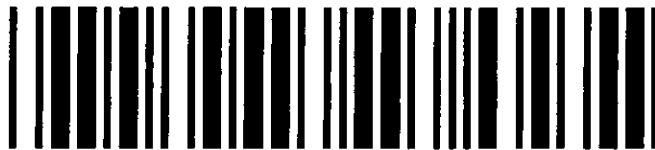


ROYAL BOROUGH  
OF  
KENSINGTON & CHELSEA

DOCUMENT SEPARATOR

DOCUMENT TYPE:

APPEAL DECISION



\*APPD\*



\*APPD\*

02/0067

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PLANNING &  
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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
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- INFORMATION OFFICE
- FORWARD PLANNING..... G. FOSTER
- DESIGN..... D. MCDONALD
- STATUTORY REGISTER
- FILE(S)
- SYSTEMS..... C.STAPLETON



# 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



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:

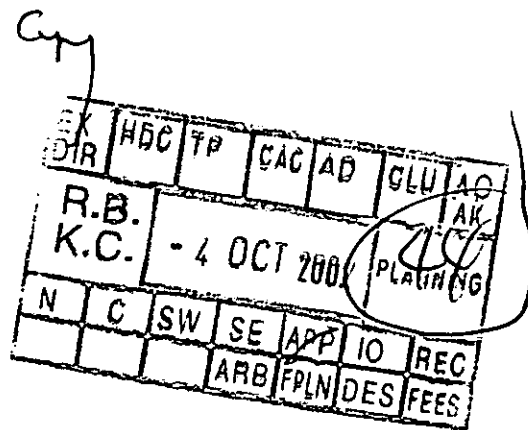
Quality Assurance Unit  
The Planning Inspectorate  
4/09 Kite Wing  
Temple Quay House  
2 The Square, Temple Quay  
Bristol BS1 6PN

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  
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Bristol BS1 6PN  
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e-mail: enquiries@planning-  
inspectorate.dsi.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

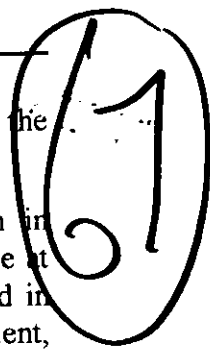
2. The Council refer to their advertisement control policies. The Regulations require that decisions be made only in the interests of amenity and public safety. Therefore the Council's policies alone cannot be decisive. But I have taken them into account as a material consideration.

## 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.

Advertisment Appeal Inspector