm the appearance of the Station and Lace Market conservation areas for the limited period of 9 months.

### Planning Policy

2. The Council have drawn my attention to their advertisement control policies and I have taken them into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.

### Reasons

3. The appeal premises consist of a tall six-storey office building, set back from the junction between Station Road and London Road. Between London Road and the appeal building is a single-storey furniture store. It is a commercial area with the railway to the immediate south, which passes under London Road, with two former railway stations on the eastern side of the road, a new Premier Lodge hotel and BBC premises to the north east. London Road is the main approach to the city from West Bridgeford and Trem Bridge.
4. At the time of my site inspection the appeal shroud was in position together with a small banner at the top of the south facing wall of the block. Currently, the shroud is promoting the redevelopment of the site, but the application is for general advertising. Other advertisements displayed in the area included two 48-sheet panels on the opposite of Station Road, individually lettered signs, box signs, fascia signs, signboards, totem sign and 6-sheet panels.



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5. The proposal concerns the temporary use of the building to display a shroud advertisement. Consent for the display is sought for a period of 9 months only. The building is no longer used and will be demolished with a view to redeveloping the whole site. The building is not attractive and is a rather austere example of 60s office architecture. In view of the building's limited life and unattractive appearance I see relatively little concern about any visual impact that the proposed display would have. However, the building is sited within the Station Conservation Area where it is necessary to pay special attention to the desirability of preserving or enhancing its character and appearance. It is important to ensure that this development does not harm the area even for a limited period and a strict control is expected to ensure that any outdoor advertisements do not spoil the appearance of the area. In addition the Lace Market overlooks the site from the high ground to the north and the Council have expressed considerable concern over the impact that the display would have on the setting of this conservation area.
6. Taking the immediate setting of the appeal premises first, it is mainly commercial and not particularly attractive. Large office premises, with the appeal premises playing a dominant role, together with railway land and other industrial properties dominate it. The fine Midland Railway station building, which must be the jewel in the crown, is at the western end of the conservation area, some considerable distance away from the appeal site facing west. The redevelopment of the appeal site could make a significant contribution to the townscape qualities of this part of the conservation area. It is part of the significant changes that are being undertaken within the area. To the north of the canal has been a considerable amount of demolition and clearance of building and the former high level railway line, with its arches and bridge over the canal. The former Great Central railway arches are in the process of modification for part of the new tramway terminating at the railway station. However, unsightly buildings still remain that do little to contribute to the visual qualities of the area. One of these, the Heating Station, is immediately north of the appeal site. Because of its bulk and large chimney it represents a "powerful" industrial backdrop to the appeal site when travelling north along London Road. The conservation area is therefore undergoing considerable upheaval and its appearance is subsequently affected during these extensive operations, which ultimately will include the redevelopment of the appeal site. The limited period of display sought will, be well within the period of these major changes in the area. While I consider that the use of this site as a long term display would be inappropriate, I believe that the addition of the colour and interest from the shroud would help to enliven the appearance of the immediate area and in particular the otherwise dead appearance of this now disused building. I consider that its display would not cause any long-term harm to this conservation area.
7. While the Council objected to the display within the Station Conservation Area, they were particularly concerned about the effect of the appeal display on the Lace Market Conservation Area. They drew special attention to the appearance of various prominent listed buildings on the northern skyline, in particular St. Mary's church and its tower, which rise well above the cliff face. The Council submit that the shroud display would be clearly viewed against the backdrop. I accept that some of the buildings, in particular the church tower may be seen through the buildings in the vicinity of the appeal site. But such views are only obtainable from certain points with the buildings seen at some distance away. The appellants quoted a distance of one third of a kilometre. The large Heat Station provides a particularly significant foreground screen to these buildings.

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8. The shroud is directed primarily to users of London Road, to both north and south bound, although it has a greater impact on persons travelling north. It becomes visible obliquely from the southern end of the bridge over the railway with the Heat Station effectively terminating the immediate vista to the nearside of north bound drivers and pedestrians. At the northern end of the bridge the display is fully discernible and when focussing upon it at a relatively short distance, the northern skyline will not normally be assimilated at the same time. In my opinion the appeal site is too distant from the buildings within the Lace Market to affect their setting or their value as part of the townscape within this part of the city. I cannot therefore agree with the Council over the degree of sensitivity that they have attributed to the background view from the appeal site. I am not therefore convinced that the temporary display of the shroud advertisement would harm the appearance of the Lace Market Conservation Area.
9. There appears to be little doubt that the appeal site is to be redeveloped. The Council have indicated that they have recently granted planning permission for the erection of a mixed use development comprising offices, food and drink facilities, and residential apartments. This permission is subject to a section 106 agreement, which has still not been completed. Although there is no timetable for the redevelopment of the site, matters seem to be progressing. I note that the Council have an informal policy towards shroud displays and that they look favourably on them being used on building scaffolding, while works are undertaken. The Council indicated that they would look at this proposal favourably once the building was under scaffold. Despite the need to complete the section 106 agreement there are no obvious indications that redevelopment will not commence in the near future.
10. I consider that the shroud's large rectilinear form when seen against the functional design of the building does not create an unduly harmful relationship. The display is also set back from the road so that it does not overpower or dominate the road, but appears generally in scale with its surroundings. Accordingly I consider that the display of the shroud advertisement for a 9 month period to be reasonable and pending the redevelopment of the site would not look out of place, but would add a degree of interest to the appearance of the site in its current lifeless state.

#### Conclusions

11. For the reasons given above and having regard to all other matters raised, I conclude that the display of the shroud advertisement would not be detrimental to amenity.

#### Formal Decision

12. In exercise of the powers transferred to me, I allow the appeal and grant consent for the display of the externally illuminated shroud advertisement as applied for. The consent is for 9 months from the date of this decision and is subject to the following standard conditions set out in the Regulations:
  - 1) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.
  - 2) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

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- 3) Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.
- 4) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 5) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

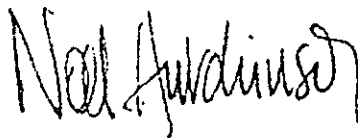
The following special condition also applies to this consent:

At the expiry of the period of express consent the advertisement shroud shall be removed and not replaced unless the subject of a further express consent.

13. This decision does not convey any approval or consent, other than under Regulation 5 of the Regulations.

**Information**

14. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.



NOEL HUTCHINSON  
Advertisement Appeals Inspector

Appeal Decision APP/Q3060/H/02/1105752

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APPEARANCES

FOR THE APPELLANT:

Ben Gilpin

Mega Profile Limited

FOR THE LOCAL PLANNING AUTHORITY:

Bev Pearson

Planning Department

Phil Shaw

Planning Department

DOCUMENTS

Document 1 List of persons present at the inquiry

03/01483

obj.

**Williams, Ian: PC-PlanSvc**

**From:** Vanessa Dowell [vanessa@blackandwhitebooks.com]  
**Sent:** 23 July 2003 09:59  
**To:** Ian.Williams@rbkc.gov.uk  
**Subject:** FW: Mail delivery failed: returning message to sender

JR

25/7

From: "Vanessa Dowell" <vanessa@blackandwhitebooks.com>  
To: <ian.williams@rbkc.gov.uk>  
Cc: <Michael.French@rbkc.gov.uk>, <Cllr.Ahern@rbkc.gov.uk>, <Cllr.Campion@rbkc.gov.uk>  
Subject: Newcombe House, 45 Notting Hill Gate  
Date: Wed, 23 Jul 2003 09:52:46 +0100

Dear Mr Williams:

I write concerning the planning application from Ravenseft Properties Ltd "for the provision and display for a one year period of a large 20M by 14 M pvc mesh banner sign (illuminated) to be affixed to the west side elevation of Newcombe House at high level".

As a resident of Ivy Lodge on Notting Hill Gate, and as co-chair of Campden Hill Towers Management Ltd, representing residents of Campden Hill Towers, my own building and Gate Hill Court, I feel this application is entirely inappropriate. Such a large mesh banner is out of keeping with the rest of the street which we are trying to enhance, and detrimental to the character of the area. This is an advertising hoarding where any product may be advertised. If approved, would be likely to set an unwelcome precedent.

Please record my vigorous opposition to these proposals and represent them when the application is formally considered.

Yours sincerely,

Vanessa Dowell  
16 Ivy Lodge  
122 Notting Hill Gate  
London W11 3QS

T/F: #44 (0)20 7243 6291  
M: #44 (0)7773 777147  
E: <mailto:vanessa@doowell.com> vanessa@doowell.com

-----\_NextPart\_000\_0026\_01C35100.35F98260  
Content-Type: text/html;  
charset="US-ASCII"  
Content-Transfer-Encoding: quoted-printable

<!DOCTYPE HTML PUBLIC "-//W3C//DTD HTML 4.0 Transitional//EN">  
<HTML><HEAD> <META HTTP-EQUIV=3D"Content-Type" CONTENT=3D"text/html; =  
charset=3Dus-ascii"> <TITLE>Message</TITLE>

**Williams, Ian: PC-PlanSvc**

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**From:** French, Michael: PC-GrpSvc  
**Sent:** 23 July 2003 11:27  
**To:** 'DavidCampion@aol.com'  
**Cc:** Cllr-Ahern; Cllr-Freeman; Williams, Ian: PC-PlanSvc; vanessa@blackandwhitebooks.com  
**Subject:** RE: Newcombe House, 45 Notting Hill Gate (CA/03/01483)

Dear Councillor Campion,

No decision will be taken until after the end of the statutory consultation period.

M. J. French,  
Executive Director, Planning and Conservation.  
020 7361 2944

-----Original Message-----

**From:** DavidCampion@aol.com [mailto:DavidCampion@aol.com]  
**Sent:** 22 July 2003 16:42  
**To:** Michael.French@rbkc.gov.uk  
**Cc:** Cllr.Ahern@rbkc.gov.uk; Cllr.Freeman@rbkc.gov.uk; Ian.Williams@rbkc.gov.uk;  
vanessa@blackandwhitebooks.com  
**Subject:** Re: Newcombe House, 45 Notting Hill Gate (CA/03/01483)

Mr French

Thank you for letting me know about the advertisement application submitted by Ravenseft. The letter that I received was dated 21/07/2003 and requested objections within 21 days; while I do not disagree with your assessment of the fact that this application is likely to cause harm to the visual amenity I do think that it might be wise to defer your decision under delegated powers until the end of the 21 days in order to collect a higher number of objections that might be forthcoming to support your case?

In my experience if you take a decision before the advertised date it does cause complaints from residents about precipitate action.

Cllr David Campion  
Chairman, Notting Hill Gate Improvements Group  
Tel: 020 7229 3931  
Fax: 020 7681 2758  
Mob: 07889 855153  
Email: Cllr.Campion@rbkc.gov.uk

**Williams, Ian: PC-PlanSvc**

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**From:** French, Michael: PC-GrpSvc  
**Sent:** 23 July 2003 11:24  
**To:** Williams, Ian: PC-PlanSvc  
**Subject:** FW: Newcombe House, 45 Notting Hill Gate

-----Original Message-----

**From:** Vanessa Dowell [mailto:vanessa@blackandwhitebooks.com]  
**Sent:** 22 July 2003 16:05  
**To:** Michael.French@rbkc.gov.uk  
**Subject:** RE: Newcombe House, 45 Notting Hill Gate

Dear Mr French:

Thank you for the information. Kindly note that, as nearby residents, we have not been notified about this application. I hope that, following the comments made at the last meeting of Notting Hill Action Group, we will be informed about these matters more routinely.

Please advise me when the application will be considered.

Thank you,  
Vanessa Dowell

-----Original Message-----

**From:** Michael.French@rbkc.gov.uk [mailto:Michael.French@rbkc.gov.uk]  
**Sent:** 22 July 2003 15:39  
**To:** vanessa@blackandwhitebooks.com  
**Cc:** Cllr.Ahern@rbkc.gov.uk; Cllr.Campion@rbkc.gov.uk; Ian.Williams@rbkc.gov.uk  
**Subject:** RE: Newcombe House, 45 Notting Hill Gate

Dear Mrs. Dowell,

Thank you for your e-mail of regarding the planning application for the advertisement signage at Newcombe House. We do not normally carry out notification on applications for advertisement consent, but, in this particular case, because of the size of the sign, nearby residents were notified. Please send your written statements of objection to the Department and these will be included in the report on this case; a formal notification is not required. The application is considered to be detrimental to the character of the area, and is likely to be recommended for refusal under my delegated powers within the next few days. I have passed a copy of your e-mail to the case officer, Mr. Ian Williams, and he can be contacted on 020 7361 2734, if you would like further information.

M. J. French,  
Executive Director, Planning and Conservation.  
020 7361 2944

-----Original Message-----

**From:** Vanessa Dowell [mailto:vanessa@blackandwhitebooks.com]  
**Sent:** 22 July 2003 14:06  
**To:** Michael.French@rbkc.gov.uk  
**Cc:** Cllr.Ahern@rbkc.gov.uk; Cllr.Campion@rbkc.gov.uk  
**Subject:** Newcombe House, 45 Notting Hill Gate

Dear Mr French:

I understand there is a planning application in from Ravensft Properties Ltd "for the provision and display for a one year period of a large 20M by 14 M pvc mesh banner sign (illuminated) to be affixed to the west side elevation of Newcombe House at high level".

Residents of Campden Hill Towers, Ivy Lodge and Gate Hill Court look forward to receiving formal notification so views may be expressed.

Thank you.  
Vanessa Dowell

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[vanessa@blackandwhitebooks.com](mailto:vanessa@blackandwhitebooks.com)

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**The Royal Borough of Kensington and Chelsea**

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**Cllr David Champion**  
Chairman, Notting Hill Gate Improvements Group  
Tel: 020 7229 3931  
Fax: 020 7681 2758  
Mob: 07889 855153  
Email: Cllr.Campion@rbkc.gov.uk

**Williams, Ian: PC-PlanSvc**

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[vanessa@doowell.com](mailto:vanessa@doowell.com)  
[vanessa@blackandwhitebooks.com](mailto:vanessa@blackandwhitebooks.com)

PLANNING SERVICES APPLICATION

CONSULTATION SHEET

APPLICANT:

JCL Planning,
38 Brunswick Place,
Hove,
East Sussex,
BN3 1NA

APPLICATION NO: CA/03/01483

APPLICATION DATED: 07/07/2003

DATE ACKNOWLEDGED: 17 July 2003

APPLICATION COMPLETE: 17/07/2003

DATE TO BE DECIDED BY: 11/09/2003

SITE: Newcombe House, 45 Notting Hill Gate, London, W11 3JB

PROPOSAL: Provision and display for a one year period of a large 20m. by 14m. PVC mesh banner sign (illuminated) to be affixed to the west side elevation of Newcombe House at high level.

ADDRESSES TO BE CONSULTED

- 1.
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11.
12.
13.
14.
15.

DOWN

Notting Hill Gate Improvements Gpp

233-235

2-12 (even) Jameson Street

Westbourne Grove

LONDON

W11 2SE

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X
(1)

CONSULT STATUTORILY

- English Heritage Listed Bdgs - CATEGORY:
English Heritage Setting of Bdgs Grade I or II
English Heritage Demolition in Cons. Area
Demolition Bodies
DoT Trunk Road - Increased traffic
DoT Westway etc.,
Neighbouring Local Authority
Strategic view authorities
Kensington Palace
Civil Aviation Authority (over 300')
Theatres Trust
National Rivers Authority
Thames Water
Crossrail
LRT/Chelsea-Hackney Line/Cross Rail Line 2
Victorian Society
DfLR Dept. Transport Loc.Gov.& Regions

ADVERTISE

- Effect on CA
Setting of Listed Building
Works to Listed Building
Departure from UDP
Demolition in CA
"Major Development"
Environmental Assessment
No Site Notice Required
Notice Required other reason
Police
L.P.A.C
British Waterways
Environmental Health
GLA - CATEGORY:
Govt. Office for London
Twentieth Century Society

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CLPG NEIGHBOURING CONSULTEES ADDRESS SEARCH  
CLPG ADDRESS SEARCH

12	Jameson Street	W8 7SH	[+ 0]
10	Jameson Street	W8 7SH	[+ 0]
8	Jameson Street	W8 7SH	[+ 0]
6	Jameson Street	W8 7SH	[+ 0]
4	Jameson Street	W8 7SH	[+ 0]
2	Jameson Street	W8 7SH	[+ 0]

End of list CLPG Address Search

Source: RBKC Corporate Land and Property Gazetteer ( as on July 2001 )- RBKC/Plat  
QuickMap (21/07/03)

RBKC - Planning and Conservation - Card Index - Site Map



Ordnance Survey Map Extract - Crown Copyright Reserved - RBKC Internal Use Only

QuickMap(21/07/03)

Map width : 243.74m

Scale 1 : 1250