

Application No: [W 22 / 1345](#)

Town/Parish Council: Leamington Spa
Case Officer: Jonathan Gentry

Registration Date: 13/09/22
Expiry Date: 08/11/22

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Althorpe Enterprise Hub, Althorpe Street, Leamington Spa, CV31 2GB
Replacement of existing aluminium windows with white UPVC double glazed units, and installation of integral solar panels to the front and rear roof slopes.
FOR Warwick District Council

The application has been referred to Planning Committee as the applicant is Warwick District Council.

RECOMMENDATION

Members are recommended to grant permission, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

The proposal seeks planning permission for the replacement of existing aluminium windows with white UPVC double glazed units, and installation of integral solar panels to the front and rear roof slopes.

THE SITE AND ITS LOCATION

The site relates to an existing two storey commercial unit positioned to the west of Althorpe Street, Leamington Spa. The site is surrounded by comparable commercial and industrial uses to its northern and eastern aspects, with the Waterside Medical Centre positioned a short distance to the west behind the site, and a student housing development to the south. The site does not lie within a designated Conservation Area, although the Canal Conservation Area boundary does abut the southern edge of the site area.

PLANNING HISTORY

There is no relevant planning history relating to this development.

RELEVANT POLICIES

- National Planning Policy Framework

Warwick District Local Plan 2011-2029

- BE1 - Layout and Design
 - BE3 - Amenity
 - NE2 - Protecting Designated Biodiversity and Geodiversity Assets
 - CC1 - Planning for Climate Change Adaptation
 - CC2 - Planning for Renewable Energy and Low Carbon Generation
- Royal Leamington Spa Neighbourhood Plan 2019-2029

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council - Members raise no objection, stating support in regards to the sustainability benefits of the proposed works.

WCC Ecological Services - The consultee Ecologist recommended the submission of site imagery to assess the necessity of any bat survey/supervision measures.

ASSESSMENT

Design and impact on the street scene

Warwick District Council's Local Plan 2011 - 2029 Policy BE1 outlines that development will be supported where constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

The proposed works to the building are limited to the replacement of existing window units and installation of solar PV panels to its eastern and western roof aspects.

The replacement of existing aluminium windows with grey coloured uPVC units is considered acceptable in design terms. The scheme does not comprise the introduction of any additional openings, nor any change to the window layout. The existing site is of no notable architectural or historic value and the proposed alterations to fenestration would somewhat modernise and refresh its appearance.

The proposed installation of photovoltaics to the roof of the site would result in a somewhat greater visual implication on its setting. However, given that this characterised by commercial and industrial units no appreciable harm to the setting is viewed to result from this element of the works. In addition, the proposed use of Marley solar tiles as opposed to traditional panels further reduces the visual prominence of the development by setting the photovoltaics into the roof aspects as opposed to mounting on top of them.

While within proximity of the Canal Conservation Area, the proposed development is not considered to result in any harm to the setting of this heritage designation.

Overall it is considered that the works would form appropriate design features that would not adversely affect the character and appearance of the area.

Impact on residential amenity

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

Neighbouring Amenity

As noted above, the proposed works would not result in the instruction of any additional window openings, nor would they comprise the erection of extensions or enlargements to the building. As such, the only identified implication of the proposed works would be via the introduction of reflective materials to the roof of the building in the form of photovoltaic tiles.

The potential for sunlight to be reflected onto neighbouring properties would be limited by the fact that the panels would lie on a shallow pitched roof that is some distance above ground level. In addition, the immediately adjacent residential building within the student housing development does not feature any windows that open onto the aspect of the building facing the application site.

As a result, the position of the installation is such that it is not viewed likely to result in harmful levels of glare or reflection onto neighbouring units. While a limited degree of reflection is likely to result from the proposed installation, this is not considered to result in the generation of material harm to the amenity of adjacent uses.

Future Occupiers

The proposed works would not result in any material implication to current and future occupiers of the site in amenity terms.

As a result of these considerations, overall the development is considered to comply with Policy BE3 in terms of impact on amenity to neighbouring uses and the amenity of the future occupiers.

Access and Parking

No change to the existing parking/access arrangements to the site would result from the proposed development.

Ecology and biodiversity

Policy NE2 of the Local Plan seeks to protect designated biodiversity assets and protected species, ensuring they are not adversely impacted by development proposals.

The County Ecologist at WCC commented on the application requesting the submission of site photos to assess the necessity of bat survey works in association with the alterations to the roof of the building. Following the provision of information the Ecologist advised that while no bat survey work is necessary, the inclusion of a bat supervision of works condition is recommended. In addition, a condition to secure the installation of bat boxes was recommended in order to provide a biodiversity net gain following the works.

In line with these considerations Officers are satisfied the proposal is acceptable in accordance with the provisions of WDC Local Plan Policy NE2.

Sustainability

Officers note that the proposed works have been designed to enhance the sustainability of the building. Accordingly, it is noted that the alterations to existing fenestration are likely to enhance thermal characteristics, while PV tiles would facilitate a level of on-site power generation. With this in mind Officers view that the proposal appropriately accords with the provisions of WDC Local Plan policies CC1 and CC2.

SUMMARY/CONCLUSION

For the reasons outlined above, Members are recommended to grant permission for the proposed works, subject to the conditions listed at the end of this report.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved site location plan and solar tile manufacturer specification 'Marley SolarTile' submitted on the 13th September 2022, drawings 'XX-ZZ-02-AR-012004', 'XX-ZZ-02-AR-012005' submitted on the 20th September 2022, and specification contained therein. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 3 The development hereby permitted shall be undertaken in the presence of a qualified bat worker appointed by the applicant to supervise all destructive works to the roof of the building in order to fit the proposed solar panels. All roofing material is to be removed carefully by hand. Should evidence of bats be found during this operation, then work must cease immediately while Natural England and WCC Ecological Services are consulted for further advice. Any subsequent survey work, recommendations or remedial works will be implemented within the timescales agreed between the bat worker and the Local Authority

Ecologist/Natural England. Notwithstanding any requirement for remedial work or otherwise, the qualified bat worker's report shall be submitted to the local planning authority within 1 month following completion of the supervised works to summarise the findings.

REASON: To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE2 of the Warwick District Local Plan 2011-2029.

- 4 No part of the development hereby permitted shall be commenced until a scheme for the provision of 2 bat boxes to be erected on buildings within the site, has been submitted to and approved in writing by the District Planning Authority. The scheme to include details of box type, location and timing of works. Thereafter, the boxes shall be installed and maintained in perpetuity. **REASON:** To ensure net gains in biodiversity, in accordance with the requirements of the NPPF.
