

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 20 December 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Lancaster Gate	
Subject of Report	Marlow House, Hallfield Estate, London, W2 6HJ		
Proposal	Installation of gas pipe apparatus.		
Agent	Wardell Armstrong		
On behalf of	tRiiO Strategic Partnership		
Registered Number	16/10752/FULL & 16/10753/LBC	Date amended/ completed	10 November 2016
Date Application Received	10 November 2016		
Historic Building Grade	II		
Conservation Area	Hallfield Estate		

1. RECOMMENDATION

1. Grant conditional permission and conditional listed building consent for a temporary period of 3 years.
2. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

The Hallfield Estate is a mid 20th century housing estate which comprises its own conservation area, the Hallfield Estate Conservation Area. The estate comprises 13 residential blocks, which are all Grade II listed, and other ancillary blocks. The current planning and listed building consent applications propose the installation of new gas pipes to all flats within Marlow House following identification of a leak which has resulted in the gas supply to 20 flats being temporarily cut off.

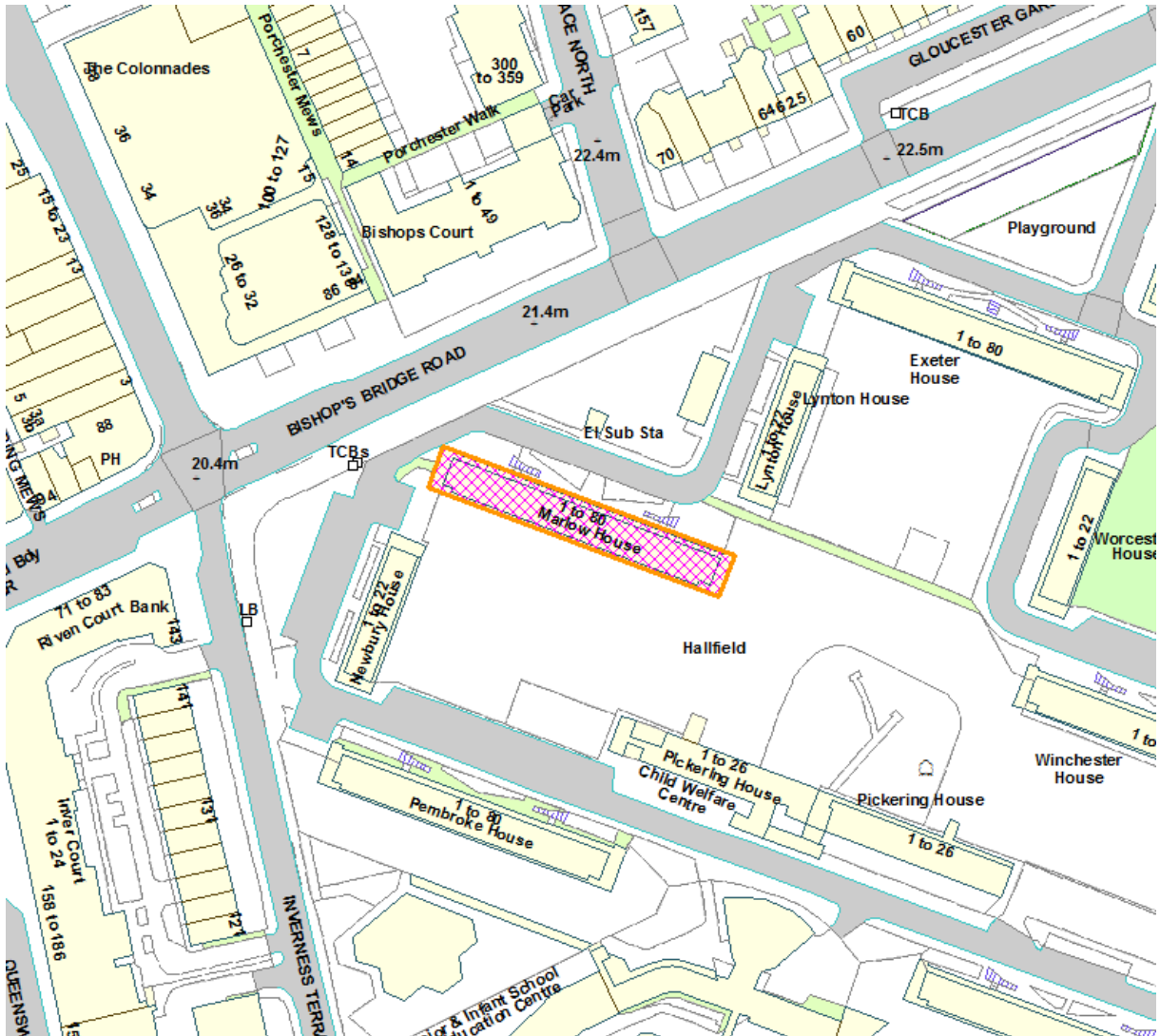
The key issues in this case are:

- The impact of the proposed works on the character, appearance and special interest of the listed buildings and the Hallfield Estate Conservation Area.

It is considered that given the particular circumstances of this case, the harm to the special architectural and historical interest of the heritage assets is outweighed on a temporary basis by the significant short term public benefit of reconnecting the 20 residents in Marlow House who are currently

without a gas supply. However, the gas pipework proposed is not acceptable on a permanent basis and therefore it is recommended that conditional permission and listed building consent are only granted for a limited period of three years to allow the applicant to explore alternative solutions for the permanent replacement of the existing gas supply to this listed building.

3. LOCATION PLAN



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4. PHOTOGRAPHS



North elevation (top) and east elevation (bottom).



Close up detail of access decks and external tiled façade (top) and view of access deck from stair core (bottom).

5. CONSULTATIONS

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Any comments to be reported verbally.

HISTORIC ENGLAND

No comment.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 80.

Total No. of replies: 0.

No. of objections: 0.

No. in support: 0.

PRESS ADVERTISEMENT/ SITE NOTICE: Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

This application relate to Marlow House, which is one of the residential blocks on the Hallfield Estate, that was constructed between 1949-1955. The estate was designed by the architectural practice Tecton, and then executed by two of its members, Lindsay Drake and Sir Denys Lasdun. Lasdun in particular is one of the most respected mid 20th century architects and the estate, as designed and executed, is of particular architectural merit.

The residential buildings were Grade II listed in 2011 and all the buildings on the estate are included within the Hallfield Estate Conservation Area.

6.2 Recent Relevant History

16/04961/COFUL and 16/10753/LBC: Mechanical extract fan installation to kitchens and bathrooms, localised external soffit insulation to ground floor level, and installation of bathroom towel-rail/radiator heating units. Application currently pending determination.

16/02898/FULL and 16/02899/FULL: Proposed replacement of the communal lighting with new surface mounted conduit/trunking and new lighting fittings to the deck access walkways to all blocks on the Hallfield Estate. Application currently pending determination.

7. THE PROPOSAL

The application proposes the installation of externally located gas pipes. The proposed gas pipes would necessitate a new underground supply being run to the south-eastern corner of the building. The proposed gas pipe would rise from the ground on the southern elevation and then wrap around a ground floor level window before running along the underside of the overhanging soffit to the eastern elevation. From here the proposed gas pipe would run vertically up the full height of the building within the stair core to the north eastern corner of the building. At each floor level lateral branches attached to the soffit of the access decks on the northern façade would provide the gas supply to all 80 flats in this 10 storey block.

The application has been submitted following the detection of a gas leak from the internal risers that feeds 20 of the 80 flats (namely flats 5, 6, 13, 14, 21, 22, 29, 30, 37, 38, 45, 46, 53, 54, 61, 62, 69, 70, 77, 78). The applicant seeks to restore a safe gas supply to these residents, whilst also proposing to upgrade the supply to all of the flats in Marlow House.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The scheme does not raise any land use considerations.

8.2 Listed Building, Townscape and Design

The main issue in this case is the impact of the proposal on the special architectural and historical interest of this grade II listed building in the Hallfield Estate Conservation Area.

Marlow House is one of the six 10 storey blocks on the Hallfield Estate. The block consists of a pair of dog-leg staircases located either end of the building. The front façade is north facing and comprises of central located light and stairwell, with cantilevered reinforced concrete access decks/ balconies on each floor running the length of the façade. The balconies are faced with a solid screen of pre-cast concrete panels that appear to float from the façade with alternate vertical links between each floor level. The stair wells at either end project slightly and are enclosed by concrete panels but faced in cream tiles. The front walls of the flats are well set back and are of brown concrete brick. The rear elevation (south elevation) is arranged in a chequered pattern of windows and alternating red concrete brick and blue engineering brick panels.

The 14 blocks and laundry building are listed for the distinctive and sophisticated aesthetic approach to social housing whereby the facades are treated like works of abstract art. The estate provided post-war mass housing and associated landscaping in an urban environment, as inspired by Le Corbusier's 'Radiant City'. The Hallfield Estate is the work of some of the 20th Century's most significant architects.

The statutory requirements are set out in the Planning (Listed Building and Conservation Areas) Act 1990. In particular Section 16 concerns listed building consents "*the local planning authority shall have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historical interest which it possesses*". Section 66 relates to planning permission affecting a listed building and states that "*the local planning authority shall have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historical interest which it possesses*". Section 72 set out duties relating to conservation areas where "*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area*".

The applicant, tRiIO Strategic Partnership, is a strategic joint venture partnership between Skanska and Morrison Utility Services. They are responsible for replacing gas mains in London and the east of England. They state that they have explored the reuse of the existing pipe work and would normally seek to undertake upgrading works through a like

for like replacement. However, in this case they state they are unable to reuse the existing pipes for the reasons set out in the following paragraphs.

The existing pipes are connected to the underground mains gas supply via a service duct that is located at the foot of the north elevation. The service duct is covered by large concrete slabs. There are several full height vertical risers located in the flats (usually in the kitchen adjacent to the main front door of the flat). The applicant suspects that the gas leak that has led to the current application occurred *“due to corrosion of the gas main within the concrete floor plates, it is necessary to assume that this is likely to be a possibility on every level of the block.”*

The applicant states that the existing gas pipes cannot be reused for the following reasons:

1. The applicant cannot access the service duct that provides the connection between the service risers in the building and the mains supply underground. The service duct was found to contain asbestos and standing water, which may pose a risk of legionella, thus raising health and safety concerns. In addition, works to the foot of the building would damage the fabric of this part of the building.
2. The condition of the existing pipes and their buried location in the building would result in intrusive disruption to the building fabric.
3. The gas riser in the flats is located adjacent to neighbouring services such as electrical mains and works to the riser may disrupt other services.

The applicant has explored three separate options for surface mounted gas pipes to restore and upgrade the gas supply to Marlow House. The first option comprises the installation of gas pipes on the rear (southern) elevation. The second option would involve the installation of two new vertical risers in the staircase with lateral pipes attached to the soffit of the balconies on the front (northern) façade. Both were disregarded for various reasons. The third option is that proposed by this application, which is described in Section 7 of this report. The applicant considers this to be the most viable option due to points 1-3 set out above.

The proposed new gas pipes would be visible in many private and public views. The balconies are a fundamental feature in the design of Marlow House and a recurring feature across the estate. The single vertical riser proposed would be situated in a discreet location against a utilitarian wall of the stairway and is partially obscured by the forward concrete features. However, the lateral gas pipe attached to the soffit of the access decks/balconies above would be clearly seen in many public views and this is exacerbated by their number.

The existing balconies and their soffits are largely free of fixtures, albeit it is acknowledged that there are a few examples of flues, otherwise when viewed from the ground the clutter free balconies, including soffits, significantly contribute to the elegant appearance of this intrinsic feature of this grade II listed building. Therefore, the proposal is considered to have a harmful impact on the significance of the building, and would fail to preserve the special architectural interest of this listed building and undermine the wider architectural integrity of the estate. The degree of harm that would be caused is considered less than substantial and therefore Paragraph 134 of the National Planning Policy Framework

(NPPF) 2012 states that the harm caused should be weighed against the public benefits of the proposal, including securing its optimum viable use.

In this case the improved health and social wellbeing of the occupants as a result of reconnecting the residents to a safe gas supply outweighs the harm to the building in the short term. Therefore the proposed gas pipework can be considered acceptable in design terms; however, this is only on a temporary three year basis to enable the applicant to carry out full and comprehensive investigation works to explore alternative options for reusing/ upgrading the gas supply to this and other blocks on the Hallfield Estate.

The use of a condition to limit the permission to a temporary period is justified as the applicant has failed to demonstrate that more sensitive solutions to provision of a permanent replacement gas supply have not been adequately explored. In Section 4 of the applicant's Design and Access Statement, it is indicated that the 20 occupants in Marlow House who have lost their permanent gas supply currently have a temporary glass supply. The temporary solution utilises the existing pipes within the building, but with temporary pipework 'cutting out' the existing pipework within the service duct. This is understood to be a departure from normal National Grid procedure and requires daily inspection and is therefore not a sustainable solution. It is though encouraging as the existing pipes are currently being reused. However, no details have been provided in the current application as to why it is not considered that reuse of the existing pipework within the building cannot be part of a permanent solution.

In terms of the service duct, the removal of the existing asbestos and standing water has not been fully explored and compelling reasons have not been provided as to why this could not be achieved so that it could be reused. Contrary to the applicant's assertion, the alterations to the concrete slab at the foot of the building would not adversely impact on the special interest of the building, especially if this could facilitate the reuse of the existing risers and negate the need for surface gas pipes. Similarly, whilst the internal routing of gas pipework would cause disruption to the internal part of the flats, these works would be localised to small sections of the floor plate, normally within kitchens containing modern fittings.

Because the need to replace gas connections to other blocks in the estate will be likely to arise in the future, it is important that the solution arrived at in this case has the least harmful impact possible in design and listed building terms, as it will more than likely inform the approach taken on other listed buildings across the whole estate. In this context and given the lack of information and investigation of alternative and less prominent options to date, the proposed gas pipework is only acceptable in design and listed building terms on a temporary basis. The permanent installation of the gas pipework proposed in this application would be contrary to Policies DES1, DES5, DES9 and DES10 in the UDP and S25 and S28 in the City Plan.

8.3 Residential Amenity

The proposal does not raise any residential amenity concerns.

8.4 Transportation/Parking

Not applicable.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The proposals do not affect the access arrangements to the flats in this building.

8.7 Other UDP/Westminster Policy Considerations

No other applicable.

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.

8.10 Planning Obligations

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

8.11 Environmental Impact Assessment

The application is of insufficient scale to require an environmental impact assessment..

8.12 Other Issues

None relevant.

9. BACKGROUND PAPERS

1. Application form.
2. Email from Historic England dated 21 November 2016.

Selected relevant drawings

Proposed elevations and sections.

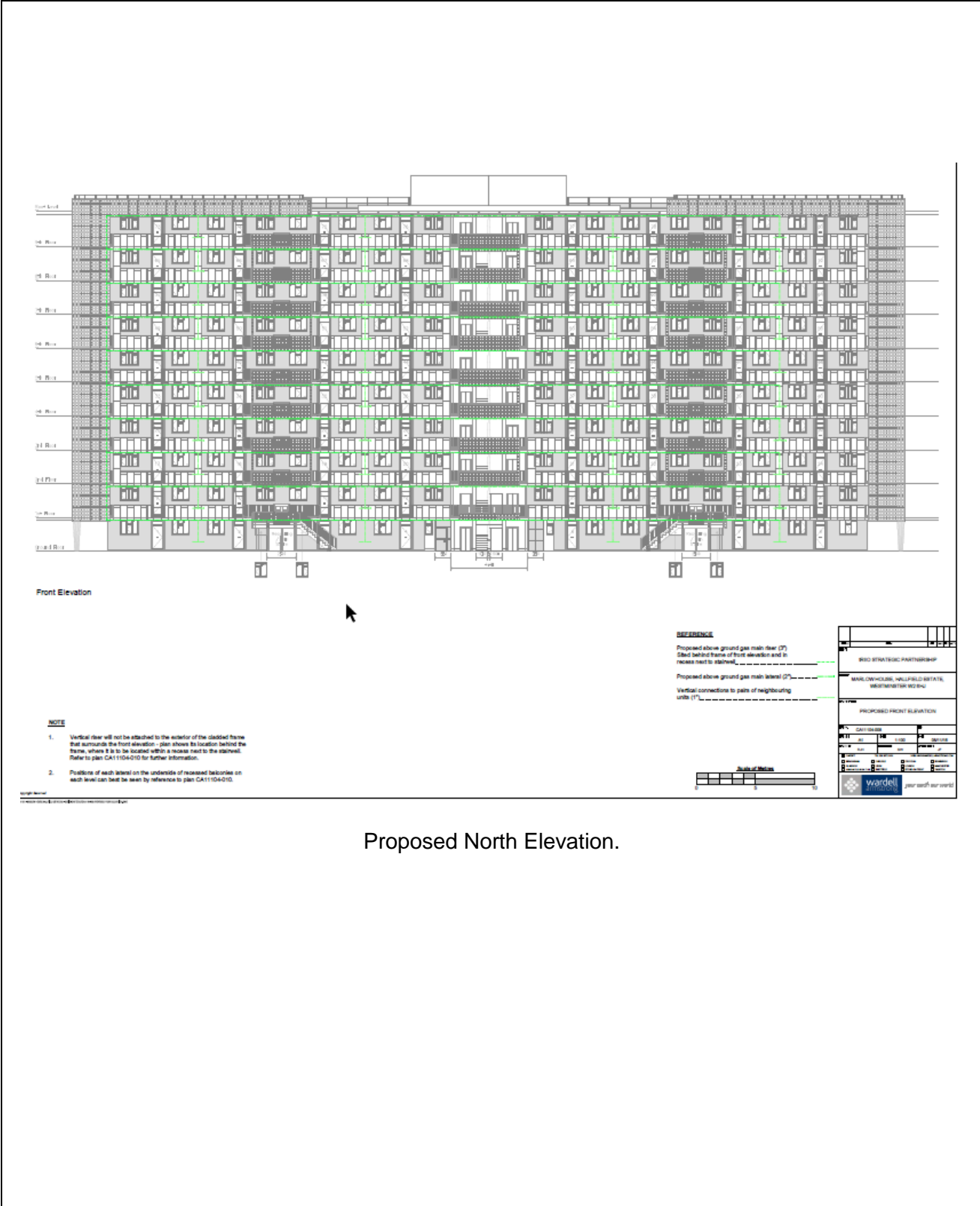
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT ogibson@westminster.gov.uk.

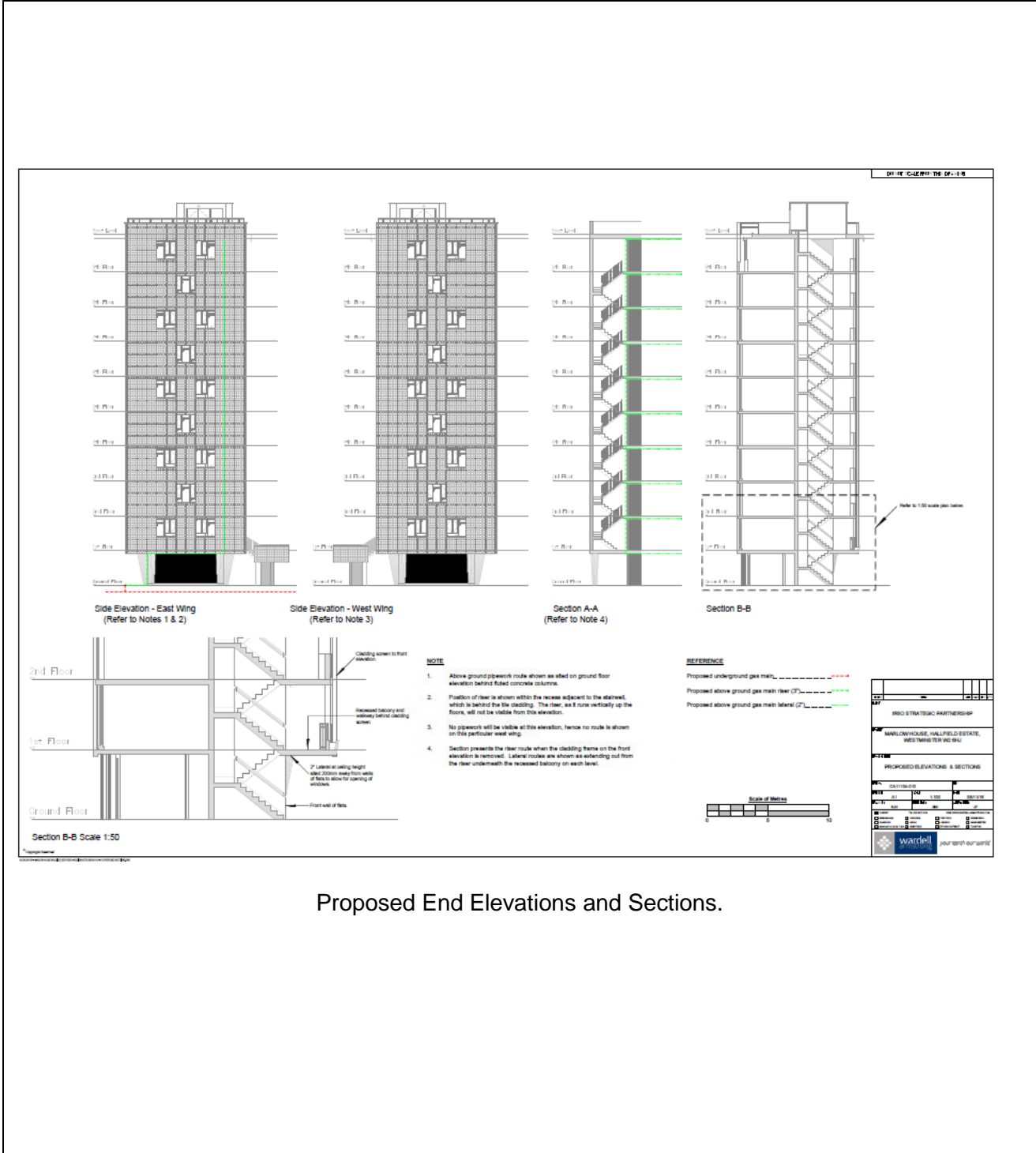
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10. KEY DRAWINGS



Proposed North Elevation.



Proposed End Elevations and Sections.

DRAFT DECISION LETTER

Address: Marlow House , Hallfield Estate, London, W2 6HJ

Proposal: Installation of gas pipe apparatus.

Reference: 16/10752/FULL

Plan Nos: CA11104-004, CA11104-006, CA11104-007, CA11104-008, CA11104-009, CA11104-010, CA11104-011, Design and Access Statement, Heritage Statement.

Case Officer: Shui-Fung Siu

Direct Tel. No. 020 7641 2522

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 The gas pipes hereby approved can remain until 19 December 2019. After that you must remove them in one continuous programme of works without interruption and return the building to its previous condition within six months following 19 December 2019. (C03CA)

Reason:

The gas pipes should not remain for a longer period because they harm the special interest this grade II listed buildings and fail to maintain or enhance the character and appearance of the Hallfield Estate Conservation Area. The permanent retention of the gas pipes would be contrary to S25 and S28 of Westminster's City Plan (Nov 2016) and DES 1 and DES 5 or DES 6 or both, DES 9, DES 10 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

- 3 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only: ,

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

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution

Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

- 4 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 protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Hallfield Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 5 The gas pipes shall be finished/ painted in a colour to match the adjacent material and thereafter maintained in a matching colour and finish.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Hallfield Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 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 (Nov 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.
- 2 The purpose of Condition 2 is not to seek disconnection of the gas supply in the future, but to allow sufficient time to investigate whether alternative methods and designs for replacing gas pipes can be devised, both for Marlow House and other blocks in the estate, which would avoid or substantially reduce the extent of surface run pipework. Should the scheme hereby approved,

prove to be the least harmful option, then you would be at liberty to seek removal of this condition and use the survey/ investigative work that you undertake in future to justify this.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

DRAFT DECISION LETTER

Address: Marlow House , Hallfield Estate, London, W2 6HJ

Proposal: Installation of gas pipe apparatus.

Reference: 16/10753/LBC

Plan Nos: CA11104-004, CA11104-006, CA11104-007, CA11104-008, CA11104-009, CA11104-010, CA11104-011, Design and Access Statement and Heritage Statement.

Case Officer: Shui-Fung Siu

Direct Tel. No. 020 7641 2522

Recommended Condition(s) and Reason(s)

- 1 The works 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 The gas pipes hereby approved can remain until 31 December 2019. After that you must remove them in one continuous programme of works without interruption and return the building to its previous condition within six months of 31 December 2019.

Reason:

The gas pipes should not remain for a longer period because they harm the special interest this grade II listed buildings and fail to maintain or enhance the character and appearance of the Hallfield Estate Conservation Area. The permanent retention of the gas pipes would be contrary to S25 and S28 of Westminster's City Plan (Nov 2016) and DES 1 and DES 5 or DES 6 or both, DES 9, DES 10 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

- 3 The gas pipes shall be finished/ painted in a colour to match the adjacent material and thereafter maintained in a matching colour and finish.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Hallfield Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Hallfield Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations., , The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest., , In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.
- 2 The purpose of Condition 2 is not to seek disconnection of the gas supply in the future, but to allow sufficient time to investigate whether alternative methods and designs for replacing gas pipes can be devised, both for Marlow House and other blocks in the estate, which would avoid or substantially reduce the extent of surface run pipework. Should the scheme hereby approved, prove to be the least harmful option, then you would be at liberty to seek removal of this condition and use the survey/ investigative work that you undertake in future to justify this.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.