

<b>Item No.</b> 7.3	<b>Classification:</b> OPEN	<b>Date:</b> 22 July 2014	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Council's own development Application 13/AP/4030 for: Council's Own Development - Reg. 3  <b>Address:</b> 1-63, PROSPECT HOUSE GAYWOOD ESTATE, GAYWOOD STREET  <b>Proposal:</b> Replacement of existing single glazed timber windows and doors with PVCu double glazed windows and doors [excluding flat front entrance doors].		
<b>Ward(s) or groups affected:</b>	Cathedrals		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 27/11/2013		<b>Application Expiry Date</b> 22/01/2014	
<b>Earliest Decision Date</b> 27/12/2013			

## RECOMMENDATION

- 1 That this application is referred to Members for decision at the request of ward members; and that Members grant planning permission subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

- 2 The application site refers to the block of flatted dwellings located at Prospect House, Gaywood Street, London. The existing building is 11 storeys in height, sitting within a landscaped plot accessed from Gaywood Street with a secondary access from St Georges Road which is within the Elephant and Castle Town Centre. The existing building accommodates 63 maisonettes and is built from concrete, brickwork and timber (panels, windows and doors). The surrounding area is mainly low rise residential and the site is neither listed nor located within a conservation area.

### Details of proposal

- 3 This is a council's own application that seeks consent to replace the existing single glazed timber windows and doors with PVCu double glazed windows and doors with the exception of the flat front entrance doors.

### Planning history

- 4 None of specific relevance.

### Planning history of adjoining sites

- 5 The council is undertaking similar works to other sites within the borough as part of an upgrade of current housing.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

- 6 The main issues in this case are:
- a) The principle of the development in terms of land use and conformity with strategic policies.
  - b) The impact on the visual and residential amenity of the area.
  - e) Design quality.
  - d) All other relevant material planning considerations.

### **Planning policy**

#### National Planning Policy Framework (NPPF)

- 7 7). Requiring good design

#### London Plan 2014

- 8 7.4 - Local Character

#### Core Strategy 2011

- 9 SP12 - Design and conservation  
SP13 - High environmental standards

#### Southwark Plan 2007 (July) - saved policies

- 10 The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.
- 11 Policy 3.2 - Protection of Amenity  
Policy 3.12 - Quality in Design  
Policy 3.13 - Urban Design  
Supplementary Planning Document (2011) - Residential Design Standards

### **Principle of development**

- 12 The proposed development is considered appropriate in terms of the residential nature of the application site and its surroundings. In land use terms there are no objections. The replacement of windows/doors is supported in principle, provided there are no adverse impacts on the appearance of the building or the amenity of local residents. Replacing windows which are run down and inefficient, from an energy saving perspective, is something that the council would support, in principle.

### **Environmental impact assessment**

- 13 An environmental impact assessment is not required for an application of this nature.

### **Impact of proposed development on amenity of adjoining occupiers and surrounding area**

- 14 The replacement windows and doors would have no adverse impact on the residential amenity of the area or the amenity of adjoining occupiers. The development would have a limited impact on the visual amenity of the area as the site is not highly visible from any principal highways. The replacement windows would be built in a similar style and coloured white to match the existing windows and as such it is considered that this would have no discernible impact on the amenity of the local area.

### **Impact of adjoining and nearby uses on occupiers and users of proposed development**

- 15 The proposed development is residential, a use which conforms to the residential nature of the locality. It is therefore not anticipated that any nearby or adjoining uses would have an adverse impact on the amenity of occupiers of the proposed development.

### **Transport issues**

- 16 The proposal raises no transport issues.

### **Design issues**

- 17 The windows and doors proposed are double glazed PVCu and would replace the existing timber framed units. The changes would not significantly alter the overall character and appearance of the building or surrounding area. Although PVCu is a non-traditional material, this is not considered to have an adverse design impact on the host building to the extent that would warrant a refusal of the application. Replacement of the existing timber framed windows and doors with new timber windows and doors would be more appropriate; however given that fact that the site is not located within a conservation area, the number of dwellings in the vicinity with PVCu windows and the fact that all windows in the block would be replaced giving a consistent appearance, it is considered that the application could not be refused on grounds of materiality.

### **Impact on character and setting of a listed building and/or conservation area**

- 18 No impact.

### **Impact on trees**

- 19 No impact.

### **Planning obligations (S.106 undertaking or agreement)**

- 20 Not required.

### **Sustainable development implications**

- 21 The proposed windows and doors would replace the existing installations which in many cases are in a poor state of repair. The new windows and doors would improve insulation and heat retention.

## **Other matters**

- 22 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. The proposal would not result in the creation of any new floorspace and as such is not CIL liable.

## **Conclusion on planning issues**

- 23 The proposed development would have no adverse impact upon the visual or residential amenity of the area and complies with the relevant saved policies of The Southwark Plan 2007 (July), The Core Strategy 2011 and the provisions of The National Planning Policy Framework 2012. Given the above it is considered that detailed planning permission be granted subject to conditions.

## **Community impact statement**

- 24 In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
- 25 a) The impact on local people is set out above.
- 26 b) There are no issues relevant to particular communities/groups.
- 27 c) There are no likely adverse or less good implications for any particular communities/groups.

## **Consultations**

- 28 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

## **Consultation replies**

- 29 Details of consultation responses received are set out in Appendix 2.
- 30 Summary of consultation responses  
Following neighbour consultation, eight letters of objection have been received. The main points of the letters of objection have been summarised and addressed below;
- 31 Objection - Do not support the use of PVCu as they break down much faster than other types of window.  
**Response** - PVCu is a common window material employed for its insulating capabilities, durability and affordability. In planning terms it is a sufficiently durable material to be employed on the existing building in this instance.
- 32 Objection - The Council will not be able to repair them when they break and will leave residents cold. The replacement of the windows will also be very disruptive.  
**Response** - All development entails a certain level of disruption and for improvement

works to take place this is inevitable. However the scale of the proposed works are such that disruption would be for a very limited period. PVCu is a durable material and it is not anticipated that substantial repair works would be required in the near future.

- 33 Objection - People are unable to paint them when they discolour with age.  
**Response** - PVCu windows should retain their original colour through regular cleaning and as such painting them is not considered necessary.
- 34 Objection - Plastic burns very easily and this may present a fire risk.  
**Response** - It is not considered that the provision of PVCu windows would present a fire risk.
- 35 Objection - The Council have chosen PVC as they are supposedly cheaper to maintain since scaffolding to paint wooden windows is expensive however the timber panelling is not being replaced and so the Council will still have put up scaffolding - why can't the windows remain as timber.  
**Response** - This is not a material planning consideration. Materials are discussed in paragraph 17 of the report.
- 36 Objection - Plastic windows are not actually cheaper than wooden windows so the Council will be spending taxpayers money on an inferior product that's doesn't last as long as timber, will be uglier and will be more disruptive as they will need to be replaced every 10-15 years.  
**Response** - As stated above, the issue of finance and cost of the windows/doors is not a material planning consideration.
- 37 Objection - Most of the windows in Prospect House are in good condition (75% approx) and will need less frequent maintenance than usual as the windows are sheltered therefore maintenance will be less than a blanket estimate.  
**Response** - Many of the windows within Prospect House require replacement as they have fallen into a poor state of repair. The Planning Department is duty bound to determine planning applications based on design and amenity impacts as well as having regard for the development plan and all other material planning considerations. As it stands the proposed windows are acceptable in both amenity and design terms.
- 38 Objection - The application does not have full regard for the Sustainable Design and Construction SPD which seeks buildings and building materials to be re-used. No information in this regard has been submitted with the planning application.  
**Response** - Building materials should be re-used where possible, in this instance the applicant (the council) has assessed the existing materials as being unsuitable for re-use and repair.
- 39 Objection - Plastics take up a lot of landfill space as they cannot be incinerated and this contravenes waste minimisation policies.  
**Response** - No plastic is being proposed for landfill at this stage as the windows and doors being removed are timber. There are recycling schemes for PVCu.
- 40 Objection - The character of the building will be affected as the material deemed to complement the architectural character of the building is timber. The proposal is therefore contrary to London Plan policy 7.6.  
**Response** - The loss of timber windows and replacement with PVCu is not considered to have a significant adverse impact on either the perception of the building or its character.
- 41 Objection - The drawings do not show a like for like replacement of layout and proportions with some panels not drawn and vents missing.  
**Response** - The drawings show the proposed windows and doors as well as further

detail provided within the windows and doors schedule. This provides a sufficient level of information to allow a decision to be made.

42 **Objection** - Fixing details and frame details have not been submitted nor has a site waste management plan.

**Response** - A waste management plan is not required for an application of this nature. The window and door schedule shows full details of the frames. Fixing details are not considered necessary for planning purposes.

43 **Objection** - There are errors on the drawings particularly in that the proposed drawings do not show vents to kitchen windows; on bedroom windows more panes open than is required; the living room windows are not fully illustrated and vents are missing from the proposed bedroom windows.

**Response** - The windows shown on the proposed drawings are accurate in that they show what would be installed. It is acknowledged that some of the window formats may change slightly however the applicant has confirmed that the proposed window formats are correct.

### Human rights implications

44 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

45 This application has the legitimate aim of providing new windows and doors. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/H1042 Application file: 13/AP/4030 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5365 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

### APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

## AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Terence McLellan, Team leader Development Management	
<b>Version</b>	Final	
<b>Dated</b>	22 July 2014	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director, Finance & Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>	9 July 2014	

# APPENDIX 1

## Consultation undertaken

**Site notice date:** 03/12/2013

**Press notice date:** Not required.

**Case officer site visit date:** 03/12/2014 - viewed from highway.

**Neighbour consultation letters sent:** 04/12/2014

### Internal services consulted:

No consultations required.

### Statutory and non-statutory organisations consulted:

No consultations required.

### Neighbours and local groups consulted:

04/12/2013	FLAT 48 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF
04/12/2013	FLAT 49 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF
04/12/2013	FLAT 46 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF
04/12/2013	FLAT 47 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF
04/12/2013	FLAT 51 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF
04/12/2013	FLAT 52 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF
04/12/2013	FLAT 5 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF
04/12/2013	FLAT 50 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF
04/12/2013	FLAT 40 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF
04/12/2013	FLAT 41 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF
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04/12/2013	FLAT 10 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF



04/12/2013 FLAT 15 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF  
04/12/2013 FLAT 16 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF  
04/12/2013 FLAT 13 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF  
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04/12/2013 FLAT 30 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF  
04/12/2013 FLAT 28 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF  
04/12/2013 FLAT 29 PROSPECT HOUSE GAYWOOD ESTATE GAYWOOD STREET LONDON SE1 6HF

**Re-consultation:**

Not required.

## **APPENDIX 2**

### **Consultation responses received**

#### **Internal services**

No consultations required.

#### **Statutory and non-statutory organisations**

No consultations required.

#### **Neighbours and local groups**

Prospect House Nos. 5, 10, 15, 32, 34, 36, 47 and 57.