



Appeal Decision

Site visit made on 7 June 2024

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2024

Appeal Ref: APP/K5600/Z/24/3340560

13 Thurloe Street, London SW7 2SS

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Remedia International Ltd against the decision of Royal Borough of Kensington and Chelsea.
 - The application Ref is CA/23/07452 dated 9 November 2023, was refused by notice dated 18 January 2024
 - The advertisement proposed is static unilluminated panel.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require decisions to be made only in the interests of amenity and public safety. Factors relevant to amenity are stated by the Regulations to include the general characteristics of the locality, including features of historic or architectural interest.
3. The site is the statutory listed Grade II listed building and within the Thurloe Estate and Smith's Charity Conservation Area (CA). Therefore, as the proposal relates to a listed asset, as well as development within the CA, I have had special regard to sections 66 (1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act.
4. The reason for refusal relates to amenity only and the Council raises no concerns regarding public safety. There is no reason for me to come to a different view on public safety.

Main Issues

5. The main issue is whether the proposed advert would preserve or enhance the character or appearance of the Thurloe Estate Smith's Charity Conservation Area (CA) and preserve the special interest of the Grade II listed building.

Reasons

6. The appeal site forms part of a group listing with 1-13 Thurloe Street. Their significance derives from their historic and architectural interest. Built in the mid-19th Century, stuccoed to the front elevation with rusticated ground floor, timber sash windows with segmented heads and iconic columned porches, as a group, displays a pleasing rhythm. The gable end is part rendered part brick

with an external arched blind window and decorative balustrade. The group also makes a positive contribution to the character of the CA. The CA is one of mixed eras of development ranging from the Georgian period and beyond. Much decorated facades, open spaces, revered museums intertwined with greenery creates a characterful but cohesiveness to the locale that displays a high-quality townscape as a whole.

7. The proposed display would be attached to the gable end of No. 13 and contained within a frame at approximately 5m by 5m at a raised height, centrally positioned.
8. No. 13 is on the corner of the junction with Exhibition Road and the proposed advert would face out onto this area which is a pedestrianised street containing a number of cafes and restaurants. Exhibition Road is a busy thoroughfare with the wider area a mix of residential and commercial uses, many with ground floor cafe uses and traditional shopfronts. There is a strong visual attraction to this area created by a combination of the wide pedestrian street at Exhibition Road, public realm, tall and elegant buildings that surround it, the colourful awnings of the cafes/restaurants, and lively environment that ensues.
9. Due to the commercial character of Exhibition Road, advertising is not uncommon within the locality. However, signage is typically small in scale and is usually restricted to ground floor level, attached to historic shop fascia's and largely associated with the business it is attached. The gable end of the listed asset together with the other listed buildings along the terrace carries group value and is not experienced in isolation. The proposed size of the advert would obstruct the gable end which, despite its pared back aesthetics when compared to the more elaborate front elevation of the terrace, is nevertheless an intrinsic component of the character of the heritage asset, and a very prominent feature, of historic interest as a whole.
10. Given its proposed high level and large scale, the advertisement would be viewed in the context of the listed terrace and on this western elevation, very visually exposed within the CA. I appreciate it would be a static and non-illuminated display set within a decorative frame, but nevertheless, it would not successfully integrate as an advertising feature in this context. It would not respond to local distinctiveness and therefore significantly at odds with the character of the locality.
11. The evidence before me demonstrates high level advertising panels were displayed at the appeal site dating from the 1970's. This has long since been removed with the gable end opposite also free from adverts at high level. This is a common thread to gable ends in the locality remaining blank and uncluttered. Even if the building was listed with adverts displayed, or indeed the conservation area was designated when adverts were displayed on the gable end here, does not lead me to conclude that advertising in this location is suitable in present day. The examples provided by the appellant are not sufficiently close to the appeal site for me to consider are the same circumstances. Advertising of various forms is apparent, but these do not compare to that before me. As is my duty, I am required to consider the proposal before me in its specific context and circumstances.
12. To conclude on this main issue, the proposal would result in harm to the character and appearance of the Thurloe Estate and Smith's Charity Conservation Area and to the special architectural and historic interest of the

Grade II listed building. The Council have drawn my attention to policies CR4, CL3, CL4 and CL11 of the Royal Borough of Kensington and Chelsea Local Plan. I find that the proposal would conflict with these policies insofar as they relate to amenity.

Conclusion

13. The appeal is dismissed.

Alison Scott

INSPECTOR

