

Michael Parry
1st
Appellant
13 February 2019
Exhibit "MP1"

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78
TOWN AND COUNTRY PLANNING ACT (CONTROL OF ADVERTISEMENTS) (ENGLAND)
REGULATIONS 2007, SCHEDULE 4
PLANNING INSPECTORATE REFERENCE APP/X5210/H/18/3194410
APPEAL BY MOE WURR, GOLDSCHMIDT & HOWLAND LIMITED
LONDON BOROUGH OF CAMDEN
COUNCIL REF.: 2017/5628/A
LAND AT DELANCEY STREET CAR PARK, LONDON, NW1**

AFFIDAVIT OF MICHAEL PARRY

I MICHAEL PARRY of 89-95, Parkway, Camden Town, London, NW1 7PP **MAKE OATH** and **SAY** as follows:

1. I am a Director of Tower Ceramics Limited of the above address.
2. There is now produced and shown to me marked "MP1" a short bundle of true copy documents to which I will refer during the course of my affidavit. Page references appearing in my affidavit are, unless otherwise stated, page references to MP1.
3. The facts and matters to which I depose are, unless otherwise stated, within my own knowledge and are true. Where they are not within my own knowledge, they are true to the best of my knowledge and belief, the source of my information being provided by me.
4. Tower Ceramics Limited is the leasehold owner of the Delancey Street Car park under a lease dated 12 July 2002 granted by Railtrack PLC to Grindon Limited for a period of 250 years from 8th July 2002. At pages 1-3 of MP1 are official copies of the register of title and plan from the Land Registry.
5. During 2005, the Delancey Street Car Park was placed in an auction being held by McHugh & Co. This is when I became directly interested in the site. I have found a copy of the McHugh & Co particulars and a photograph and this may be found at Page 4 of MP1. Tower Ceramics Limited was the successful buyer of the site, paying £345,000 and completing the purchase in October 2005.
6. As can be seen from the photograph in the McHugh catalogue the site and, in particular, the whole of the wall at the rear of the site was used for large scale advertising by Parkways estate agents. To the best of my recollection, there has been advertising on the site prior to our purchase of the site.

7. In 2007 another firm of estate agents, Benham & Reeves showed an interest in advertising on the site. As I recall they wanted to erect floodlit advertising hoardings on the site. This was not permitted, but as can be seen from the site plan and photograph which formed part of Benham & Reeves proposal (page 5 of MP1), the Parkways advertising can be seen utilising the whole of the wall.

8. Parkways continued to display advertising until 2011 when we let the advertising space at the car park to Olivers Residential Limited ("Olivers"). At pages 6-7 of MP1 is a copy of the statutory declaration made on behalf of Olivers by which they accepted that their proposed tenancy of the advertising space was excluded from the protections given by the Landlord and Tenant Act 1954. Attached to the tenancy agreement (page 8) was a picture of the site (i.e. the car park) at the time and was intended to define the overall scope of the advertising area. It shows again the extent of the site for which advertising was available and also showed the use of the whole rear wall for advertising. Similarly to Parkways, Olivers used the whole of the wall to advertise upon.

9. Olivers continued to advertise on the site until late 2016 when we entered into a new agreement with Goldschmidt & Howland Limited ("G&H") who then advertised on the site using the wall and putting up their advert in about January 2017.

10. I have had direct interest in the appeal site since 2005. During that time the whole of the rear wall at the site has continually been used for the display of advertisements. There have been three different advertisements over that period – Parkways, Olivers and G&H. All have used the whole of the wall and each replaced the predecessor advertisement such that there was no period where there was no advertisement on the rear wall of the appeal site.

Sworn at

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This 13th day of February 2019

Before me

A Solicitor.

Molly Perez-Sphar
Solicitor
Comptons Solicitors LLP
90-92 Parkway
Regents Park
London NW1 7AN

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