

ST HELENS RESIDENTS ASSOCIATION

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0207 460 1743



Derek Taylor
Planning Department
RB Kensington & Chelsea
Town Hall
Hornton Street W8

November 7th 2015 (by email)

Dear Mr Taylor

Response to Planning Application CA/15/06461 Advertising at Westway Sports Centre, Crowthorne Road

This Association wishes to **object** to the above application, on the grounds set out below:

1. The Consolidated Local Plan, adopted July 2015, states (in paragraph 8.1.5, page 60): "There are a high number of illuminated advertising hoardings in the [Westway] area, some excessively large and free standing, others attached to the sides of buildings. These advertising hoardings have a negative impact on the character of the Borough, as viewed from the Westway."
2. In this case, the proposed additional advert on the south-facing elevation of the southern tower at the Westway Sports Centre, hitherto free of advertising, will be aimed at drivers on the West Cross Route. It will add further visual clutter to a part of North Kensington which already experiences significant levels of outdoor advertising and will harm the image of the Borough.
3. While less visible to residential properties than the northern tower, the proposed digital adverts will be visually intrusive and create flicker and light pollution for residents of the Stable Way Travellers site.
4. The location of the adverts facing drivers on the entrance ramp to the elevated Westway roundabout, carries risks on road safety grounds. Drivers are at this point are entering a roundabout that is frequently congested, and which is entered from dual carriageways from the south and east. Vehicles are often travelling too fast and visibility is restricted by the barriers/walls to the entrance ramp and roundabout. This is not a place for drivers to be distracted by changing digital images.
5. Whatever views on the application are submitted by Transport for London, RBKC councillors with greater knowledge of the location should form their own view of the road

safety risks of advertising at this location. Local people have always assumed that this has been the major reason why advertising on the southern side of this structure was **not** included at the time the structure was built in 2008. This position should be maintained.

6. The Consolidated Local Plan, adopted July 2015, states (in paragraph 8.3.5, page 62): *"High level advertisements have been erected by the Westway Trust at the Westway Roundabout. The Council refused advertisement consent, which was granted on appeal. The erection of the advertisements has had a negative impact on the wider area. The Council will continue to oppose advertisements which have a negative impact on the area and take all opportunities to have the existing hoardings removed."* Approval to this application would take matters in the opposite direction.

7. In its consideration in April 2015 of an application to replace the northern tower on land managed by the Westway Trust, the Council took account of *'the important income stream it receives from the existing advertisement and the consequent public benefit from the Trust's social and community programmes'*. This formed part of the balancing process in weighing up the application.

8. The Trust is already due to receive an increased income stream from the digitisation of adverts on the northern tower. This consideration should not be taken into account a second time, as there is no threat in this instance of loss of an existing income stream.

The application is contrary to RBKC policies CT1h, CL1, CL2, CL5, CL11 and to the Westway SPD. For all the above reasons the application should be refused.

Should the application be considered at committee, we ask that the exchange of correspondence between the Association and the Westway Trust, as annexed to this letter, be included on the committee agenda.

Yours sincerely,

Henry Peterson
Chair St Helens Residents Association
0207 460 1743
www.sthelensresidents.org.uk

Annexe 1: emails between St Helens Residents Association (Chair SHRA) and Westway Trust (Mark Lockhart, Finance Director and Angela McConville, Chief Executive) October/November 2015

Dear Mark,

Thanks for your response below. This is helpful in explaining the Trust's position, but does not alter our view that this latest JC Decaux proposal is a wholly unjustifiable addition to visual clutter and light pollution in North Kensington, and is sited at a high risk location in terms of road safety. As such the St Helens Residents/StQW Neighbourhood Forum will be submitting an objection.

What the Trust does not seem to appreciate is that many local residents, who remember well that your organisation started life as the North Kensington Amenity Trust, cannot comprehend why the Trust should be working with outdoor advertising companies in the first place?

As every London local authority planning department will tell you, JC Decaux, Clear Channel and their fellow outdoor advertisers will never cease to make approaches to every landowner they can find, whether private, public or third sector, with new propositions. These companies will not rest easy until there are adverts every fifty yards along the A40 and Westway. They will use the language (which the Trust now seems to be adopting) of '*media assets*' and '*migrations to a superior technology*', and they will promise more income. They will offer local authorities 'free' bus shelters and litter bins, provided they carry advertising.

This is an obvious temptation for every cash-strapped local authority and other bodies. But those councils which respect their environment and the views of their residents do not allow such temptations to prevail. There is a simple answer to approaches from JC Decaux and the like. Just tell them to go away. In RBKC we are fortunate enough to have elected councillors robust enough to do just that.

It now appears that in the course of negotiations on long awaited improvements to the northern tower at Westway Sports Centre (which has blighted the Oxford Gardens Conservation Area since 2008) the Trust has entered into new agreements on the southern tower.

Many local residents will find this grotesque. There may be fewer households nearby that will experience the consequential visual intrusion and light pollution than is the case with the northern tower, but those living on the travellers site will suffer the impact. And so will all of us who drive regularly along the West Cross Route.

For what gain or public benefit? More money for JC Decaux and a bit more income for the Trust. On the downside, a further example of why local people feel that the Trust has lost its way in terms of its founding purpose. This feeds back in public hostility and distrust over proposals for Portobello Village and other Trust activities.

All the Trust's efforts to improve communications, listen to the public, and build bridges after previous sagas on the advertising towers, will come to nothing if the

Trust persists in displaying in its actions a contempt for the views of those who live and work in North Kensington.

Did whichever part of the Trust that entered into negotiations with Decaux on the southern tower think about first consulting the public or its member organisations? Were the travellers given the chance to comment before the Trust left Decaux to submit a planning application?

I accept what you say about these decisions being taken before Alan Brown was appointed. But that is the excuse your last chair gave me about the original JC Decaux applications on 2007. Given all that has passed on these, why is the Trust doing the same thing again?

You say in your email below that the new digital technology (with images changing every 15 seconds) *'has been deemed to be more acceptable to the planning authority and local residents than the existing backlit display panels'*. Deemed by whom? JC Decaux presumably? The RBKC officer report recommending refusal to a recent application to replace static PVC adverts with digital on a site in Bramley Road states:

'The digital adverts and changing images would result in significant flicker and be noticeable to the surrounding residents. The proposed adverts, considering their high position, overall size and the prominent appearance would be harmful due to their illumination and overly prominent appearance from the Westway (A40) and surrounding residential properties.'

I have not come across any residents who say that digital images, changing every 15 seconds, are 'more acceptable' than static adverts (or in the case of the southern tower at Westway a face which mercifully has no adverts at present).

The RBKC 2015 Consolidated Local Plan states (in paragraph 8.1.5, page 60): *'There are a high number of illuminated advertising hoardings in the [Westway] area, some excessively large and free standing, others attached to the sides of buildings. These advertising hoardings have a negative impact on the character of the Borough, as viewed from the Westway.'*

It goes on to say,

'High level advertisements have been erected by the Westway Trust at the Westway Roundabout. The Council refused advertisement consent, which was granted on appeal. The erection of the advertisements has had a negative impact on the wider area. The Council will continue to oppose advertisements which have a negative impact on the area and take all opportunities to have the existing hoardings removed.'

If Westway trustees will not listen to our residents association, we would hope that they would at least listen to the Council.

We will be submitting an objection to the application to add advertising to the southern tower, and hope that others will do likewise. In the meantime I am copying this email to various interested parties.

Regards,

Henry Peterson
Chair St Helens Residents Association
0207 460 1743
www.sthelensresidents.org.uk;

-----Original Message-----

From: Mark Lockhart <Mark.Lockhart@westway.org>
To: henrypeterson <henrypeterson@aol.com>
CC: Angela McConville <Angela.McConville@westway.org>
Sent: Fri, 6 Nov 2015 18:26
Subject: RE: Decaux application for southern advert tower at Westway Sports Centre

Dear Henry,
Angela McConville has asked me to provide you with a response to the matters you raised with her in your email of 26 October.

The legal agreements between Westway Trust and JC Decaux have been hugely complex as they involve decoupling the two sites on which the existing towers sit and the interim arrangements that allow Decaux to decommission the old north tower and commission the new structure. As you have surmised, the new arrangement for the north tower has a beneficial impact on income for the Trust, but the way that income is generated is now more complex and it has again taken some time to get the legal documentation in order. Those documents are now finalised and signed and I hope to be able to give you a progress report on the replacement works within a matter of weeks.

Whilst negotiating the improvements to the display technology to be used on the north structure, we have discussed with Decaux the possibility of converting the displays on the south tower to digital and the agreements for that were completed in tandem with the agreements for the northern site. We were particularly concerned that the southern site should not be neglected whilst improvement were made to the northern site. The conversion to digital would allow the same flexibility in timing and luminosity to be applied to the southern site. It is quite true that conversion to digital technology will generate more income for both Decaux and Westway Trust and that of course is the commercial driver for Decaux. For our part, we are supportive of a migration to a superior technology for the southern site, especially as that technology has been deemed to be more acceptable to the planning authority and local residents than the existing backlit display panels.

The structure on the southern site has not been controversial and there are no plans to replace the structure itself. We are not aware of any safety concerns regarding additional advertising on the southern tower and Decaux themselves will need to deal with visual amenity through the planning process.

You will appreciate that Alan Brown was appointed Chair of the Trust on 21 September. The decisions regarding the outdoor media assets were made before Alan joined us. Decaux's planning application had already been agreed and I have

not had an opportunity to brief Alan on the history of the media assets, so I apologise if you found the timing unhelpful.

In summary, Westway Trust has been involved in the development of the plans to convert the media assets to a digital platform. The Trust will benefit financially from digitisation of the screens and expect that technology to be able to bring a better balance between commercial considerations and visual amenity.

As ever, we do need to respect the commercial confidentiality of the specific arrangements with our tenants, but if I can provide any more information to help you, please do let me know.

Regards
Mark

From: Henry Peterson <henry_peterson@msn.com>

Date: 26 October 2015 18:44:27 GMT

Subject: Decaux application for southern advert tower at Westway Sports Centre

Dear Angela,

Planning application CA/15/06461

An application from JC Decaux on the southern advertising tower at Westway Sports Centre has appeared on the RBKC weekly list of applications. This is the tower seen from the ramps connecting the raised roundabout to the West Cross Route.

I assume that the Trust has been made aware of this application, given that it on Trust land leased to Decaux? The covering letter from Decaux says in relation to the southern tower '*The 2008 express consent period expired in April 2014, however in the absence of any condition to the contrary, the southern tower ADU benefits from deemed advertisement consent under the provisions of class 14 of Schedule 3 to the 2007 Town and Country Planning (Control of Advertisements) (England) Regulations.*

We are still waiting for Decaux to make the changes to the northern tower, as granted planning permission earlier this year. As I understand these works have been delayed because Decaux and the Trust have not agreed terms on a revised income stream flowing from the fact that these adverts are now to be digital, changing every 15 seconds, and thereby generating more revenue?.

Decaux are now proposing to add a second advert to the rear of the present structure which (as they say in their inimitable prose style) '*is currently devoid of advertising*'. Many people would say 'and a good thing too' as this side of the structure faces drivers coming up the ramp, often at speed, from the West Cross Route.

Decaux also wish to have convert adverts on this structure as digital images, again changing every 15 seconds.

No justification is given in the application for these proposed changes, and no justification would seem to exist other than to make more advertising revenue for JCDecaux and presumably extra for the Trust also? The covering letter to the application, from Decaux, states '*The generation of innovative sources of revenue, such as that received through the two ADU's at the sports centre, is a key element of the Trusts success*'.

Does this mean that the Trust is being promised extra revenue from this second advert? And are there now negotiations in progress on both the north and south towers?

As you know, there are many residents in this area who deplore the repeated efforts by advertising contractors to add yet more structures along the A40 Westway and around the West Cross route. There has been a recent campaign to oppose an application to convert PVC adverts on a roof in Bramley Road to digital, facing drivers on Westway. The Council has refused this application on amenity grounds and a copy of the report is enclosed. As you will note, there are a series of statements on the RBKC 2015 Consolidated Local Plan on the subject of illuminated adverts along Westway, which provide grounds for a refusal.

It is concerning that only a week after meeting with the Trust's new Chair and discussing with him the need for the Trust to mend fences with the local community following the huge opposition generated by the northern tower, that once again an application has been submitted to the Council without (as far as I am aware) consultation with resident groups such as St Helens Residents and the Norland Conservation Society. Both bodies (and the Kensington Society) are active in objecting to applications for illuminated advert structures as a growing blight on residential amenity in the borough.

Road safety risks would seem to be an added consideration in this case, given that drivers are coming up a curved ramp to enter a busy roundabout.

Are residents of the travellers site immediately beneath the south tower being consulted? They do not seem to get a mention in the Decaux documentation.

I hope that you can tell us what role the Trust has in this application? Are any financial considerations for the Trust involved, and is the Trust in a position where it can prevent an application being made by Decaux as its lessee? Advertising towers remain a very touchy subject in this area.

Thanks,

Henry Peterson
Chair, St Helens Residents Association
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