

Appeal Decision

Site visit made on 9 February 2017

by Terry G Phillimore MA MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 February 2017

Appeal Ref: APP/K5600/Z/17/3166744

Leyland SDM, 361-369 Kensington High Street, London W14 8QZ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Leyland SDM against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref CA/16/06951, dated 15 October 2016, was refused by notice dated 14 December 2016.
 - The advertisement proposed is installation of internally illuminated fascia sign to ground floor front and side elevation.
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Decision

1. The appeal is allowed and express consent is granted for the display of the internally illuminated fascia sign to ground floor front and side elevation as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) The maximum steady brightness of the illumination of the advertisements shall not exceed 250 candelas per square metre.
 - 2) The illumination of the advertisements shall not at any time be intermittent.
 - 3) The sign permitted by this consent shall only be illuminated during the opening hours of the premises to which it relates.

Main Issue

2. The main issue is the effect the proposal would have on amenity.

Reasons

3. The site is part of a block comprising ground floor shop units with 6 floors of residential accommodation above located on the south-east side of Kensington High Street between Warwick Road and Warwick Gardens. Nos 361-369 comprise the majority of the Kensington High Street frontage together with the return to Warwick Gardens.
 4. At present the single retail business within the premises has a continuous top lit fascia sign which extends across all of the units which form the premises and around the corner. In addition most of the units have signage within the fanlights at the tops of the shopfronts immediately below the fascia. There is
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some variation in the detail of the shopfronts but they are generally recessed back from the fascia and within the structural piers that divide the units.

5. With the proposal this existing signage would be replaced by six separate sign panels. The widths of these would be defined by the structural piers along the frontage and at the corner of the building. The base of the signs would align with the general bottom edge of the fanlights. Due to the differing planes of the respective elements there would be a need for varying infill solid panels below the signs, with an element of protrusion of the panels from the shopfronts. The signs would be considerably deeper than the existing signs, but not exceed the combined depths of the existing fascia and fanlight signage. The depths and positions of the signs would also match the existing signs to the two units at the Warwick Road end of the building (Nos 371 and 373), which reflect a subdivision by the unit piers in a similar manner to that proposed. The resultant degree of consistency and adherence to the bay widths across the frontage of the block would be a positive feature of the proposal.
6. In terms of lighting, it is proposed that there would be individual LED backlit letters on the signs, so that the signs as a whole would not be lit. This follows the method of lighting to the fascia sign of No 373.
7. Overall the proposed signage reasonably respects the features of the building and the signs would not be unduly prominent. In addition to the standard conditions, the conditions suggested by the Council are needed to safeguard amenity.
8. There is no suggestion that any adverse road or other safety impact would result from the proposal.
9. The streetscape requirements relating to advertisements of policy CR 4 of the Royal Borough of Kensington and Chelsea Consolidated Local Plan 2015 would be complied with.

Conclusion

10. For the reasons given above I conclude that the display of the advertisement would not be detrimental to the interests of amenity and public safety.

T G Phillimore

INSPECTOR