



Appeal Decision

Site visit made on 26 November 2019

by Colin Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2019

Appeal Ref: APP/K5600/Z/19/3236868

201-207 Kensington High Street, London W8 6BA

- 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 Mark Wilkinson against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref CA/19/04907, dated 11 July 2019, was refused by notice dated 6 September 2019.
 - The advertisement proposed is a temporary non illuminated open weave mesh banner display upon a fully working access scaffold.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have abbreviated the description of development in the header above from that shown in the Application Form.

Main Issue

3. The main issue is the effect of the proposal on visual amenity.

Reasons

4. The appeal property is situated within the Edwardes Square, Scarsdale and Abingdon Conservation Area. The significance of the Conservation Area lies mainly in the architectural quality of the buildings and the physical arrangement of streets and public spaces.
5. Kensington High Street is a busy retail area and contains a wide variety of advertising displays and signage. However, most of this is confined to the ground floor of buildings. At first and second floor levels, building frontages are generally free of advertising, allowing the architectural detailing to be appreciated along the length of the street.
6. I noted on my site visit that some nearby buildings were undergoing renovation and had scaffolding erected outside. However, the scaffolding on those buildings was covered by wraps which were predominately plain white. I did not see any examples of large advertising banners on scaffold wrap elsewhere along this part of Kensington High Street.
7. The proposed scaffold covering would feature an advertising banner which would be at the same height as the first and second floors of the building.

While the banner would not be illuminated, it would nonetheless appear very prominent within this part of Kensington High Street due to its relatively large size combined with its height above ground level. Its visual prominence would be further exacerbated due to the lack of similar examples of advertising elsewhere within the immediate confines of the site. The overall effect would be to visually distract from the architectural facades of buildings running along this part of Kensington High Street. As such, it would harm the appearance of the Conservation Area, failing to preserve its significance.

8. I appreciate that some form of scaffold covering will be necessary when the building undergoes renovations and that the proposal has been modified to help address previous reasons for refusal. The appellant emphasises that the proposal is for a higher quality cover than would be provided otherwise, and I recognise that there are some positive design features, such as the 1:1 image of the host building on parts of the covering. However, I am not convinced that the proposal would be less harmful than a standard, plain white cover similar to those visible on nearby buildings. It seems to me that these are less visually distracting than the proposed covering would be.
9. Although the covering would only be present on a temporary basis, it would nonetheless be conspicuous for the duration of time that it would be present. As such, it would still cause visual harm to the Conservation Area in the manner identified above. In reaching this decision, I am mindful that the National Planning Policy Framework (the NPPF) advises that 'great weight' should be assigned to the conservation of heritage assets.
10. My attention has been drawn to an Appeal Decision¹ where a similar proposal was allowed at 143-145 Kensington High Street. This is in close proximity to the current site and was for a slightly larger advertising banner than is being proposed in the current appeal. I am not aware of the full circumstances of the previous appeal, including what was what was present at 143-145 when the Inspector carried out his site visit in September 2014. However, I note that he described the property as having an 'untidy appearance' in that case, finding that the proposed covering would result in an improvement from the existing situation. This is not my assessment in the current appeal, which is based on a more recent visual appraisal of Kensington High Street. As such, I do not consider the previous appeal to have set a convincing precedent.
11. I conclude that the proposal would harm visual amenity. There would be conflict with policies which are designed to protect Conservation Areas, including Policy CL3 of the Royal Borough of Kensington and Chelsea Local Plan of September 2019. The appeal is therefore dismissed.

Colin Cresswell

INSPECTOR

¹ Appeal Decision: APP/K5600/H/14/2224820