

ROYAL BOROUGH  
OF  
KENSINGTON & CHELSEA

DOCUMENT SEPARATOR

DOCUMENT TYPE:

OTHER



APPEALS TIMETABLE

ADMINISTRATION

Initials

Time  
Hours

Cost  
LAWJ

- (1) Notification of appeal to third parties
- (2) Pre Statement Inquiry/hearing
- (3) Preparation of Statement and Documentation
- (4) Notification of appeal decision

CASE OFFICER

- (1) Preparation
  - (2) Meeting
- Legal  
Counsel  
Transportation  
Design  
Policy  
BEHO  
Other Parties

- (3) Statement
- (4) Public Inquiry/Local Hearing

Policy

Preparation  
Meetings  
Statement if applicable

Design

Preparation  
Meetings  
Statement if applicable

Transportation

Preparation  
Meetings  
Statement if applicable

PLANNING SERVICES APPLICATION

CONSULTATION SHEET

APPLICANT:

Co:sign Media Ltd.,
Unit 16 and 17,
The Henfield Business Park,
Shoreham Road,
Henfield, West Sussex
BN5 9SL

APPLICATION NO: CA/02/00067

APPLICATION DATED: 17/12/2001

DATE ACKNOWLEDGED: 14 January 2002

APPLICATION COMPLETE: 21/12/2001

DATE TO BE DECIDED BY: 15/02/2002

SITE: Flank wall, 2 Nevern Place, London, SW5 9PR

PROPOSAL: Erection for a one year period of an illuminated 9m x 9m mesh weave building cover displaying signage to be affixed to upper parts of flank wall above ground floor level.

ADDRESSES TO BE CONSULTED

- 1.
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.
14.
15.

Manson

Earls Court Neighbourhood Association

Earls Court Usage Residents' Association

125-135 (odd) Earls Court Road

18

MS J Ware
19A Earls Ct Rd
SW5 9BY

MISS G Wilson
21 Kerway Rd
SW5 ORP

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
Victorian Society
DTLR 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

Royal Borough of Kensington and Chelsea  
 GGP Point in Polygon Search Results  
 Corporate Land and Property Gazetteer  
 Buildings and their Units

Building	Shop		125	Earls Court Road	SW5 9RH
<del>Building</del>			<del>125/127</del>	<del>Earls Court Road</del>	<del>SW5 9RH</del>
Unit		Flat 1	125/127	Earls Court Road	SW5 9RH
Unit		Flat 2	125/127	Earls Court Road	SW5 9RH
Unit		Flat 3	125/127	Earls Court Road	SW5 9RH
Unit		Flat 4	125/127	Earls Court Road	SW5 9RH
Unit		Flat 5	125/127	Earls Court Road	SW5 9RH
Unit		Flat 6	125/127	Earls Court Road	SW5 9RH
Building	Salon		127	Earls Court Road	SW5 9RH
<del>Building</del>			<del>129</del>	<del>Earls Court Road</del>	<del>SW5 9RH</del>
Unit	Shop	Basement And Ground Floor	129	Earls Court Road	SW5 9RH
Unit		Flat 1	129	Earls Court Road	SW5 9RH
Unit		Flat 2	129	Earls Court Road	SW5 9RH
Unit		Flat 3	129	Earls Court Road	SW5 9RH
Unit		Flat 4	129	Earls Court Road	SW5 9RH
Building			131	Earls Court Road	SW5 9RH
Building			133	Earls Court Road	SW5 9RH
Building	Rapid Visa Service		135	Earls Court Road	SW5 9RH

Total Number of Buildings and Units Found 18

# DEVELOPMENT CONTROL TECHNICAL INFORMATION

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

ADDRESS 2 NEVERN PLACE  
LONDON SW5  
FLANK WALL  
2 NEVERN PLACE

POLLING DISTRICT L

- |     |                                              |        |                                                |
|-----|----------------------------------------------|--------|------------------------------------------------|
| 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
11D									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:**

## 2 &amp; 4 NEVERN PLACE

Property Card N° : 0577 006 00

Site name :  
 Comment :  
 TP Arch/History : H 5848  
 See Also : 4

CA020067

Xref :  
 Notes :

TP No	Brief Description of Proposal	1	of	3	Adverts & History No
	ALTERS. & CONVERT TO FLATS INCLUDING REPLACE STUCCO TREATMENT TO ELEVATIONS.				CA 445

Received Completd Revised	Decision & Date Conditional	16/09/1957

TP No	TP/80/1152	Brief Description of Proposal	2	of	3
		CONVERSION TO FORM 16 S/C BEDSIT FLATS.			

Received Completd Revised	Decision & Date Conditional	07/10/1980	Works Completed Y 19/07/1983

TP No	TP/81/0458	Brief Description of Proposal	3	of	3
		ALTERATIONS TO WINDOWS IN THE FRONT AND REAR ELEVATIONS.			

Received Completd Revised	Decision & Date Conditional	11/05/1981

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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

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## MEMORANDUM

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**TO: FOR FILE USE ONLY**

**From: EXECUTIVE DIRECTOR  
PLANNING & CONSERVATION**

**My Ref: CA/02/00067/KL  
Room No:**

**CODE SL**

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**Date: 14 January 2002**

### DEVELOPMENT AT:

Flank wall, 2 Nevern Place, London, SW5 9PR

### DEVELOPMENT:

Erection for a one year period of an illuminated 9m x 9m mesh weave building cover displaying signage to be affixed to upper parts of flank wall above ground floor 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**

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# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

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Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

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THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

## FILE COPY

1 2079/ 2080

020-7361- 2079/ 2080

Switchboard: 020-7937-5464

Extension:

Direct Line:

Facsimile:

020-7361-3463

My reference:

Your reference:

Date: 16 January 2002  
Please ask for:

My Ref: DPS/DCSW/CA/02/00067/KL

Planning Information Office

Dear Sir/Madam,

## TOWN AND COUNTRY PLANNING ACT 1990

### **Proposed development at: Flank wall, 2 Nevern Place, London, SW5 9PR**

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. Unfortunately, the Council does not have the resources to advise objectors of the Committee date, and you should telephone for further information.

### **Proposal for which permission is sought**

**Erection for a one year period of an illuminated 9m x 9m mesh weave building cover displaying signage to be affixed to upper parts of flank wall above ground floor level.**

**Applicant Megaposter UK Ltd., 10 Greycoat Place, London SW1P 1SB**

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

Planning applications where 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***

# REASON FOR DELAY

CASE NO \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

This case is identified as a "Target" application, with the target of being passed through to the Head of Development Control within 6 weeks of the completion date.

In the case of this application, there has been a delay, **beyond 8 weeks**,

of.....

I have been unable to ensure that this case has been determined within the 8 week period for the following reason(s) [*highlight – there may be more than one reason!*]

- 1) Delay in arranging initial Site Visit [*a date for this should be fixed up in the first week after you receive the case!*]
- 2) Delays due to internal Consultation [*highlight as many as necessary*]
  - (i) Design – Discussions/initial Obs.
  - (ii) Design – Formal Obs.
  - (iii) Transportation
  - (iv) Policy
  - (v) Environmental Health
  - (vi) Trees
  - (vii) Other
- 3) Further neighbour notification/external consultation necessary (*spread or time period – please specify*)
- 4) Revisions not requested in time  
*Remember – Request all revisions by end of fourth week to stand reasonable chance of renotifying and determining case within 8 weeks !*
- 5) Revisions requested in time, but not received in time
- 6) Revisions received but inadequate – further revisions requested
- 7) Revisions received but reconsultation necessary
- 8) Awaiting Direction from English Heritage/other EH delays...
- 9) Because of the Committee cycle
- 10) Applicant's instruction
- 11) OTHER REASON *Please state*].....

Signed..... (Case Officer)

**Thorne, John W.: PC-PlanSvc**

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**From:** Tim Ahern [Tim.Ahern@btinternet.com]  
**Sent:** 28 January 2002 11:40  
**To:** Cllr.Phelps@rbkc.gov.uk; Philippa.Down@rbkc.gov.uk; Michael.French@rbkc.gov.uk  
**Cc:** JohnW.Thorne@rbkc.gov.uk  
**Subject:** Re: 2 Nevern Place ECT

Noted

Tim

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

**From:** <Cllr.Phelps@rbkc.gov.uk>  
**To:** <tim.ahern@btinternet.com>; <Philippa.Down@rbkc.gov.uk>; <Michael.French@rbkc.gov.uk>  
**Cc:** <JohnW.Thorne@rbkc.gov.uk>  
**Sent:** Monday, January 28, 2002 9:48 AM  
**Subject:** 2 Nevern Place ECT

- > 2 Nevern Place SW5. Please keep me in the loop in advance of any decision.
- > Thanks
- >
- > 1 Redcliffe St, Karin Renshw. If to PSC to Cllr Ahern. I know this lady and
- > support her application.
- >
- > BP
- >
- >
- > \*\*\*\*\*
- > The Royal Borough of Kensington and Chelsea
- >
- > This e-mail may contain information which is confidential, legally
- > privileged and/or copyright protected. This e-mail is intended for the
- > addressee only. If you receive this in error, please contact the sender
- > and
- > delete the material from your computer.
- > \*\*\*\*\*
- >
- >
- >

N.B.  
Will E-Mail Cllr Phelps



**RBKC**  
**District Plan Observations**  
**CONSERVATION AND DESIGN**

Address 2 Newen Place, E.C.R.	Appl. No. CA/02/0067/	L.B. -	C.A. 110	N C S w
Description Billboards.	Code	S		

→ ANY SIGNAGE ABOVE GROUND-FLOOR IS UNWELCOME - A TWO STOREY AD. AT 1<sup>ST</sup> + 2<sup>ND</sup> FLOOR, + ILLUMINATED, WOULD BE A HIGHLY DETRIMENTAL IMPACT ON C.A. & ADJACENT EARL'S COURT ROAD.

REFUSE

JA - 2S-I-OR



Earts Court Road.



01/14  
02/07.

Gay Wilson Smith

21 Kenway Rd  
London SW5 0RP  
Tel/fax: 020 7370 3848  
email gay@mbsfestival.com

31/1/02

MJ French  
Planning and Conservation  
The Town Hall  
Hornton St  
London W8 7NX

Dear Sir/Madam,

Your reference DPS/DCSW/CA/02/00067/KL

With regards to the above application to erect an illuminated sign, I object on behalf of the Earls Court Village Association on the grounds that the Earls Court Road already has too much advertising. I understand that where possible the historic nature of our architecture is to be maintained and illuminated adverts would therefore seem to be most inappropriate. They in no way enhance the area and are simply to generate income for non residents.

Yours faithfully

*Gay Wilson Smith*

Gay Wilson Smith  
Chair of the ECVRA

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	- 7 FEB 2002				PLANNING	
N	G	SW	SE	APP	IO	REC
		ARB	FPLN	DES	FEE	

✓  
DVA  
7/2

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1973



0207  
370  
7448

Flat Two  
4 Nether Place  
London SW5 9PR

To, 29.1.02  
R.B.K & C, Planning Dept.  
Town Hall, Raritan Street,  
London W8.

I wish to object to the  
application CA/02/00067  
Flawd well, 2 Nether Place  
London SW5 9PR.

Unsuitable & unsightly  
Yours faithfully  
*R. Spencer*

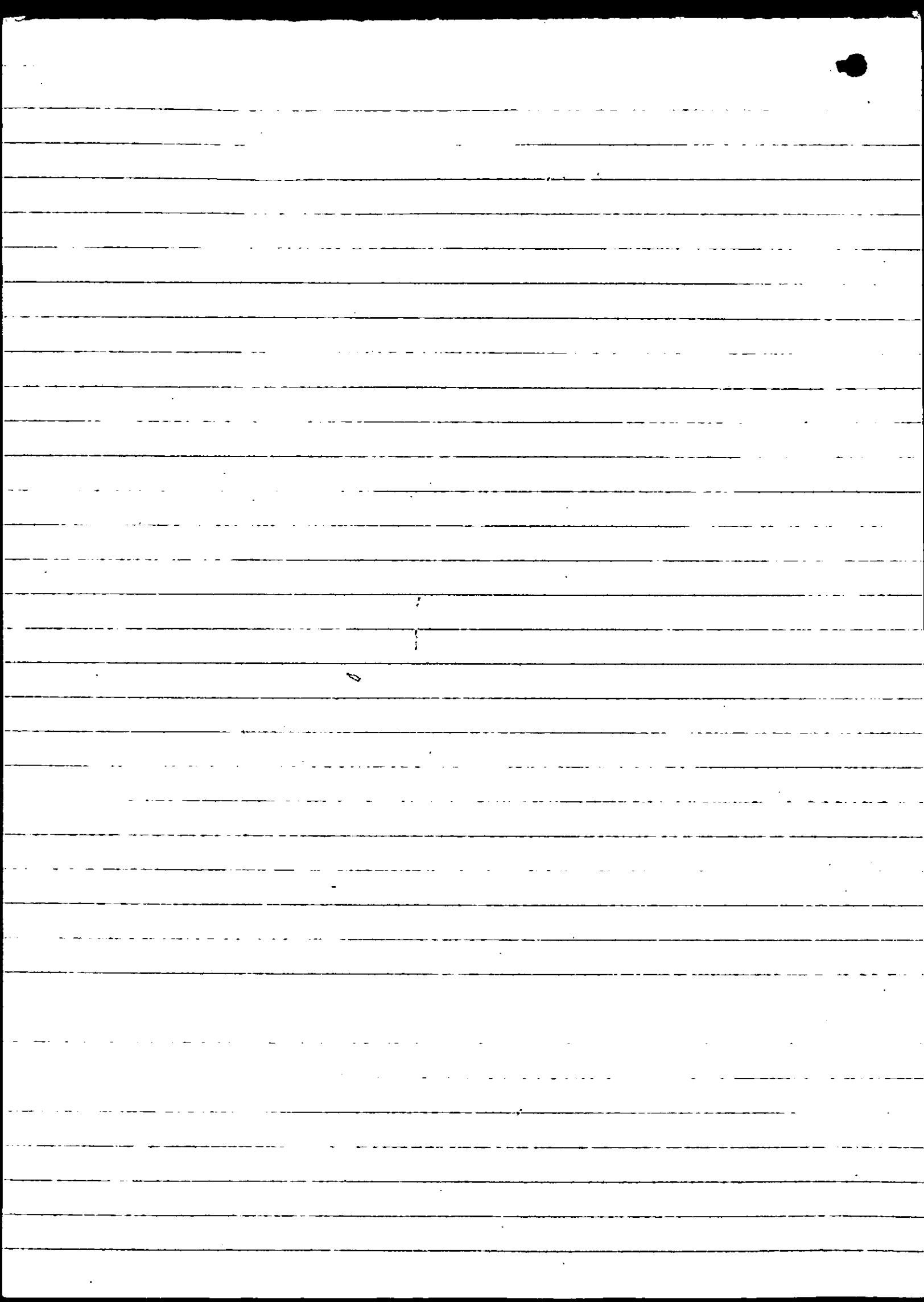
RICHARD SPENCOR

O/KL

EX DIR	4DC	TP	GAC	AD	GLU	AK
R.B.	30 JAN 2002				PLANNING	
K.C.						
N	C	SW	SE	APP	IO	REC.
			ARB	FPLN	DES	FEE

AM 30/11

(57)



De

**THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA  
MEMORANDUM - SECTION 101 - LOCAL GOVERNMENT ACT, 1972**

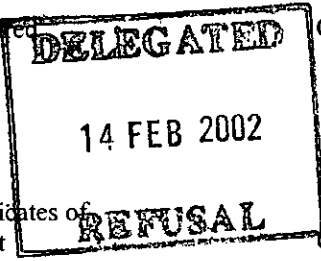
To: Chief Administrative Officer (Planning) Date: 12 February 2002  
From: The Executive Director, Planning & Conservation Our Ref: CA/02/00067/CADV

Application Date: 17/12/2001 Complete Date: 21/12/2001

Agent: Co:sign Media Ltd., Unit 16 and 17, The Henfield Business Park, Shoreham Road,  
Henfield, West Sussex BN5 9SL  
Address: Flank wall, 2 Nevern Place, London, SW5 9PR

This application is for a class of development to be determined under powers delegated to me by the Council on 18th July, 2001 and is not a major, controversial or sensitive application nor one which a Ward Councillor has asked to be considered by Planning Services Committee.

- Class - 8th Schedule development
- Class - shop fronts
- Class - conversion from non s/c dwellings etc
- Class - amendments as requested by T.P. Committee
- Principal
- Class - grant or refuse certificates of Lawful development under
- Class - Crossover under S.108 of the Highways Act 1980
- Class - Listed building consent for above Classes.
- Class - Conservation area consent
- Class - approval of facing materials
- Class - grant of planning permission for a change from one kind of non-residential use to another non-residential use except where this would involve the loss of a shop in a core shopping frontage.
- Class - grant permission license or no objection Sections 73, 74, 138, 143, 152, 153, 177 & 180 of the Highways Act



Consent under T&CP Control of Advertisement Regulations 1984-90; incl. refusal of consent for Reg. 15 applications.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

**Erection for a one year period of an illuminated 9m x 9m mesh weave building cover displaying signage to be affixed to upper parts of flank wall above ground floor level.**

**RECOMMENDED DECISION Refuse Control of Advertisement Consent**

RBK&C drawing(s) No. CA/02/00067 Applicant's drawing(s) No. A, B, KEN/MEG/01/038/A - B

**Number of Objections - 2**

I hereby determine and grant/refuse this application under the powers delegated to me by the Council, subject to the condition(s) indicated below imposed for the reason(s) appearing thereunder, or for the reasons stated.

Exec. Director, Planning and Conservation      Head of Development Control      Area Planning Officer

*[Handwritten signature]*

*[Handwritten signature]*  
13/2/02

*[Handwritten signature]* 12/2/02

**REASONS FOR REFUSAL**

1. **The use of the site for the display of advertisements is considered to cause substantial injury to the visual amenity of the area and is contrary to the Council's policies, as set out in the Unitary Development Plan and Proposed Alterations thereto, in particular CD25 and CD68.**

**1.0 THE SITE**

- 1.1 The property is a terraced house located on the corner of Nevern Place and Earl's Court Road. The ground floor of the building is occupied as a retail unit with frontage to Earl's Court Road with a hostel with frontage to Nevern Road in the floors above. The property forms part of the Nevern Square Conservation Area and is not a listed building.

**2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the erection of an illuminated 9 metres by 9 metres mesh weave building cover to the flank wall of the building. The building cover would display advertising signage and would be for a temporary one-year period.

**3.0 RELEVANT PLANNING HISTORY**

- 3.1 In 1980 planning permission was granted for the conversion of the building to form sixteen self-contained bedsit flats.

**4.0 PLANNING CONSIDERATIONS**

- 4.1 The main considerations in this case relate to the effect that the advertising signage would have upon amenity and public safety.
- 4.2 The relevant policies for consideration are included within the 'Conservation and Development' chapter of the Unitary Development Plan. The most relevant policies to be considered are Policies CD25 (standard of design) and CD68 (advertising signs).
- 4.3 The proposed signage would be erected on the flank wall of the building facing onto Earl's Court Road. The sign, due to its large size, would be erected at a high level and would cover the majority of this wall which is exposed above ground floor level. There is an existing shop at ground floor level with entrance from Earl's Court Road and it is above this shop that the sign would be erected. The means of illumination would be external with bracket-mounted lights positioned so that the lights would shine back onto the sign itself. These brackets would project approximately 1.2 metres from the wall
- 4.4 The proposed sign would be excessively large and dominating and would constitute an obtrusive feature along Earl's Court Road. The sign would be out of character with other signage along Earl's Court Road which generally has a pattern of signs at fascia level. Advertising signs above fascia level are usually resisted especially one of such substantial size and illumination that it would be detrimental to the street scene and conservation area. It is considered that the advertisement sign would be over-large, unduly prominent and out of scale with its surroundings. The sign would add visual clutter to this elevation of the property and detract from the character of the building. The advertisement is therefore considered to cause substantial visual harm to the amenity of the area.

4.5 Although Earl's Court Road is characterized by retail shops and hotel/hostel accommodation there are several buildings which are also in residential use in the upper floors. An excessively large illuminated sign would affect the amenity of these residential properties and occupiers of hotels/hostels through unnatural light spillage in the evening and at night.

4.6 The proposal is not considered to have implications for public safety.

4.7 The Council has, over a four-year period, expedited a program of environmental improvements to Earl's Court Road which has attracted Single Regeneration Budget funding for improvements to shop fronts and signage. An advertisement of the type proposed would be a retrograde step in this context.

#### 5.0 PUBLIC CONSULTATION

5.1 Eighteen letters of notification were sent to adjoining occupiers on Earl's Court Road and the Earl's Court Neighborhood Association and Residents Association.

5.2 One letter of objection was received which objected to the proposal on the grounds that it was unsuitable and unsightly. These issues have been discussed in the body of this report.

Report by: KL  
Date: 06/02/2002

**M.J. FRENCH**  
**EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION**

#### Background Papers

The contents of file CA/02/00067 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: KL  
Report Approved By: JT/LAWJ JT/LAWJ  
Date Report Approved: 11/02/2002 13/2/02

# Co:sign *Media* Limited

Units 16 & 17, The Henfield Business Park, Shoreham Road,  
Henfield, West Sussex BN5 9SL

Our Ref: Ken/Meg/01/038  
Your Ref: CA/02/00067/CADV/

8 March 2002

Planning and Conservation Department  
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.	11 MAR 2002			PLANNING		
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

Dear Sir

**Re: TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS  
1992. APPEAL: 2 NEVERN PLACE, LONDON, SW5**

Please find enclosed for your records a copy of the appeal for the refusal for the display of a building wrap incorporating an advertisement at the above stated address.

Yours faithfully



SR Talbot  
Regional Planning Manager

**THE PLANNING INSPECTORATE**

PINS PF08 (DOE 14075B)

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992

Sheet 1

Rev Mar 2001

ADVERTISEMENT APPEAL TO THE SECRETARY OF STATE FOR THE ENVIRONMENT,  
TRANSPORT AND THE REGIONS

THE PLANNING INSPECTORATE, PINSAA SAC (A), 3/17 EAGLE WING, TEMPLE QUAY, 2 THE SQUARE,  
TEMPLE QUAY, BRISTOL BS1 6PN

- PLEASE READ THE ATTACHED NOTES FOR GUIDANCE BEFORE COMPLETING YOUR APPEAL
- PUT X IN THE APPROPRIATE BOX THROUGHOUT.

**A - Appellant's details (please use capital letters)**

Name and address of any agent or professional representative to whom letters should be sent

1. Full name Megaposter UK Ltd  
 Address 10 Greycoat Place  
London  
 Post code SW1P 1SB  
 Telephone No: 02079606037 Your ref: .....

Co:sign Media  
Unit 16 & 17, The Henfield Business  
Shoreham Road, Henfield, West  
 Post code BN5 9SL  
 Telephone No: 01273493683 Your ref: .....

**B - Appeal and grounds**

2. I appeal against:-

- RB of Kensington & Chelsea Council's decision on (date) ..... (ref) CA/02/00067/CADV/  
 to refuse consent for the display of advertisement(s);
- condition(s) imposed by the Council on the grant of consent to display advertisement(s);
- the Council's failure to give notice within the specified period of their decision on an application, or that it has been referred to the Secretary of State for the Environment
- the Council's service of a discontinuance notice on (date) ..... (ref) .....

**To accompany copy of the appeal sent to the Planning Inspectorate**

3. I enclose a copy of:-

- the advertisement application made to the Council;
- all relevant plans and particulars submitted to the Council;
- the notice of the Council's decision;
- any relevant correspondence with the Council;
- the discontinuance notice served by the Council.

4. Description, measurements and colours, including details of illumination if applicable, of the advertisement(s) involved in this appeal.

Illuminated 9m x 9m Mesh Weave building cover incorporating an advertisement

5a. Address or location of the site to which the appeal relates.

2 Nevern Place  
London, SW5 9PR

5b. Has the land/site owners consent been obtained? NO  YES

5c. Is the site on highway land? NO  YES

6. Is the advertisement in position? NO  YES



7. Is there any other current appeal to the Secretary of State involving this site in any way?

NO  YES

If yes, what is it?

Reference No's

- An appeal under Town and Country Planning (Control of Advertisements) Regulations 1992 .....
- A planning appeal under section 78 of the Town and Country Planning Act 1990 .....
- An enforcement appeal under section 174 of the 1990 Act .....
- An appeal involving any listed building on the site .....

8. Please state the precise grounds or reasons for your appeal (use additional paper if necessary)

The advertisement is to be displayed on a flank wall over a parade of shops. The area being a mixture of residential and commercial premises.

This temporary building cover will be designed to complement the area by incorporating a design to fit in with the immediate surroundings.

Contrary to the opinion of the Planning Authority, our clients view is that this external advertising display would bring appeal and colour to a somewhat drab building and refute the councils opinion that this proposal would cause substantial injury to the visual amenity to the area.

**C - Late appeals**

9. If your appeal is late (see Notes for Guidance), please give reasons for the delay. (use additional paper if necessary)

N/A

**D - Procedures for deciding your appeal**

10. Which procedure do you wish to be used in deciding your appeal?

- consideration of written statements, photographs and an unaccompanied site inspection by an officer of the Inspectorate
- a hearing at which I or my representatives and a representative of the Council will make oral representations to an officer of the Inspectorate

If the last box is indicated, it would be helpful if you could state fully your reasons why the written representations method would be inadequate in this case. (use additional paper if necessary).

I certify I have sent a copy of this appeal to the Council against whose decision I am appealing.

Date ..... 8 March 2002 .....

Signature .....  .....  
(on behalf of) ..... Megaposter UK Ltd .....

NEW APPEAL

DATE: 11-03-02

TO: DEREK TAYLOR / PAUL KELSEY  
JOHN THORNE / BRUCE COEY

A NEW APPEAL HAS BEEN RECEIVED, WHICH FALLS IN YOUR AREA -  
FILE(S) ATTACHED. THE SITE ADDRESS IS:

FLANK WALL, 2 NEVERN PLACE, SWS

1. PLEASE INDICATE THE OFFICER WHO WILL BE DEALING  
WITH THIS APPEAL:

KYLIE LUCAS

2. PLEASE INDICATE THE PROCEDURE BY WHICH YOU WISH THE  
APPEAL TO BE DETERMINED:

- WRITTEN REPRESENTATIONS
- ◆ HEARING
- ◆ PUBLIC INQUIRY

N.B. The appellant has requested Written Reps / a Hearing / an Inquiry. The appellant has the right to be heard. If the appellant wants a Hearing and you choose Written Reps, this may result in an Inquiry. If the appellant requests an Inquiry and you would prefer a Hearing, a letter outlining reasons why will normally be required.

3. YOU ARE REMINDED TO ORDER LAND USE MAPS AS APPROPRIATE  
AT THIS STAGE

PLEASE RETURN THIS SHEET AND THE ATTACHED FILE(S) TO THE  
APPEALS SECTION WITHIN 24 HOURS

THANK YOU

APPEAL NOTIFICATIONS

Re: **FLANK WALL, 2 NEVERN PLACE, SWS**

Please complete the list of those to notify of the appeal and return with the file(s) to the Appeal Section within 24 hours. Thank You.

WARD COUNCILLORS:

1. PHELPS
2. FAIRHEAD
3. BUXTON

KENSINGTON SOCIETY (Ms Susie Symes, 19 Denbigh Terrace, London W11 2QJ)

CHELSEA SOCIETY (Mr Hugh Krall, 51 Milman's Street, London SW10 0DA)

RESIDENT ASSOCIATIONS AND AMENITY SOCIETIES:

1. ECNA - (ALL ASSOCIATED GROUPS)
2. Earls Crf Gdns  
MOSC Butler = <sup>of MORTON MAWS RA</sup> Earls Crf Gdns - SWS OTD
3. nevern Sq Cns Area RA  
Ms Linda Wade, 18 Nevern, Sq, SWS 9PD

ALL 3<sup>RD</sup> PARTIES ORIGINALLY NOTIFIED

ALL OBJECTORS/SUPPORTERS

STATUTORY BODIES ORIGINALLY NOTIFIED

ENGLISH HERITAGE

OTHERS:.....

NeVERN Sq RA  
~~16~~ Mr B Abrahams.  
Flat one.  
16 NeVERN Sq.  
Earls Crf.  
SW 5 9NW.

NeVERN place RA  
Miss S J Dodgson.  
24 (3) NeVERN Place.  
SW 5 0PR.



# The Planning Inspectorate

3/17 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line 0117-3728579  
Switchboard 0117-3728000  
Fax No 0117-3728181  
GTN 1371-8579

<http://www.planning-inspectorate.gov.uk>

Ms R Gill (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: CA/02/00067/CADV/  
Our Ref: APP/K5600/H/02/1085899  
Date: 15 March 2002

Dear Madam

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992  
APPEAL BY MEGAPOSTER UK LTD  
SITE AT 2 NEVERN PLACE, LONDON, SW5 9PR**

You should have received a copy of an advertisement appeal [on form DOE 14075B], from Megaposter Uk Ltd for this site/premises. If you have not received an appeal, please inform us immediately on the enclosed reply slip.

The appeal will be dealt with by the procedure described in paragraph 42 of DOE Circular 5/92; and an officer of the Inspectorate will be appointed by the Secretary of State to decide the appeal. The Council's statement, photographs, scaled plan and any other relevant document, should be sent to the appellant(s) and us within 3 weeks of you receiving the appeal. This is in accordance with the Town and Country Planning (Control of Advertisements) Direction 1992. **When preparing your statement, the advice in paragraph 43 and Appendix D to DOE Circular 5/92 is very relevant.**

Yours faithfully

Ms Jennifer Saunders

A6A

EX DIR	HDC	TP	CAC	AD	CLU	AO	AK
18 MAR 2002						PLANNING	
ARB				FPLN		DES	
FPLN				DES		FEES	

52

The Planning Inspectorate  
3/17 Eagle Wing  
Temple Quay House  
2 The Square, Temple Quay  
Bristol BS1 6PN

Reference No.  
APP/K5600/H/02/1085899  
CA/02/00067/CADV/

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992**  
Appeal by Megaposter Uk Ltd  
Site at 2 Nevern Place, London SW5 9PR

We have not received an advertisement appeal in respect of this site.

Yours faithfully

A6B

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**PLANNING AND CONSERVATION**

**THE TOWN HALL HORNTON STREET LONDON W8 7NX**

---

**Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS**

---

**FILE COPY**

1 Direct Line: 020-7361-2086

Extension: 2086

Facsimile: 020-7361-3463

Switchboard: 020-7937-5464

---

**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

---

Date: 20/03/2002

---

My Ref: DPS/DCSW/CA/02/00067

Please ask for: Ms K. Lucas

DTLR's Reference: App/K5600/ H/02/1085899

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS  
1992**

**Notice of an Advertisement Appeal relating to: Flank wall, 2 Nevern Place, London, SW5 9PR**

An Advertisement Appeal has been made in respect of the above property. This appeal is against the Council's decision to refuse advertisement consent for:

Erection for a one year period of an illuminated 9m x 9m mesh weave building cover displaying signage to be affixed to upper parts of flank wall above ground floor level.

This appeal will proceed by way of **WRITTEN REPRESENTATIONS**. Any representations you wish to make should be sent to:

**The Planning Inspectorate, 3/17 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN**

Please quote the DTLR's reference given above and send all representations within **14 days** of the date of this letter. Correspondence will only be acknowledged on request. Any representations will be copied to **all** parties including the Inspectorate's Officer dealing with the appeal and the Appellant. Please note that the Inspectorate will only forward a copy of the decision letter to those who request one.

I attach a copy of the Council's reasons for refusal and Appellant's grounds of appeal. The Appellant's and Council's written statements may be inspected in the Planning Information Office (**please telephone ahead in order to ensure that these are available**).

If you have any further queries, please do not hesitate to contact the Case Officer on the above extension.

*Yours faithfully*

**M. J. FRENCH**

Executive Director, Planning and Conservation

## Reasons for Refusal

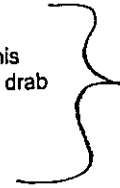
1. The use of the site for the display of advertisements is considered to cause substantial injury to the visual amenity of the area and is contrary to the Council's policies, as set out in the Unitary Development Plan and Proposed Alterations thereto, in particular CD25 and CD68.

### GROUPS OF APPEAL

The advertisement is to be displayed on a flank wall over a parade of shops.  
The area being a mixture of residential and commercial premises.

This temporary building cover will be designed to complement the area by incorporating a design to fit in with the immediate surroundings.

Contrary to the opinion of the Planning Authority, our clients view is that this external advertising display would bring appeal and colour to a somewhat drab building and refute the councils opinion that this proposal would cause substantial injury to the visual amenity to the area.





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# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Department of Transport  
Local Government and the Regions,  
3/17 Eagle Wing  
Temple Quay House,  
2 The Square, Temple Quay  
Bristol, BS1 6PN

Switchboard: 020 7937 5464  
Extension: 2086  
Direct Line: 020 7361 2086  
Facsimile: 020 7361 3463  
Email: [plnrst@RBKC.GOV.UK](mailto:plnrst@RBKC.GOV.UK)  
Web: [www.rbkc.gov.uk](http://www.rbkc.gov.uk)

26 March 2002

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

My reference: DPS/DCSW/CA/02/00067

Please ask for: Kylie Lucas

Your reference: APP/K5600/H/02/1085899

Dear Sir/Madam,

**Town & Country Planning (Control of Advertisements) Regulations 1992  
Flank wall, 2 Nevern Place, London, SW5 9PR**

I write with reference to the current appeal in respect of the proposed erection for a one year period of an illuminated 9m x 9m mesh weave building cover displaying signage to be affixed to the upper parts of the flank wall of the above property. This letter constitutes the Council's written representations.

1.0 Introduction

- 1.1 Planning permission was refused for the proposed development in a notice dated 18<sup>th</sup> February 2002 for the following reason:

**The use of the site for the display of advertisements is considered to cause substantial injury to the visual amenity of the area and is contrary to the Council's policies, as set out in the Unitary Development Plan and Proposed Alterations thereto, in particular CD25 and CD68.**

- 1.2 The site and its surroundings are described in the delegated report dated 12<sup>th</sup> February 2002 which is enclosed with this statement.

2.0 Policy Considerations

- 2.1 Part 1, Section 4(1) of the Town and Country Planning (Control of Advertisement Regulations) 1992 (as amended) states that a Local Planning Authority shall exercise their powers under the Regulations only in the interests of amenity and public safety, taking account of any material factors.

- 2.2 The development plan for the area is the Royal Borough of Kensington & Chelsea Unitary Development Plan adopted in 1995. The Nevern Square Conservation Area, within which the appeal site falls, was designated in 1997. There is therefore also an additional statutory duty imposed by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 for decision makers to have regard to the preservation and enhancement of the conservation area in determining applications and appeals.

2.3 Proposed alterations to the UDP were adopted for development control purposes by the Council in April 2000. They have undergone public consultation and were the subject of a Public Inquiry in 10<sup>th</sup> January 2001. The Inspector's Report was published in July 2000. The Modified Plan was published in February 2002.

2.4 The development plan is therefore up to date and relevant to the proposal. Extracts of the plan containing policies relevant to the appeal application are enclosed with this statement.

2.5 No alterations are proposed to the relevant policies CD25 and CD68.

### 3.0 The Council's Case

3.1 The substance of the Council's case is set out in the reason for refusal and the development plan policies set out therein. There is a clear conflict between the proposal and policies CD25 and CD68. However, the main considerations relate to the effect that the signage would have upon amenity and public safety.

3.2 The significant characteristic of the appeal building is that it is prominently located on the corner of Nevern Place and Earl's Court Road with the flank wall upon which the signage is proposed to be erected facing onto Earl's Court Road, which is a busy strategic road within the Borough.

### 4.0 Comments on the Appellant's Grounds of Appeal

#### 4.1 *Paragraph 1*

The appellant has stated that the area is a mixture of residential and commercial premises. The Council does not dispute this fact as the area is characterised by retail shops and hotel/hostel accommodation, in addition to residential units on Nevern Place and in the upper floors of buildings on Earl's Court Road. This includes the development site directly opposite which would be comprised of residential units at the second and third floor level. However, it is considered that due to the proximity of the site to residential properties, an excessively large, illuminated sign at high level would cause unnatural light spillage in the evening and at night into these properties thereby having a detrimental impact upon their amenity.

#### 4.2 *Paragraphs 2 and 3*

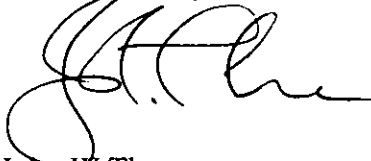
Regardless of the design of the advertising signage, the structure itself and any associated illuminated advertising signage is not considered appropriate in this location. The general pattern of signage along Earl's Court Road is that of illuminated or non-illuminated signs located at ground and fascia level. There are very few commercial signs at high level and where they do exist they are much more discreet in terms of size and illumination, typically they exist on pubs, which is traditional. The size of the proposed advertising sign is clearly excessive and out of character with the much smaller signage in the general area. In addition the proposal would add visual clutter to this elevation of the property and would detract from the character of the building and the conservation area.

Over the last four years the Council has been undertaking a range of environmental improvements in the Earl's Court Road area of which improvements to shop fronts and signage has been important. These works have resulted in a significant improvement in the appearance of the street and enhancements to the character and appearance of the Conservation Area. It is considered that an advertisement of this type and size is not in accordance with other signage in the area and would be a retrograde step in the improvements which have been achieved to date.

5.0 Conclusion

- 5.1 The proposed advertising sign is considered to be unacceptable in the interests of visual amenity as it would be over-large, unduly prominent and out of scale with its surroundings which would be detrimental to the street scene and the conservation area. In addition the sign would have a detrimental impact on the amenity of neighbouring residential units through unnatural light disturbance in the evenings and at night.
- 5.2 The proposal is contrary to the provisions of the development plan, in particular policies CD25 and CD68.
- 5.2 The inspector is therefore invited to dismiss this appeal.

Yours faithfully



John W Thorne  
Area Planning Officer  
For Executive Director, Planning & Conservation

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**PLANNING AND CONSERVATION**

---

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Co:sign Media Ltd  
Unit 16 and 17,  
The Henfield Business Park,  
Shoreham Road,  
Henfield, West Sussex  
BN5 9SL

Switchboard: 020-7937-5464  
Direct Line: 020-7361- 2086  
Extension: 2086  
Facsimile: 020-7361-3463

---

---

**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

---

---

Date: 27 March 2002

My Ref: DPS/DCSW/CA/02/00067/KL

DTLR's Reference: App/K5600/H/02/1085899 Please ask for: **Ms K. Lucas**

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Appeal relating to: Flank wall, 2 Nevern Place, London, SW5 9PR**

With reference to your appeal on the above address(es) enclosed you will find the Council's Statement and attached documents as necessary.

Yours faithfully,

**M.J. FRENCH**

Executive Director, Planning and Conservation

Enc.

---

**PLANNING AND CONSERVATION**

---

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Department of Transport,  
Local Government and the Regions,  
3/17 Eagle Wing,  
Temple Quay House,  
2 The Square, Temple Quay,  
Bristol, BS1 6PN

Switchboard: 020-7937-5464  
Direct Line: 020-7361-2081  
Extension: 2081  
Facsimilie: 020-7361-3463



**KENSINGTON  
AND CHELSEA**

---

Date: 27 March 2002

My Ref: DPS/DCSW/CA/02/00067/KL  
DTLR's Reference: App/K5600/H/02/1085899

Please ask for: Rebecca Gill

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Appeal relating to: Flank wall, 2 Nevern Place, London, SW5 9PR**

With reference to the appeal on the above premises, I attach a copy of this Council's Statement.

The appellant has been sent a copy direct.

Yours faithfully,

**M.J. FRENCH**

Executive Director, Planning and Conservation

Enc.

# FAX FROM

NAME: Kylie Lucas

THE DIRECTORATE OF PLANNING SERVICES

DATE: 03/04/02

MAIN TELEPHONE NUMBER: 020 7937 5464

DIRECT LINE: 0201 381 2086

FAX NUMBER (if different from below): \_\_\_\_\_

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

## TO

NAME: Linda Wade

OF: Earl's Court Residents' Assoc.

ADDRESS: \_\_\_\_\_

\_\_\_\_\_ POSTAL CODE \_\_\_\_\_

FAX NUMBER: 7244 9668

NUMBER OF PAGES TO FOLLOW: A.

COMMENTS AND/OR INSTRUCTIONS (if any)

**OUR FAX NUMBER IS: 020 7361 3463**



# The Planning Inspectorate

3/17 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728586  
Switchboard 0117-3728000  
Fax No 0117-3728181  
GTN 1371-8579

KL  
—

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Ms R Gill (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: CA/02/00067/CADV/  
Our Ref: APP/K5600/H/02/1085899  
Date: 4 April 2002

---

Dear Madam

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992  
APPEAL BY MEGAPOSTER UK LTD  
SITE AT 2 NEVERN PLACE, LONDON, SW5 9PR**

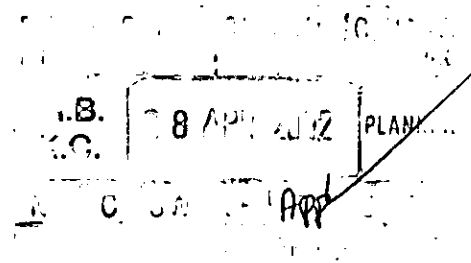
Enclosed is a copy of a third party representation received by this office.

Yours faithfully

*Mark Boulton*

Mark Boulton

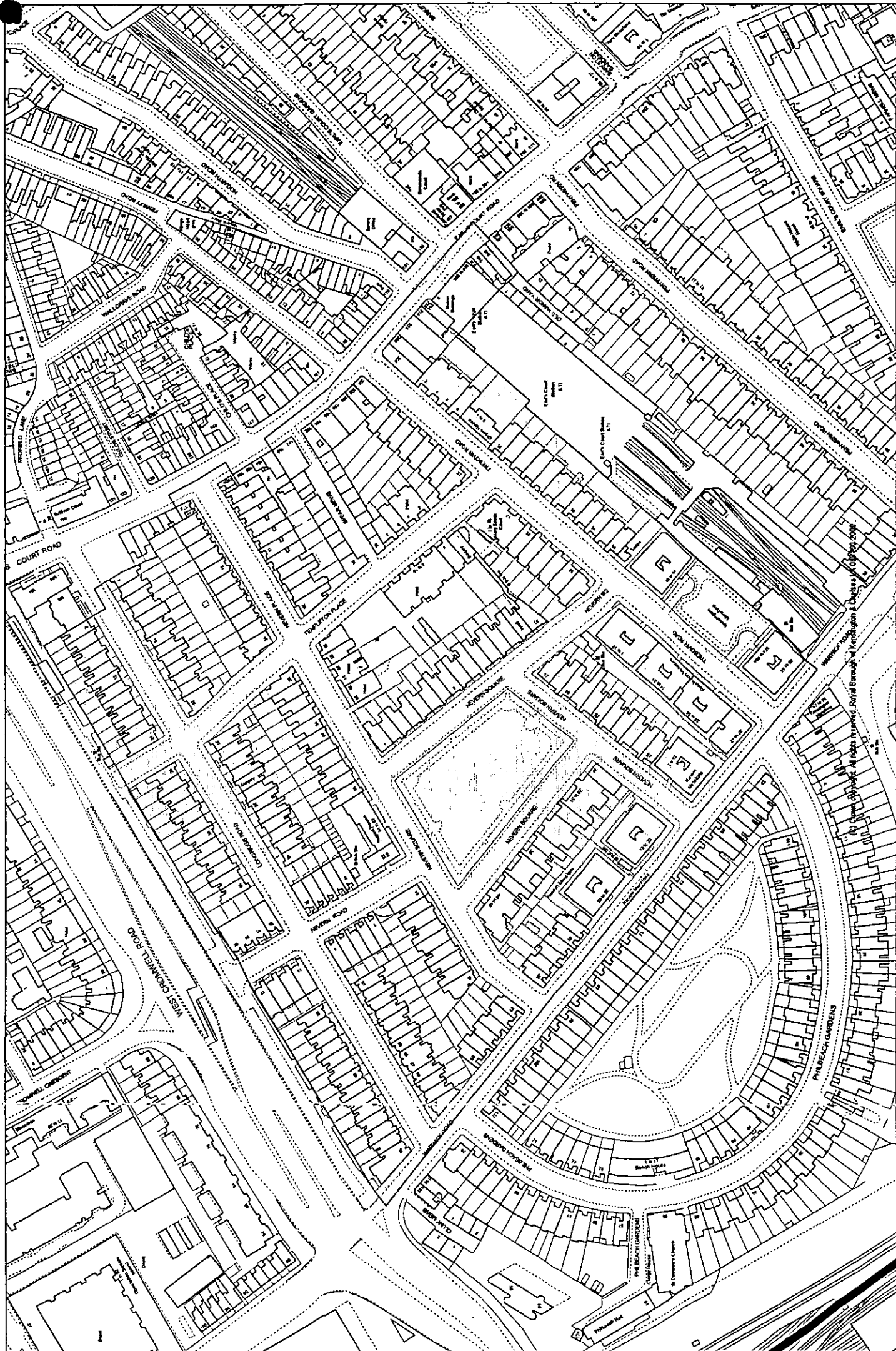
A27



58







Map produced by the Royal Borough of Kensington and Chelsea  
Planning Services Department using GGP 10/04/2002: Scale 1:2498

# Neverne Square Conservation Area



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# The Planning Inspectorate

KL

3/17 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line 0117-3728579  
Switchboard 0117-3728000  
Fax No 0117-3728181  
GTN 1371-8579

<http://www.planning-inspectorate.gov.uk>

Ms R Gill (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: CA/02/00067/CADV/  
Our Ref: APP/K5600/H/02/1085899  
Date: 2 April 2002

Dear Madam

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992  
APPEAL BY MEGAPOSTER UK LTD  
SITE AT 2 NEVERN PLACE, LONDON, SW5 9PR**

Thank you for your letter dated 27 March 2002 enclosing the Council's observations in respect of the above appeal.

Unfortunately, you omitted photographs of the appeal site and surrounding area, as required by the Town and Country Planning (Control of Advertisements) Direction 1992. In order for the Secretary of State to consider the merits of this appeal, I would be grateful if you could forward a set of photographs to the Inspectorate and to the appellant as quickly as possible.

In addition you have mentioned in the refusal statement that this appeal is located within a Conservation Area. Please can you send a map showing the appeal site within the appropriate designated area.

Yours faithfully

*Mark Boulton*

pp Ms Jennifer Saunders  
A31

R	HDC	TP	CAC	AD	CL
		5		PR 2002	4/10
N	C	SE	PP	IO	REC
		ARB	FPLN	DES	FEES

# Co:sign *Media* Limited

KL

Units 16 & 17, The Henfield Business Park, Shoreham Road,  
Henfield, West Sussex BN5 9SL

Our Ref: Ken/Meg/01/038  
Your Ref: CA/02/00067/CADV

8 April 2002

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

Dear Sir.

**Re: REPLY TO COUNCIL STATEMENT: 2 NEVERN PLACE, LONDON, SW5**

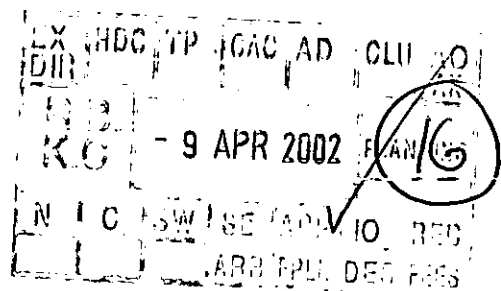
Please find enclosed for your records a reply to your statement concerning the appeal for the above stated site.

The original copy has been sent to the Planning Inspectorate today.

Yours faithfully



**SR Talbot**  
Regional Planning Manager



# Co:sign *Media* Limited

Units 16 & 17, The Henfield Business Park, Shoreham Road,  
Henfield, West Sussex BN5 9SL

Our Reference: Ken/Meg/01/038  
Your Ref: APP/K5600/H/02/1085899

8 April 2002

The Planning Inspectorate  
3/17 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol, BS1 6PN

Dear Sir.

## TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992, 2 NEVERN PLACE, LONDON, SW5

We have received a copy of the Council's statement in connection with this appeal, sent under cover of the letter dated 27 March 2002, and would be grateful if the following counter observations in addition to the grounds of appeal submitted earlier, could be taken into account in the determination of the appeal.

The description of the site included in the Officer's report forming part of the Council's submissions is generally agreed apart from pointing out that the appeal site is a flank wall of an old Victorian style building, which is very drab in appearance.

It is noted that the Council has expressed concern about the impact of the proposed display and considered inappropriate for this location. However, it can be argued that the display is to be situated in a semi commercial area where advertisements are expected to form part of the normal street scene.

Notwithstanding the Conversation Area status of the locality, the site, as previously stated is within an area that incorporates busy commercial activity. Displays of this nature are to be expected to complement this evidence and it would appear to some extent that the Council, bearing in mind the presence of other differing displays in the area, shares this view.

Our clients also disagree with the Council's view that the proposed advertisement is considered to be detrimental to the appearance of the street scene, on the contrary, it is believed that it would complement the character of the area without appearing out of place comprising a feature of colour and interest which will be appreciated in this vibrant area of Earls Court whilst covering up the drab exterior during the short period of time that temporary consent has been requested.

It must also be noted that during the limited period of advertising, a prime reason for displaying in this area would be to promote events that are scheduled at the Earls Court Exhibition Center and other local events.

The concern for the nearby residents amenity is also a concern to our clients, the proposed illumination will be on a timer and will be extinguished at nightfall, for the remaining time the lighting is on, only a gentle wash of light over will be cast over the area.

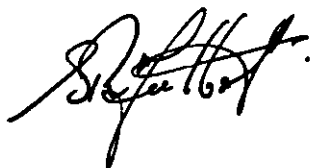
Our clients have received a letter stating the views of the local Residents Association. It appears that they have been misinformed as to the application, they refer to our proposal as, "an advertising board," this would indicate that they are of the opinion that this structure is to be erected and remain in situ for some considerable time, or on a permanent basis. This is definitely not the intension of our clients as only temporary consent is being sought in this instant.

With regard to the Council's statement, paragraphs 1.1, referring the Royal Borough UDP, CD25 and CD68, our clients believe, the Local Authority, whilst exercising these guidelines have been unduly influenced by policy considerations and thereby prevent this proposal from being dealt with on its individual merits as required by the Regulations.

On the grounds that the display would not be detrimental to the amenity of the local residents due to excess of light spillage or to the street scene in general. The Advertisement Control Officer is respectfully asked to allow the appeal for temporary consent.

A copy of this letter has been sent to the local planning authority.

Yours faithfully



**SR Talbot**  
Regional Planning Manager

---

# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Department of Transport  
Local Government and the Regions,  
3/17 Eagle Wing  
Temple Quay House,  
2 The Square, Temple Quay  
Bristol, BS1 6PN

Switchboard: 020 7937 5464  
Extension: 2086  
Direct Line: 020 7361 2086  
Facsimile: 020 7361 3463  
Email: [plnrst@RBKC.GOV.UK](mailto:plnrst@RBKC.GOV.UK)  
Web: [www.rbkc.gov.uk](http://www.rbkc.gov.uk)

10 April 2002

---

My reference: DPS/DCSW/CA/02/00067

Please ask for: Kylie Lucas

Your reference: APP/K5600/H/02/1085899

Dear Sir/Madam,

**Town & Country Planning (Control of Advertisements) Regulations 1992**  
**Flank wall, 2 Nevern Place, London, SW5 9PR**

I write with reference to the current appeal in respect of the proposed erection for a one year period of an illuminated 9m x 9m mesh weave building cover displaying signage to be affixed to the upper parts of the flank wall of the above property. This letter constitutes the Council's reply to the appellant's statement dated 8 April 2002.

In addition, please find attached a copy of the Nevern Square Conservation Area map and photographs of the subject site.

1.0 Comments on the Appellants Grounds of Appeal

1.1 Although the Council's statement refers to specific policies of the Unitary Development Plan the main considerations in this case has been the effect that the proposal would have upon amenity and public safety. As stated in Council's Delegated Report and Written Statement it is considered that the proposal would have a detrimental impact on the visual amenity of the area and the character and appearance of the building and conservation area.

1.2 The Council notified 18 addresses in Earl's Court Road including the local neighbourhood and residents associations of the proposal by way of individual letters which described the development as follows:

*Erection for a one year period of an illuminated 9m x 9m mesh weave building cover displaying signage to be affixed to upper parts of flank wall above ground floor level.*

As the plans were also available for inspection at Council offices it is considered that the above description of the development clearly indicates that which is proposed and that neighbours were aware of the particulars of the proposal to which they were objecting.

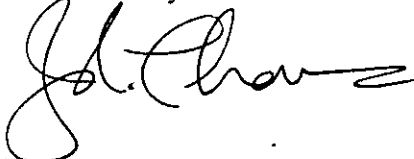
1.3 It is noted that the appellant has proposed that the illumination of the sign be on a timer that would be extinguished at nightfall. If the Inspector were minded to grant this appeal then it is

respectfully requested that this be included as a condition on the consent in addition to the following:

1. The advertisement hereby permitted shall be retained for a limited period of one year on or before which date the advertisement shall be removed and the use for display shall be discontinued.
2. Any advertisement displayed, and any site used for the display of advertisement, shall be maintained in a clean and tidy condition to the reasonable satisfaction for the local planning authority.
3. Any structure of hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
4. 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.
5. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest entitled to grant permission.
6. No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway sign or aid to navigation by water or air, or so as to render hazardous the use of any highway, waterway or aerodrome (civil or military).
7. The illuminated advertisement hereby approved shall not be illuminated between the hours of 7.00pm and 7.00am the following day.
8. The illumination of the illuminated sign hereby approved shall not at any time be intermittent.

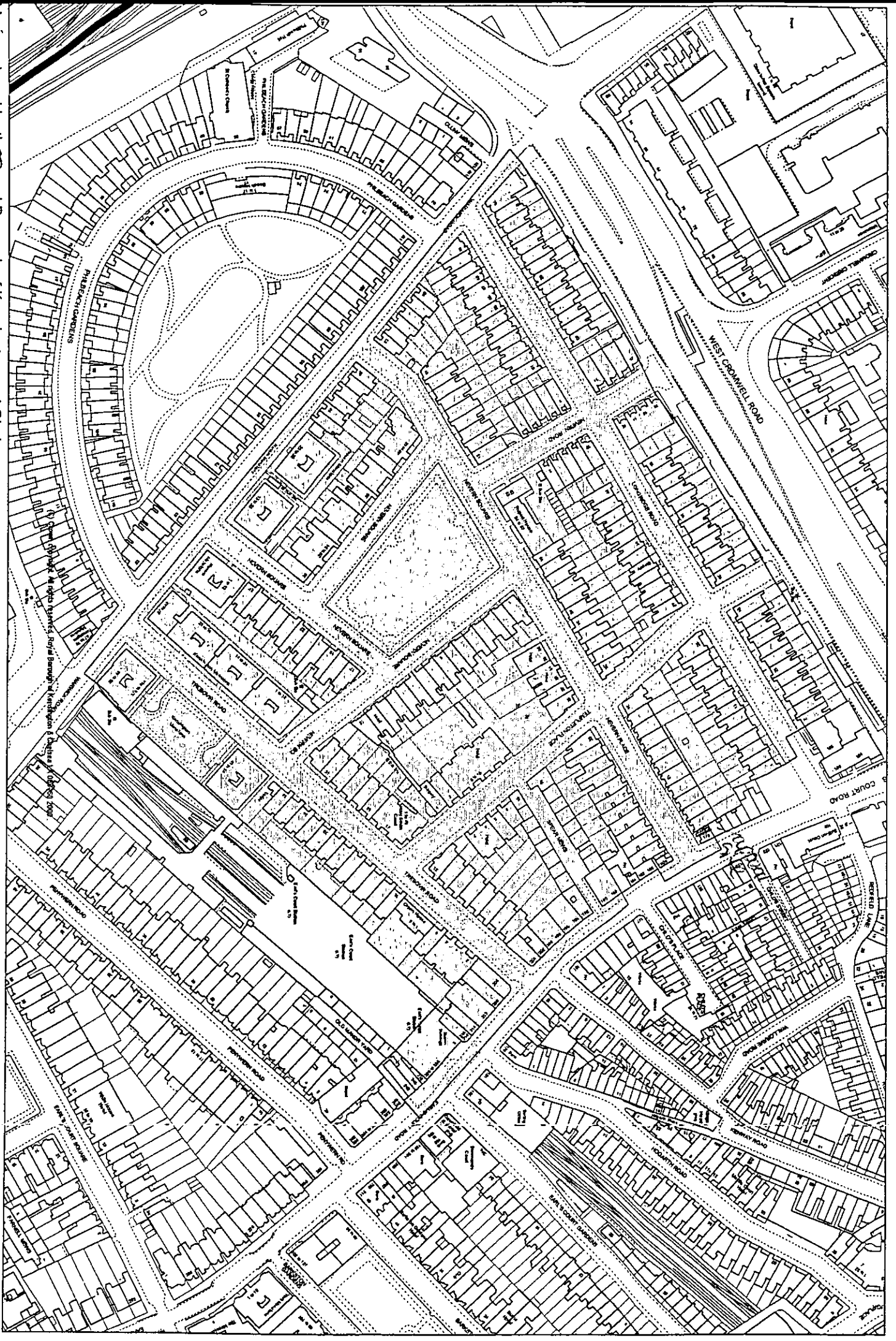
1.4 However, notwithstanding the above conditions, it is considered that the proposed advertising sign is unacceptable in the interests of visual amenity as it would be over-large, unduly prominent and out of scale with its surroundings which would be detrimental to the street scene and the conservation area. As such the Inspector is, once again, invited to dismiss this appeal.

Yours faithfully



John W Thorne  
Area Planning Officer  
For Executive Director, Planning & Conservation

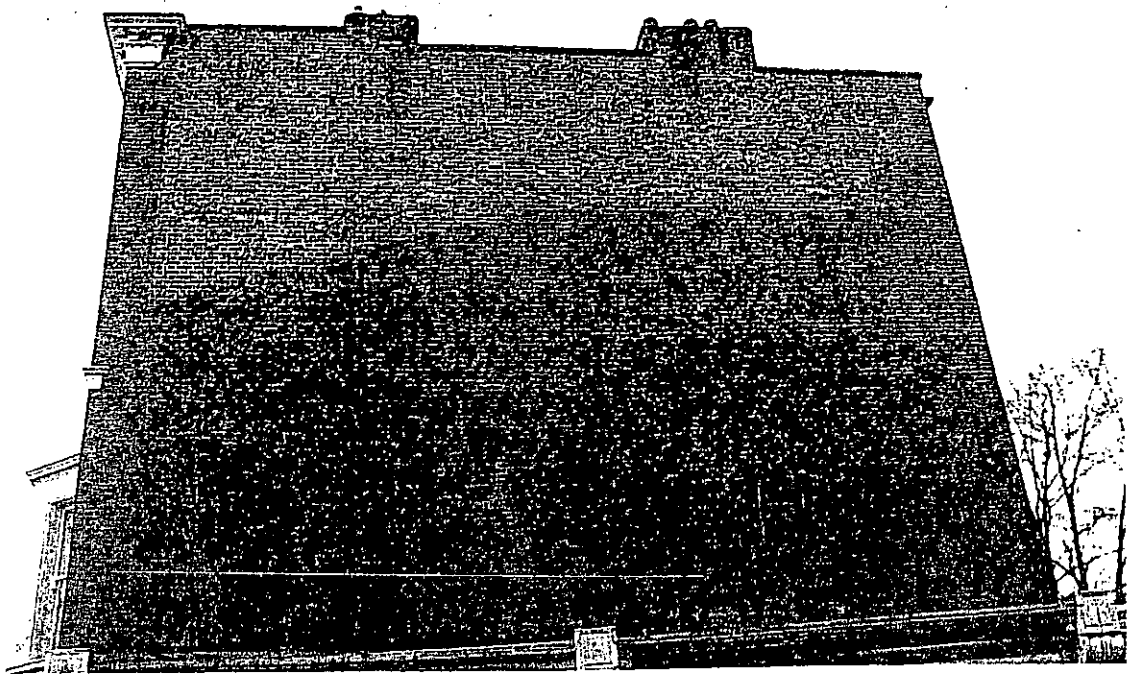
Map produced by the Royal Borough of Kensington and Chelsea  
Planning Services Department using GGP 10/04/2002. Scale 1:2498



**Neverne Square Conservation Area**







Earks Court Road :



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**PLANNING AND CONSERVATION**

---

THE TOWN HALL HORNTON STREET LONDON W8 7NX

**Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS**

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Department of Transport,  
Local Government and the Regions,  
3/17 Eagle Wing,  
Temple Quay House,  
2 The Square, Temple Quay,  
Bristol, BS1 6PN

Switchboard: 020-7937-5464

Direct Line: 020-7361-2081

Extension: 2081

Facsimilie: 020-7361-3463

---

**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

---

Date: 12 April 2002

My Ref: DPS/DCSW/CA/02/00067/KL  
DTLR's Reference: App/K5600/H/02/1085899

Please ask for: Rebecca Gill

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Appeal relating to: Flank wall, 2 Nevern Place, London, SW5 9PR**

With reference to the appeal on the above premises, I attach a copy of this Council's Statement.

The appellant has been sent a copy direct.

Yours faithfully,

**M.J. FRENCH**

Executive Director, Planning and Conservation

Enc.

---

**PLANNING AND CONSERVATION**

---

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Co:sign Media Ltd  
Unit 16 and 17,  
The Henfield Business Park,  
Shoreham Road,  
Henfield, West Sussex  
BN5 9SL

Switchboard: 020-7937-5464  
Direct Line: 020-7361- 2086  
Extension: 2086  
Facsimile: 020-7361-3463

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

Date: 12 April 2002

My Ref: DPS/DCSW/CA/02/00067/KL

DTLR's Reference: App/K5600/H/02/1085899 Please ask for: Ms K. Lucas

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Appeal relating to: Flank wall, 2 Nevern Place, London, SW5 9PR**

With reference to your appeal on the above address(es) enclosed you will find the Council's Statement and attached documents as necessary.

Yours faithfully,

**M.J. FRENCH**

Executive Director, Planning and Conservation

Enc.



# The Planning Inspectorate

KL

3/17 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line 0117-3728586  
Switchboard 0117-3728000  
Fax No 0117-3728181  
GTN 1371-8586

<http://www.planning-inspectorate.gov.uk>

Ms R Gill (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: CA/02/00067/CADV/  
Our Ref: APP/K5600/H/02/1085899  
Date: 19 April 2002

Dear Madam

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992  
APPEAL BY MEGAPOSTER UK LTD  
SITE AT 2 NEVERN PLACE, LONDON, SW5 9PR**

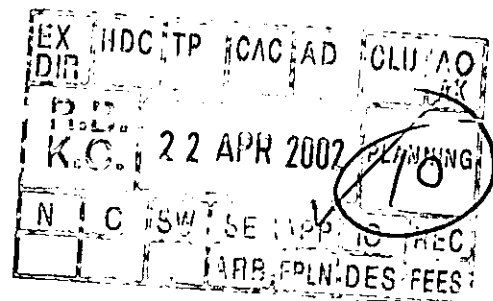
Enclosed is a copy of a third party representation received by this office.

Yours faithfully

*Mark Boulton*

Mark Boulton

A27



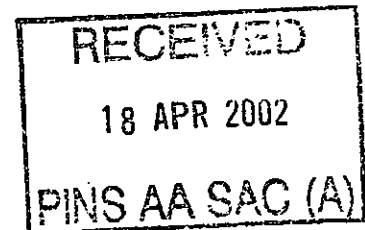
NEVERN SQUARE CONSERVATION AREA  
RESIDENTS' ASSOCIATION

18 NEVERN SQUARE LONDON SW5 9PD

TEL 020 7373 0810 FAX: 020 7244 9668

E-MAIL: [lwade@dial.pipex.com](mailto:lwade@dial.pipex.com)

The Planning Inspectorate  
3/17 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN



15 April 02

Dear Sirs

App/K6500/H/02/1085899

Flank wall, 2 Nevern Place, SW5 9PR

I am writing as chair of the Nevern Square Conservation Area Residents' Association and we consider that an advertisement hoarding would constitute injury to the visual amenity of the area. It is also contrary to the Council's as set to the UDP.

We feel that it would act as a precedent, within a Conservation Area, and act as encouragement to others to apply and obtain planning consent.

Residents' have complained in the past about advertising hoardings, which they feel distracts drivers. The site is just after one turning and a pedestrian crossing, which in turn is just off the West Cromwell Road (one of the busiest junctions in London).

I would urge you turn this appeal down as we feel that it is an unsuitable site on visual and safety grounds.

Yours sincerely

A handwritten signature in black ink, appearing to read "Linda Wade". The signature is written in a cursive, somewhat stylized script.

Linda Wade  
Chairman, NSCARA

02/0067

TO: SEE DISTRIBUTION LIST

FROM: EXECUTIVE DIRECTOR OF  
PLANNING &  
CONSERVATION

MY REF(S): RAG/CA/02/067/KL

YOUR REF:  
SEE DISTRIBUTION LIST

ROOM NO: 324

EXTN: 2081

DATE: ...4 October 2002...

TOWN AND COUNTRY PLANNING ACT, 1990

APPEAL .....2 Nevern Place, SW5

I attach for your information a copy of the decision for the appeal on the above-mentioned premises.

EXECUTIVE DIRECTOR OF PLANNING AND CONSERVATION

**DISTRIBUTION LIST:**

- COUNCILLOR TIM AHERN, CHAIRMAN, PLANNING SERVICES COMMITTEE
- COUNCILLOR L. A. HOLT, VICE CHAIRMAN, PLANNING SERVICES COMMITTEE
- COUNCILLOR IAN DONALDSON
- COUNCILLOR RIMA HORTON
- COUNCILLOR BARRY PHELPS, CABINET MEMBER FOR PLANNING POLICY
- TOWN CLERK & CHIEF EXECUTIVE ..... C.CAMPBELL RM: 253
- DIRECTOR OF LAW AND ADMINISTRATION...L. PARKER RM: 315
- LEGAL ASSISTANT (ENFORCEMENT ONLY).. H. VIECHWEG RM: 315
- LAND CHARGES..... M. IRELAND RM: 306
- COUNCIL TAX ACCOUNTS MANAGER..... T. RAWLINSON RM: G29
- TRANSPORTATION.....B.MOUNT RM: 230
- EXECUTIVE DIRECTOR OF PLANNING & CONSERVATION
- HEAD OF DEVELOPMENT CONTROL
- APPEALS OFFICER
- NORTH
- CENTRAL
- SOUTH-EAST
- SOUTH-WEST
- INFORMATION OFFICE
- FORWARD PLANNING..... G. FOSTER
- DESIGN..... D. MCDONALD
- STATUTORY REGISTER
- FILE(S)
- SYSTEMS..... C.STAPLETON



# The Planning Inspectorate

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<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728579  
Switchboard 0117-3728000  
Fax No 0117-3728181  
GTN 1371-8579

Ms R Gill (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: CA/02/00067/CADV/  
Our Ref: APP/K5600/H/02/1085899  
Date: 3 October 2002

Dear Madam

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992  
APPEAL BY MEGAPOSTER UK LTD  
SITE AT 2 NEVERN PLACE, LONDON, SW5 9PR**

I enclose a copy of our Officer's decision on the above appeal.

The attached leaflet explains the right of appeal to the High Court against the decision and how the documents can be inspected.

If you have any queries relating to the decision please send them to:

Quality Assurance Unit  
The Planning Inspectorate  
4/09 Kite Wing  
Temple Quay House  
2 The Square, Temple Quay  
Bristol BS1 6PN

Phone No. 0117 372 8252

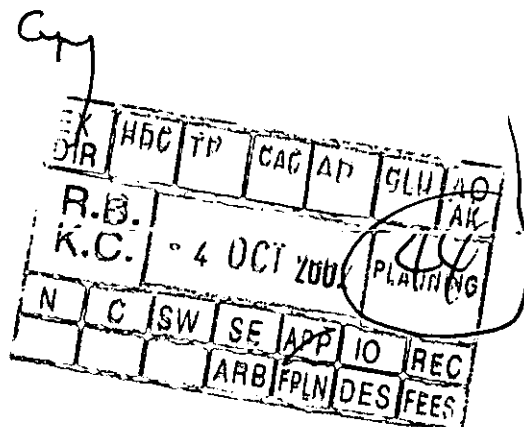
Fax No. 0117 372 8139

E-mail: [Complaints@pins.gsi.gov.uk](mailto:Complaints@pins.gsi.gov.uk)

Yours faithfully

David Tall

A17A







# Appeal Decision

Site visit made on 24 September 2002

by **David Leeming**

an Advertisement Appeal Inspector appointed by the First Secretary of State

The Planning Inspectorate  
4/09 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN  
☎ 0117 372 6372  
e-mail: enquiries@planning-  
inspectorate.gsi.gov.uk

Date **03 OCT 2002**

Appeal Ref: APP/K5600/H/02/1085899  
2 Nevern Place, London SW5

- 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 Megaposter UK Limited against the decision of The Council of The Royal Borough of Kensington & Chelsea.
- The application (Ref.CA/02/00067/CADV) is dated 17 December 2001.
- The advertisement proposed is an externally-illuminated mesh weave building cover incorporating an advertisement.

**Summary of Decision: The appeal is dismissed.**

## Main Issues

1. The main issues in this appeal are the visual impact of the proposed advertisement at the site and within the surroundings.

## Planning Policy

2. The Council refer to their advertisement control policies. The Regulations require that decisions be made only in the interests of amenity and public safety. Therefore the Council's policies alone cannot be decisive. But I have taken them into account as a material consideration.

## Reasons

3. The proposed advertisement would measure 9m by 9m. It would be sited on the north-east flank wall of a four-storey residential property, above built-out shops that front Earls Court Road. The site is within the Nevern Square Conservation Area where special attention must be paid to the desirability of preserving or enhancing its character or appearance. A strict control over the display of outdoor advertisements should therefore be maintained.
4. The flank wall, together with the one on the property at the other side of the entrance to Nevern Place, forms a large expanse of plain brickwork above the ground floor commercial aspects of the shops facing Earls Court Road. The proposed advertisement would cover most of the wall, presenting a large and uncompromisingly modern-looking advertisement there, above the traditional-style shopfronts.
5. In my view, the size, height and general appearance of the advertisement screen, emphasised by the illumination from its assertive projecting illuminated bracket-mounted lights, would introduce an alien and obtrusive advertisement onto the wall. Rather than adding an appropriate touch of colour to the flank wall, I consider that its colourful images would be out of keeping with the sober contrast that the traditional brickwork gives to the

architectural detailing of the windows and other features at the front and rear of the building.

6. Whilst the display would face a mainly commercial road, it would also be seen in association with the residential aspects of the property above street level and with those at the entrance to the imposing villa-style properties in Nevern Place generally. Viewed in this setting, I consider too, for similar reasons, that the impact of this large advertisement, emphasised by its illumination after dark, would be out of place and intrusive.

#### **Conclusions**

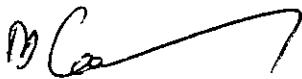
7. For the reasons given above and having regard to all other matters raised, I conclude that the display of the appeal advertisement, even for the limited period of one year as proposed, would be incompatible with the conservation status of the area and detrimental to the interests of amenity.

#### **Formal decision**

8. In exercise of the powers transferred to me, I therefore dismiss the appeal.

#### **Information**

9. Particulars of the right of appeal against this decision to the High Court are enclosed for those concerned.



Advertiser Appeal Inspector

**French, Michael: PC-GrpSvc**

---

**From:** Cllr-Phelps  
**Sent:** 11 February 2002 15:57  
**To:** Thorne, John W.: PC-PlanSvc  
**Cc:** French, Michael: PC-GrpSvc  
**Subject:** RE: 2 Nevern Place

Noted. Thank you. I have nothing to add

BP

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

**From:** Thorne, John W.: PC-PlanSvc  
**Sent:** 11 February 2002 15:36  
**To:** Cllr-Phelps  
**Cc:** French, Michael: PC-GrpSvc  
**Subject:** 2 Nevern Place

Re: Your E-Mail of 28th January.

I am today submitting a delegated report on application CA/02/0067 for an illuminated hoarding on the above building. The recommendation is that advertisement consent is refused.

JT

**French, Michael: PC-GrpSvc**

---

**From:** Cllr-Phelps  
**Sent:** 28 January 2002 09:49  
**To:** Ahern, Tim (E-mail); Down, Phillipa rbkc (E-mail); French, Michael rbkc (E-mail)  
**Cc:** Thorne, John W rbkc (E-mail)  
**Subject:** 2 Nevern Place ECT

2 Nevern Place SW5. Please keep me in the loop in advance of any decision. Thanks

1 Redcliffe St, Karin Renshw. If to PSC to Cllr Ahern. I know this lady and support her application.

BP