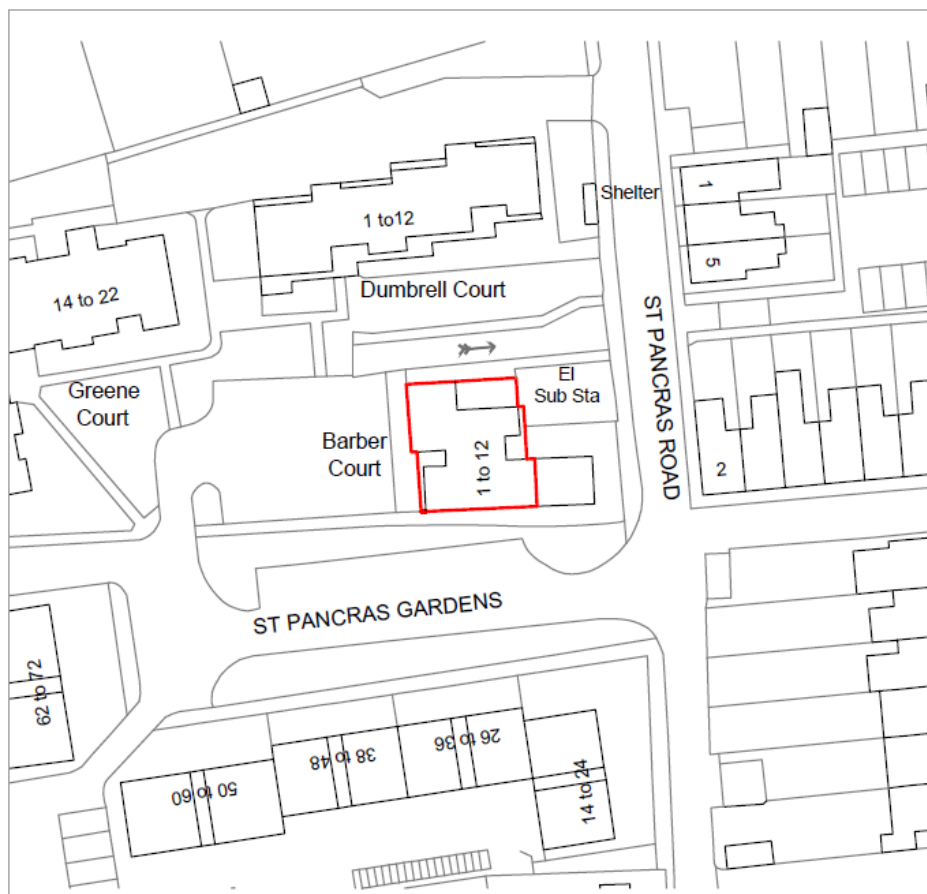


Report to: Planning Applications Committee
Date: 8th January 2025
Application No: SDNP/24/03878/FUL
Location: Barber Court, St Pancras Road, Lewes, East Sussex, BN7 1JQ
Proposal: Replacement of all existing white double-glazed UPVC windows with UPVC double glazed windows and replacement of all curtain wall glazing to the communal areas.

Applicant: Mr Obadimu - Lewes District Council
Ward: Lewes Priory
Recommendation: Grant permission subject to conditions
Contact Officer: **Name:** Chris Wright
E-mail: Christopher.wright@lewes-eastbourne.gov.uk

Site Location Plan:



1.	Executive Summary
1.1	This application is being taken to committee as the applicant is Lewes District Council and, therefore, a committee decision is required as per the LDC Scheme of Delegation.

1.2	The development proposals are acceptable and would not have a significant harmful impact on the character of the building or the historic appearance of the adjoining Conservation Area.
1.3	<p><u>Placemaking and impact upon surrounding environment</u></p> <p>The proposals accord with para. 20 of the NPPF to ensure outcomes support beauty and placemaking, along with conservation and enhancement of the built and historic environment, and planning measures to address climate change mitigation and adaptation.</p> <p>This should carry moderate positive weight in the planning balance.</p>

2.	Relevant Planning Policies
2.1	<p><u>National Planning Policy Framework</u></p> <p>4. Decision making 12. Achieving well-designed places 15. Conserving and enhancing the natural environment</p>
2.2	<p><u>South Downs Local Plan 2019</u></p> <p>Strategic Policy SD5: Design Strategic Policy SD15: Conservation Areas</p>
2.5	<p><u>Lewes Neighbourhood Plan:</u></p> <p>Policy HC3A Heritage Protection of Landscape and Townscape Policy HC3B Planning Application Requirements and Heritage Issues</p>

3.	Site Description
3.1	The application site is occupied by a relatively modern purpose built block located on the north-west corner of the junction between St Pancras' Road and St Pancras' Gardens. The building comprises a retail outlet on the ground floor with six floors of purpose built flats above.
3.2	The building is part of a group of properties of similar age situated around St Pancras' Gardens, including Greene Court and Dumbrell Court.
3.3	The building is within the South Downs National Park. It is not a listed building and it is not within the Lewes Conservation Area, although it is

	adjacent to it, the conservation area being drawn around the edge of St Pancras' Gardens.
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4.	Development Proposed
4.1	The application seeks planning permission for replacement windows. The existing windows are in white uPVC. The proposed windows are also to be white uPVC, and the design would match existing. The tall, narrow windows to the communal areas are also proposed to be replaced, again to match the appearance of the existing windows. The blank, PVCu panels beneath windows on the east and west (side) elevations are proposed to be replaced to match existing.

5.	Relevant Planning History:
5.1	LW/11/0551/NP – [Retail Store] Section 73A retrospective application for the retention of fan unit on flat roof. Approved 18 July 2011. LW/97/1829 – [No. 6] Erection of a satellite dish (black/grey) within the alcove facing south on to St Pancras Gardens. Approved 19 January 1998. N/65/2318/5846 – 24 flats, 1 shop, & 22 garages. ESCC Determined. Approved 28 April 1965. N/64/2180/5585 – Outline application for erection of flats. Approved 16 September 1964. N/58/1261/4003 – Outline Application for residential development (re-housing from slum - clearance). ESCC Determined. Approved 1 May 1958.

6.	Consultations:
6.1	<u>Town Council</u> – Neither objecting nor in support The committee was pleased to see investment in council properties. The committee questioned whether aluminium windows had been considered, or timber windows, which have a longer life span. The committee hoped that the concrete would be cleaned whilst the scaffold is in position. The committee would like to see Swift boxes installed and perhaps solar panels and heat source pumps considered whilst the work is being undertaken.
6.2	<u>Conservation Officer</u> – No Objection This building is not listed or within the Lewes Conservation Area, although it is adjacent to it, e.g. eastern side of St Pancras' Road. The application demonstrates that PVCu is not as sustainable as timber, due to the embodied carbon in its production and waste (if not recycled) and requires more frequent replacement due to limited guarantees. However, this is a relatively modern block of flats and the works are

	required due to the condition of the existing windows. The designs and methods of opening are a close match to existing and the proposals would therefore have a neutral impact on the character of the Conservation Area opposite.
6.3	<p><u>Lewes Conservation Area Advisory Group –</u> Comments neither in support nor objecting.</p> <p>This property is not in the Conservation Area but adjacent to it. This is a modern block of flats requiring window replacement, and although (LCAAG) is not in favour of uPVC windows in principle, it agrees with the Conservation Officer's comments that it is acceptable to replace like with like in this case.</p>

7.	Other Representations:
7.1	<p><u>Neighbour Representations:</u></p> <p>No representations have been received from neighbours or other interested parties.</p>

8.	Appraisal:
8.1	<p><u>Key Considerations:</u></p> <p>Sec 38 (6) of the Planning Compulsory Purchase Act 2004 requires that regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>The NPPF also advises that there is a presumption in favour of sustainable development.</p> <p>The site is located within the South Downs National Park and therefore determine by the SDNPA who further to the presumption in favour of sustainable development and sec 38 (4) of the statutory purposes and duty of the National Park are:</p> <ul style="list-style-type: none"> • Purpose 1: To conserve and enhance the natural beauty, wildlife and cultural heritage of the area. • Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. • Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes. <p>The main considerations relate to</p>

	<ul style="list-style-type: none"> • Design and appearance • Impact on neighbour amenity • Ecosystem services
8.2	<p><u>Design and Appearance</u></p> <p>The building is relatively modern and constructed in the 1960s' style, similarly to the neighbouring flats built around St Pancras' Gardens. The proposed replacement windows would match the existing designs and as a result the outward character of the building would not change, but would be refreshed.</p> <p>The building is not within the Lewes Conservation Area, but is adjacent to it and can be seen from within the conservation area. However, the appearance of the building would not be materially different, and therefore its visual impact on the character and appearance of the conservation area would also not change, thereby having a neutral impact.</p> <p>The comments of the Town Council are acknowledged and whilst aluminium framed windows may also be option, the application submitted is to replace PVCu windows with PVCu windows, thereby having a neutral impact on the visual appearance of the building. Proposals for solar panels and air source heat pumps, for example, would be expected to come forward in separate proposals.</p> <p>An Informative is suggested to encourage the applicant to recycle the existing windows that are to be replaced.</p> <p>It is noted that the Conservation Officer raises no objection.</p> <p>Accordingly, the proposals are compliant with policies SD5 and SD15 of the Local Plan and policies HC3A/B of the Lewes Neighbourhood Plan.</p>
8.3	<p><u>Impact on neighbour amenity</u></p> <p>The proposals relate to existing window openings and as such no new openings having the potential to affect neighbour amenity would be created.</p> <p>It noted that no objections have been received from neighbouring residents.</p> <p>In view of the above it is considered that the proposals would not have a significant adverse impact on the amenity of neighbouring occupiers</p>
8.4	<p><u>Ecosystem services</u></p> <p>In order to mitigate, neutralise and enhance the ecological impact of the development, and enhance biodiversity an Ecosystem Services Statement is required.</p> <p>Limited measures are set out in the statement submitted, aside from the fact that the replacement windows would be more thermally efficient and reduce energy consumption.</p>

	<p>However, the comments from the Town Council are noted, and it is observed that the proposals are for the replacement of a large number of windows on a building that is relatively tall (seven storeys). In view of this it is considered that there are reasonable options to place Swift boxes and/or bird boxes on the building, to enhance biodiversity and natural capital.</p> <p>As such a condition is suggested.</p> <p>Subject to compliance with the suggested condition, the proposals would comply with policies SD2 and SD9 of the Local Plan.</p>
8.5	<p><u>Human Rights Implications:</u></p> <p>The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been considered fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.</p>
8.6	<p><u>Conclusion and Overall Planning Balance.</u></p> <p>It is considered that the replacement windows would be a very close match to the existing windows. As such the outward appearance of the building would not significantly be altered, and its ongoing relationship with the adjoining conservation area would not be adversely affected.</p> <p>The proposals should improve energy efficiency and the health and wellbeing of residents, without adversely affecting the character of the building or the wider Conservation Area - in accordance with policy requirements.</p>

9.	Recommendations
9.1	It is recommended that the application is approved subject to the conditions set out below.
9.2	<p>S106 Elements if Required:</p> <p>There are no S106 Planning obligations associated with this proposal.</p>

10.	Conditions
10.1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>

10.2	<p>The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
10.3	<p>The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.</p> <p>Reason: To safeguard the appearance of the building and the character of the area.</p>
10.4	<p>Notwithstanding the Ecosystem Services Statement submitted, within 3 calendar months of the installation of the first replacement window, or sooner, details of additional Ecosystem Services mitigation measures, such as installation of a Swift box(es), the details to include the product, location and timetable for installation, shall be submitted to the local planning authority for approval in writing. The development shall be maintained as such thereafter.</p> <p>Reason: In order to enhance the natural capital and biodiversity of the site, in accordance with Ecosystem Services objectives.</p>

11.	Plans:
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Plan Type	Reference	Received
Plans - EXISTING SITE AND LOCATION PLAN	SP-0477.01	20.09.2024
Plans - PROPOSED NORTH ELEVATION	SP-0477.07	20.09.2024
Plans - PROPOSED EAST ELEVATION	SP-0477.08	20.09.2024
Plans - PROPOSED SOUTH ELEVATION	SP-0477.09	20.09.2024
Plans - PROPOSED WEST ELEVATION	SP-0477.10	20.09.2024
Plans - PROPOSED WINDOW SCHEDULE	SP-0477.11	20.09.2024

12.	Informative
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12.1	In the interests of reducing the impact of development on climate change and finite resources, the applicant is encouraged to investigate whether the old PVCu windows to be replaced can be recycled.
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13.	Appendices
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13.1	None.
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14.	Background Papers
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