

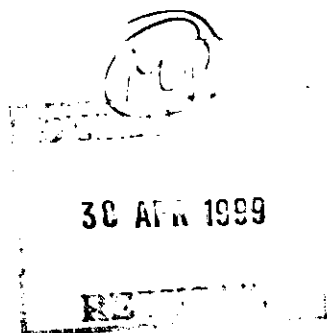
Number C/A: 99/549

Date Opened: 19.3.99



# TOWN PLANNING DEVELOPMENT CONTROL

Property: WESTGATE CENTRE  
5 WEST CROMWELL ROAD  
SWS



*[Handwritten signature]*

The Royal Borough of  
Kensington & Chelsea

22  
3  
Doss  
@mrs

OBJECTORS  
NOTICE  
COMMUNITY



El Sub Sta

Moscow Mansions  
224

226

Hotel

WEST CROMWELL ROAD

EARL'S COURT ROAD

El Sub Sta

601

2

601

122 91 221

20

642 0

601

2

12

24

28

61

# PLANNING SERVICES APPLICATION

## CONSULTATION SHEET

### APPLICANT:

GMA Planning Limited,  
Queens House,  
Holly Road,  
Twickenham  
TW1 4EG

APPLICATION NO: CA/99/00549 *NS*

APPLICATION DATED: 15/03/1999

DATE ACKNOWLEDGED: 19 March 1999

APPLICATION COMPLETE: 19/03/1999

DATE TO BE DECIDED BY: 14/05/1999

SITE: Westgate Centre, 5 West Cromwell Road, S.W.5

PROPOSAL: Provision and display of a 96 sheet display unit with a protective perspex screen, for a limited period.

### ADDRESSES TO BE CONSULTED

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
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- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.

### CONSULT STATUTORILY

HBMC Listed Buildings  
HBMC Setting of Buildings Grade I or II  
HBMC Demolition in Conservation Area  
Demolition Bodies  
DoT Trunk Road - Increased traffic  
DoT Westway etc.,  
Neighbouring Local Authority  
Strategic view authorities  
Kensington Palace  
Civil Aviation Authority (over 300')  
Theatres Trust  
National Rivers Authority  
Thames Water  
Crossrail  
LRT/Chelsea-Hackney Line

### ADVERTISE

Effect on CA  
Setting of Listed Building  
Works to Listed Building  
Departure from UDP  
Demolition in CA  
"Major Development"  
Environmental Assessment  
No Site Notice Required  
Notice Required other reason  
Police  
L.P.A.C  
British Waterways  
Environmental Health

*ENV*  
*24/3*

**PLANNING AND CONSERVATION**

**THE TOWN HALL HORNTON STREET LONDON W8 7NX**

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

*Filmy*

**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

GMA Planning Limited,  
Queens House,  
Holly Road,  
Twickenham  
TW1 4EG

Switchboard: 0171-937-5464  
Direct Line: 0171-361-2699  
Extension: 2699  
Facsimile: 0171-361-3463

30 APR 1999

**My Ref: CA/99/00549/CADV/11/120**  
**Your Ref:**

**Please ask for: South West Area Team**

Dear Sir/Madam,

**FILE COPY**

**TOWN AND COUNTRY PLANNING ACT, 1990**

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS)  
REGULATIONS 1992**

**REFUSAL OF CONSENT TO DISPLAY ADVERTISEMENT(S) (DA2)**

The Borough Council in pursuance of their powers under the above mentioned Act and Regulations, hereby REFUSE consent to the advertisement(s) referred to in the under-mentioned schedule as shown in the plans submitted. Your attention is drawn to the enclosed Advertisement Information sheet.

**SCHEDULE**

**DEVELOPMENT:** Display of one illuminated 96 sheet hoarding for a limited period until 14 January, 2000.

**SITE ADDRESS:** Westgate Centre, 5 West Cromwell Road, Kensington, S.W.5

**RBK&C Drawing Nos:** CA/99/00549

**Applicant's Drawing Nos:** 917/02/A

**Application Dated:** 15/03/1999

**Application Completed:** 19/03/1999

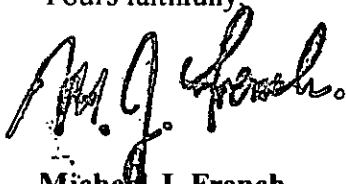
**Application Revised:** N/A

**REASON FOR REFUSAL OF PERMISSION ATTACHED OVERLEAF**

**REASON FOR REFUSAL:**

By virtue of the location, size and illumination, the proposed hoarding is considered to be overdominant and out of character with the surrounding locality, thereby causing harm to visual amenity. The siting of this advertisement at this location could also form a precedent for similar display of advertisements in the locality that could be difficult to refuse. The proposal is therefore contrary to the policies of the Council contained in the Unitary Development Plan, in particular Policy CD68.

Yours faithfully

A handwritten signature in black ink, appearing to read "M. J. French". The signature is written in a cursive, flowing style.

**Michael J. French**  
Executive Director, Planning and Conservation



SUMMIT HOUSE  
 27 SALE PLACE  
 LONDON W2 1YR  
 TEL: 0171 298 8000  
 FAX: 0171 298 8080

**LEGAL DEPARTMENT**

Our ref: PS/CCS/L22  
 Your ref: DPS/BAR/MW

Direct Line 020-7298-8014  
 Legal Fax No. 020-7298-8199

24 August 2000

The Royal Borough of Kensington and Chelsea  
 Planning and Conversation  
 The Town Hall  
 Horton Street  
 London  
 W8 7NX

Dear Mr French

**Re: The Town and Country Planning Act 1990  
 The Westgate Centre, 5 West Cromwell Road, SW5**

Thank you for your letter dated 17<sup>th</sup> August 2000 in regard to the above property.

At present Mills & Allen do not own the freehold to this property, however, the freehold transfers in February 2001. I have also become concerned with the condition of the site and have arranged for the graffiti/fly posting and the forecourt to be tidied up.

I understand you are meeting Jean Francois Decaux in September where the issue of this site can be discussed.

Yours sincerely

*Lawrence Haines*  
**Lawrence Haines**  
**Managing Director**

RECEIVED BY PLANNING SERVICES							
EX	HBB	N	C	AW	DE	ENF	AD ACK
29 AUG 2000						45	
IO	REC	ARB	FEE				



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**PLANNING AND CONSERVATION**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

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Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

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**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

---

United Communications Limited,  
Summit House,  
27 Sale Place,  
London W2 1YR

Switchboard: 0207 937 5464  
Extension: 3265  
Direct Line: 0207 361 3265  
Facsimile: 0207 361 3463  
Email: plnmbw@rbkc.gov.uk

17 August 2000

---

My reference: DPS/BAR/MW

Your reference:

Please ask for: Mike Walsh

Dear Sir,

**The Town and Country Planning Act 1990  
The Westgate Centre, 5 West Cromwell Road, SW5**

It has been brought to my attention that this property is being neglected and is a matter of considerable concern to local residents and to this Council. As the owner of this property, you are expected to maintain it in a sound and secure condition.

In view of the deteriorating condition of this property and its detrimental effect upon the adjoining properties, I must advise you that serious consideration is now being given to the use of those powers contained within the above Act to arrest any further deterioration of this property.

I am sure you will agree that it is in the interest of all parties that statutory proceedings are avoided and I would therefore be grateful to hear of any proposals you may have to secure the immediate restoration of this property.

Yours Faithfully,

**M . J . French,  
Executive Director, Planning and Conservation.**



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**PLANNING AND CONSERVATION**

THE TOWN HALL HORNTON STREET LONDON W8 7NY

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Mr K McLoughlin,  
44 Pembroke Road,  
London W8 6NU

Switchboard: 0207 937 5464  
Extension: 3265  
Direct Line: 0207 361 3265  
Facsimile: 0207 361 3463  
Email: plnmbw@rbkc.gov.uk

17 August 2000

---

---

**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

---

---

My reference: DPS/BAR/MW

Your reference:

Please ask for: Mike Walsh

Dear Sir,

**Westgate Centre, West Cromwell Road, SW5**

Thank you for your e-mail dated 13<sup>th</sup> August 2000.

The Council has written to the owners, United Communications Limited, requesting that they maintain this property in a proper manner. The property will also be placed on the Council's Building at Risk Register and will be reported to the next meeting of the Council's Planning and Conservation Committee.

Yours Faithfully,

**M. J. French,**  
**Executive Director, Planning and Conservation.**

**Walsh, Michael: PC-PlanSvc**

---

**From:** Mcloug44@aol.com  
**Sent:** 14 August 2000 08:15  
**To:** plnmbw@rbkc.gov.uk  
**Subject:** (no subject)

Mr M J French  
The Royal Borough of Kensington and Chelsea  
The Town Hall  
Hornton Street  
London W8 7NX

13 August 2000

Re: Pagoda on Cromwell Road

Dear Mr French

Thank you for your response dated 8 August to my letter setting out my concerns over graffiti. I was pleased to learn the RBK&C will be assigning an officer to address this growing problem.

My letter contained, however, a second concern which you did not address, namely the dilapidated structure on Cromwell Road, on the south side, between Earls Court Road and Warwick Road. I would describe it as a cross between a pagoda and a billboard. My point is that it is ugly and seems to serve no purpose. Accordingly, I would be grateful to know (1) what it is, and; (2) why it is allowed to remain in such dilapidated condition.

Sincerely yours,

Kevin T. McLoughlin

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# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

Mr K McLoughlin,  
44 Pembroke Road,  
London W8 6NU

Switchboard: 0207 937 5464  
Extension: 3265  
Direct Line: 0207 361 3265  
Facsimile: 0207 361 3463  
Email: [plnmbw@rbkc.gov.uk](mailto:plnmbw@rbkc.gov.uk)

8 August 2000

---

My reference: DPS/BAR/MW

Your reference:

Please ask for: Mike Walsh

Dear Sir,

**Graffiti -Westgate Centre, West Cromwell Road, SW5**

Thank you for your letter dated 22<sup>nd</sup> June 2000 and I apologise for the delay in replying.

The Council decided, at its meeting on 4<sup>th</sup> April 2000, that it is prepared to undertake a limited programme of graffiti and fly-poster removal in order to evaluate the costs and implications of undertaking a wider programme of graffiti and fly-poster removal throughout the Borough. Contractors have been appointed and have removed graffiti from this structure along with graffiti from adjoining properties.

The Council is also to appoint an officer to manage this programme for one year in an effort to co-ordinate graffiti and fly-poster removal from private properties throughout the Borough.

Yours Faithfully,

M. J. French,  
Executive Director, Planning and Conservation.

44 Pembroke Road  
London  
W8 6NU  
Tel (home) 020 7602 4087  
Tel (work) 020 7568 2489

22 June, 2000

The Royal Borough of Kensington and Chelsea  
The Town Hall  
Hornton Street  
London  
W8 7NX


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23 JUN 2000 (62)							
SPR	IO	REC	ARB	FWD PLN	CON DES	FEES	

Dear Mr French

As a resident of Pembroke Road I have been dismayed for a very long time at the sight of an abandoned structure on the south side of Cromwell Road, just slightly west of the junction with Earls Court Road. I can only describe the structure as a grotesque combination of a common highway billboard and a pagoda. I have lived in Pembroke Road for five years and I believe the structure has never been used - whatever its function might be - during all that time. I believe it is contributing to a sense of shabbiness in the area, which has been increased, incidentally, by the graffiti covering the recently built council apartment block on the corner of Cromwell Road and Earls Court Road.

I would be grateful if you could inform me as to whether the borough has any intention to (a) dismantle this hideous structure and (b) remove the graffiti as both of these factors are contributing to the degradation of the Earls Court area.

Sincerely,




Kevin McLoughlin

**David Harris & Associates**

Tel: 0171-937 3242  
Fax: 0171-938 4140

9 Hornton Court  
Kensington High Street

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N			SE	ENF	AO ACK
 16 MAY 2000							
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15 May 2000

Mike French  
Director of Planning  
Royal Borough of Kensington & Chelsea  
Town Hall  
Hornton Street  
Kensington, W8

Dear Mr French,

**The Westgate Centre**  
**5 West Cromwell Road**

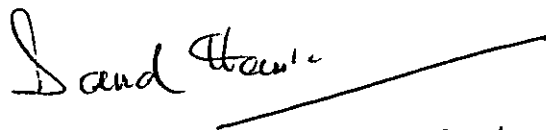
I am sorry my original proposals to eliminate this eyesore, which I put forward in partnership with More O'Ferrall, did not find favour.

Never mind, I have an alternative which I will suggest if you are still receptive to some proposals.

However, a Land Registry Search has revealed a new 'owner' of the site of which I am sure you will be aware.

Can we still work together to achieve something here ? Or is it now all under control and spoken for ?

Yours sincerely,



J. DAVID HARRIS

99/548

~~J. Harris~~

Robert Newman  
Stephenson Harwood.  
7329 4422

TO: SEE DISTRIBUTION LIST FROM: EXECUTIVE DIRECTOR OF  
PLANNING & CONSERVATION

---

MY REF: PA/HD/CA/99/00549 YOUR REF: SEE DISTRIBUTION LIST

ROOM NO. 324  
EXT. 2081

---

DATE: 3 AUG 99

**TOWN AND COUNTRY PLANNING ACT, 1990**

APPEAL ON WESTGATE CENTRE, WEST CROMWELL ROAD, SH5

I attach for your information a copy of the decision for the appeal on the above-mentioned premises.

EXECUTIVE DIRECTOR OF PLANNING AND CONSERVATION.

**DISTRIBUTION LIST:**

CHAIRMAN, PLANNING & CONSERVATION COMMITTEE  
VICE CHAIRMAN, PLANNING & CONSERVATION COMMITTEE  
COUNCILLOR A.J.A.D. FITZGERALD (CHURCH WARD ONLY)  
COUNCILLOR R. HORTON  
COUNCILLOR I. DONALDSON  
CHIEF EXECUTIVE & TOWN CLERK ..... R. SHEPHARD RM:253  
DIRECTOR OF LEGAL SERVICES ..... L. PARKER RM:313  
LAND CHARGES ..... J. STEVENS B1  
COUNCIL TAX ACCOUNTS MANAGER ..... T. RAWLINSON RM:G29  
TRANSPORTATION ..... B. MOUNT  
EXECUTIVE DIRECTOR OF PLANNING & CONSERVATION  
HEAD OF DEVELOPMENT CONTROL  
APPEALS OFFICER  
NORTH  
CENTRAL  
SOUTH-EAST  
SOUTH-WEST  
ENQUIRY OFFICE  
DISTRICT PLAN ..... G. FOSTER  
DESIGN ..... D. MCDONALD  
STATUTORY REGISTER  
FILE  
SYSTEMS ..... C. PEACH

NB



# The Planning Inspectorate

Room 1222  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ

Direct Line 0117 987 8613  
Switchboard 0117 987 8000  
Fax No 0117 987 8181  
GTN 1374

Fao Miss H Divett - Planning Services  
Royal Borough Of Kensington & Chelsea  
3rd Floor, Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: CA/99/00549

Our Ref: APP/K5600/H/99/0973  
80974

Date: 02 AUG 1999

Dear Sir/Madam

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS)  
REGULATIONS 1992  
APPEAL: Westgate Centre, West Cromwell Road, Kensington

I refer to the above appeal and enclose a copy of the Inspectorate's letter giving the Secretary of State's decision.

Yours faithfully

  
Mr C Nash

RECEIVED BY PLANNING SERVICES									
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# The Planning Inspectorate

Room 12/22  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ

Direct Line 0117-987-8577  
Switchboard 0117-987 8000  
Fax No 0117-987-8756  
GTN 1374

GMA Planning Ltd  
Queens House  
Holly Road  
TWICKENHAM TW1 4EG

Your Ref:  
Our Ref: APP/K5600/H/99/0973-4  
Date: 02 AUG 1999

Dear Sir

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS)  
REGULATIONS 1992  
APPEALS: Westgate Centre, West Cromwell Road, Kensington, London  
APPLICATION NO. CA/99/00549

1. I have been appointed to determine the appeals of your clients, Manifold Trustee Company Limited, against the Royal Borough of Kensington and Chelsea Council's refusals to permit the display, at the above mentioned premises, of a 96-sheet poster panel, with internal and external illumination, for:
  - (1) for the period up to 14 January 2000, inclusive; and
  - (2) for a specified period between 20 November 1999 and 14 January 2000, inclusive.

My decision has been made on the basis of the written representations and an inspection of the premises.

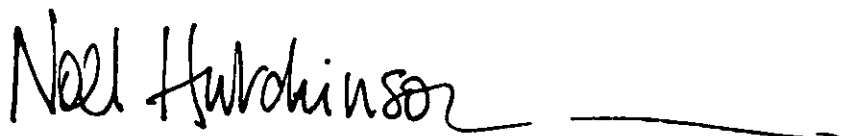
2. I accept the Council's general descriptions of the appeal premises and their surroundings, given in their statement enclosed with their letter of 9 June 1999.
3. The Council have drawn my attention to their advertisement control policies and I have taken them into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.
4. The Council are concerned that allowing this appeal would create an undesirable precedent. However, I consider that this would not prevent them dealing with other proposals on their merits.
5. The appeal premises consist of a rather unusual building of pavilion style set on the southern side of the road in advance of more traditional buildings. Because of this it is particularly prominent. The proposed 96-sheet panel would be large and would be both externally and internally illuminated. This part of the road is primarily residential with further housing on the north side with some converted to hotel use. It is divorced from commercial activity in Earls Court Road and further hotels and other commercial uses to the east. Because of its size, siting and illumination I am of the opinion that the



panel would appear as very conspicuous and dominant commercial feature. For these reasons I consider that the long term use of this site for the display of large panels to be entirely inappropriate.

6. The proposals do not involve any short term amenity benefit such as temporary screening of unsightly works or eyesores. For these reasons I consider that the display of this large panel even for the limited periods sought would be excessive and out of place. I conclude therefore that the display of the panel for either of the limited periods sought would be detrimental to amenity.
7. For the above reasons I dismiss the appeal.

Yours faithfully

A handwritten signature in black ink that reads "Noel Hutchinson". The signature is written in a cursive style and is followed by a long horizontal line that extends to the right.

NOEL HUTCHINSON  
Advertisement Control Officer

# The Planning Inspectorate

An Executive Agency in the Department of Environment, Transport and the Regions, and the Welsh Office

## RIGHT TO CHALLENGE THE DECISION

The attached appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for redetermination. It does not follow necessarily that the original decision on the appeal will be reversed when it is redetermined.

*You may wish to consider taking legal advice before embarking on a challenge. The following notes are provided for guidance only.*

Under the provision of section 288 of the Town and Country Planning Act 1990, a person who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the grounds:

1. that the decision is not within the powers of the Act; or
2. that any of the 'relevant requirements' have not been complied with; ('relevant requirements' means any requirements of the 1990 Acts or of the Planning Tribunals Act 1992, or of any order, regulation or rule made under those Acts. These include the Town and Country Planning (Control of Advertisements) Regulations 1992 and the Town and Country Planning (Inquiries Procedure) rules 1974.)

The two grounds noted above mean in effect that a decision cannot be challenged merely because someone does not agree with the Advert Control Officer's judgement. Those challenging a decision have to be able to show that a serious mistake was made by the Advert Control Officer when reaching his or her decision; or, for instances, that hearing or site visit was not handled correctly, or that the appeal procedures were not carried out properly. If a mistake has been made the Court has discretion not to quash the decision if it considers the interests of the person making the challenge have not been prejudiced.

**It is important to note that such an application to the High Court must be lodged with the Crown Office within 6 weeks from the date of the decision letter. This time limit cannot be extended.**

An appellant whose appeal has been allowed should note that 'a person aggrieved' may include third parties as well as the local planning authority.

If you require further advice about making a High Court challenge you should consult a solicitor, or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London WC2 2LL. Telephone: 0171 936 6000.

## **INSPECTION OF DOCUMENTS**

It is the Inspectorate's policy to retain case files for a period of one year from the date on the decision letter. Any person notified of the decision can inspect the listed documents, photographs and plans within 6 weeks of the date of the decision letter. Other requests to see the appeal documents will not normally be refused. All requests should be made to Room 14/04, Tollgate House, Houlton Street, Bristol BS2 9DJ, quoting the appeal reference and stating the day on which you wish to visit. Please give at least 3 days' notice and include a daytime telephone number, if possible.

## **COMPLAINTS AND OTHER COMMENTS TO THE INSPECTORATE**

Any complaints about the decision letter, or about the way in which the case was conducted, or any procedural aspect of the appeal should only be made in writing to the complaints officer in Room 1404, Tollgate House, Houlton Street, Bristol BS2 9DJ. Telephone: 0117 987 8927, quoting the appeal reference. You should normally receive a reply within 15 days of our receipt of your letter. You should note however, we cannot reconsider an appeal on which a decision letter has been issued. This can be done following a successful High Court challenge as explained overleaf.

## **PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION (THE OMBUDSMAN)**

If you consider that you have been unfairly treated through maladministration on the part of the Inspectorate you can ask the Ombudsman to investigate. The Ombudsman cannot be approached direct; reference can be made to him only by an MP. While this does not have to be your local MP (whose name and address will be in the local library) in most cases he or she will be the easiest person to approach. Although the Ombudsman can recommend various forms of redress he cannot alter the appeal decision in any way.

## **COUNCIL ON TRIBUNALS**

If you feel there was something wrong with the basic procedure used for the appeal, a complaint can be made to the 'Council on Tribunals', 22 Kingsway, London WC2B 6LE. The Council will take the matter up if they think it comes within their scope. They are not concerned with the merits and cannot change the outcome of the appeal decision.

**GMA PLANNING**

Planning and Development Consultants

Queens House, Holly Road, Twickenham, TW1 4EG Telephone 0181 607 9511 Facsimile 0181 607 9512  
e-mail gmaplanning@dial.pipex.com

Mr C Nash  
Planning Inspectorate  
Room 1222  
Tollgate House  
Houlton Street  
BRISTOL BS2 9DJ

28 June 1999

Ref: PV/HG/917  
Your Refs: APP/K5600/H/99/0973  
and APP/K5600/H/99/0974

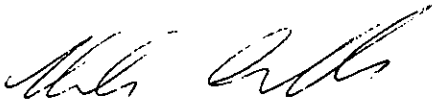
Dear Mr Nash

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED), TOWN AND  
COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992  
WESTGATE CENTRE, WEST CROMWELL ROAD, KENSINGTON**

On behalf of our client, please find enclosed our Supplementary Statement in response to the Royal Borough of Kensington and Chelsea Statements.

Should you require any further information, please do not hesitate to contact me.

Your sincerely



PP PHILIP VILLARS

Enc: Supplementary Statement

cc: Royal Borough of Kensington and Chelsea  
Mr R Newman, Stephenson Harwood

**WESTGATE CENTRE, 5 WEST CROMWELL ROAD, KENSINGTON**

**References: APP/K5600/H/99/0973 and APP/K5600/H/99/0974**

**Supplementary Statement in Response to the Council's Statements**

1. This constitutes the appellant's formal response in respect of the Council's Statements. The paragraph numbering (in italics) refers to the paragraphs used in the Council's Statements (numbering added for ease of reference).
2. *Para 5* - The fact that the Council has described the appeal building as atypical, the only one of its kind along West Cromwell Road, means that the precedent argument, introduced by the Council in para 4, cannot be supported.
3. *Para 5* - It was suggested by the Council that paragraph 3.7 of the appellants submission states that the authorised use of the building is for display purposes (as opposed to office/showroom). The appellant's statement does not state this, but merely notes that the building has been designed for display purposes. The 1993 consent allows a showroom use, so there is clearly consent to use the premises for display purposes. The showroom (located at the front behind the glass screen) comprises the larger element of the building and could lawfully be used to display commercial products over a much greater area than that applied for. A lawful and potentially larger display could have a much greater impact on the amenity of the local area than the proposals. The Council implies that the authorised use of the premises is for offices only, which is clearly not the case.
4. *Para 5* - The decision notice states that the proposal would be contrary to policies from the UDP, in particular Policy CD68, which is a general policy relating to advertisements. The proposed development at the appeal site would not be contrary to this policy as it would not harm the appearance of buildings or the street scene in the locality. The Council's statement makes no direct reference to any policies within the UDP, supporting the appellant's contention that no contravention of policies would take place were the proposals permitted.
5. *Para 6* - The hoarding would not, as suggested by the Council, extend over 'almost the whole of the frontage of the building', but would in fact cover approximately half of its length. As noted above, an authorised display of some description could potentially take up the whole of the frontage from top to bottom and side to side. The proposal therefore has less impact on the locality.
6. *Para 7* - The Monarch Hotel site is not a purposely designed display site.
7. *Para 8* - The appellant has not argued that adverts at the junction of Warwick

## GMA PLANNING

Road are a precedent for the appeal proposals. It is, however, very similar in character, despite the Tesco store which has only just opened.

8. *Para 9* - This paragraph refers to the purpose of a hoarding as the 'display of commercial products'. This is, in essence no different from the authorised use of the site which allows a showroom and in which commercial products can be displayed with illumination. There is no material difference between an advertisement hoarding and products being displayed in a window advertising a product, when they are both essentially promoting products or an event.
9. *Para 10* - Commerce is being used in all sorts of ways to support the Millennium celebrations, a fact supported by the Government, and the proposals at the appeal site are consistent with this. The Council has agreed to the Millennium Clock being located on this site. The hoarding, which will be centrally located on the structure, will not dominate the neighbouring clock, but will instead complement it.
10. The Council has not included any photographic evidence in their response. One can only deduce from this omission that the Council has struggled to support its case that the proposal will cause harm to the amenity of the surrounding area. The appellants photographic evidence demonstrates that there will be no harm.

HG/917/1  
24.06.99

---

# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Mr C Nash  
The Planning Inspectorate  
Room 1222  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ

Switchboard: 0171-937 5464  
Extension: 2699  
Direct Line: 0171-361 2699  
Facsimile: 0171-361 3463



THE ROYAL  
BOROUGH OF  
  
KENSINGTON  
AND CHELSEA

09 June 1999

---

My reference: CA/99/00548      Your reference: APP/K5600/H/99/      Please ask for: Nicholas Beale  
0974

Dear Sir

**Town and Country Planning Act 1990**  
**Appeal by Manifold Trustee Company Ltd**  
**The Westgate Centre, 5 West Cromwell Road, Kensington SW5**

**Your Reference: APP/K5600/H/99/0974**  
**LPA Reference: CA/99/00548**

- 1 I refer to the appeal against the refusal of express advertisement consent for the display of one illuminated 96 sheet hoarding for a limited period from 20.11.99 until 14.01.00 at the above property. This letter is submitted to accompany the Members Panel report and extracts from the Council's Unitary Development Plan also enclosed with this letter.
- 2 Paragraph 4 of Part 1 of the Town and Country Planning (Control of Advertisements) Regulations 1992 requires a local planning authority to exercise their powers under these Regulations only in the interests of amenity and public safety, taking into account of any material factors.
- 3 In considering this application the Council also had regard to the advice contained in Planning Policy Guidance Note 19 (Outdoor Advertisement Control), in particular paragraph 9 which indicates that the display of outdoor advertisements can only be controlled in the interests of amenity and public safety. Paragraph 13 states that "large poster hoardings, which are often part of the fabric of commercial and industrial areas, are usually out of place anywhere else".
- 4 The application has been refused on grounds relating to amenity considerations only, in that by virtue of the location, size and illumination, the hoarding will be overdominant and out of character with the surrounding locality, and that it would set a precedent for similar unwelcome hoardings in the vicinity.
- 5 The appeal property is undoubtedly unusual in appearance. It is an atypical planning unit, being the only building facing onto West Cromwell Road on this side and on a line forward of the general building line of other properties on this side. It does not form part of a group. A copy of the report to the Planning Services Committee for the original planning application for the development of this building is included with this letter. It is also unusual in terms of its design, in that the main room of this office building is located behind a large glazed frontage (now removed) facing onto West

Cromwell Road. It is clear that if the property were to be used, for example, by a design company, products ancillary to the use of the property as an office could be displayed behind the glazing without involving any material change of use. It should be noted that, contrary to the statement in paragraph 3.7 of the appellant's submission, the authorised use of the building is for office purposes, and not for "display purposes".

6 However, it has been the Council's consistent view that the unusual design and siting of the property do not make this an appropriate building from which to display hoardings, which have a different material impact on the surroundings. An illuminated hoarding extending over almost the whole of the frontage of the building facing the road would clearly have a significantly more intrusive impact on the streetscene than smaller ancillary products displayed from within the office building. The Council's consistent approach to hoardings at this property is seen in the attempts to secure removal of advertisements from the site through prosecution or the serving of a discontinuance notice. This is outlined in paragraphs 3.1 to 3.8 of the report to the Members Panel.

7 It is important to clarify that the Council has viewed different parts of West Cromwell Road as being of different character and scale and thereby of differing suitability for the display of hoardings. As detailed in the report to the Members Panel, the Council does not assess this part of the road as being of a character and form in which the siting of a hoarding would be visually appropriate. In this respect, the Council has taken into account the advice contained in paragraph 13 of PPG19 which states that "large poster hoardings, which are often part of the fabric of commercial and industrial areas, are usually out of place anywhere else". A successful prosecution has also been secured against the display of a hoarding to the east of the site at the Monarch Hotel, 181 - 183 Cromwell Road, on similar grounds.

8 However, further west, the character of the road alters, with a large new supermarket facing directly onto the road. The character and scale of development in that part of the road is clearly of a more commercial nature than that surrounding the appeal site. Consequently, express consent has been given for the display of advertisements on the south side of the road at that location. (The hoardings on the north side benefit from deemed consent under the provisions of Class 8, Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 1992). The change in character and scale of development west of the junction with Warwick Road and the consequent siting of advertisements at that location does not therefore justify the siting of a hoarding at the appeal site.

9 In the appellant's grounds of appeal, much emphasis is placed on the temporary nature of the proposed hoarding and its timing with the millennium. Paragraph 3.15 states that this site is "an appropriate location for a millennium marker...celebrating this particular moment in time". Given that the purpose of a hoarding is for the display of commercial products and that the Council has no control over the content of the display on the hoarding, the Council does not consider that an advertisement hoarding is a "millennium marker", or that it would necessarily contribute in any way to the celebration of this time in the Royal Borough. The millennium is not considered a material consideration that outweighs the demonstrable harm to visual amenity caused by the siting of a hoarding at this location. Harm to visual amenity would be caused even if the hoarding is displayed for a temporary period only.

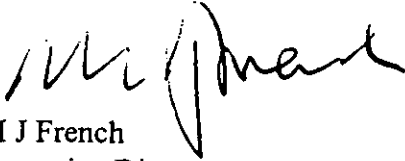
10 Furthermore, immediately adjacent to the site is located a structure known as the Millennium Clock, a lightweight metal structure with a dot matrix message board, which can be considered as a "millennium marker". This is considerably smaller and lighter in scale than the adjoining Westgate Centre. If an illuminated hoarding were displayed at the appeal site, it would entirely visually dominate the streetscene at this location, detracting from the visual prominence of the clock.

11 The Council would reiterate its consistent approach taken to prevent the display of advertisements along the majority of Cromwell Road on the grounds that the character of the locality is inappropriate,



in line with Central Government advice contained within PPG19. For the reasons above and those contained in the Members Panel, it is respectfully requested that the appeal be dismissed.

Yours faithfully

A handwritten signature in black ink, appearing to read 'M J French', written in a cursive style.

M J French  
Executive Director  
Planning and Conservation.

---

# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Mr C Nash  
The Planning Inspectorate  
Room 1222  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ

Switchboard: 0171-937 5464  
Extension: 2699  
Direct Line: 0171-361 2699  
Facsimile: 0171-361 3463

09 June 1999

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

My reference: CA/99/00549      Your reference: APP/K5600/H/99/      Please ask for: Nicholas Beale  
0973

Dear Sir

**Town and Country Planning Act 1990**  
**Appeal by Manifold Trustee Company Ltd**  
**The Westgate Centre, 5 West Cromwell Road, Kensington SW5**

**Your Reference: APP/K5600/H/99/0973**  
**LPA Reference: CA/99/00549**

I refer to the appeal against the refusal of express advertisement consent for the display of one illuminated 96 sheet hoarding for a limited period until 14.01.00 at the above property. This letter is submitted to accompany the Members Panel report and extracts from the Council's Unitary Development Plan also enclosed with this letter.

Paragraph 4 of Part 1 of the Town and Country Planning (Control of Advertisements) Regulations 1992 requires a local planning authority to exercise their powers under these Regulations only in the interests of amenity and public safety, taking into account of any material factors.

In considering this application the Council also had regard to the advice contained in Planning Policy Guidance Note 19 (Outdoor Advertisement Control), in particular paragraph 9 which indicates that the display of outdoor advertisements can only be controlled in the interests of amenity and public safety. Paragraph 13 states that "large poster hoardings, which are often part of the fabric of commercial and industrial areas, are usually out of place anywhere else".

The application has been refused on grounds relating to amenity considerations only, in that by virtue of the location, size and illumination, the hoarding will be overdominant and out of character with the surrounding locality, and that it would set a precedent for similar unwelcome hoardings in the vicinity.

The appeal property is undoubtedly unusual in appearance. It is an atypical planning unit, being the only building facing onto West Cromwell Road on this side and on a line forward of the general building line of other properties on this side. It does not form part of a group. A copy of the report to the Planning Services Committee for the original planning application for the development of this building is included with this letter. It is also unusual in terms of its design, in that the main room of this office building is located behind a large glazed frontage (now removed) facing onto West

Cromwell Road. It is clear that if the property were to be used, for example, by a design company, products ancillary to the use of the property as an office could be displayed behind the glazing without involving any material change of use. It should be noted that, contrary to the statement in paragraph 3.7 of the appellant's submission, the authorised use of the building is for office purposes, and not for "display purposes".

However, it has been the Council's consistent view that the unusual design and siting of the property do not make this an appropriate building from which to display hoardings, which have a different material impact on the surroundings. An illuminated hoarding extending over almost the whole of the frontage of the building facing the road would clearly have a significantly more intrusive impact on the streetscene than smaller ancillary products displayed from within the office building. The Council's consistent approach to hoardings at this property is seen in the attempts to secure removal of advertisements from the site through prosecution or the serving of a discontinuance notice. This is outlined in paragraphs 3.1 to 3.8 of the report to the Members Panel.

It is important to clarify that the Council has viewed different parts of West Cromwell Road as being of different character and scale and thereby of differing suitability for the display of hoardings. As detailed in the report to the Members Panel, the Council does not assess this part of the road as being of a character and form in which the siting of a hoarding would be visually appropriate. In this respect, the Council has taken into account the advice contained in paragraph 13 of PPG19 which states that "large poster hoardings, which are often part of the fabric of commercial and industrial areas, are usually out of place anywhere else". A successful prosecution has also been secured against the display of a hoarding to the east of the site at the Monarch Hotel, 181 - 183 Cromwell Road, on similar grounds.

However, further west, the character of the road alters, with a large new supermarket facing directly onto the road. The character and scale of development in that part of the road is clearly of a more commercial nature than that surrounding the appeal site. Consequently, express consent has been given for the display of advertisements on the south side of the road at that location. (The hoardings on the north side benefit from deemed consent under the provisions of Class 8, Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 1992). The change in character and scale of development west of the junction with Warwick Road and the consequent siting of advertisements at that location does not therefore justify the siting of a hoarding at the appeal site.

In the appellant's grounds of appeal, much emphasis is placed on the temporary nature of the proposed hoarding and its timing with the millennium. Paragraph 3.15 states that this site is "an appropriate location for a millennium marker...celebrating this particular moment in time". Given that the purpose of a hoarding is for the display of commercial products and that the Council has no control over the content of the display on the hoarding, the Council does not consider that an advertisement hoarding is a "millennium marker", or that it would necessarily contribute in any way to the celebration of this time in the Royal Borough. The millennium is not considered a material consideration that outweighs the demonstrable harm to visual amenity caused by the siting of a hoarding at this location. Harm to visual amenity would be caused even if the hoarding is displayed for a temporary period only.

Furthermore, immediately adjacent to the site is located a structure known as the Millennium Clock, a lightweight metal structure with a dot matrix message board, which can be considered as a "millennium marker". This is considerably smaller and lighter in scale than the adjoining Westgate Centre. If an illuminated hoarding were displayed at the appeal site, it would entirely visually dominate the streetscene at this location, detracting from the visual prominence of the clock.

The Council would reiterate its consistent approach taken to prevent the display of advertisements along the majority of Cromwell Road on the grounds that the character of the locality is inappropriate,

in line with Central Government advice contained within PPG19. For the reasons above and those contained in the Members Panel, it is respectfully requested that the appeal be dismissed.

Yours faithfully

M J French  
Executive Director  
Planning and Conservation.

---

# PLANNING AND CONSERVATION

---

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

## FILE COPY

Direct Line: 0171-361-2699

Extension: 2699

Facsimilie:

Switchboard: 0171-937-5464

0171-361-3463

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

---

Date ~~10 JUN 1999~~

My Ref: DPS/DCSW/CA/99/00549

DETR's Reference: App/K5600/H/99/0973

Please ask for: Mr.N. Beale

Dear Sir/Madam,

An Advertisement appeal has been made in respect of the above property and the proposal referred to on the notice attached. This notice sets out the reasons put forward by the Council for refusing advertisement consent, and I attach also the Appellant's grounds of appeal.

Both parties have agreed that this Appeal should proceed by way of written representations and I therefore write to afford you an opportunity to make your views known to the Secretary of State. Any representations that you may wish to make should be sent to the **Department of the Environment (Room 1222), Tollgate House, Houlton Street, Bristol, BS2 9DJ**. Such correspondence should quote the Department's reference number given above. The Planning Inspectorate will not acknowledge your letter unless you specifically ask them to do so. They will, however, ensure that your letter is passed on to the Officer dealing with the appeal. Please ensure that any representations which you wish to make on this appeal are received by the Planning Inspectorate within 14 days of the date of this letter, otherwise there is a risk that your representations will not be considered.

Any representations made can only be taken into account by the Secretary of State if they are made known by him to all the parties including the Appellant and it will be assumed that you are willing for a copy of any representations which you make on this Appeal to be supplied to any other interested party.

Yours faithfully,

**M. J. FRENCH**

Executive Director, Planning and Conservation

for back of  
NO's see CA/79/60

## **NOTICE OF A PLANNING APPEAL**

### **Reasons for Refusal**

**By virtue of the location, size and illumination, the proposed hoarding is considered to be overdominant and out of character with the surrounding locality, thereby causing harm to visual amenity. The siting of this advertisement at this location could also form a precedent for similar display of advertisements in the locality that could be difficult to refuse. The proposal is therefore contrary to the policies of the Council contained in the Unitary Development Plan, in particular Policy CD68.**

### **Property**

**Westgate Centre, 5 West Cromwell Road, Kensington, S.W.5**

### **Proposal**

**Display of one illuminated 96 sheet hoarding for a limited period until 14 January, 2000.**

---

Plans and drawings are/are not available for inspection.

(If plans are available, these may be seen in the Planning Information Office between the hours of 9.15 a.m and 4.30 p.m Mondays to Thursdays and between 9.15 a.m and 4.00 p.m on Fridays)

---

7. Is there any other current appeal to the Secretary of State involving this site in any way?

NO  YES

If yes, what is it?

- A planning appeal under section 78 of the Town and Country Planning Act 1990
- An enforcement appeal under section 174 of the 1990 Act
- An appeal involving any listed building on the site

8. Please state the precise grounds or reasons for your appeal (use additional paper if necessary)

#### 4.0 Conclusions

- 4.1 The proposals at the appeal site would not be detrimental to the amenity of this location. The advertisement hoarding would add interest and colour and make a positive contribution to the appearance of a transport corridor that is a gateway into central London.
- 4.2 The proposed hoarding would not have an adverse impact on the public safety of highway users or passers by, and this issue is not contested by the Council.
- 4.3 For the reasons set out above, this appeal against the decision of the Council to refuse advertisement consent for a temporary period to cover the Millennium celebrations should be allowed.

#### D - Procedures for deciding your appeal


10. Which procedure do you wish to be used in deciding your appeal?

- consideration of written statements, photographs and an unaccompanied site inspection by an officer of the Inspectorate
- a hearing at which I or my representatives and a representative of the Council will make oral representations to an officer of the Inspectorate

If the last box is indicated, it would be helpful if you could state fully your reasons why the written representations method would be inadequate in this case. (use additional paper if necessary).

I certify that I have sent a copy of this appeal to the Council against whose decision I am appealing.

Date 27 MAY 1999

Signature 

(on behalf of) GMA PLANNING LTD

## APPEAL NOTIFICATIONS

REFERENCE NUMBER:  
SITE ADDRESS

PLEASE TICK RELEVANT BOXES AND RETURN SAME DAY TO:

APPEAL REGISTRATION OFFICER

AREA ADMIN. OFFICER

WARD COUNCILLORS

I.

II.

III.

KENSINGTON SOCIETY

CHELSEA SOCIETY

LOCAL AMENITY SOCIETIES. PLEASE SPECIFY

I.

II.

III.

ALL THOSE ORIGINALLY NOTIFIED

ALL OBJECTORS/SUPPORTERS

OTHERS; PLEASE SPECIFY





# The Planning Inspectorate

Room 1222  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ

Direct Line 0117 987 8613  
Switchboard 0117 987 8000  
Fax No 0117 987 8181  
GTN 1374

Fao Miss H Divett - Planning Services  
Royal Borough Of ~~Kensington & Chelsea~~  
3rd Floor, Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: CA/99/00549

Ref: APP/K5600/H/99/0973

RECEIVED BY PLANNING SERVICE									
EX	HDC	N	C	SW	SE	ENF	AO	ACK	
- 4 JUN 1999 (99)									
APPLS	IO	REC	ARB	FWD	CON	FEES			
				PLN	DES				

Date: 3 June 1999

Dear Sir/Madam

## TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992

APPEAL: Westgate Centre, West Cromwell Road, Kensington

You should have received a copy of an advertisement appeal [on form DOE 14075B], from Manifold Trustee Company Ltd for this site/premises. If you have not received an appeal, please inform us immediately on the enclosed reply slip.

The appeal will be dealt with by the procedure described in paragraph 42 of DOE Circular 5/92; and an officer of the Inspectorate will be appointed by the Secretary of State to decide the appeal. The Council's statement, photographs and scaled plan, and any other relevant document, should be sent to the appellant(s) and the Secretary of State within 3 weeks of you receiving the appeal. This is in accordance with the Town and Country Planning (Control of Advertisements) Direction 1992. **When preparing your statement, the advice in paragraph 43 and Appendix D to DOE Circular 5/92 is very relevant.**

Yours faithfully

Mr C Nash

The Planning Inspectorate  
Room 1222  
Tollgate House, Houlton Street  
Bristol BS2 9DJ

Reference No.  
CA/99/00549  
APP/K5600/H/99/0973

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS)  
REGULATIONS 1992**  
**APPEAL: Westgate Centre, West Cromwell Road, Kensington**

We have not received an advertisement appeal in respect of this site.

Yours faithfully

**THE PLANNING INSPECTORATE**

DOE 14075B

AN EXECUTIVE AGENCY IN THE DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE  
REGIONS, AND THE WELSH OFFICE

Sheet 1

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992

ADVERTISEMENT APPEAL TO THE SECRETARY OF THE STATE FOR THE ENVIRONMENT

THE PLANNING INSPECTORATE, [PINS (AA) 5], ROOM 10/26, TOLLGATE HOUSE, HOULTON STREET.  
BRISTOL BS2 9DJ

- PLEASE READ THE ATTACHED NOTES FOR GUIDANCE BEFORE COMPLETING YOUR APPEAL
- PUT X IN THE APPROPRIATE BOX THROUGHOUT.

**A - Appellant's details (please use capital letters)**Name and address of any agent or professional  
representative to whom letters should be sent1. Full name MANIFOLD TRUSTEE COMPANY LTDGMA PLANNING LTDAddress C/O STEPHENSON HARWOODQUEENS HOUSEONE ST. PAULS CHURCHYARDHOLLY ROADLONDON Post code EC4M 8SHTWICKENHAM Post code TW1 4EG

0171-329

0181-607

Telephone No: 4422 Your ref: -Telephone No: 9511 Your ref: 917**B - Appeal and grounds**

2. I appeal against:-

KENSINGTON AND CHELSEA ROYAL BOROUGH OF Council's decision on (date) 30.4.99 (ref) CA/99/00549 to refuse consent for the display of advertisement(s); condition(s) imposed by the Council on the grant of consent advertisement(s); the Council's failure to give notice within the specified period of their decision on an application, or that it has  
been referred to the Secretary of State for the Environment the Council's service of a discontinuance notice on (date) (ref)**To accompany copy of the appeal sent to the Planning Inspectorate**

3. I enclose a copy of:-

 the advertisement application made to the Council; all relevant plans and particulars submitted to the Council; the notice of the Council's decision; any relevant correspondence with the Council; the discontinuance served by the Council;4. Description, measurements and colours, including details of illumination if applicable, of the advertisement(s)  
involved in this appeal.- 96 SHEET DISPLAY UNIT- DIMENSIONS: 12.3m x 3.3m- INTERNALLY BACKLIT & EXTERNALLY ILLUMINATED (STATIC) WITH 1200 CANDELLAS

5a. Address or location of the site to which the appeal relates.

WESTGATE CENTREWEST CROMWELL ROADKENSINGTON

5b. Is the site on highway land?

NO  YES 

6. Is the advertisement in position?

NO  YES

7. Is there any other current appeal to the Secretary of State involving this site in any way?

NO  YES

If yes, what is it?

- A planning appeal under section 78 of the Town and Country Planning Act 1990
- An enforcement appeal under section 174 of the 1990 Act
- An appeal involving any listed building on the site

8. Please state the precise grounds or reasons for your appeal (use additional paper if necessary)

SEE SEPARATE STATEMENT

**C - Late appeals**

9. If your appeal is late (see the first note for the guidance), please give reasons for the delay.  
(use additional paper if necessary)

N/A

**D - Procedures for deciding your appeal**

10. Which procedure do you wish to be used in deciding your appeal?

- consideration of written statements, photographs and an unaccompanied site inspection by an officer of the Inspectorate
- a hearing at which I or my representatives and a representative of the Council will make oral representations to an officer of the Inspectorate

If the last box is indicated, it would be helpful if you could state fully your reasons why the written representations method would be inadequate in this case. (use additional paper if necessary).

I certify that I have sent a copy of this appeal to the Council against whose decision I am appealing.

Date 27 MAY 1999 .....

Signature *[Handwritten Signature]* .....

(on behalf of) GMA PLANNING LTD .....

NB

**GMA PLANNING**

Planning and Development Consultants

Queens House, Holly Road, Twickenham, TW1 4EG Telephone 0181 607 9511 Facsimile 0181 607 9512  
e-mail gmaplanning@dial.pipex.com

Executive Director of Planning and Conservation  
Royal Borough of Kensington and Chelsea  
Town Hall  
Horton street  
LONDON W8 7NX

FAO Mr M J French

28 May 1999

Dear Sir

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC				SF	ENF	AO ACK
01 JUN 1999							
	IO	REC	ARB	FWD PLN	CON DEC	FEES	

Ref: PV/HG/917

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED). TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992. WESTGATE CENTRE, WEST CROMWELL ROAD, KENSINGTON**

Please find enclosed an appeal against the decision of the Council to refuse consent to display an advertisement at the above. The appeal in respect of a temporary period until 14 January 2000.

Yours faithfully

  
PP PHILIP VILLARS

Enc: appeal documentation

As per appeal.

NEW APPEAL

DATE: 3.6.99

TO: ROY THOMPSON / DEREK TAYLOR

PAUL KELSEY / BRUCE COEY

A NEW APPEAL HAS BEEN RECEIVED, WHICH FALLS IN YOUR AREA. THE SITE ADDRESS IS:

Westgate Centre, West Cromwell Rd. SWS

THE APPEAL FILES ARE ATTACHED

1. PLEASE INDICATE THE OFFICER WHO WILL BE DEALING WITH THIS APPEAL:

.....

2. PLEASE INDICATE THE PROCEDURE BY WHICH YOU WISH THE APPEAL TO BE DETERMINED:

- ◆ WRITTEN REPRESENTATIONS
- ◆ HEARING
- ◆ PUBLIC INQUIRY

PLEASE RETURN THIS SHEET AND THE ATTACHED FILE(S) TO THE APPEALS SECTION WITHIN 24 HOURS

THANK YOU

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

MEMBERS PANEL

APP NO. CA/99/00549/CADV/11  
AGENDA ITEM NO. 120

ADDRESS

Westgate  
Centre, 5 West  
Cromwell Road,  
Kensington,  
S.W.5

*Alfred  
24/4/99*

APPLICATION DATED 15/03/1999

APPLICATION COMPLETE 19/03/1999

APPLICATION REVISED N/A

APPLICANT/AGENT ADDRESS:

CONSERVATION AREA NO

CAPS N/A

GMA Planning  
Limited,  
Queens House,  
Holly Road,  
Twickenham  
TW1 4EG

ARTICLE '4' NO

WARD Earl's Court

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 0

OBJECTIONS 0

SUPPORT 0

PETITION 0

RECOMMENDED PROPOSAL:

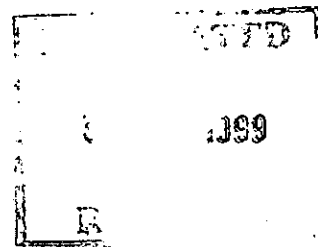
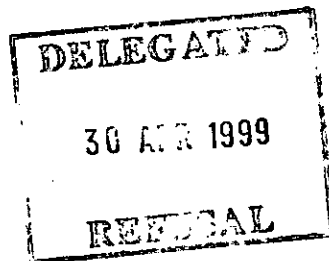
Display of one illuminated 96 sheet hoarding for a limited period until 14 January, 2000.

RBK&C Drawing No(s): CA/99/00549

Applicant's Drawing(s) No(s): 917/02/A

RECOMMENDED DECISION:

Refuse Control of Advertisement Consent



**REASON FOR REFUSAL**

**By virtue of the location, size and illumination, the proposed hoarding is considered to be overdominant and out of character with the surrounding locality, thereby causing harm to visual amenity. The siting of this advertisement at this location could also form a precedent for similar display of advertisements in the locality that could be difficult to refuse. The proposal is therefore contrary to the policies of the Council contained in the Unitary Development Plan, in particular Policy CD68.**



## **1.0 THE SITE**

- 1.1 The Westgate Centre is a detached office/showroom located on the south side of West Cromwell Road approximately 150m to the west of the junction with Earl's Court Road. The Westgate Centre is located on land between the highway and Longridge Road to the south, approximately 15m from the rear elevations of the properties on Longridge Road. The property has a floor area of 365 sq m.
- 1.2 The property is unlisted, and is not located in a Conservation Area.
- 1.3 The authorised use of the property falls within Class B1.

## **2.0 PROPOSAL**

- 2.1 Control of Advertisement Consent is sought for the display of one illuminated 96 sheet hoarding facing onto West Cromwell Road for a temporary period until 14 January 2000.

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 Prior to 1993 the site had been used for public conveniences and subsequently as a street cleaning depot in Council use.
- 3.2 Planning permission was granted on 25 June 1993 for elevational alterations, partial rebuilding and the change of use to a Class B1 office/showroom. This planning permission was subsequently implemented.
- 3.3 Prior to March 1996 two illuminated 96 sheet Ultravision advertising display units were erected behind the glazed frontage of the property. These benefited from deemed consent under the Control of Advertisement Regulations.
- 3.4 Due to the perceived harm to visual amenity from these units, a Discontinuance Notice was served on 1 March 1996 to secure their removal. The owners of the site appealed against the serving of notice, but subsequently withdrew their appeal and removed the units from the site.
- 3.5 Prior to October 1997 a non-illuminated 48 sheet hoarding was displayed on the front elevation of the property. As this was not displayed from within the building it did not benefit from deemed consent. No application had been made for express consent.

- 3.6 Preparations were made under Section 224 of the Town and Country Planning Act 1990 to prosecute for the display of the advertisement contrary to regulations. However, the owners of the site subsequently went into receivership and by October 1998 the advertisement was removed. Prosecution proceedings were dropped.
- 3.7 Duplicate applications have also been made for the display for two illuminated 96 sheet advertisement hoardings at the same building, which are being assessed concurrently with this application.
- 3.8 This application has been submitted in duplicate.

#### **4.0 PLANNING CONSIDERATIONS**

- 4.1 The main issues for consideration are the impact of the proposal on visual amenity and on public safety.
- 4.2 Policy CD68 of the Unitary Development Plan resists advertisements if, by reason of size, siting, design, materials or illumination, they would harm the appearance of a building or the street scene, or if they would adversely affect public safety.
- 4.3 Policy CD71 of the Unitary Development Plan resists the erection of permanent hoardings.
- 4.4 The proposed hoarding will be 12.3m wide and 3.3m high. It will be both backlit and externally illuminated by display lights. It will be located on the line of the back wall of the front part of the building, 2.9m (maximum) from the front building line. It will be located 2.2m above footpath level.
- 4.5 The Transportation Officer raises no objections to the proposal. The proposal is not considered to result in any implications for public safety.
- 4.6 Given that consent is sought for a temporary period only, the proposal does not conflict with Policy CD71 of the Unitary Development Plan.
- 4.7 However, this part of Cromwell Road is typified by development primarily of residential scale and character. The properties facing the hoardings in the terrace on the north side of the road are either in residential use or used as hotels, but the terrace as a whole retains its residential appearance. Similarly, the rear elevations of the properties on Longridge Road, against which the hoardings will be viewed are primarily residential in use, scale and character. It is considered that the display of this advertising hoarding at this location will appear overdominant when viewed in relation to the scale of surrounding development. Overdominance will be emphasised through illumination and through prominent positioning. It is further considered that the display of large hoardings at this location is incongruous with the character of the surrounding area. The proposed display of advertisement hoardings is therefore considered to cause

substantial harm to visual amenity.

- 4.8 The proposed temporary siting of the advertisement is not considered to lessen its potential detrimental impact on visual amenity during the time of display.
- 4.9 Of further concern is the precedent for applications to display hoardings in close proximity to this site, which could prove difficult to resist if these hoardings are approved.
- 4.10 The display of the proposed advertisement hoardings is considered to cause harm to the visual amenity to the surrounding locality, contrary to the objectives of Policies CD68.

## **5.0 PUBLIC CONSULTATION**

- 5.1 No representations have been received from members of the public.

## **6.0 RECOMMENDATION**

- 6.1 Refuse Control of Advertisement Consent.

**M.J. FRENCH**  
**EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION**

---

THE ROYAL  
BOROUGH OF

# NOTICE OF A PLANNING APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990



KENSINGTON  
AND CHELSEA

---

## MEMORANDUM

---

**TO: FOR FILE USE ONLY**

**From: EXECUTIVE DIRECTOR  
PLANNING & CONSERVATION**

---

**My Ref:** CA/99/00549/NB  
**Room No:**

**CODE SL**

---

**Date: 24 March 1999**

**DEVELOPMENT AT:**

Westgate Centre, 5 West Cromwell Road, S.W.5

**DEVELOPMENT:**

Provision and display of a 96 sheet display unit with a protective perspex screen, for a limited period.

The above development is to be advertised under:-

**NO REQUIREMENT FOR SITE NOTICE/ADVERTISEMENT IN THIS CASE.**

**M.J. French**

Executive Director, Planning & Conservation

# DEVELOPMENT CONTROL

## TECHNICAL INFORMATION

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

ADDRESS WESTGATE CENTRE  
5 WEST CROMWELL ROAD

CA990549

CA990000



- |     |                                              |        |                                                |
|-----|----------------------------------------------|--------|------------------------------------------------|
| HB  | Buildings of Architectural Interest          | LSC    | Local Shopping Centre                          |
| AMI | Areas of Metropolitan Importance             | AI     | Sites of Archeological Importance              |
| MDO | Major Sites with Development Opportunities   | SV     | Designated View of St Paul's from Richmond     |
| MOL | Metropolitan Open Land                       | SNCI   | Sites of Nature Conservation Importance        |
| SBA | Small Business Area                          | REG 7  | Restricted size and use of Estate Agent Boards |
| PSC | Principal Shopping Centre (Core or Non-core) | ART IV | Restrictions of Permitted Development Rights   |

Conservation Area	HB	CPO	TPO	AMI	MDO	MOL	SBA	Unsuitable for Diplomatic use	PSC		LSC	AI	SV	SNCI	REG 7	ART IV
									C	N						

Density	
Site Area	
Habitable rooms proposed	
Proposed Density	

Plot Ratio	
Site Area	
Zoned Ratio	
Floor Area proposed	
Proposed Plot Ratio	

<b>Daylighting</b>	Complies	
	Infringes	

<b>Car Parking</b>	Spaces required	
	Spaces proposed	

**Notes:**

Address:

5 WEST CROMWELL ROAD 114400950  
"WESTGATE CENTRE" (FORMERLY COUNCIL SUB-DEPOT)

See Also :

TP No TP/93/0460	Brief Description of Proposal	1 of 5	Control of
	ELEVATIONAL ALTERATIONS, PARTIAL REBUILDING AND CHANGE		Adverts &
	OF USE FROM COUNCIL DEPOT TO OFFICE/SHOWROOM (CLASS B1)		History No
			CA/93/184

Received 19/02/93	Decision & Date	
Completed 16/03/93	CONDITIONAL	25/06/93
Revised 28/05/93		

TP No RN/95/	Brief Description of Proposal	2 of 5
	LONDON BUILDING ACTS (AMENDMENT) ACT 1939 PART II:	
	FORMER COUNCIL DEPOT, JUNCTION OF WEST CROMWELL ROAD AND	
	EARLS COURT ROAD TO BE KNOWN AND DESCRIBED AS	
	"WESTGATE CENTRE" 5 WEST CROMWELL ROAD.	

Decision & Date	
RENUMBERING	03/01/95

	Brief Description of Proposal	3 of 5
	REGULATION 8 T&CP (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992	
	DISCONTINUANCE NOTICE ISSUED AGAINST THE DISPLAY OF TWO	
	ILLUMINATED 96 SHEET ULTRAVISION ADVERTISEMENT UNITS.	

FOR INFORMATION ONLY. NOTICE WITHDRAWN.

Decision & Date	
	27/11/95

	Brief Description of Proposal	4 of 5
	REGULATION 8 T&CP (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992	
	DISCONTINUANCE NOTICE ISSUED AGAINST THE DISPLAY OF TWO	
	ILLUMINATED 96 SHEET ADVERTISEMENT UNITS WHICH HAVE BEEN	
	ERECTED INTERNALLY WITHIN THE SITE.	

\*FOR INFORMATION ONLY\*

Decision & Date	
	29/02/96

Any Queries Please Ring 071 937 5464 x 2564

## Address:

5 WEST CROMWELL ROAD 114400950  
"WESTGATE CENTRE" (FORMERLY COUNCIL SUB-DEPOT)

See Also :

---

TP No TP/98/1232	Brief Description of Proposal	5 of 5	Control of
ERECTION OF A MILLENIUM CLOCK SCULPTURE FOR A TEMPORARY			Adverts &
PERIOD UNTIL 29 JANUARY 2001.			History No
			CA/98/145
LIMITED TIL 29.1.2001.			CA/99/0276
			CA/99/0277

Received 26/06/98	Decision & Date	
Completed 30/06/98	CONDITIONAL	12/10/98
Revised 24/08/98		

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**ROYAL BOROUGH OF KENSINGTON & CHELSEA**

**REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION**

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**PLANNING & CONSERVATION COMMITTEE  
PLANNING SERVICES COMMITTEE  
MEMBERS PANEL**

**APP NO. CA/99/00549  
AGENDA NO.**

---

**ADDRESS/SUBJECT OF REPORT:**

**Westgate Centre, 5  
West Cromwell  
Road, S.W.5**

**APPLICATION DATED 15/03/1999**

**APPLICATION REVISED**

**APPLICATION COMPLETE 19/03/1999**

**APPLICANT/AGENT ADDRESS:**

**GMA Planning  
Limited,  
Queens House,  
Holly Road,  
Twickenham  
TW1 4EG**

**CONS. AREA N/A CAPS NO  
ARTICLE '4' NO WARD Earl's Court**

**LISTED BUILDING NO**

**HBMC DIRECTION NO**

**CONSULTED OBJ.**

**SUPPORT PET.**

---

**RECOMMENDED PROPOSAL:**

**RBK& C DRAWING NO(S):**

---

**RECOMMENDED DECISION:**

**CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:**



# GMA PLANNING

Planning and Development Consultants

Queens House, Holly Road, Twickenham, TW1 4EG Telephone 0181 607 9511 Facsimile 0181 607 9512  
e-mail gmaplanning@dial.pipex.com

Executive Director of Planning and Conservation  
Royal Borough of Kensington and Chelsea  
Town Hall  
Horton street  
LONDON W8 7NX

FAO Mr M J French

15 March 1999

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED). TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992. APPLICATION FOR TEMPORARY CONSENT TO DISPLAY AN ADVERTISEMENT UNTIL 14 JANUARY 2000 INCLUSIVE, AT THE WESTGATE CENTRE, WEST CROMWELL ROAD, KENSINGTON**

Further to a meeting at the Council offices, on 19 February, 1999, with Mr French and Mrs Wyatt-Jones, please find enclosed an application for temporary consent to display an advertisement at the Westgate Centre, West Cromwell Road, submitted on behalf of our client The Manifold Trustee Company Limited.

The application comprises 4 copies of the completed application forms, a cheque for £190.00 and four copies of the following drawings:

Drawing Number 917/01 - Location Plan  
Drawing Number 917/02/A - Proposed Elevations and Layout

### *Application Site*

The premises, which are currently vacant, were originally used by the Council as a street cleaners depot. In 1993 the Council granted planning permission for 'elevational alterations, partial rebuilding and change of use from Council depot to office/showroom (Class B1)' and this has been implemented. The proposed development would comprise the use of the site for a single 96 sheet, internally backlit and externally illuminated display unit with a perspex screen and would be used as a flat advertising hoarding. Advertisement consent is requested for a temporary period only, until 14 January, 2000 inclusive. It is intended that the advertisement will be related to the Millennium theme and in association with the Times Millennium clock situated next to the building. Consent for the Millennium clock expires on 29 January 2001.

The property comprises a single storey building that has been designed for display purposes. It is located on the south side of the busy West Cromwell Road, one of the main arterial roads into central London from the west. The area is dominated by slow moving traffic and no distinctive land use or character predominates.

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N	C	SW	SE	ENF	AO ACK
17 MAR 1999							
FILES	IO	REC	ARB	FWD PLN	CON DES	FEES	

Ref: PV/HG/917

GMA Planning Limited, Development, Land-use and Environmental Planning Consultants

Registered office: Queens House, Holly Road, Twickenham TW1 4EG. Registered number 2078863

Directors: Simon Neate BA (Hons) MRTPI, Ian Laverick BSc (Arch) BArch (Hons 1) FRAIA, Philip Villars BA (Hons) MRTPI.

Associate: Bill Davidson BA(Hons) DipTP DipUD MRTPI Consultant: John Spain BBS MRUP ARICS MRTPI.

*Amenity and Public Safety*

CA 990549

The Town and Country Planning (Control of Advertisements) Regulations, 1992, states that a local planning authority shall exercise their powers... 'only in the interests of amenity and public safety'. Planning Policy Guidance Note (PPG) 19: Outdoor Advertisement Control (March 1992), echoing the provisions set out in the Regulations, states that the relevant considerations in terms of amenity are the 'local characteristics of the neighbourhood, including scenic, historic, architectural or cultural features, which contribute to the distinctive character of the locality'. The premises are not listed nor located in, or close to, a conservation area and the area has no overriding or distinctive land use character, or predominant use, other than a busy transport corridor. If such signs are an accepted form of advertising, and the guidance accepts that they are (see below), then this is an ideal location and premises for them. The proposed advertisement hoardings will not be injurious to the amenity of the locality.

The Annex to PPG19 makes the point that in applying the expression 'in the interests of amenity' to any particular application or appeal, account should be taken not only of factors which might be detrimental to amenity but also 'of factors which may be to the advantage of the amenity of a locality, such as adding appropriate colour and interest to a drab area'. This accepts that such signs can make a positive contribution to the appearance and character of an area. The application site is situated on a major six lane transport corridor into the Capital and consequentially provides a visually challenging environment. The proposals for the Westgate Centre will enhance the amenity of the area by introducing colour and interest.

Paragraph 3 of the Introduction states that 'outdoor advertising is essential to commercial activity in a free and diverse economy' and that it takes many forms, including poster hoardings. Paragraph 4 states that 'too often, outdoor advertisements seem to have been added to a building as an afterthought, so that they appear brash, over dominant or incongruous'. The structure which has been constructed on site as part of the 1993 planning permission has been designed for display purposes and is therefore well suited to the proposed use.

Although the proposed development will be located on a busy highway, the hoarding will not be so conspicuous that it will unduly distract the attention of passers-by. In view of the fact that the site has a consent for a showroom which can have similar or greater implications for attracting attention, the Council will have already assessed the issues regarding public safety and, we assume, accepted that this location and such proposals will have no adverse impact on public safety.

*RBK&C Unitary Development Plan - Adopted August 1995*

Policy CD71 of the UDP relates specifically to hoardings and states that it is Council policy 'to resist the erection of **permanent** hoardings' (our emphasis). The use of the premises as proposed, on a very temporary basis, is in accordance with this policy. The Oxford English Reference Dictionary refers to 'permanent' as meaning 'lasting, or intended to last or function, indefinitely'. The proposed hoarding, by definition, would

not be permanent.

CA990549

*The 'Millennium factor'*

The Council approved the Millennium clock structure adjacent to the building and clearly recognise that this is both a transport gateway into the Borough and that the Millennium clock is an appropriate feature in this location. The Millennium period is a unique occasion and this gateway position presents an exceptional opportunity for a feature of this nature, particularly bearing in mind that the structure is already in place.

For the reasons set out above, this application for advertisement consent for a temporary period to cover the Millennium celebrations and build-up will add interest and colour to a transport corridor that is a gateway into central London. It will do so without harm to the amenity of the area or public safety.

If you require any further information, please do not hesitate to contact me.

Yours faithfully



PHILIP VILLARS

Enc: 4 copies of the application forms  
4 copies of application drawings as listed  
cheque for £190.00

cc: Robert Newman Esq, Stephenson Harwood

RECEIVED BY PLANNING SERVICES  
 EX DIR HDC N C SW SE ENF AO ACK

17 MAR 1999

**THE ROYAL BOROUGHS OF KENSINGTON AND CHELSEA**  
**APPLICATION COMPLETE**  
 TOWN AND COUNTRY PLANNING ACT 1990

**19 MAR 1999**  
 TOWN AND COUNTRY PLANNING (CONTROL OF  
 ADVERTISEMENTS) REGULATIONS 1992  
 APPLICATION FOR CONSENT TO  
 DISPLAY AN ADVERTISEMENT

OFFICE USE ONLY  
 Cash/Cheque £190 C/N 005522  
 Date 16/03/99  
 Receipt No. 1010693

Completed copies of this form and the drawings specified overleaf (see note 3) should be sent to: Planning and Conservation, The Town Hall, Hornton Street, London, W8 7NX.

<p>1. APPLICANT (Block Capitals please)</p> <p>Full Name MANIFOLD TRUSTEE COMPANY LTD CA990547</p> <p>Address c/o STEPHENSON HARWOOD ONE, ST PAUL'S CHURCHYARD LONDON</p> <p>Postcode EC4M 8SH</p> <p>Tel. No: 0171 329 4422</p>	<p>2. AGENT (if any) (Block Capitals please)</p> <p>Full Name GMA PLANNING LTD</p> <p>Address QUEENS HOUSE HOLLY ROAD TWICKENHAM</p> <p>Postcode TW1 4EG</p> <p>Tel. No: 0181 607 9511</p>
<p>3. Full postal address or location of the land on which the advertisement is to be displayed.</p> <p>WESTGATE CENTRE        WEST CROMWELL ROAD        KENSINGTON</p>	<p>4. State the purpose for which the land or building is now used.</p> <p>VACANT SHOWROOM/OFFICE</p>
<p>5. (a) Has the applicant an interest in the land?        [YES/NO] <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>(b) If not, has the permission of the owner or any other person entitled to give permission for the display of the advertisement been obtained? (see note 5)        [YES/NO]</p>	<p>6. (a) State the nature of the advertisement (e.g. boarding or shop sign).</p> <p>HOARDING</p> <p>(b) Is the advertisement already being displayed?        (YES/NO) NO</p>
<p>7. Description of advertisements</p> <p>(a) Describe the type of each sign, e.g. fascia, projecting box, pole-mounted free standing.</p> <p>(b) Please give the dimensions of the advertisement (metres).</p> <p>(c) Will the advertisement/s be illuminated?</p> <p>(d) If so state the type of illumination (e.g. internally, floodlighting, etc.....)?</p> <p>(e) Will the illumination be static or intermittent?</p> <p>(f) If illuminated, state brightness.</p>	<p><b>DESCRIPTION</b></p> <p>PROVISION AND DISPLAY OF A 96 SHEET DISPLAY UNIT WITH A PROTECTIVE PERSPEX SCREEN, FOR A LIMITED PERIOD.        12.3m x 3.3m.</p> <p>YES</p> <p>INTERNALLY BACKLIT AND EXTERNALLY ILLUMINATED.</p> <p>STATIC</p> <p>1200 CANDELLAS</p>
<p>8. Period for which consent is sought (see note 2)</p>	<p>CONSENT UNTIL 14 JANUARY 2000 INCLUSIVE</p>
<p>I/We apply for consent to display advertisement as shown on the attached plans and drawings</p> <p>SIGNED: <i>[Signature]</i> DATE: 15 MARCH 1999        GMA PLANNING</p>	

19 MAR 1999

PTO for notes

## NOTES

### 1. GENERAL

Under the Town and Country Planning (Control of Advertisements) Regulations 1992 many outdoor advertisements require express consent before they can be lawfully displayed. Applicants should refer to the Regulations for details.

### 2. PERIOD OF CONSENT

Normally the maximum period for which consent may be granted is 5 years; but they have discretion to grant consent for a longer period. If consent is required for a specific period of more or less than 5 years this requirement should be stated in reply to question 8 on the application form.

### 3. DRAWINGS REQUIRED

Two sets of drawings and two copies of the application form are required. Drawings must be to a metric scale. Photographs of the existing building/site would also be helpful. The drawings should show the size of the advertisement and its position on the land or the building in question. For a sign the drawing should indicate the materials to be used, fixing, colours, height above the ground and, where it would project from a building, the amount of projection.

### 4. OWNERS CONSENT

It is a condition of every consent granted by or under the Regulations that, before displaying any advertisement, the permission of the owner of the land or other person entitled to grant permission must be obtained. To display any advertisement without this permission is an offence, open to immediate prosecution.

### 5. OTHER CONSENTS

A grant of consent under the Town and Country Planning (Control of Advertisements) Regulations 1992 does not rank as consent which may be required for any other e.g. "Listed Building Consent" where the advertisement is to be displayed on a Listed Building.

### 6. SCALE OF FEES IN RESPECT OF APPLICATIONS FOR CONSENT TO DISPLAY ADVERTISEMENTS

See separate list of fees.

### 7. THE RIGHT TO APPEAL

An applicant has a right to appeal against the council's decision to refuse consent, or to grant consent subject to a condition with which the applicant is dissatisfied, or if the Council fails to issue a decision within 8 weeks (or such longer period agreed in writing to them) of their receipt of the application.

Information call 01902 459 907 or visit [www.theedmgroup.co.uk](http://www.theedmgroup.co.uk)

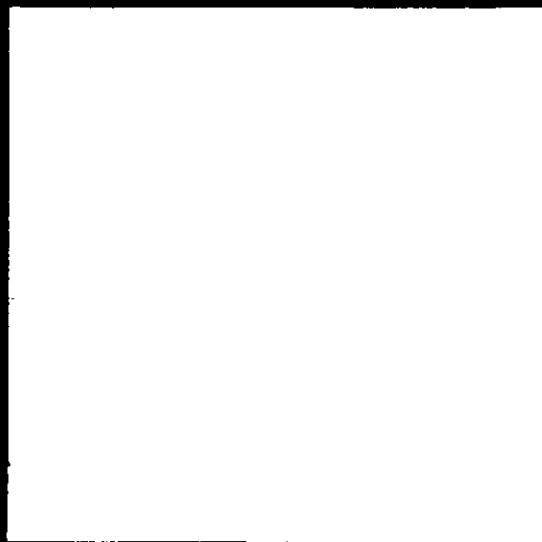
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Information call 01902 459 907 or visit [www.theedmgroup.co.uk](http://www.theedmgroup.co.uk)

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**GMA PLANNING**

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
APPEAL BY MANIFOLD TRUSTEE COMPANY LIMITED**

**WESTGATE CENTRE  
WEST CROMWELL ROAD  
KENSINGTON, SW5**

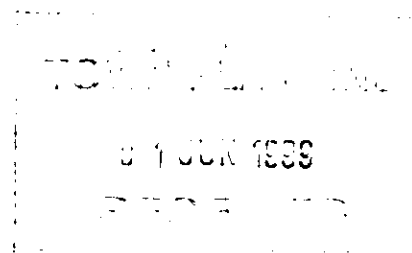
**APPEAL AGAINST THE DECISION  
OF THE ROYAL BOROUGH OF  
KENSINGTON & CHELSEA  
TO REFUSE CONSENT TO DISPLAY  
A TEMPORARY ADVERTISEMENT  
UNTIL 14 JANUARY 2000**

**Our Ref: 917/1**

**MAY 1999**

**GMA Planning  
Queens House  
Holly Road  
Twickenham  
TW1 4EG**

**Tel: 0181 607 9511  
Fax: 0181 607 9512  
e-mail: gmaplanning@dial.pipex.com**





**WESTGATE CENTRE, WEST CROMWELL ROAD, KENSINGTON**

**Appeal Against The Decision of The Royal Borough of Kensington & Chelsea to Refuse Consent to Display A Temporary Advertisement Until 14 January 2000**

**Written Statement**

	<b>Contents</b>	<b>Page</b>
1.	Introduction	1
2.	Site, Planning History and Background	2
3.	Grounds of Appeal and Main Planning Considerations	4
4.	Conclusions	8

**Appendices**

1. Site Plan
2. Photo-montage
3. Decision Notice
4. Position of Photograph

## 1. Introduction

---

- 1.1 This appeal is against the decision of the Royal Borough of Kensington and Chelsea Council to refuse an application for a temporary consent to display an advertisement until 14 January 2000 at the site known as the Westgate Centre, West Cromwell Road, Kensington.
- 1.2 GMA Planning was commissioned by Stephenson Harwood, acting on behalf of the Manifold Trustee Company Limited, to submit an application for temporary consent to display an advertisement at the site. Further to a meeting with Council officers on 19 February 1999 to discuss the proposals, an application was submitted to the Council and registered on 19 March 1999.
- 1.3 The application was refused on 30 April 1999 and a copy of the decision notice is attached (Appendix 3).
- 1.4 The proposed development would comprise the use of the appeal site for a single 96 sheet, internally backlit and externally illuminated display unit and would be used as a flat advertising hoarding. Advertisement consent is requested for a temporary period only, until 14 January 2000 inclusive. It is intended that the advertisement will be related to the Millennium theme and in association with the Times Millennium clock situated next to the building. Consent for the Millennium clock expires on 29 January 2001.
- 1.5 The appeal is made on the basis that the proposal will not cause any harm to the amenity of the area as stated by the Council, indeed it will improve the appearance of the site and add interest at this key gateway into central London, and will not be to the detriment of highway safety.

## 2. Site, Planning History and Background

---

- 2.1 The appeal site, shown in Appendix 1, is located on the south side of West Cromwell Road, Kensington, immediately to the west of the junction with Earls Court Road. West Cromwell Road is one of the main arterial routes into the capital from the west. The property, which is currently vacant, comprises a single storey building (with a basement) that has been designed for display purposes.
- 2.2 The surrounding environment is dominated by slow moving traffic and no distinctive land use or character predominates. Residential premises back on to this side of West Cromwell Road.
- 2.3 The appeal premises were originally owned and used by the Council as a street cleaners' depot. In 1993 the Council granted planning permission (Reference: TP/93/0460/L/21) for 'elevational alterations, partial rebuilding and change of use from Council depot to office/showroom (within Class B1)' and this has been implemented. It appears that the premises were subsequently used for the display of two 96 sheet Ultravision advertisement units which were installed behind a glass screen. The signs benefited from Deemed Consent under Class 12, Schedule 3 of the Advertisement Regulations 1992. This allows for the display of internal adverts.
- 2.4 On 29 February 1996, a Discontinuance Notice was served and this required 'the discontinuance of the use of the site for the display of advertisements'. An appeal against the notice was submitted in May 1996. After an exchange of correspondence and meetings between the parties, clarifying the terms of the planning permission, the appeal was withdrawn by a letter dated 13 December 1996.
- 2.5 In early 1998 a further hoarding displaying an advertisement was erected at the site. The Council said that this was in contravention of the Discontinuance Notice. The advert was removed and the site has not been used for this purpose since May 1998.
- 2.6 In March 1999, two separate applications were submitted to the Council by GMA Planning on behalf of the Manifold Trustee Company Limited. These were an application to display an advertisement between 20 November 1999 and 14 January 2000 (Refs: DPS/DCSW/CA/99/00548) and for an application to display an advertisement from the granting of consent until 14 January 2000 (Ref: DPS/DCSW/CA/99/00549). Both applications were refused on 30 April 1999.
- 2.7 The applications were submitted so that the site could be used in connection with the forthcoming and unique Millennium period. The display is intended to

reflect the celebrations by headlining a related advertisement and is linked to the Millennium Clock already sited adjacent to the building. By virtue of the short-term nature of this period, the consent required is temporary.

### 3. Grounds of Appeal and Main Planning Considerations

---

3.1 The Town and Country Planning (Control of Advertisements) Regulations, 1992, state under Regulation 4 at paragraph 1 that a local planning authority shall exercise its powers... 'only in the interests of amenity and public safety'. Paragraph 2 of Regulation 4 states that in determining an application a local authority 'may have regard to any material change in circumstances likely to occur within the period for which consent is required..'. This paragraph allows for the local authority to bear in mind considerations other than simply amenity and public safety, such as for example the forthcoming Millennium period, in determining an application.

3.2 The Council states its reason for refusing the application is;

By virtue of the location, size and illumination, the proposed hoarding is considered to be over-dominant and out of character with the surrounding locality, thereby causing harm to visual amenity. The siting of this advertisement at this location could also form a precedent for similar display of advertisements in the locality that could be difficult to refuse. The proposal is therefore contrary to the policies of the Council contained in the Unitary Development Plan, in particular Policy CD68.

#### **Amenity**

3.3 By assessing the effect that an advertisement has on 'amenity' it will be necessary to establish if it is appropriate in the area. As cited in Mynors, C (1992) *Planning Control and the Display of Advertisements*, the meaning of the word 'amenity' has been the subject of much consideration over the years, and "Scrutton LJ (at 370)...held that it appeared to mean 'pleasant circumstances or features, advantages' ." Another case "was considered by Willis J in *Cartwright v Post Office* [1968] 2QB 439, and he considered that the word 'amenity' of land referred to 'its visual appearance and the pleasure of its enjoyment'."

3.4 In considering the issue of amenity, therefore, the effect an advertisement may have on the landscape and features of the surrounding area or buildings are the relevant considerations. This is reflected in the Regulations, which state at paragraph 1a of Regulation 4 that the authority is required to consider 'the general characteristics of the locality' and these are to include 'the presence of any features of historic, architectural, cultural or similar interest'.

3.5 The area surrounding the appeal site has no overriding or distinctive land use character, or predominant use other than as a busy road edged by the rear elevations of large residential properties. The premises are not listed nor located in, or close to, a designated Conservation Area or any area designated

by the local planning authority as being locally significant in such terms. There is no specific Council policy that requires preserving or enhancing the character or appearance of this area. This location is one of the few in the borough that is not designated as a Conservation Area. There are no historic or culturally interesting landscapes or structures in the vicinity of the proposed advertisement hoarding upon which it might have a negative impact. The proposed advertisement hoarding will, therefore, not be injurious to the amenity of the locality. If such hoardings are an accepted form of advertising, and the government guidance in PPG19 *Outdoor Advertisement Control* makes it clear that they are (see paragraph 3.7 below), then the location and premises are ideally suited for them.

- 3.6 The Annex to PPG19 makes the point that, in applying the expression 'in the interests of amenity' to any particular application or appeal, account should be taken not only of factors which might be detrimental to amenity but also 'of factors which may be to the advantage of the amenity of a locality, such as adding appropriate colour and interest to a drab area'. This accepts that such hoardings can make a positive contribution to the appearance and character of an area. The appeal site is situated on a major six lane road into the Capital and consequently provides a visually challenging environment. The proposals for the Westgate Centre would enhance the amenity of the area by introducing both colour and interest.
- 3.7 Paragraph 3 in the Introduction to PPG19 states that 'outdoor advertising is essential to commercial activity in a free and diverse economy' and that it takes many forms, including poster hoardings. Paragraph 4 states that 'too often, outdoor advertisements seem to have been added to a building as an afterthought, so that they appear brash, over dominant or incongruous'. The structure which has been constructed on site with the benefit of the 1993 planning permission has been designed specifically for display purposes and is therefore well suited to the proposed use, in accordance with Government policy.
- 3.8 The proposal at the appeal site will also not create a **precedent** effect. By virtue of the uniqueness of the structure, which has been designed specifically for display purposes, and the uniqueness of the Millennium occasion, the circumstances will not be repeated for other applicants to follow.
- 3.9 In any case, numerous appeal decisions demonstrate that precedent is not normally considered an appropriate reason for refusal. For instance, in the North Devon case, the Decision Letter states that:

*It is noted that the Council are concerned that, were this appeal to be allowed, it would create a 'precedent' for others. In that event, however, it is considered that they would not be inhibited from dealing with any subsequent proposals on their particular merits, and in the light of circumstances prevailing (Ref.APP/G1115/H/88/1439).*

## **RBK&C Unitary Development Plan - Adopted August 1995**

3.9 Policy CD71 of the UDP relates specifically to hoardings and states that it is Council policy 'to resist the erection of **permanent** hoardings' (our emphasis).

3.10 The policy justification at paragraph 6.19 of the UDP notes that

'advertisement hoardings, either free-standing or attached to buildings, are generally considered to be unacceptable as permanent features of the street scene as they detract from the townscape quality'

The Oxford English Reference Dictionary refers to 'permanent' as meaning 'lasting, or intended to last or function, indefinitely'. The proposed use of the premises for the display of advertisements on a temporary basis therefore does not conflict with the provisions of the development plan. The proposed Millennium themed hoarding would benefit this particular part of the borough as it is of a limited townscape quality.

3.11 Policy CD68 of the UDP is a general policy relating to advertisements. The justification at paragraph 6.12 notes that;

'Certain types of advertisements can cause particular harm to the appearance of buildings and the street scene, and the Council will therefore discourage the following: freestanding advertisements on forecourts, signs or advertisements above fascia level, and more than one projecting sign per shop unit.'

3.12 The proposal at the appeal site does not fall into any of the above categories and would not harm the character of the street scene. The appeal site is not within a Conservation Area nor near a listed building. The proposal would also have no adverse impact on public safety.

### **Public Safety**

3.13 Although the proposed development would be located on a busy highway, the structure is not be so conspicuous that it will unduly distract the attention of passers-by. In view of the fact that the site has a consent for a showroom which can have similar or greater implications for attracting attention, the Council will have already assessed the issues regarding public safety and accepted that this location, and such proposals, will have no adverse impact on public safety.

3.14 Indeed the Officer's report to committee for the 1993 consent does not stipulate any public safety concerns regarding the showroom aspect of the planning permission. There were also no comments on the proposed use from the Highways section of the local authority.

### **The 'Millennium factor'**

- 3.15 The Council granted planning permission for the erection of a Millennium Clock structure adjacent to the appeal site for a temporary period until January 2001 (ref: DPS/PA/TP/98/ 1232/K/35/1187), and also consent to display an illuminated advertisement on the Millennium Clock (Ref: DPS/PA/CA/98/ 145/S/35/149). These decisions indicate a clear recognition by the Council that this transport gateway into the Borough is an appropriate location for a Millennium marker. The appeals proposals site would 'link into' the clock to provide a related display. The period leading up to and including the Millennium celebrations are recognised by central government as an important and unique occasion and this gateway position presents an exceptional opportunity for a feature of this nature, celebrating this particular moment in time, utilising an existing structure.



## 4.0 Conclusions

---

- 4.1 The proposals at the appeal site would not be detrimental to the amenity of this location. The advertisement hoarding would add interest and colour and make a positive contribution to the appearance of a transport corridor that is a gateway into central London.
- 4.2 The proposed hoarding would not have an adverse impact on the public safety of highway users or passers by, and this issue is not contested by the Council.
- 4.2 For the reasons set out above, this appeal against the decision of the Council to refuse advertisement consent for a temporary period, from now until the Millennium celebrations, should be allowed.

**Appendix 1**

**Site Plan**



**GMA PLANNING**  
 Planning and Development Consultants  
 Queens House, Holly Road, Twickenham, TW1 4EG  
 Telephone 0181 607 9511 - Facsimile 0181 607 9512  
 e-mail gmaplanning@dial.pipex.com

Date - March 1999  
 Drawing No. - 917/01  
 Drawn - AVW  
 Scale - 1 : 1 250



Project	Application For Advertisement Consent Westgate Centre, West Cromwell Road, Kensington
Plan	Location Plan
Client	The Manifold Trustee Company Limited
Local Planning Authority	Royal Borough of Kensington and Chelsea

**Appendix 2**

**Photo-Montage**



Photograph No. 1 : View south east, from Cromwell Road centre island, of the site subject to this application - as existing.

## WESTGATE CENTRE - PROPOSED MILLENNIUM SIGNAGE



Photograph No. 2: Illustrative montage showing the site subject to this application, following implementation of development proposal.

**Appendix 3**

**Decision Notice**

**PLANNING AND CONSERVATION**

**THE TOWN HALL HORNTON STREET LONDON W8 7NX**

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

*Filing*  
**THE ROYAL  
BOROUGH OF**

GMA Planning Limited,  
Queens House,  
Holly Road,  
Twickenham  
TW1 4EG

Switchboard: 0171-937-5465

Direct Line: 0171-361-2699

Extension: 2699

Facsimile: 0171-361-3463



**KENSINGTON  
AND CHELSEA**

30 APR 1999

My Ref: CA/99/00549/CADV/11/120  
Your Ref:

Please ask for: South West Area Team

Dear Sir/Madam,

**FILE COPY**

**TOWN AND COUNTRY PLANNING ACT, 1990**

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS)  
REGULATIONS 1992**

**REFUSAL OF CONSENT TO DISPLAY ADVERTISEMENT(S) (DA2)**

The Borough Council in pursuance of their powers under the above mentioned Act and Regulations, hereby REFUSE consent to the advertisement(s) referred to in the under-mentioned schedule as shown in the plans submitted. Your attention is drawn to the enclosed Advertisement Information sheet.

**SCHEDULE**

**DEVELOPMENT:** Display of one illuminated 96 sheet hoarding for a limited period until 14 January, 2000.

**SITE ADDRESS:** Westgate Centre, 5 West Cromwell Road, Kensington, S.W.5

**RBK&C Drawing Nos:** CA/99/00549

**Applicant's Drawing Nos:** 917/02/A

**Application Dated:** 15/03/1999

**Application Completed:** 19/03/1999


**Application Revised:** N/A

**REASON FOR REFUSAL OF PERMISSION ATTACHED OVERLEAF**

**REASON FOR REFUSAL:**

By virtue of the location, size and illumination, the proposed hoarding is considered to be overdominant and out of character with the surrounding locality, thereby causing harm to visual amenity. The siting of this advertisement at this location could also form a precedent for similar display of advertisements in the locality that could be difficult to refuse. The proposal is therefore contrary to the policies of the Council contained in the Unitary Development Plan, in particular Policy CD68.

Yours faithfully,

A handwritten signature in black ink, appearing to read "M. J. French". The signature is written in a cursive style with a large initial "M".

**Michael J. French**  
**Executive Director, Planning and Conservation**



**Annex 4**

**Position of Photograph**

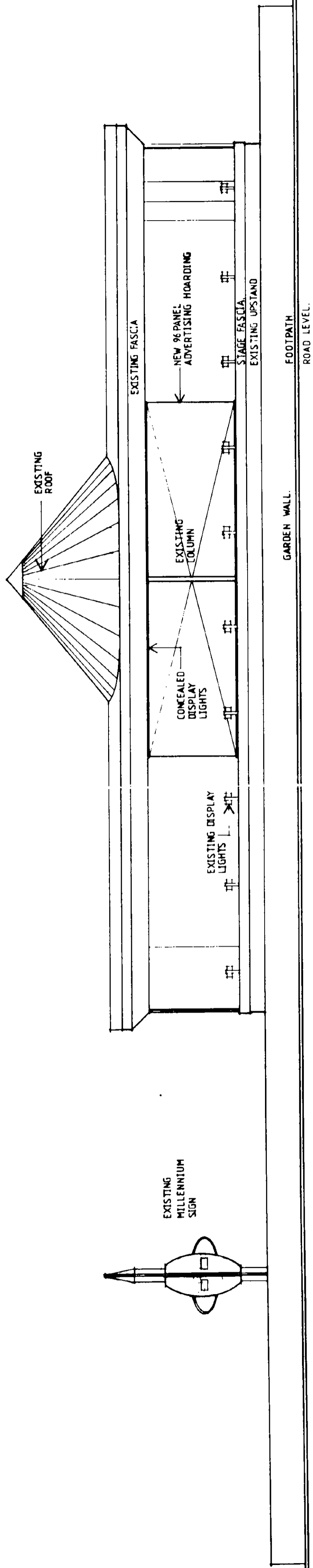


Location and Direction of Photograph (Nos. 1 & 2)

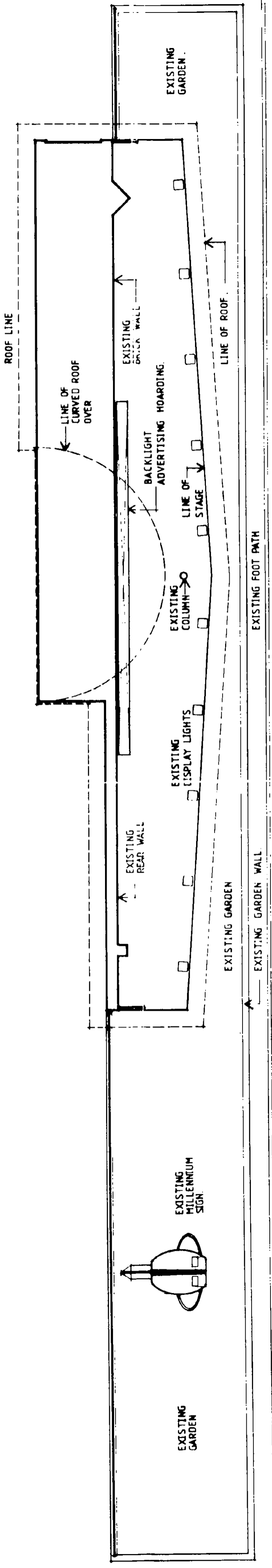
The Appeal Site

<p><b>GMA PLANNING</b></p> <p>Planning and Development Consultants</p> <p>Queens House, Holly Road, Twickenham, TW1 4EG          Telephone 0181 607 9511 - Facsimile 0181 607 9512          e-mail gmaplanning@dial.pipex.com</p>	Project	Application For Advertisement Consent Westgate Centre, West Cromwell Road, Kensington
	Plan	Position of Photograph
<p>Date - March 1999          Drawing No. - 917/02          Drawn - AVW          Scale - 1 : 1250</p>	Client	The Manifold Trustee Company Limited
	Local Planning Authority	Royal Borough of Kensington and Chelsea

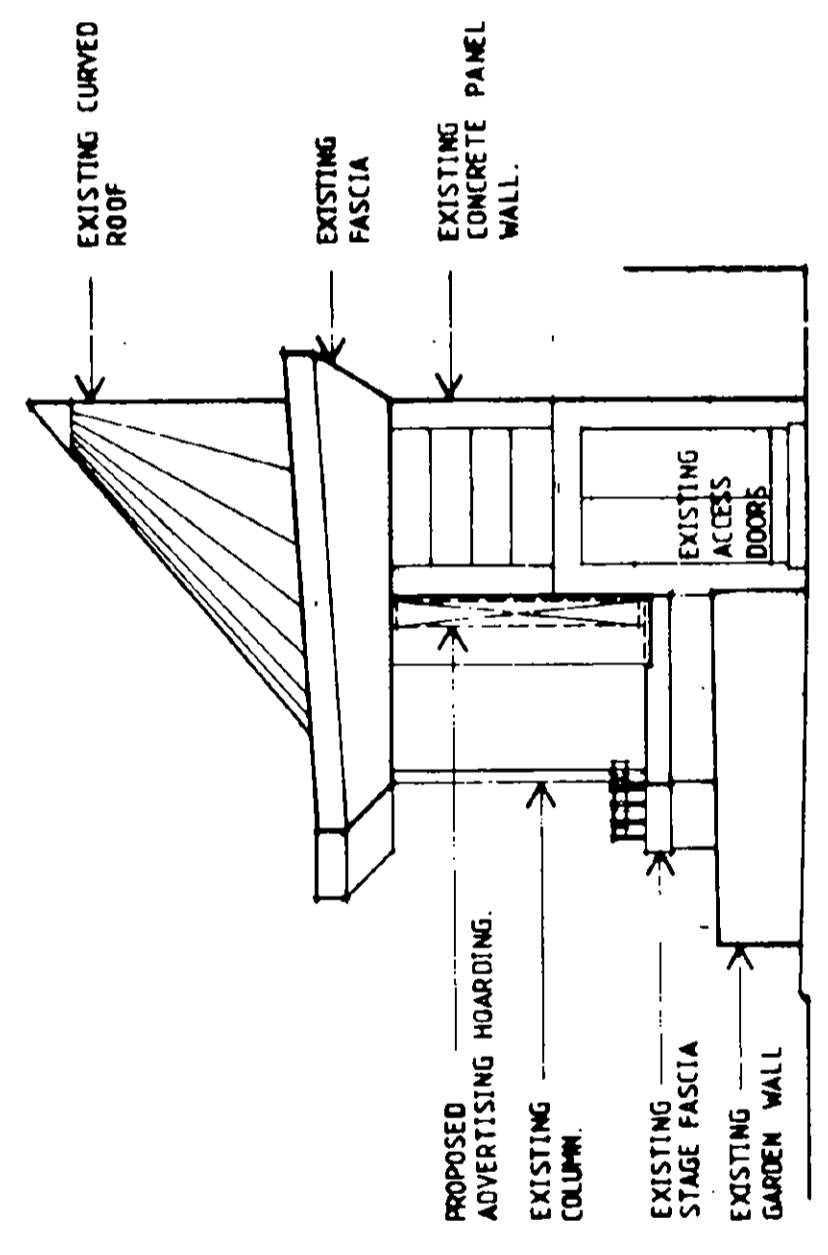




CROMWELL ROAD ELEVATION



LAYOUT PLAN



END ELEVATION

**GMA**  
 GMA Group Name: High Road  
 Information: Tel: 020  
 Tel: 0181 607 9511  
 Fax: 0181 607 9512

Client: **THE MANFOLD TRUSTEE COMPANY LIMITED**

Project: **PROPOSED ADVERTISEMENT HOARDING, WESTGATE CENTRE, RENSINGTON.**

Drawing: **PROPOSED ELEVATIONS AND LAYOUT.**

Scale	1:50	Date	03.03.99	Drawn	IL	Checked	
							917
							02
							A

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 30 April 1999

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 TOWN PLANNING  
 17 MAR 1999  
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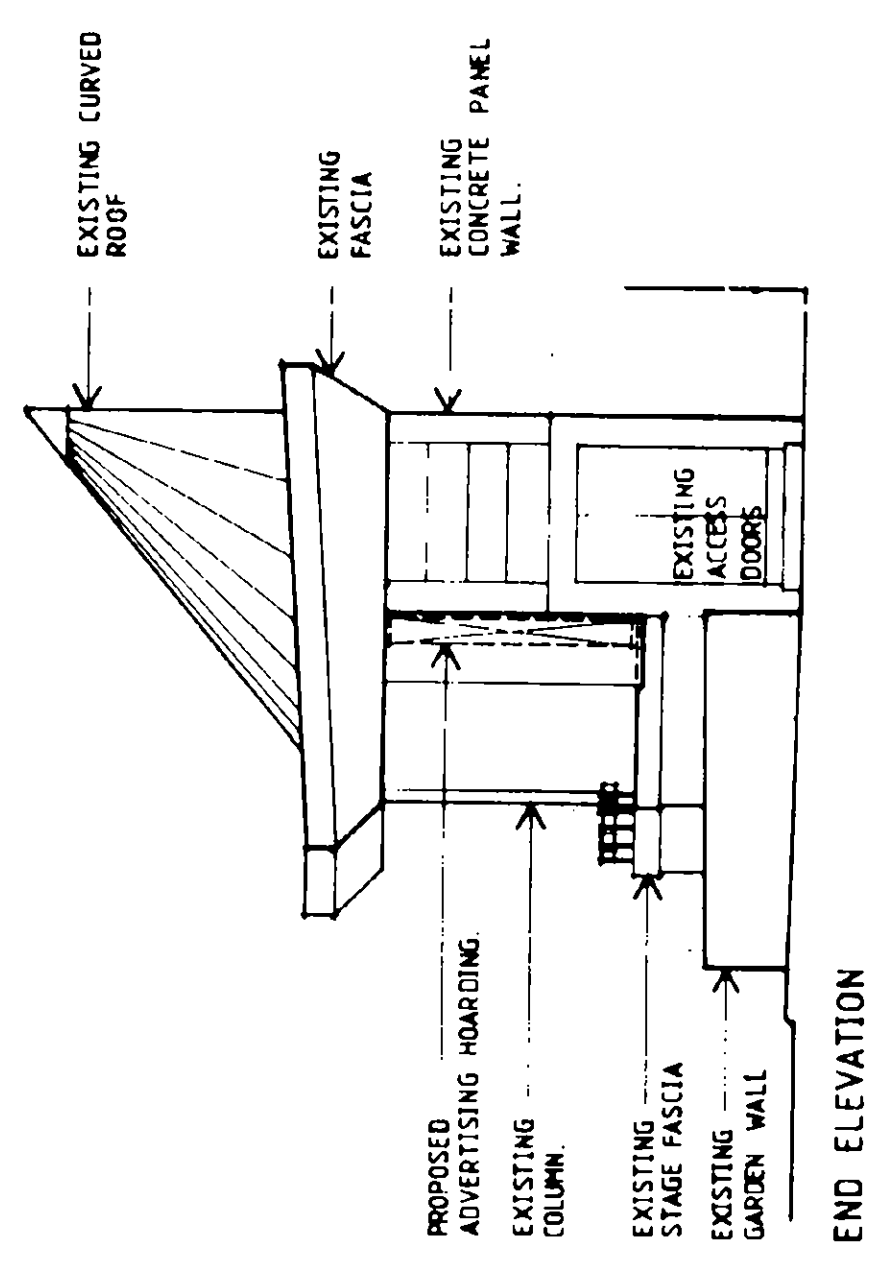
Plan

CA990543

CA990549

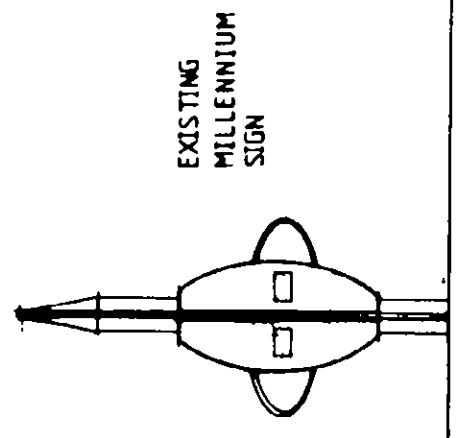
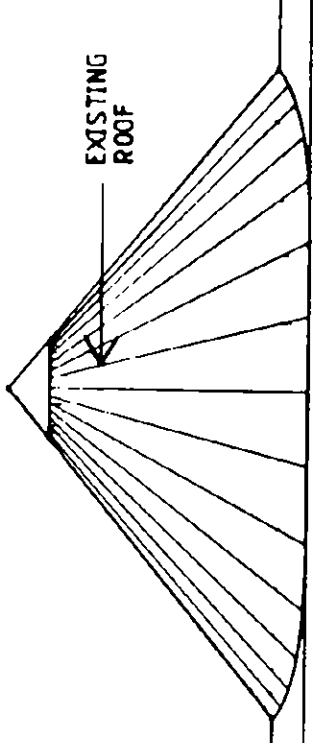
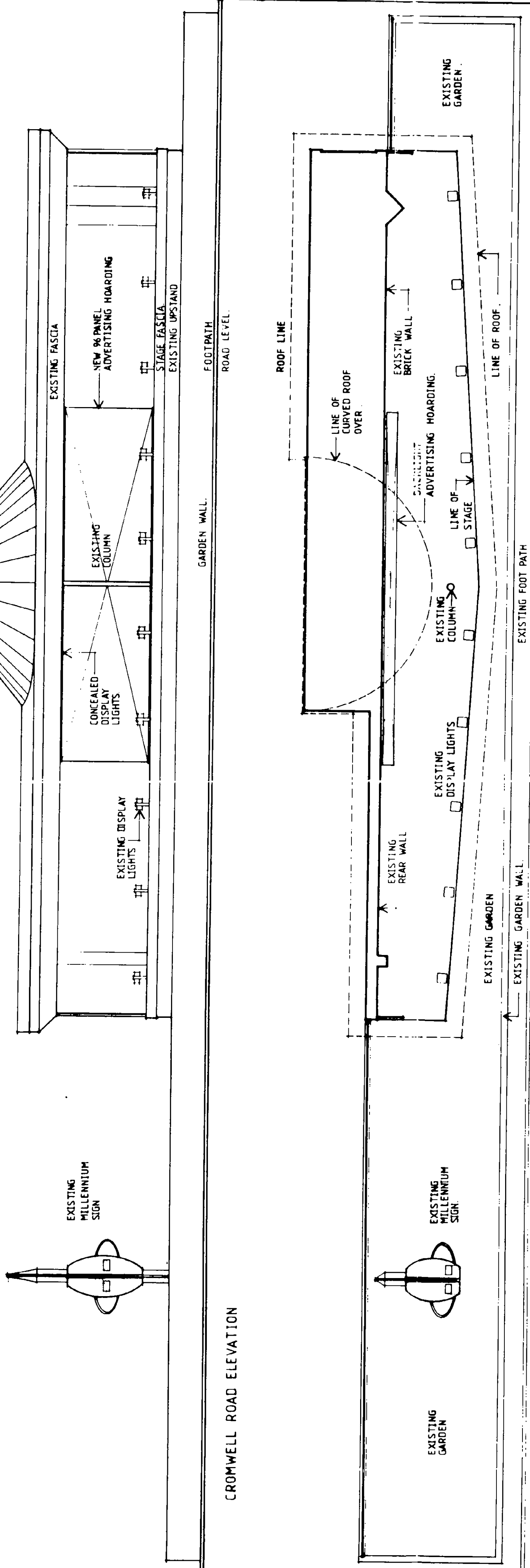
<p>Graphic Media Agency          100, Victoria Road, Westgate Centre, Kensington          Tel: 0181 807 8011          Fax: 0181 807 8012</p>	<input type="checkbox"/> Planning <input checked="" type="checkbox"/> Architecture <input type="checkbox"/> Landscape <input type="checkbox"/> Design	Client <b>THE MANFOLD TRUSTEE COMPANY LIMITED</b>	Project <b>PROPOSED ADVERTISEMENT HOARDING, WESTGATE CENTRE, KENSINGTON</b>	Drawing <b>PROPOSED ELEVATIONS AND LAYOUT</b>	Date <b>03.03.99</b>	Drawn <b>R. K.</b>	Checked <b>ILR</b>	Scale <b>1:50</b>	Drawing No. <b>917</b>	Sheet No. <b>02</b>	Total Sheets <b>1</b>
	RECEIVED <b>17 MAR 1999</b> <b>TOWN PLANNING</b> <b>R.B.K. &amp; C.</b>										

30 JUN 1999



LAYOUT PLAN

CROMWELL ROAD ELEVATION



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17 MAR 1999

THE ~~ROYAL~~ BOROUGHS OF KENSINGTON AND CHELSEA  
**APPLICATION COMPLETE**

TOWN AND COUNTRY PLANNING ACT 1990

19 MAR 1999

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992

APPLICATION FOR CONSENT TO DISPLAY AN ADVERTISEMENT

OFFICE USE ONLY  
 Cash/Cheque £190 C/N 005522  
 Date 16/03/99  
 Receipt No. 1010093

Completed copies of this form and the drawings specified overleaf (see note 3) should be sent to: Planning and Conservation, The Town Hall, Hornton Street, London, W8 7NX.

<p>1. APPLICANT (Block Capitals please)</p> <p>Full Name MANIFOLD TRUSTEE COMPANY LTD <b>CA990547</b>          Address c/o STEPHENSON HARWOOD ONE, ST PAUL'S CHURCHYARD LONDON          Postcode EC4M 8SH          Tel. No: 0171 329 4422</p>	<p>2. AGENT (if any) (Block-Capitals please)</p> <p>Full Name GMA PLANNING LTD          Address QUEENS HOUSE HOLLY ROAD TWICKENHAM          Postcode TW1 4EG          Tel. No: 0181 607 9511</p>
<p>3. Full postal address or location of the land on which the advertisement is to be displayed.</p> <p>WESTGATE CENTRE          WEST CROMWELL ROAD          KENSINGTON</p>	<p>4. State the purpose for which the land or building is now used.</p> <p>VACANT SHOWROOM/OFFICE</p>
<p>5. (a) Has the applicant an interest in the land?          [YES / <del>NO</del>]</p> <p>(b) If not, has the permission of the owner or any other person entitled to give permission for the display of the advertisement been obtained? (see note 5)          [YES / NO]</p>	<p>6. (a) State the nature of the advertisement (e.g. hoarding or shop sign).</p> <p>HOARDING</p> <p>(b) Is the advertisement already being displayed?          (YES/NO) NO</p>
<p>7. Description of advertisements</p> <p>(a) Describe the type of each sign, e.g. fascia, projecting box, pole-mounted free standing.</p> <p>(b) Please give the dimensions of the advertisement (metres).</p> <p>(c) Will the advertisement/s be illuminated?</p> <p>(d) If so state the type of illumination (e.g. internally, floodlighting, etc.....)?</p> <p>(e) Will the illumination be static or intermittent?</p> <p>(f) If illuminated, state brightness.</p>	<p><b>DESCRIPTION</b></p> <p>PROVISION AND DISPLAY OF A 96 SHEET DISPLAY UNIT WITH A PROTECTIVE PERSPEX SCREEN, FOR A LIMITED PERIOD.          12.3m x 3.3m</p> <p>YES</p> <p>INTERNALLY BACKLIT AND EXTERNALLY ILLUMINATED.</p> <p>STATIC</p> <p>1200 CANDELLAS</p>
<p>8. Period for which consent is sought (see note 2)</p>	<p>CONSENT UNTIL 14 JANUARY 2000 INCLUSIVE</p>
<p>I/We apply for consent to display advertisement as shown on the attached plans and drawings</p> <p>SIGNED: <i>[Signature]</i> GMA PLANNING DATE: 15 MARCH 1999</p>	

PTO for notes

10 MAR 1999

TOWN PLANNING

17 MAR 1999

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CA 990549



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# GMA PLANNING

## Planning and Development Consultants

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Telephone 0181 607 9511 - Facsimile 0181 607 9512  
e-mail gmaplanning@dial.pipex.com

Date - March 1999  
Drawing No. - 917/01  
Drawn - AVW  
Scale - 1 : 1250 (Grid = 100m Interval)



## LOCATION PLAN APPLICATION FOR ADVERTISEMENT CONSENT

Westgate Centre, West Cromwell Road, Kensington

Applicant

**THE MANIFOLD TRUSTEE COMPANY LIMITED**

Local Planning Authority

**ROYAL BOROUGH OF KENSINGTON AND CHELSEA**



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17 MAR 1999

**THE ROYAL BOROUGHS OF KENSINGTON AND CHELSEA**  
**APPLICATION COMPLETE**

TOWN AND COUNTRY PLANNING ACT 1990

19 MAR 1999

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992

APPLICATION FOR CONSENT TO DISPLAY AN ADVERTISEMENT

OFFICE USE ONLY

Cash/Cheque A90 C/N 00522

Date 16/03/99

Receipt No. 1010093

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<p>1. APPLICANT (Block Capitals please)</p> <p>Full Name <b>MANIFOLD TRUSTEE COMPANY LTD</b> CA990547</p> <p>Address <b>c/o STEPHENSON HARWOOD ONE ST PAUL'S CHURCHYARD LONDON</b></p> <p>Postcode <b>EC4M 8SH</b></p> <p>Tel. No: <b>0171 329 4422</b></p>	<p>2. AGENT (if any) (Block-Capitals please)</p> <p>Full Name <b>GMA PLANNING LTD</b></p> <p>Address <b>QUEENS HOUSE HOLLY ROAD TWICKENHAM</b></p> <p>Postcode <b>TW1 4EG</b></p> <p>Tel. No: <b>0181 607 9511</b></p>
<p>3. Full postal address or location of the land on which the advertisement is to be displayed.</p> <p><b>WESTGATE CENTRE WEST CROMWELL ROAD KENSINGTON</b></p>	<p>4. State the purpose for which the land or building is now used.</p> <p><b>VACANT SHOWROOM/OFFICE</b></p>
<p>5. (a) Has the applicant an interest in the land? [YES <del>NO</del>]</p> <p>(b) If not, has the permission of the owner or any other person entitled to give permission for the display of the advertisement been obtained? (see note 5) [YES / NO]</p>	<p>6. (a) State the nature of the advertisement (e.g. hoarding or shop sign).</p> <p><b>HOARDING</b></p> <p>(b) Is the advertisement already being displayed? (YES/NO) <b>NO</b></p>
<p>7. Description of advertisements</p> <p>(a) Describe the type of each sign, e.g. fascia, projecting box, pole-mounted free standing.</p> <p>(b) Please give the dimensions of the advertisement (metres).</p> <p>(c) Will the advertisement/s be illuminated?</p> <p>(d) If so state the type of illumination (e.g. internally, floodlighting, etc.....)?</p> <p>(e) Will the illumination be static or intermittent?</p> <p>(f) If illuminated, state brightness.</p>	<p><b>DESCRIPTION</b></p> <p><b>PROVISION AND DISPLAY OF A 96 SHEET DISPLAY UNIT WITH A PROTECTIVE PERSPEX SCREEN, FOR A LIMITED PERIOD.</b></p> <p><b>12.3m x 3.3m.</b></p> <p><b>YES</b></p> <p><b>INTERNALLY BACKLIT AND EXTERNALLY ILLUMINATED.</b></p> <p><b>STATIC</b></p> <p><b>1200 CANDELLAS</b></p>
<p>8. Period for which consent is sought (see note 2)</p>	<p><b>CONSENT UNTIL 14 JANUARY 2000 INCLUSIVE</b></p>
<p>I/We apply for consent to display advertisement as shown on the attached plans and drawings</p> <p>SIGNED: <i>[Signature]</i> DATE: <b>15 MARCH 1999</b></p> <p><b>GMA PLANNING</b></p>	

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10 MAR 1999



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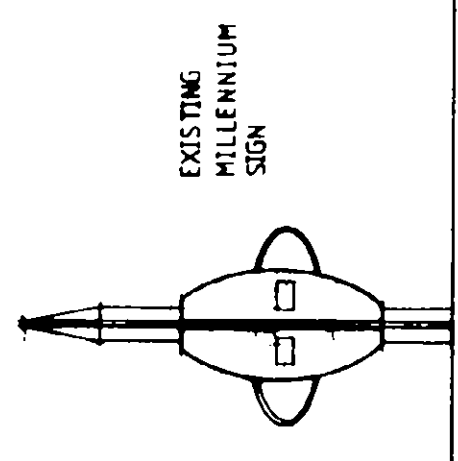
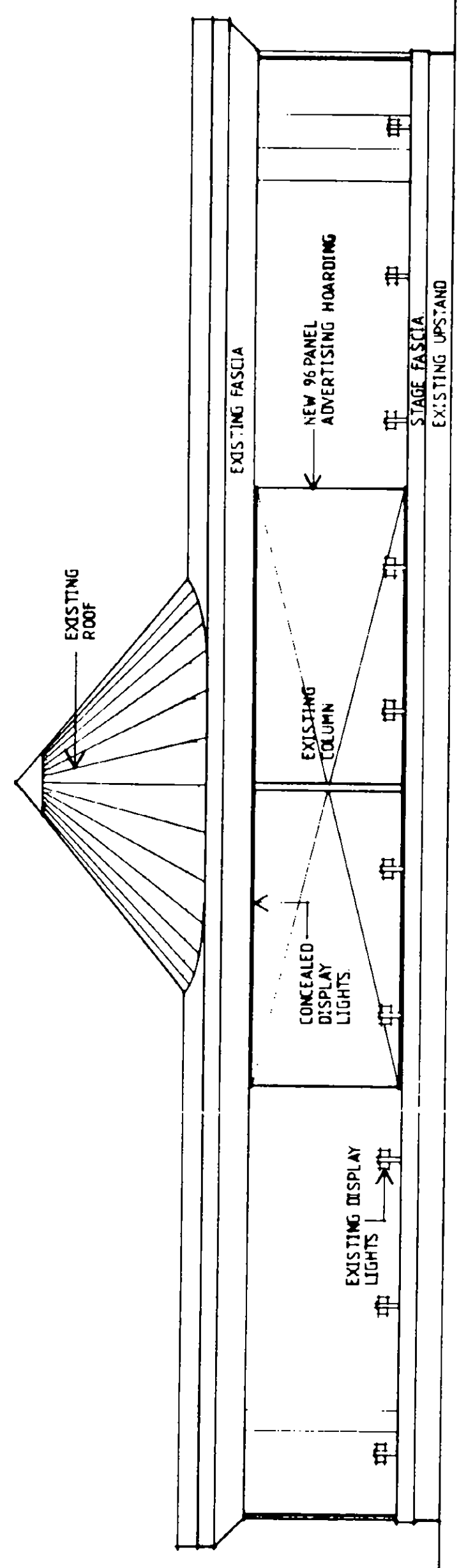
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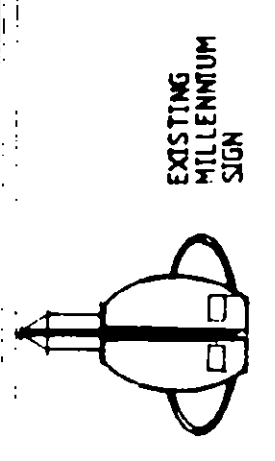
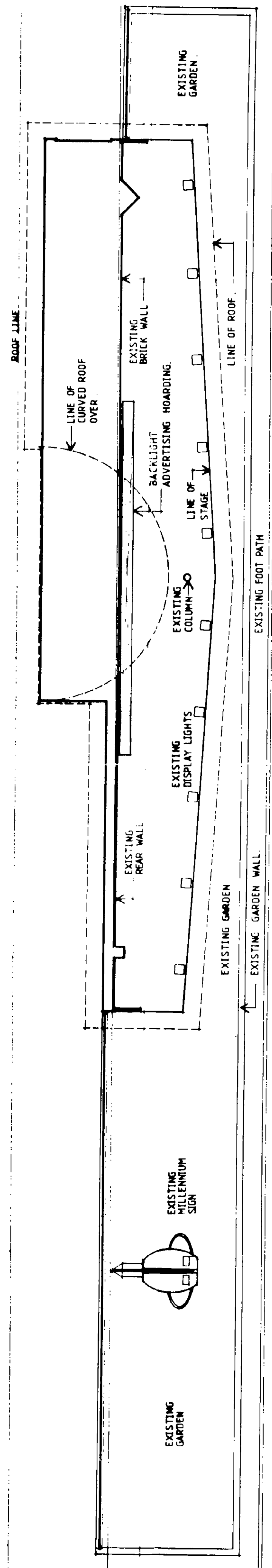
## LOCATION PLAN APPLICATION FOR ADVERTISEMENT CONSENT Westgate Centre, West Cromwell Road, Kensington

Applicant  
**THE MANIFOLD TRUSTEE COMPANY LIMITED**  
Local Planning Authority  
**ROYAL BOROUGH OF KENSINGTON AND CHELSEA**

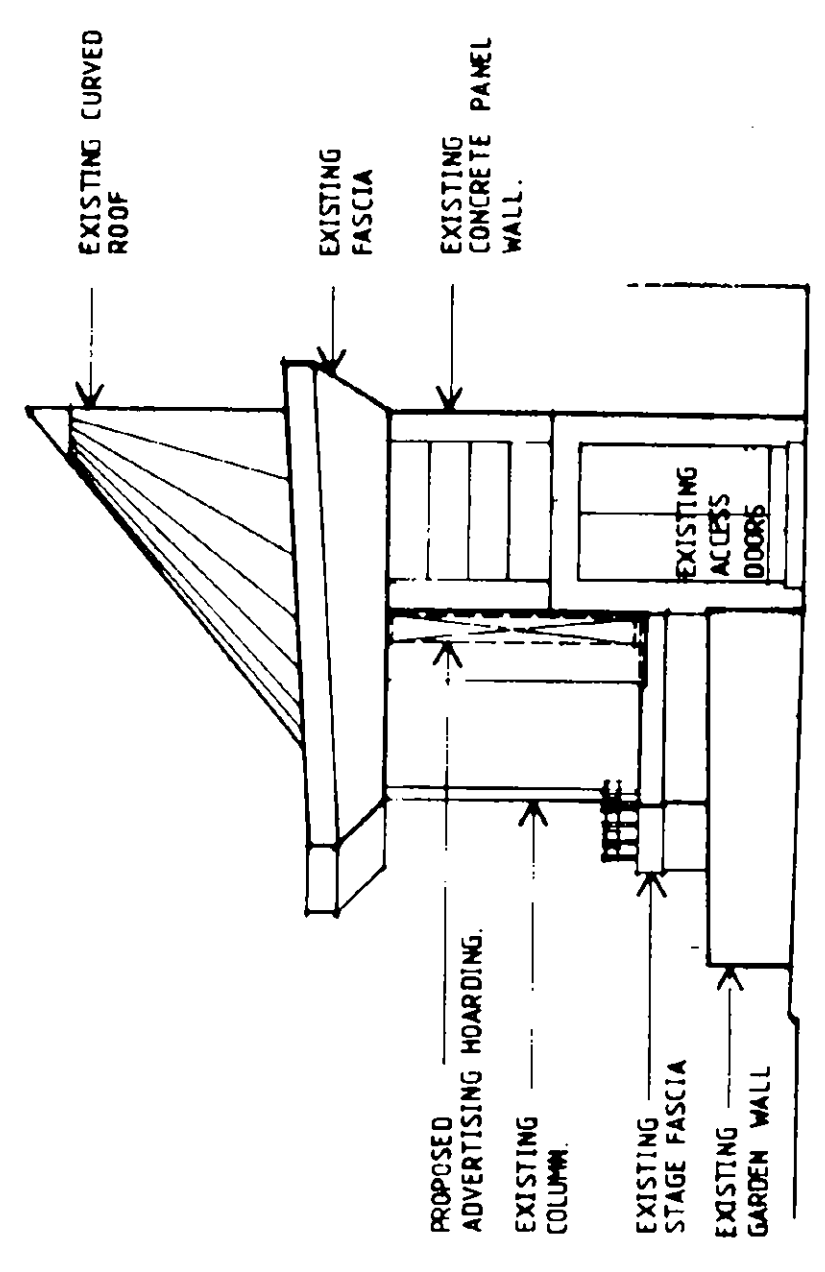
CA 990513



CROMWELL ROAD ELEVATION



LAYOUT PLAN



END ELEVATION

		Client: <b>THE MANFOLD TRUSTEE COMPANY LIMITED</b>	
Project: <b>PROPOSED ADVERTISEMENT HOARDING, WESTGATE CENTRE, KENSINGTON.</b>		Drawing: <b>PROPOSED ELEVATIONS AND LAYOUT.</b>	
Scale:	1:50	Date:	03.03.98 LL
Drawn:		Checked:	
Drawing No: 017			A

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Date - March 1999  
Drawing No. - 917/01  
Drawn - AVW  
Scale - 1 : 1250 (Grid = 100m Interval)



## LOCATION PLAN

### APPLICATION FOR ADVERTISEMENT CONSENT

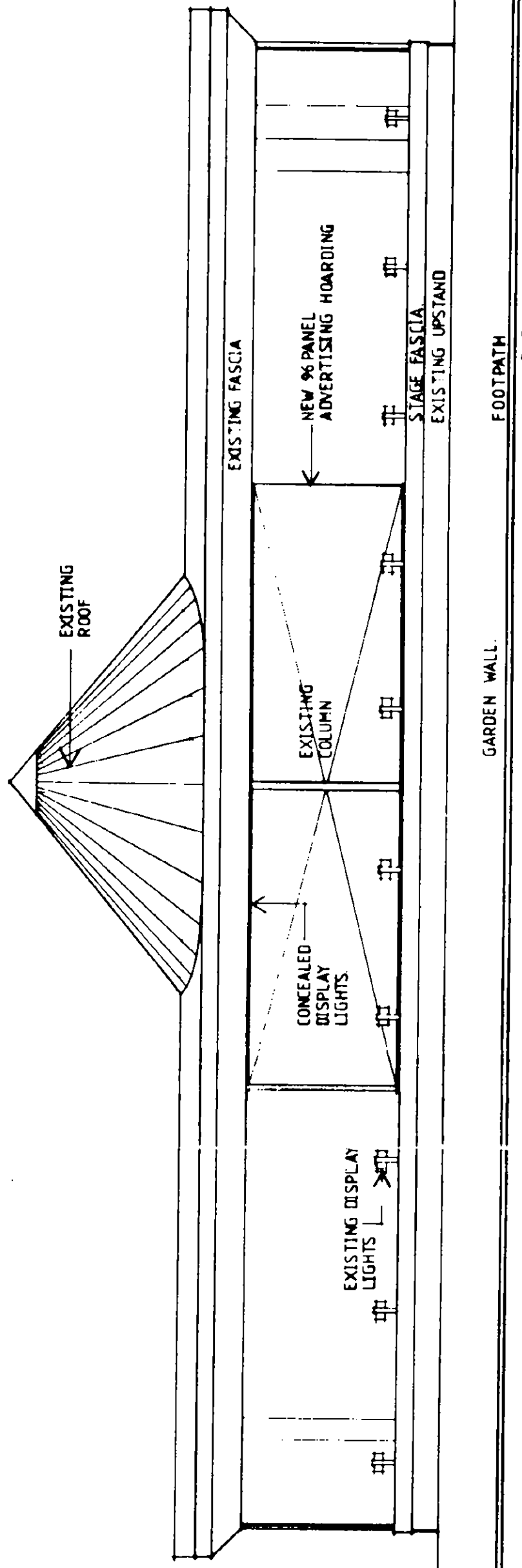
Westgate Centre, West Cromwell Road, Kensington

Applicant

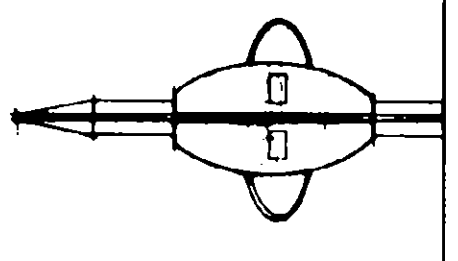
**THE MANIFOLD TRUSTEE COMPANY LIMITED**

Local Planning Authority

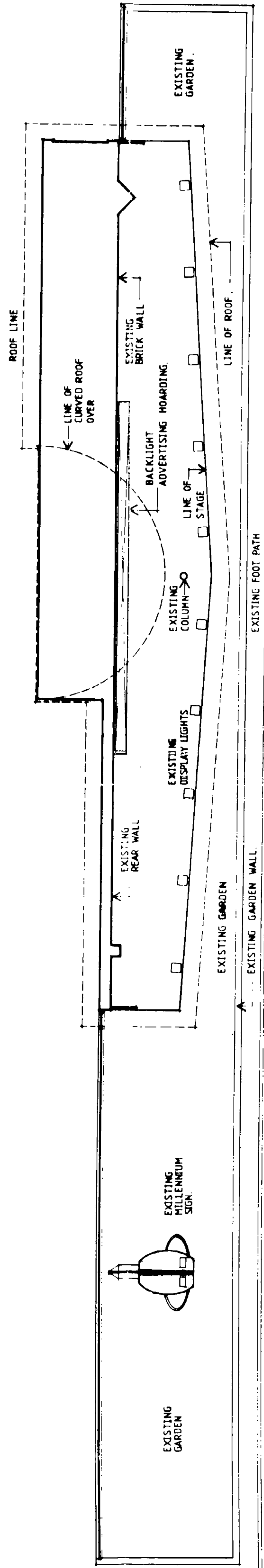
**ROYAL BOROUGH OF KENSINGTON AND CHELSEA**



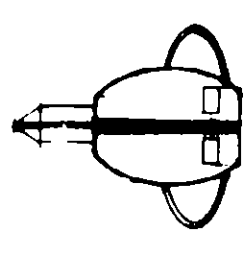
EXISTING  
MILLENNIUM  
SIGN



CROMWELL ROAD ELEVATION

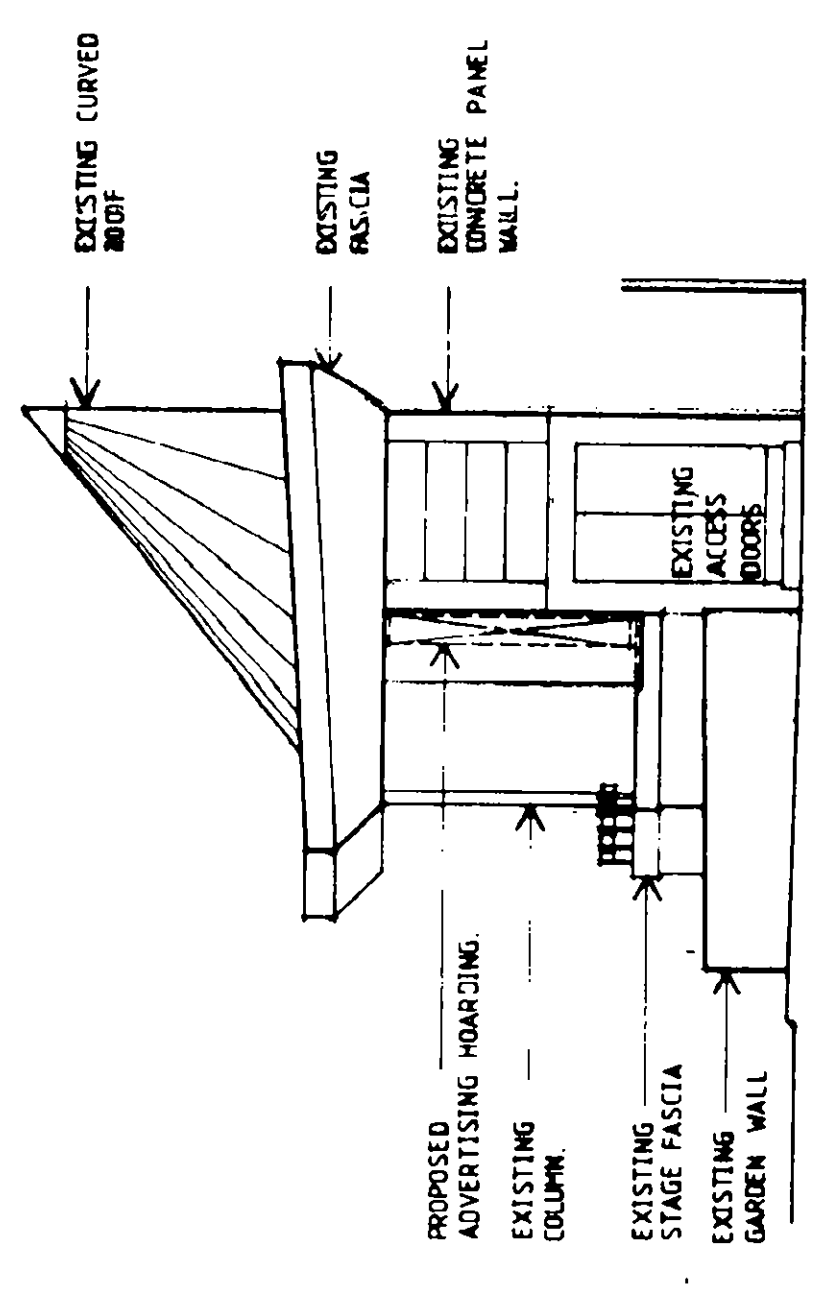


EXISTING  
MILLENNIUM  
SIGN



EXISTING  
GARDEN

LAYOUT PLAN



END ELEVATION

<p>GMA  <input type="checkbox"/> Planning  <input checked="" type="checkbox"/> Architecture  <input type="checkbox"/> Landscape  <input type="checkbox"/> Design</p>	<p>Client  <b>THE MANFOLD TRUSTEE COMPANY LIMITED</b></p>		<p>Project  <b>PROPOSED ADVERTISEMENT HOARDING, WESTGATE CENTRE, KENSINGTON.</b></p>		<p>Drawing  <b>PROPOSED ELEVATIONS AND LAYOUT.</b></p>	
	<p>Scale  <b>1:50</b></p>	<p>Date  <b>01.09.99</b></p>	<p>Drawn  <b>LL</b></p>	<p>Checked</p>	<p>917</p>	<p>62</p>

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## Planning and Development Consultants

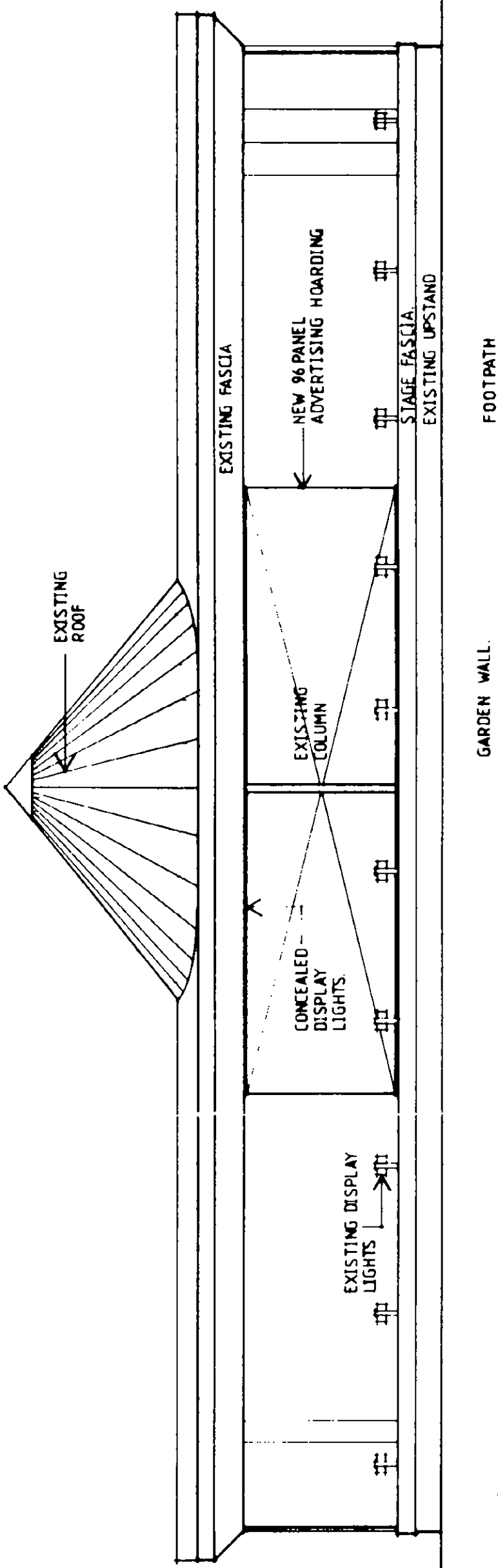
Queens House, Holly Road, Twickenham, TW1 4EG  
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e-mail gmaplanning@dial.pipex.com

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Drawn - AVW  
Scale - 1 : 1250 (Grid = 100m Interval)

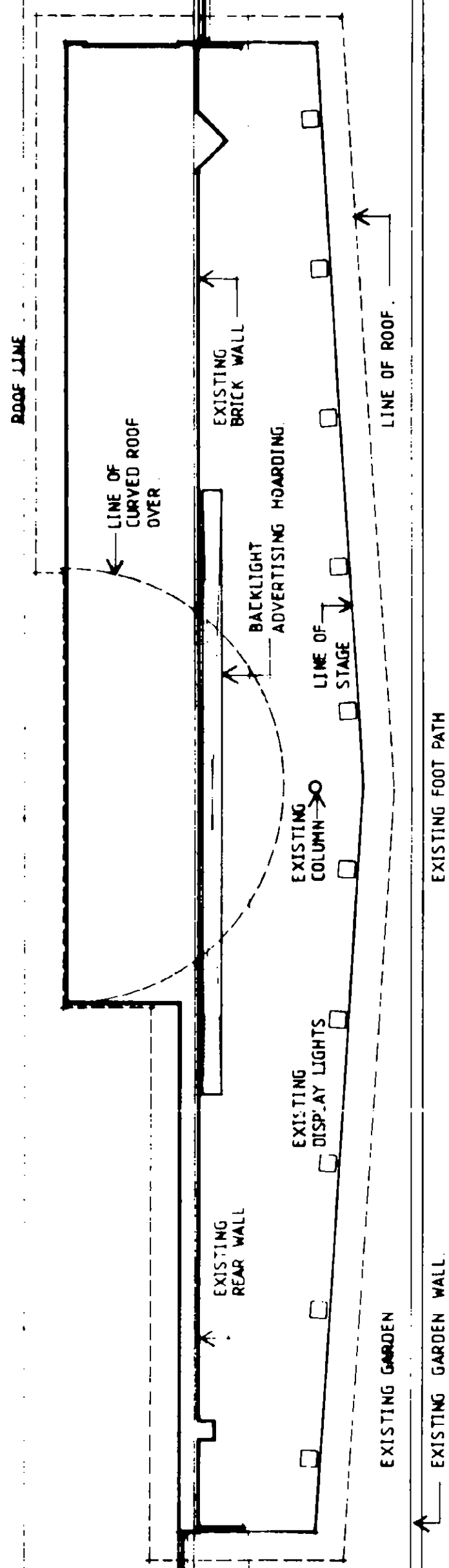


## LOCATION PLAN APPLICATION FOR ADVERTISEMENT CONSENT Westgate Centre, West Cromwell Road, Kensington

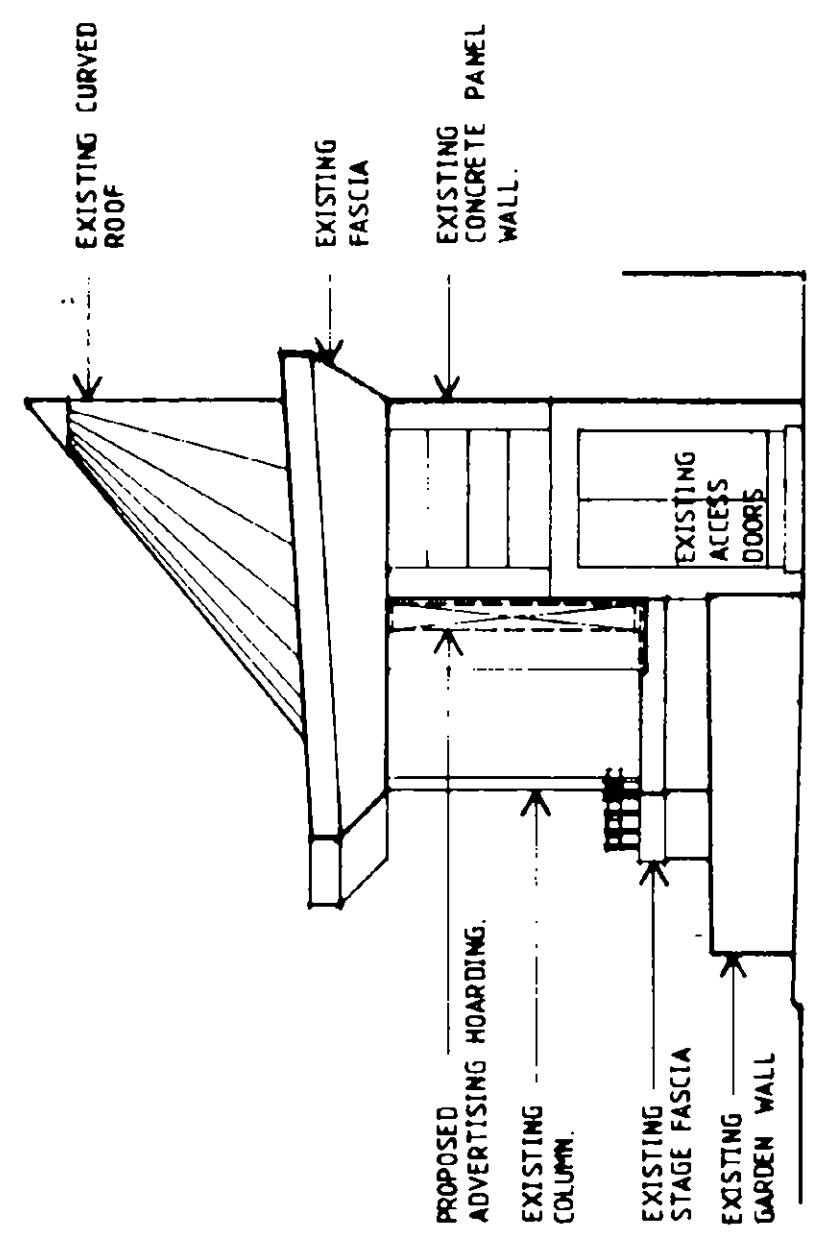
Applicant  
**THE MANIFOLD TRUSTEE COMPANY LIMITED**  
Local Planning Authority  
**ROYAL BOROUGH OF KENSINGTON AND CHELSEA**



CROMWELL ROAD ELEVATION



LAYOUT PLAN



END ELEVATION

**GMA**  
 GMA Group, 100, High Road, Kew, Surrey, TW9 1DF  
 Tel: 0181 877 5871 Fax: 0181 877 5872

Planning  
 Architecture  
 Landscape  
 Design

Client: **THE MANFOLD TRUSTEE COMPANY LIMITED**

Project: **PROPOSED ADVERTISEMENT HOARDING, WESTGATE CENTRE, KENSINGTON.**

Drawing: **PROPOSED ELEVATIONS AND LAYOUT.**

Scale:	Date:	Drawn:	Checked:
1:50	03.03.98	JL	

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R.B.K. & C.  
 TOWN PLANNING  
 17 MAR 1999  
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