
Appeal Decision

Site visit made on 19 April 2017

by Caroline Mulloy BSc (Hons) DipTP MRTPI

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

Decision date: 05 May 2017

Appeal Ref: APP/K5600/Z/17/3167377
332 Ladbroke Grove, London W10 5AD

- 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 Mr David O'Donnell against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref CA/16/06225, dated 19 September 2016, was refused by notice dated 22 November 2016.
 - The advertisement proposed is 1 x fascia sign displayed above club entrance.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The advertisement is already in place and the application is, therefore, retrospective and I have dealt with the appeal on this basis.

Main Issue

3. The main issue in this appeal is the effect of the advertisement on amenity.

Reasons

4. The National Planning Policy Framework (the Framework) states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts and I have considered the appeal on the same basis.
 5. The appeal site is a ground floor unit (unit 3) situated within the Grand Union Studios, a large modern mixed-use building which fronts onto Ladbroke Grove in a predominately commercial area. The host building has a strong visual presence on Ladbroke Grove due to its scale and warehouse like appearance. It has a strong architectural rhythm and symmetry formed by the regular brick columns and rows enclosing large windows which are set in from the façade. Due to its recent construction many of the ground floor units are not yet occupied. However, the advertising for those which are occupied are integrated within the window display, with the exception of the appeal unit.
 6. The advertisement is comprised of illuminated aluminium letters and a logo placed above the recessed openings in the building on the brick façade. It is situated approximately 3.26m from the ground and is approximately 0.68m high, 7m in width and 0.14m deep. The letters are opal acrylic with an overlay
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- of a black vinyl line and the logo is translucent purple vinyl. Both the letters and the logo are illuminated by white LEDs and fitted to an aluminium rail.
7. Due to the raised nature, size and colour the lettering and logo contrasts starkly with the brick façade of the building and creates visual clutter in an otherwise simple elevation. In addition, the advertisement interrupts the flow of the brick columns and rows thereby disrupting the strong rhythm and symmetry of the building. As a result the architectural uniformity and identity of the building is comprised. Furthermore, due to the location of the advertisement above the ground floor window close to the junction with Canal Way the advertisement is very prominent in the street scene. The illumination draws further attention to the incongruous appearance of the advertisement. Consequently, the advertisement harms the visual amenity of the building and the area.
 8. Attention is drawn to the lettering attached adjacent to the entrance denoting the building's name. However, this lettering is smaller than that of the appeal advertisement and it is situated on the side wall to the main entrance of the building. The lettering to the roof is situated away from the brick façade. Neither of the examples disrupts the strong rhythm or visual uniformity of the building and are not, therefore, directly comparable to the appeal proposal.
 9. Two advertisement hoardings are situated adjacent to the site in a highly prominent location at the junction of Ladbroke Grove and Canal Way. No details are provided of these cases and I cannot, therefore, be certain that they benefit from planning permission which limits the weight which I can attach to them in my Decision. In any event, their presence does not justify the harm which I have identified.
 10. Attention is also drawn to an advertisement close to the top of a nearby building. However, the building has a less uniform design than the appeal building and the logo is situated on plain white section of the façade and does not disrupt the rhythm or uniformity of the building. It is not, therefore, directly comparable to the appeal proposal. Advertisements are also attached to the external elevations of the Canalside office at 383 Ladbroke Grove. These advertisements, whilst situated on the brick elevation are not illuminated and are, therefore, less harmful than the appeal proposal. As such they do not justify the harm which I have identified.
 11. Reference is also made to signage which has been approved in Wandsworth, however, no details are provided and the case would have been determined within a different development plan context. No details are also provided of the other cases referred to which in any event appear to be materially different to the appeal proposal. Indeed none of these cases are directly comparable to the appeal proposal which limits the weight which I can attach to them in my Decision.
 12. The appellant considers that the alternative location suggested for the advertisement would be set back from the main building elevations and would, therefore, restrict the business from advertising its presence and location to potential members. However, I note that there is an area directly below the brick row which appears to have been set aside for advertisements and I note that another business has utilised the window for an advertisement. The appellant has also utilised the window for an advertisement which is at ground

floor level and readily visible to passing pedestrians and vehicles, particularly given its location close to the junction with Canalside Way.

13. Policy CL1 of the Council's Consolidated Local Plan (Local Plan) 2015 requires development to respect the existing context, character and appearance of the area. Policy CL10 of the Local Plan requires shop fronts to relate well to buildings above and Policy CR4 of the Local Plan seeks to ensure that advertisements and signs are carefully controlled to avoid clutter and protect the quality of the streetscape. I have taken account of these policies which seek to protect amenity and so are material in this case. Given that I have concluded that the advertisement harms amenity it conflicts with these policies.
14. Furthermore, the advertisement conflicts with paragraph 67 of the Framework which states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment.
15. I have taken account of the appellant's business needs and the economic benefit of the advertisement. However, in this instance any benefits are substantially outweighed by the adverse effects that would arise in such a prominent location. It is, therefore, concluded that the advertisement is harmful to visual amenity.

Caroline Mulloy

Inspector