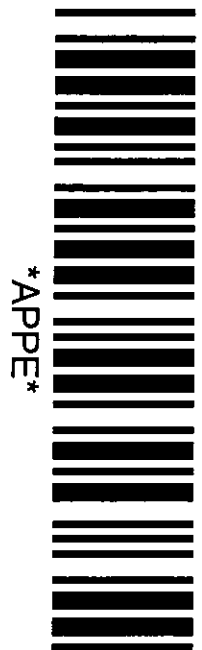


ROYAL BOROUGH
OF
KENSINGTON & CHELSEA

DOCUMENT SEPARATOR

DOCUMENT TYPE:

APPEAL



APPE

32

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

Co:sign *Media* Limited

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

33

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 AR
R.B. K.C.	11 MAR 2002				PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEE

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 24075B)

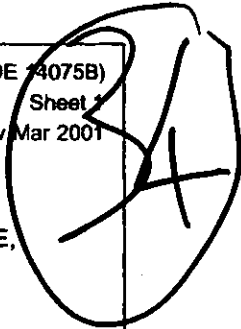
TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992

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 Graycoat 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?

- 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

Reference No's

35

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

36

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**

37

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. **PHILIPS**
- 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 Crt Gdns**
MOSC BUTLER = 9 Earls Crt Gdns - SWS OTD
- 3. **Nevern Sq Cns Area RA**
Ms Linda Wade, 18 Nevern, Sq, SWS 9PD

ALL 3RD 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 59NW.

38

NeVERN place RA
Miss S J Dodgson
24 (3) NeVERN Place
SW 5 OPR



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

39

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
R.B.	18 MAR 2002				PLANNING		
K.C.	SEN	SE	IO	REC			
	ARB	FPLN	DES	FEEs			

52

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

40

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

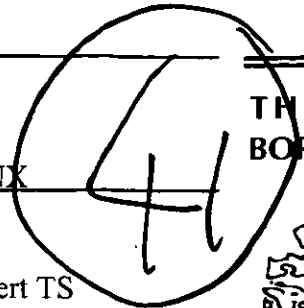
We have not received an advertisement appeal in respect of this site.

Yours faithfully

A6B

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

FILE COPY

1 Direct Line: 020-7361-2086

Extension: 2086

Facsimile: 020-7361-3463

Switchboard: 020-7937-5464



**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.

GROUNDS 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.

42

}

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
Web: 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 18th 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 12th 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 10th 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.

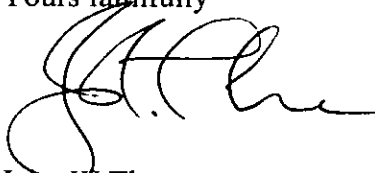
44

45

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

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

**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: 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.



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 0117-3728579
Switchboard 0117-3728000
Fax No 0117-3728187
GTN 1371-8579

48

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

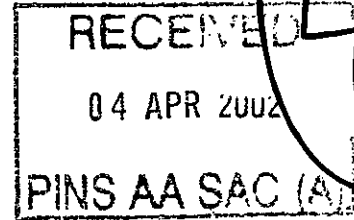
Ms Jennifer Saunders

A31

R	HDC	TP	CAC	AD	CL
		15		PR	2002
N	C		SE	P	IO
			ARB	FPLN	DES
					FEE

pp

Gay Wilson Smith
21 Kenway Rd
London SW5 0RP
Tel/fax 020 7370 3848



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

2 April 2002

Dear Sir/Madam

Your ref DTLRs Ref App/K5600/H/02/1085899
 (DPS/DCSW/CA/02/00067)

Control of Advertisements,
Notice of an Advertisement Appeal relating to:
Flank Wall, 2 Nevern Place, London SW5 9PR

On behalf of the Earls Court Village Residents Association, I continue to object to the proposed display of an advertisement board at the above mentioned premises. We have all fought hard to return to maintain the architectural character of Earls Court and advertising hoardings conflict with this goal. We hope that there will not be a slippery slope of inappropriate innovations to the area.

Yours faithfully,

Gay Wilson Smith
Chair of the Earls Court Village Residents Assoc.

FAX FROM

50

NAME: Kylie Lucas
THE DIRECTORATE OF PLANNING SERVICES
DATE: 03/04/02
MAIN TELEPHONE NUMBER: 020 7937 5464
DIRECT LINE: 0207 381 2086

THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

FAX NUMBER (if different from below) : _____

TO

NAME: Linda Wade
OF: Earl's Court Resident's 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

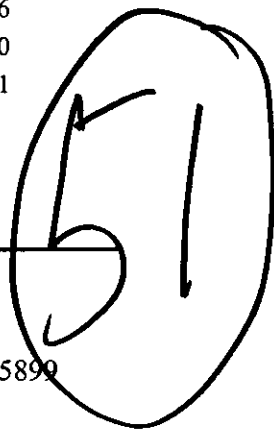


The Planning Inspectorate

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



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**

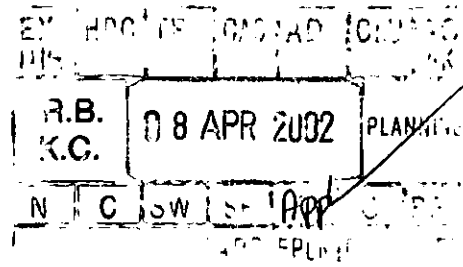
Enclosed is a copy of a third party representation received by this office.

Yours faithfully

Mark Boulton

Mark Boulton

A27



58

Co:sign *Media* Limited

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

KL
52

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

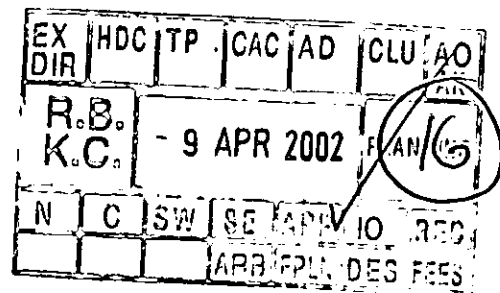
Please find enclosed for your records a reply to your statement concerning the appeal for the above stated site.

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

Yours faithfully



SR Talbot
Regional Planning Manager



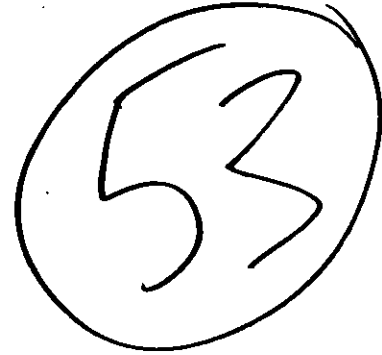
Co:sign *Media* Limited

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

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
Web: www.rbkc.gov.uk

THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

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.

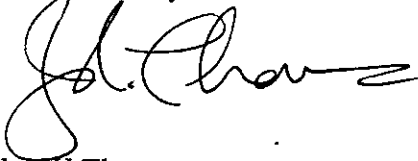
1.3 It is noted that the appellant has proposed that the illumination of the sign be on a timer that would be extinguished at nightfall. If the Inspector were minded to grant this appeal then it is

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.

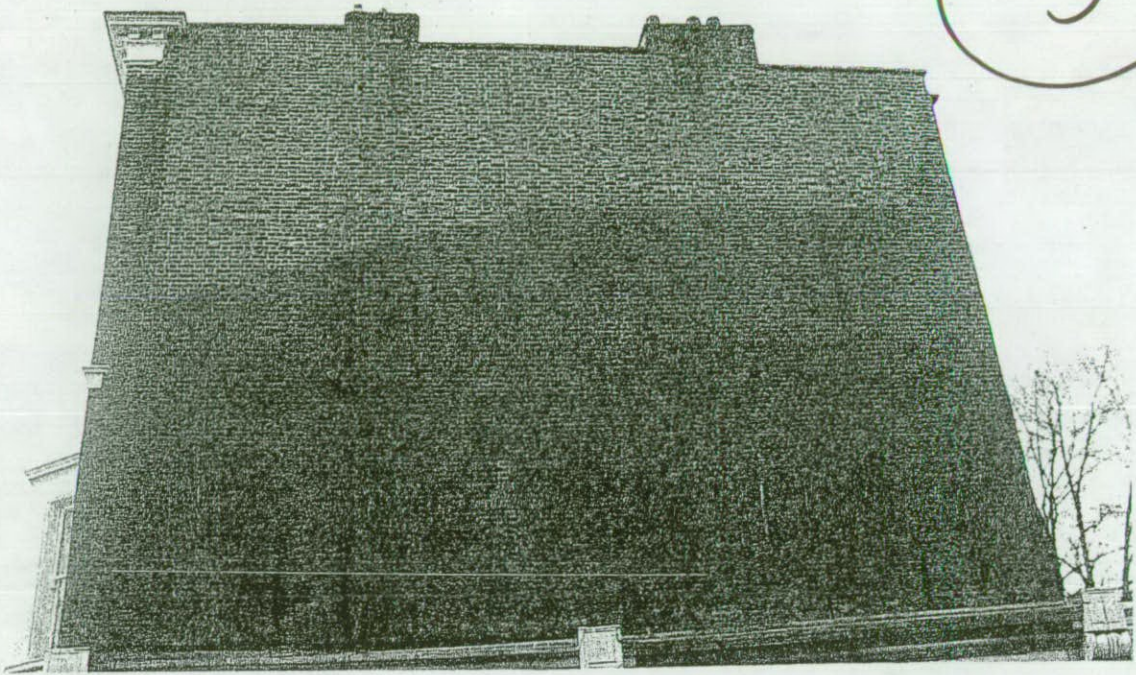
Yours faithfully



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



57



Earks Court Road.

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



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

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.

NEVERN SQUARE CONSERVATION AREA
RESIDENTS' ASSOCIATION

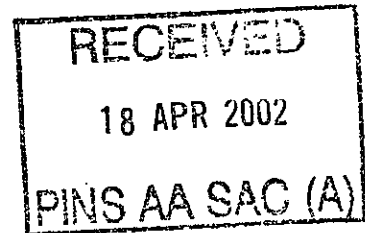
18 NEVERN SQUARE LONDON SW5 9PD

TEL 020 7373 0810 FAX: 020 7244 9668

E-MAIL: lwade@dial.pipex.com

62

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".

Linda Wade
Chairman, NSCARA



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 1371-8586

KL
 63

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

EX DIR	HDC	TP	CAC	AD	GLU	AO MK
R.B.		22 APR 2002			PLANNING 10	
N	C	SW	SE	APP	IS	REC
			ARB	FPLN	DES	FEE