



Appeal Decision

Site Visit made on 9 November 2021

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2021

Appeal Ref: APP/K5600/Z/21/3278690

152 Ladbroke Grove, London W10 5NA

- 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 Ms Anna McAree (Build Hollywood Ltd) against the decision of the Council of the Royal Borough of Kensington and Chelsea.
 - The application Ref CA/21/00761, dated 2 February 2021, was refused by notice dated 21 May 2021.
 - The advertisement proposed is a wall-mounted timber poster board for the display of 4 sheet posters (non-illuminated) measuring 4.2m wide X 1.6m high.
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Decision

1. The appeal is allowed and express consent is granted for the display of a wall-mounted timber poster board for the display of 4 sheet posters (non-illuminated) measuring 4.2m wide X 1.6m high, 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.

Preliminary Matter

2. The proposed advertisement is already in place so I have considered it on that basis.

Main Issue

3. The Regulations make clear that advertisements should be subject to control only in the interests of amenity and public safety. The Council has not raised any concerns on safety grounds. I have no reason to take a different view. Thus, the main issue in this appeal is the effect of the proposed advertisement on amenity.

Reasons

4. The appeal site lies within the Oxford Gardens Conservation Area (CA) on the end of a 4-storey terraced row at the junction of Ladbroke Grove with Cambridge Gardens. It has a retail use at ground floor with residential accommodation above. The retail unit forms part of the Ladbroke Grove Station Neighbourhood Shopping Centre, which extends beyond the CA boundary and has a distinct urban character in contrast with the predominantly residential character of the CA.
5. The advertisement is located at ground floor level on the blank side elevation facing Cambridge Gardens where it is prominent in view from the south along Ladbroke Grove and along Cambridge Gardens. Nonetheless, it is seen at the same level and in the context of the vibrant commercial frontages that characterise the shopping centre on Ladbroke Grove where there is great

variety in style, size and materials of advertisements. It is also positioned above a group of service kiosks and a telephone box, such that it is not an isolated feature against the gable end. In this context, and given the small proportion of the wall that it occupies, as well as the absence of illumination, the advertisement is not a visually dominant or intrusive feature on the building or in the street scene. I am also mindful that advertising facilities such as these can help to prevent uncontrolled flyposting to the benefit of the wider surrounding area.

6. Whilst I have noted the Council's concern in terms of setting a precedent for other similar advertisements, it is the case that each application and appeal must be determined on its individual merits, and a generalised concern of this nature does not justify withholding consent in this case.
7. I conclude that the size, appearance and positioning of the advertisement is not harmful to the amenity of the area. As such, the character and appearance of the CA has been preserved. The proposal complies with Policies CL3, CL11 and CR4 of the Royal Borough of Kensington and Chelsea Local Plan (2019), insofar as they are relevant to the issue of amenity. The proposal also complies with the Framework in these regards.

Conditions

8. The appellant has indicated that a shorter consent of 2 years would be accepted, but given my findings above I see no reason why the standard 5 year consent as originally applied for would not be appropriate. No further conditions beyond the standard advertisement conditions set out in the Regulations are necessary.

Conclusion

9. For the reasons given I conclude that the appeal should succeed.

A Caines

INSPECTOR