

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 23 August 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Churchill	
<b>Subject of Report</b>	<b>Moyle House, Churchill Gardens Estate, London, SW1V 3BE,</b>		
<b>Proposal</b>	Retention of replacement trunking and light fittings in the common areas on the underside of walkways.		
<b>Agent</b>	Mr Adrian Collett		
<b>On behalf of</b>	Mr John Hayden (Citywest Homes Ltd)		
<b>Registered Number</b>	15/07463/COFUL	<b>Date amended/ completed</b>	10 March 2016
<b>Date Application Received</b>	13 August 2015		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Churchill Gardens		

## 1. RECOMMENDATION

Grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992.

## 2. SUMMARY

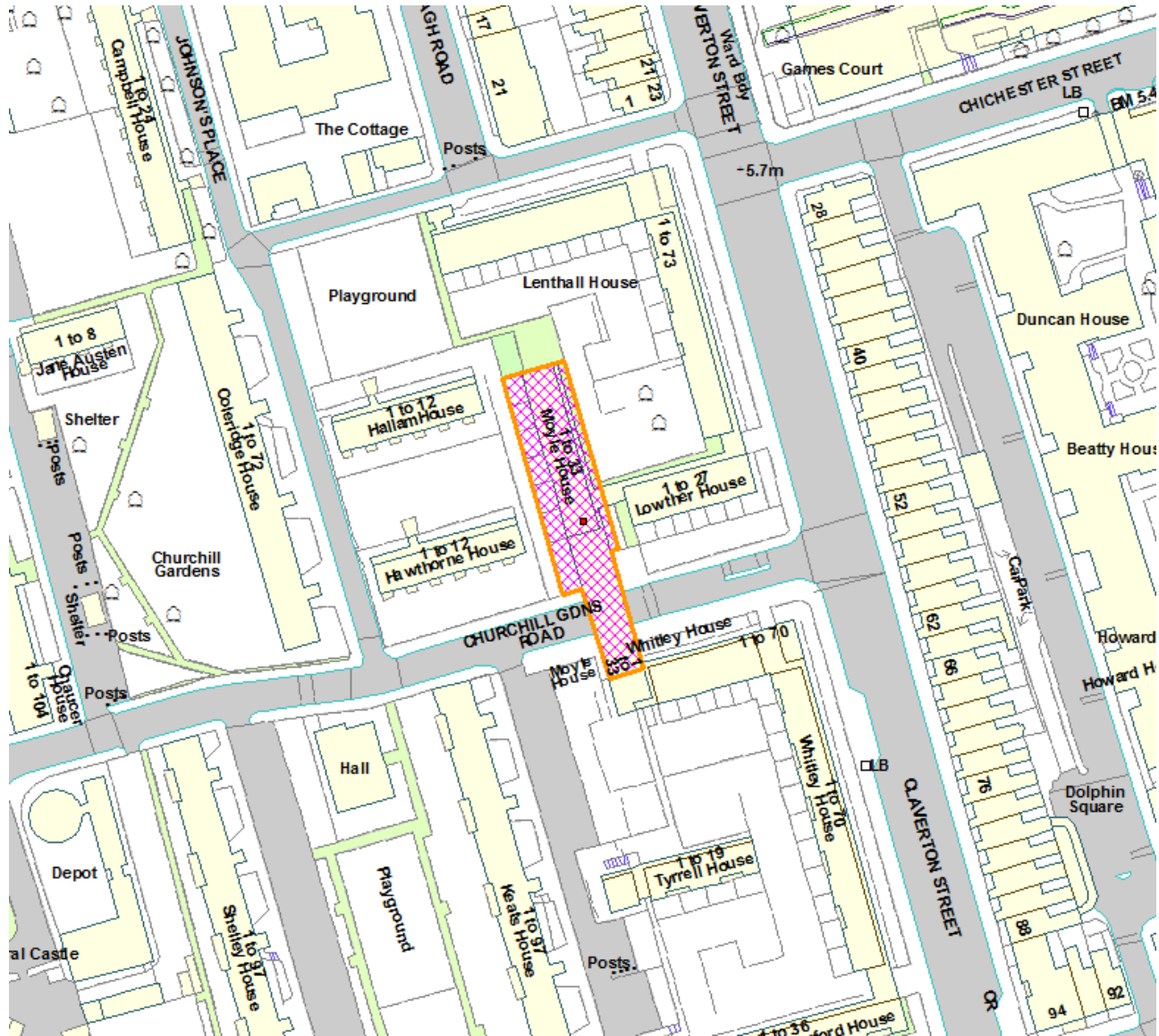
The application site is Moyle House, Churchill Gardens Estate, which is an unlisted building located in the Churchill Gardens Conservation Area. Planning permission is sought for the retention of replacement external trunking and light fittings in the common areas on the underside of the walkways.

The main issues for consideration are:

- The impact of the alterations on the character and appearance of the building and the conservation area; and
- The impact of the alterations on the amenity of neighbouring residents.

The proposal is considered to comply with the Council's policies in relation to design, conservation and amenity as set out in Westminster's City Plan: Strategic Policies (the City Plan) and the Unitary Development Plan (UDP) and the application for planning permission is recommended for approval subject to the conditions set out in the draft decision letter appended to this report.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



**View of Moyle House from Churchill Gardens Road**



**View of underside of walkway**

## 5. CONSULTATIONS

WESTMINSTER SOCIETY:  
No comment.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 33  
Total No. of replies: 3  
No. of objections: 3

Objections from neighbouring residents on some or all of the following grounds:

- The previous arrangement of trunking and lighting appeared perfectly safe and adequate.
- The development shown in the drawings appears to be different to that installed.
- The trunking and associated work harm the appearance of the building.
- The structure on the stairwell between Moyle House and Lowther House to house electrical equipment harms the appearance of the building.

An objector has also stated that the work has been managed poorly because there has not been a 24 hour site presence as the Section 20 notice to leaseholders stated there would be.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site is Moyle House, Churchill Gardens Estate, which is an unlisted building located in the Churchill Gardens Conservation Area.

### 6.2 Recent Relevant History

Planning permission has been granted for similar external trunking and light fittings to numerous buildings in Churchill Gardens Estate, including adjacent Lowther House 13 May 2016.

## 7. THE PROPOSAL

Planning permission is sought for the retention of replacement trunking and light fittings in the common areas on the underside of walkways.

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

The application does not raise any land use issues.

## **8.2 Townscape and Design**

Policy DES 5 of the UDP states permission will generally be granted for development involving the alterations of buildings where any necessary equipment is enclosed within the external building envelope, if reasonably practicable. The replacement light fittings and trunking to the building's walkways are enclosed within the building envelope and, when completed, will not unacceptably detract from the character of the building or harm the character or appearance of the conservation area. The lighting is similar to that which previously existed. The trunking is necessary as is not practicable to install the wiring internally within the walkways (which is how the wiring of the building was originally conceived) because the extent of wiring required to service the flats has increased over time. In these circumstances, the alterations are considered acceptable.

## **8.3 Residential Amenity**

The alterations would not result in harm to residential amenity.

## **8.4 Transportation/Parking**

The application raises no transportation or parking issues.

## **8.5 Economic Considerations**

No economic considerations are applicable for a development of this size.

## **8.6 Access**

The application raises no access issues.

## **8.7 Other UDP/Westminster Policy Considerations**

The application does not raise any other UDP / Westminster Policy considerations.

## **8.8 London Plan**

This application raises no strategic issues.

## **8.9 National Policy/Guidance Considerations**

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

## **8.10 Planning Obligations**

Planning obligations are not relevant in the determination of this application.

## **8.11 Environmental Impact Assessment**

This application raises no environmental issues.

## 8.12 Other Issues

Concern has been raised as the work has already taken place and appears to differ from what is proposed. The description of the proposal has been amended to reflect the work has largely been completed. The information submitted is consistent with what has been installed. As set out above, the work is considered in accordance with the Council's development plan policies.

Concern has been raised regarding a new electrical equipment room which has been created on the stairwell between Moyle House and Lowther House. This area is outside the application site and this application relates to the trunking and lighting at Moyle House only.

## 9. BACKGROUND PAPERS

1. Application form
2. Response from Westminster Society, dated 7 April 2016
3. Letter from occupier of 23 Moyle House, Churchill Gardens, dated 11 April 2016
4. Letter from occupier of 19 Hungerford House, Churchill Gardens, dated 20 April 2016
5. Letter from occupier of 5 Moyle House, Churchill Gardens, dated 23 April 2016

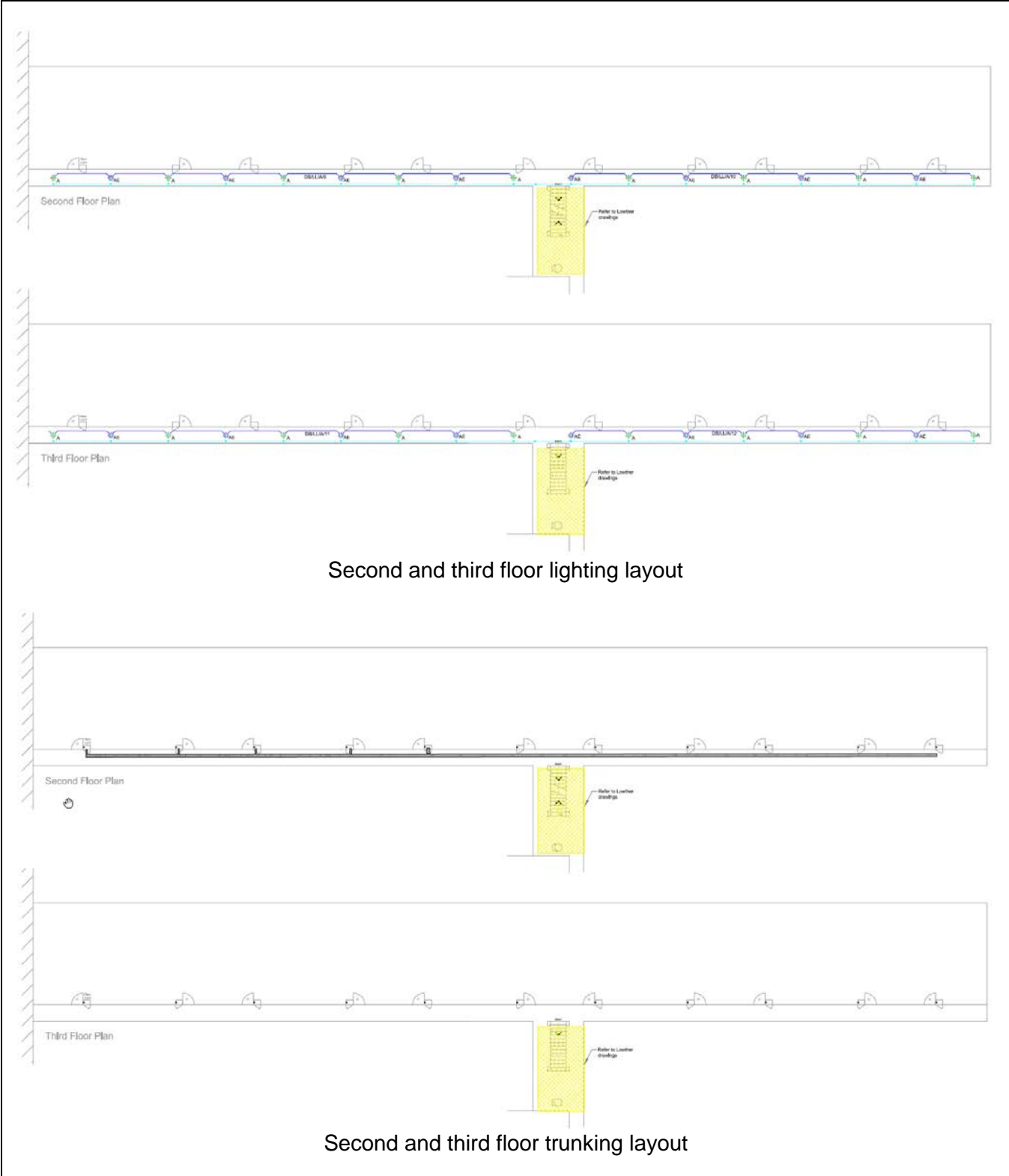
### Selected relevant drawings

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: VINCENT NALLY BY EMAIL AT [vnally@westminster.gov.uk](mailto:vnally@westminster.gov.uk)



10. KEY DRAWINGS





**DRAFT DECISION LETTER**

**Address:** Moyle House, Churchill Gardens Estate, London, SW1V 3BE,  
**Proposal:** Retention of replacement external trunking and light fittings in the common areas on the underside of each walkway on all levels.  
**Reference:** 15/07463/COFUL  
**Plan Nos:** 1489-MOY-001, 1489-MOY-002, T118-570, T118-571, T118-572, T118-573.

**Case Officer:** Joshua Howitt

**Direct Tel. No.** 020 7641 2069

**Recommended Condition(s) and Reason(s):**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 You must carry out any building work which can be heard at the boundary of the site only:

- \* between 08.00 and 18.00 Monday to Friday;
- \* between 08.00 and 13.00 on Saturday; and
- \* not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Churchill Gardens Conservation Area. This is as

set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.