

Regulatory Committee

2 April 2024

Application under Section 73 of the Town and Country Planning Act (as amended) seeking permission for the variation of condition 2 of planning permission RBC/22CC007 for a new fire rescue training centre including a 'hot smoke house' Minerva fire simulation training facility, a welfare building, on-site parking, road way, fencing and planting, Warwickshire County Council owned land, former Land & Chippings site, Paynes Lane, Rugby, CV21 2UH.

RBC/23CC007

Application No.: RBC/23CC007

Advertised date: 16/11/2023

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Registered by: The Strategic Director for Communities on 6 October 2023

Proposal: S73 application seeking permission for the variation of condition 2 of planning permission RBC/22CC007 for a new fire rescue training centre including a 'hot smoke house' Minerva fire simulation training facility, a welfare building, on-site parking, road way, fencing and planting at Paynes Lane, Rugby.

Site & location: Warwickshire County Council owned land, Paynes Lane former Land & Chippings site, Paynes Lane, Rugby, CV21 2UH. [Grid ref: 448793, 275464].

See plan in Appendix A

Recommendation:

That the Regulatory Committee authorises the grant of a planning permission for the construction of a new fire rescue training centre including a 'hot smoke house' Minerva fire simulation training facility, a welfare building, onsite parking, roadway, fencing, and planting, without complying with condition 2 of planning permission reference RBC/22CC007 (development to be carried out in accordance with the approved plans and details), subject to the conditions and for the reasons contained within Appendix B of the report of the Executive Director for Communities.

1. Application Details

- 1.1 In June 2023, the Regulatory Committee resolved to grant permission for the use of land at Paynes Lane, Rugby as a fire training centre under application reference RBC/22CC007. The application proposed the construction of a "hot smoke unit" located in the centre of the site, a filtration section adjacent to it, and a two storey welfare building in the north eastern corner of the site. An internal road would loop around the fire house and filtration building.
- 1.2 Condition 2 of planning permission reference RBC/22CC007 requires that the development shall be carried out in accordance with the approved plans and details. Since the granting of the planning permission, the detailed design of the facility has undergone some minor changes. For this reason, the applicant now requests permission under Section 73 of the Town and Country Planning Act 1990 (as amended) to carry out the previously approved development, but without complying with the condition that requires compliance with the previously approved details.
- 1.3 Under the proposed amended scheme, the general layout of the site would remain unchanged. The fire house in the centre of the site would still be constructed from adapted shipping containers which would be combined to form a building with a footprint of approximately 12 m by 21 m, the central part of which would consist of containers stacked

three to four levels high, giving a maximum height of approximately 12 metres.

- 1.4 Attached to the south side of the fire house would be a filtration unit comprising a rectangular container at its base and a cylindrical tank above it. The filtration unit would measure approximately 5 m x 12 m with a height of approximately 12 metres and be connected to the main fire house structure by a horizontal duct approximately 10 metres above ground.
- 1.5 The proposed training welfare building would be located in the north-eastern part of the site, in the same location as previously approved, but with slightly different design and dimensions. It would measure 9.6 m x 19.8 m (compared with 9.0 x 22 m for the previously permitted building) and have a 1.5 degree mono-pitch roof with a maximum height of 6.5 m at the rear (eastern) elevation, rising to 6.85 m at the front (western) elevation. The previously permitted building had a maximum height of 6.2 m. A drawing showing the previously approved elevations of the welfare building is attached in Appendix C to this report. A drawing showing the proposed amended elevations is in Appendix D.
- 1.6 The external appearance would be similar to that of the previously permitted building: The external walls would consist of coated steel sheets, the ground floor units would have light grey cladding boards fitted, whereas the first floor units would be finished in white. The roof would be finished in grey coloured profile steel roof sheeting. Windows and doors would consist of anthracite grey powder coated aluminium. Skirts and gutters/downpipes would be coloured black. The building would be of modular construction, consisting of 14 modules (7 on the ground floor and 7 on the first floor) which would be transported to the site individually and assembled on site.
- 1.7 The ground floor of the training welfare building would contain changing rooms, showers, toilets and storage and drying rooms for equipment. On the first floor there would be an office/meeting room, a training room, and a kitchenette.
- 1.8 The amended proposal includes the construction of a single storey equipment store along the northern site boundary, adjacent to the welfare training building. The equipment store would be 10.3 m long x 2.9 m deep and 2.6 m high, with a flat roof. The equipment store would be finished in GTEC Weather Defence cladding, coloured mid grey. This is a new element which was not part of the previously approved scheme.
- 1.9 The site would be accessed via the existing access point on Paynes Lane in the south west corner of the site. The perimeter road around the hot smoke house would have a concrete surface. The area in front of the welfare building and the equipment store would be finished in a

permeable block paved surface. A row of 14 car parking spaces (including 1 disabled bay and 2 bays with electric vehicle chargers) would be constructed along the south-eastern site boundary. A covered bicycle shelter would be provided adjacent to the car parking spaces.

- 1.10 The perimeter of the site is currently enclosed by a 2.5 metre high galvanised steel palisade security fence, which would be retained.
- 1.11 The preparation of the site would require the existing concrete hardstanding to be broken up and removed from site. The underlying material would be excavated and used in the landscaping of the site by creating an elongated mound up to 1.5 metres in height along the western site boundary, and smaller mounds of similar height in the north eastern corner between the proposed welfare building and the Lawford Road/A4071 crossing and in the southern part of the site adjacent to the site entrance. Additional boundary planting consisting of a hedgerow and trees would be established along the western site boundary. A drawing showing the previously approved site layout is attached in Appendix C to this report. A drawing showing the proposed amended site layout is in Appendix D.
- 1.12 The proposed facility would be used in a number of ways. The fire house would be used for training involving “hot fire” scenarios, such as entering a building on fire or filled with smoke, breathing apparatus training, multi-pump exercises, collaboration between Police and fire services or partnership working with other fire services, and training for retained firefighters. Some elements of the training would be undertaken in the training and meeting room located in the welfare building.
- 1.13 The current application does not seek to vary the consented operating times. To recap, given the number of different courses that need to be run in order to satisfy the statutory training requirements for the fire service, the facility would be used on approximately 194 days per annum. Daytime training sessions would take place between 0800 and 1800 hours, evening sessions would last from 1800 to 2200 hours. Daytime and evening sessions may take place on the same day or on separate days. The previous permission is subject to a condition limiting the hours of operation of the facility to 0800 to 2200 Monday to Friday inclusive and 0800 to 1400 hours on Saturdays, with no operations taking part at any time on Sundays or Public or Bank Holidays. It is not proposed to amend these permitted hours of operation.
- 1.14 During training exercises, the facility would be used by a maximum of 6 instructors plus 12 trainees and 2 officers for each training session.
- 1.15 No changes are proposed to the operation of the site. The training sessions would involve fires being lit inside the fire house in order to simulate realistic scenarios. The emissions and smoke produced by

such fires would be captured by means of collection hoods above all exit points, i.e., doors and windows. The emissions are then drawn upwards through the hoods and via interconnecting ductwork to the filtration plant on the south side of the building, where particles and gases are scrubbed before the clean air is released from the fan outlet stack.

2. Consultation

- 2.1 **Rugby Borough Council – Planning:** Has no comments in relation to this application, subject to no objection from relevant technical consultees, residents and businesses in the Rugby Borough Council area.
- 2.2 **Rugby Borough Council – Environmental Health Officer:** No objection, subject to the following observation: As the development is within the Rugby Smoke Control area it should be ensured that if installed, any chimney-based exhaust ventilators from the hot smoke rooms are adequately controlled to prevent smoke emissions. The emission of dark smoke would be an offence under the Clean Air Act 1993 part 1.
- 2.3 **WCC Highways:** No objection.
- 2.4 **County Archaeologist:** No response received.
- 2.5 **County Ecologist:** No response received.
- 2.6 **County Landscape Architect:** No response received.
- 2.7 **Warwickshire Fire & Rescue Service – Fire Protection:** Had no objection to the original application in February 2023, subject to the standard criteria for access to the site as set out in standard response letter FPP2 being met, and have no further comment to make to the current application.
- 2.8 **Warwickshire Fire & Rescue Service – Water Department:** No comment, as the site has been assessed as satisfactory with existing water supply.
- 2.9 **Environment Agency:** No response received.
- 2.10 **Severn Trent Water:** No response received.
- 2.11 **Cadent Gas – Plant Protection:** No response received.
- 2.12 **Planning Policy Team:** No response received.
- 2.13 **Coventry Airport:** No response received.

- 2.14 **Cllr Peter Butlin:** No response received.
- 2.15 **Cllr Sarah Feeney:** No response received.
- 2.16 **Cllr Barbara Brown:** No response received.

3. Publicity

- 3.1 Four site notices were displayed on 26 October 2023, at the entrance to the site on Paynes Lane, at the junction of Lawford Road and Paynes Lane, on a lamppost at the junction of Lawford Road and the A4071 Rugby Western Relief Road, and one to the south of the site on the A4071, at the public footpath leading to Paynes Lane.
- 3.2 12 residential properties and 8 businesses on roads surrounding the site (Paynes Lane, Lawford Road, Upton Road and Lawford Bridge Close) were individually notified on 26 October 2023.
- 3.3 No representations were received.

4. Previous Planning History

- 4.1 In the 1950s, part of the site was occupied by a grain silo building. Aerial photographs taken in 1999 show the site to be vacant and disused. During the construction of the Rugby Western Relief Road in 2009, the site contained the contractor's welfare and site office accommodation.
- 4.2 Aerial photographs since 2010 show the temporary buildings associated with the Relief Road construction removed; the hardstanding areas retained on the site and the whole application area used for the storage of road chippings. While there was no approved use for the land in the planning record, the use of the site for the storage of road chippings, which would fall within a B8 storage use, appears to have been an established use for over 10 years.
- 4.3 In June 2020, planning permission for the use of the site as a Highways depot was granted under reference RBC/19CC009. However, this use ceased in 2021 and the site is currently vacant.
- 4.4 In June 2023, planning permission was granted under reference RBC/22CC007 for the use of the site as a fire rescue training centre including a 'hot smoke house' Minerva fire simulation training facility and welfare building, on site parking, road way, fencing and planting. This permission has not yet been implemented and the current application seeks to vary some details of the proposed development.

5. Assessment and Observations

Site and Surroundings

- 5.1 The application site is approximately 0.4 hectares in area, located some 1.5 km to the west of Rugby town centre. The northern boundary of the site is marked by the A428 Lawford Road with the Rugby Cement Works to the north. The signalised junction of the A4071 Rugby Western Relief Road / A428 Lawford Road is to the northeast of the application site. Residential properties are within 170 metres of the application site, the closest being the four storey flats northeast of the junction of Lawford Road and A4071 and the two storey terrace houses further east along Lawford Road.
- 5.2 Land to the east and south of the application site and south of the A428/A4071 junction is occupied by commercial units, while the area to the west of the site is predominantly occupied by light industrial and commercial buildings and a sewage pumping station operated by Severn Trent Water Ltd. Public Right of Way 333/RB15/2 runs to the west of the pumping station and connects Paynes Lane with the A4071 Rugby Western Relief Road.
- 5.3 The application site is enclosed by a steel palisade fence approximately 2 metres in height, with access gates on the southern boundary adjacent to the Severn Trent pumping station. The access drive rises steeply from Paynes Lane into the site. The ground within the application site is predominantly level, rising only slightly from the southern entrance towards the northern side of the site. The area is hard surfaced with large areas of tarmac and areas of loose stone chippings. Along the internal boundaries of the site are areas of scrub vegetation including buddleia and a willow tree close to the entrance to the site.
- 5.4 To the north of the northern boundary fence and beyond the fence along the south-eastern boundary is an area of landscaping some 6 metres in width. The strip of land is planted with young / semi-mature trees which provide a screen of views into the site from the surrounding area. This landscaped area is not within the application area.
- 5.5 The application site is located in Flood Zone 1.

Planning Policy

National Planning Policy

- 5.6 **Paragraph 11** of the National Planning Policy Framework (NPPF) (December 2023) explains that there is a presumption in favour of sustainable development and what that means. What the presumption means in relation to a planning application is that:

- (a) proposals which accord with an up-to-date development plan should be approved without delay; and
- (b) where there are no relevant development plan policies or the policies most important for determining the application are out-of-date, then permission should be granted unless:
 - the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Where the presumption in (b) applies, it is often referred to as the “tilted balance” in favour of the application.

- 5.7 **Paragraph 12** goes on to explain that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 5.8 **Paragraph 48** explains that authorities may give weight to relevant policies in emerging development plans according to: a) the stage of preparation of the emerging plan; b) the extent to which there are unresolved objections to relevant policies; and c) the degree of consistency of the relevant policies in the emerging plan to this Framework.
- 5.9 In this case, there is a development plan in place which has relevant policies that are considered to be up-to-date so far as they relate to this proposal. Therefore, the application should be determined (as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004) in accordance with those policies, unless material considerations indicate otherwise. The Development Plan relevant to the proposal consists of the Rugby Borough Council Local Plan 2011 - 2031 (adopted June 2019).
- 5.10 The courts have made it clear that for the purposes of Section 38(6) it is enough that the proposal accords with the development plan considered as a whole. It does not have to accord with each and every policy in the plan. It is a matter of judgement for the Committee whether the proposal accords with the plan, considered as a whole, bearing in

mind such factors as the importance of the policies which are complied with or infringed, and the extent of compliance or breach.

National Planning Policy Framework

- 5.11 The NPPF states that the planning system has three overarching objectives; economic, social and environmental which are interdependent and need to be pursued in mutually supportive ways. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 5.12 **Paragraph 87** of the NPPF states that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.
- 5.13 **Paragraph 115** of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.14 **Paragraph 165** of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).
- 5.15 **Paragraph 173** of the NPPF advises that when determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 5.16 **Chapter 15** of the NPPF relates to conserving and enhancing the natural environment, requiring that planning decisions should contribute to and enhance the natural and local environment by means including ensuring they minimise impacts on and provide net gains for biodiversity and prevent new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability.
- 5.17 **Paragraph 180** states that planning decisions should contribute to and enhance the natural and local environment by means including minimising impacts on and providing net gains for biodiversity.
- 5.18 **Paragraph 194** of the NPPF states that the focus of planning decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these

are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.

The Development Plan

Rugby Borough Local Plan 2011-2031 (adopted June 2019).

- 5.19 **Policy GP2 – Settlement Hierarchy:** states that development will be allocated and supported in accordance with the following Settlement Hierarchy, as defined on the Policies Map: Rugby Town – Main focus for all development in the Borough.
- 5.20 **Policy ED2 – Employment Development Within Rugby Urban Area:** New employment development within use classes B1(b), B1(c), B2 and B8 will be permitted within the urban area boundary, including new land within an amended urban area boundary following new allocations made in this Local Plan. Any such developments will be subject to compliance with all other relevant policies in the Local Plan and national policy. Applicants will be required to demonstrate that any potential impacts on neighbouring land uses, particularly those especially sensitive to noise, visual amenity or air quality impacts arising from industrial uses are avoided, or where this is not possible, mitigated to an acceptable level.
- 5.21 **Policy HS5 – Traffic Generation and Air Quality, Noise and Vibration:** Requires development proposals to minimise the impact on air quality, noise and vibration caused by traffic generation.
- 5.22 **Policy NE1 – Protecting Designated Biodiversity and Geodiversity Assets:** The Council will protect designated areas and species of international, national and local importance for biodiversity and geodiversity as set out below. Development will be expected to deliver a net gain in biodiversity and be in accordance with the mitigation hierarchy below. Planning permission will be refused if significant harm resulting from development affecting biodiversity cannot be:
- Avoided, and where this is not possible;
 - Mitigated, and if it cannot be fully mitigated, as a last resort;
 - Compensated for.
- 5.23 **Policy NE3 – Landscape Protection and Enhancement:** Requires new development to make a positive contribution to landscape character and requires development proposals to demonstrate that they:
- Integrate landscape planning into the design of development at an early stage;
 - Consider its landscape context, including the local distinctiveness of the different natural and historic landscapes and character, including tranquillity;

- Relate well to local topography and built form and enhance key landscape features, ensuring their long term management and maintenance;
- Identify likely visual impacts on the local landscape and townscape and its immediate setting and undertakes appropriate landscaping to reduce these impacts;
- Aim to either conserve, enhance or restore important landscape features in accordance with the latest local and national guidance;
- Address the importance of habitat biodiversity features, including aged and veteran trees, woodland and hedges and their contribution to landscape character, where possible enhancing and expanding these features through means such as buffering and reconnecting fragmented areas; and
- Are sensitive to an area's capacity to change, acknowledge cumulative effects and guard against the potential for coalescence between existing settlements.

- 5.24 **Policy SDC1 – Sustainable Design:** All development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. All developments should aim to add to the overall quality of the areas in which they are located. Factors including the massing, height, landscape, layout, materials and access should also be a key consideration in the determination of planning applications. Proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.
- 5.25 **Policy SDC2 – Landscaping:** States that the landscape aspects of a development proposal will be required to form an integral part of the overall design, and requires new development to have a high standard of appropriate hard and soft landscaping.
- 5.26 **Policy SDC3 – Protecting and Enhancing the Historic Environment:** Requires that development affecting the significance of a designated or non-designated heritage asset and its setting will be expected to preserve or enhance its significance.
- 5.27 **Policy SDC4 – Sustainable Buildings:** All non-residential development over 1000 sqm should aim to achieve as a minimum BREEAM standard 'very good' (or any future national equivalent) unless it can be demonstrated that it is financially unviable.
- 5.28 **Policy SDC6 – Sustainable Drainage:** Sustainable Drainage Systems (SuDS) are required in all major developments and all development in flood zones 2 and 3. An acceptable means of surface water disposal should be provided preferably on-site or, where this is not possible, close to the site, which does not increase the risk of flooding or give rise to environmental problems and improves on the current situation.

- 5.29 **Policy SDC7 – Protection of the Water Environment and Water Supply:** Developers will be expected to ensure that there is adequate water supply to serve existing and proposed development by means including ensuring development is in accordance with the Water Framework Directive Objectives and does not adversely affect the waterbodies' ability to reach good status or potential as set out in the River Severn 'River Basin Management Plan' (RBMP). Development will not be permitted where proposals have a negative impact on water quality, either directly through pollution of surface or ground water, or directly through the overloading of Wastewater Treatment Works.
- 5.30 **Policy D1 – Transport:** requires that all large-scale developments which result in significant traffic movements, should be supported by a Transport Assessment and where necessary a Travel Plan, to demonstrate practical and effective measures be taken to mitigate the adverse impacts of traffic.
- 5.31 **Policy D2 – Parking Facilities:** Planning permission will only be granted for development incorporating adequate and satisfactory parking facilities including provision for motorcycles and for people with disabilities based on the Rugby Borough Council's Parking Standards.

Planning Policy Review

- 5.32 The proposed construction of a fire house and training facility is supported by policies contained in the NPPF and the development plan, particularly with regard to settlement hierarchy and employment development. The development plan also includes policy constraints which seek to ensure a satisfactory form of development in order to protect the natural and built environment and the amenity of neighbouring occupiers from any adverse impacts resulting from the development. Subject to such effects and impacts being appropriately mitigated and managed, the proposed development would accord with the policies of the NPPF and the development plan. The potential issues are discussed below.

Principle of Development

- 5.33 The application site consists of previously developed land. A planning permission for the construction of a fire rescue training centre at this site was granted in June 2023. The principle of the development has therefore been established.
- 5.34 Section 73 of the Town and Country Planning Act 1990 (as amended) relates to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted. The legislation requires that on such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted. If the local planning authority decides that planning

permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, it shall grant planning permission accordingly.

- 5.35 In the case of this application, the condition in question is condition 2 of planning permission RBC/22CC007. This stipulates that the development shall be carried out in accordance with the approved plans and details. The impacts of the development as a whole have already been assessed during the determination of application reference RBC/22CC007 and on balance were considered to be acceptable so that planning permission was granted. The impact of the amended details (which are the subject of the current application) are also considered to be acceptable, and no objections have been received from consultees or the public.

Amenity and Environmental Issues

Design and Appearance and Impact on Local Amenity

- 5.36 The application site is within the Urban Edge of Rugby as defined in the Rugby Borough Local Plan Urban Policies Map 2019, and adjacent to, but not falling within, an Employment Site to which Policy ED1 applies.
- 5.37 The application site is an open area which is currently disused but has been used for the storage of road chippings and as a Highway depot until 2021. It is surrounded by a landscaped area planted with trees. The character of the wider area on this western edge of Rugby is largely industrial, dissected by the road network and the wide expanse of highway at the intersection of the A428 and the A4071 Rugby Western Relief Road. The tall structures of the Cemex cement plant are located to the north of the application site and are the dominating buildings in the area surrounding the site.
- 5.38 The proposed development, with the erection of the fire house at 12-13 metres in height and a welfare building at approximately 6.8 metres in height would have some impact on the open appearance of the site and the character of the area surrounding the application site, introducing not insubstantial built structures to the southern side of Lawford Road (A428), opposite the Cemex plant.
- 5.39 The positioning and layout of the proposed buildings and structures, with the tallest elements in the centre of the site and the welfare building oriented towards the perimeter of the site, would reduce the impact of the development on the wider area.
- 5.40 Views of the site are mainly from the neighbouring road network or from the nearby industrial and commercial properties. The residential dwellings, particularly the flats some 170 metres to the east, would a

have limited view of the taller structures of the site and would not be impacted by any overlooking or overshadowing as a result of the development.

- 5.41 The visual appearance of the site would be mitigated by the existing vegetation outside the south eastern and northern boundaries, as well as additional landscaping along the western boundary. Given the character of the surrounding area, which is largely in industrial and commercial use, it is considered that this amount of screening would be appropriate.
- 5.42 National planning policy guidance and policies of the development plan require that developments will function well, are visually attractive and sympathetic to the surrounding built environment. While the fire house is of a purely functional design (more of a technical structure than a “building” in the closer definition of the word), the adjacent welfare building would be of modern design and appearance. It is considered that the scale and design of the proposed buildings and structures on the site would be acceptable both in the street scene and in the setting of the site when viewed in the context of the mainly light industrial buildings surrounding the site and against the backdrop of the Rugby Cement plant on the north side of Lawford Road.
- 5.43 Policy SDC1 – Sustainable Design of the Rugby Borough Local Plan requires that new development responds to the character of the area in terms of the scale, design and density. In addition, the policy requires that proposals for new development ensure that the living conditions of existing and future neighbouring occupiers are safeguarded. It is considered that the development would have some impact on the appearance of the area. However, its appearance, when seen in the context of the nearby industrial buildings, would not be out of character or detrimental to a degree that would warrant a recommendation of refusal. In addition, there would be no adverse impact on the amenity of the closest residential dwellings. For these reasons the development is considered to accord with Policy SDC1 and the NPPF.

Highway Issues

- 5.44 The proposed development would be accessed via the existing site access on Paynes Lane, south of its junction with A428 Lawford Road. An assessment of available road traffic accident data in the vicinity of the application site which was submitted with the original application (reference RBC/22CC007) noted that the recorded collisions are spread out across the wider area and concludes that there is no accident blackspot near the site.
- 5.45 The number of vehicle movements associated with the proposed development would not have a perceptible impact on the surrounding highway network from the perspective of both highway capacity and safety. The Highway Authority has no objection to the proposal.

Consequently the proposed development is considered to be acceptable in terms of highways and traffic impact, subject to a condition restricting the use of the site to Warwickshire Fire and Rescue Service (as is attached to the original permission for this development).

Ecology

- 5.46 There are no Sites of Special Scientific Interest (SSSI) or Local Nature Reserves (LNR) in close proximity of the application site, the nearest being Draycote Meadows SSSI (5.6 km southwest), Cave's Inn Pits SSSI (6.2 km northeast) and Newbold Quarry Park LNR (1.3 km to the north). There are three non-statutory designated sites within 1 km of the site boundary, these being the River Avon and Tributaries Local Wildlife Site (LWS), 211 m west of the application site, Parkfield Road Quarry LWS, 360m northeast, and Malpass Quarry LWS, 408 m to the north.
- 5.47 The Preliminary Ecological Appraisal submitted in support of the original planning application (reference 22/CC007) details the surveys undertaken to determine the presence of protected species within the site. The impact of the proposed development on the environment has been assessed through a desk assessment and a field study. The assessment concludes that the potential for significant adverse effects of the proposed development of this site on the SSSIs and LNR is negligible, owing to the distance from the proposed development, and the fact that all sites, including the local wildlife sites, are designated for habitats and species unlikely to be found within the application site boundary.
- 5.48 The County Ecologist agreed with the findings of the Preliminary Ecological Appraisal submitted with the original planning application (reference 22/CC007) and had no objections to the proposal, subject to conditions requiring the submission of a Construction Environmental Management Plan (CEMP) and the submission of a combined ecological and landscaping scheme. Both have been submitted with the current application and are considered acceptable.
- 5.49 The proposed development is largely similar to that approved in June 2023 and would therefore also be acceptable in environmental terms.

Heritage

- 5.50 There are no listed buildings within close proximity to the application site, the nearest being Grade II dwellings in Bilton Road about 1.15 km to the south east. The application site is not within or adjacent to a Conservation Area, the nearest being Bilton Road Conservation Area 1.15 km to the east. Neither the Conservation Area nor the Listed buildings are seen in the same context as the application site. The County Archaeologist did not comment on the application. The

proposed development is not considered to have an adverse impact on heritage assets.

Equality Impact Assessment

- 5.51 An Equality Impact Assessment (EIA) is an evidence-based approach which analyses a proposed activity against its impact on groups with different characteristics. This will support achieving inclusive design and meeting legal duties under the Equality Act 2010 and Public Sector Equality Duty (PSED). It is a planning tool intended to influence the proposed activity before a decision is reached, in the same way that a Health and Safety risk assessment might do. It helps ensure decision-making processes are fair and no group is disadvantaged or discouraged from participating.
- 5.52 The Public Sector Equality Duty applies to all nine areas of discrimination listed in the Equality Act, known as protected characteristics. These are age, disability, gender reassignment, marriage and civil partnership (only applies with regard to eliminating unlawful discrimination), pregnancy & maternity, race, religion or belief, sex, and sexual orientation.
- 5.53 Warwickshire County Council has published a Guide to Equality Impact Assessments (January 2022). This includes guidance to determine whether a proposed activity requires an Equality Impact Assessment.
- 5.54 The three tests to ascertain whether an Equality Impact Assessment is required are:
- To what extent does the proposed activity impact people?
 - Will the proposed activity have a particular impact on those who share a protected characteristic?
 - Is the impact positive and/or negative?

Extent of the impact of the proposed activity on people

- 5.55 The proposed construction and operation of the fire and rescue training centre would not result in any significant impact on people in general. The location of the development is a currently vacant former Highways depot. The environmental impacts (noise, dust/smoke, traffic, visual impact) have been addressed during the determination of the planning application and are considered to be acceptable. It is considered that these effects are outside of the scope of an Equality Impact Assessment. The proposed fire and rescue training centre is intended to be used by members of the emergency services only, in the context of professional training. The site is not accessible to the public. The impact of the proposed development on people in the context of an Equality Impact Assessment is therefore considered to be neutral.

Particular impact on those who share a protected characteristic

- 5.56 As the site is not accessible to the public and its operation would not affect the public at large, the proposed development would not have a specific impact on those who share a protected characteristic.

Nature of impact (positive and/or negative)

- 5.57 The proposed construction and operation of a fire and rescue training centre would not result in a positive or negative impact within the scope of an Equality Impact Assessment.
- 5.58 On the basis of the above assessment it is considered that the proposal does not require the preparation of an Equality Impact Assessment.

6. Conclusions

- 6.1 Warwickshire Fire and Rescue Service has a statutory duty to provide training for its staff. Currently, such training is provided by external suppliers, however, the use of an in-house facility would lead to cost reductions in the medium term. There is therefore an identified case of need for a training facility.
- 6.2 The proposed development would be located in an area characterised by light industrial and other employment uses. The nearest residential properties are approximately 170 metres away. The hours of use of the facility would be controlled by a planning condition. The proposal is therefore considered not to have an unacceptable impact on the amenities of local residents.
- 6.3 In response to the original planning application (reference 22/CC007) the Highway Authority had no objection to the proposed development subject to a condition restricting the use of the site to that proposed by the application. Should permission for the amended scheme be granted, it would also be subject to this condition. The proposed car parking provision would be appropriate for the nature of the development.
- 6.4 The proposal would not result in an unacceptable impact on local ecology or protected species. The County Ecologist had no objection to the original scheme, subject to the submission of Construction Environmental Management Plan (CEMP) and the submission of a combined ecological and landscaping scheme, which would assist in achieving a Biodiversity net gain in accordance with the requirements of the NPPF. These have been submitted and any planning permission would include conditions requiring the CEMP to be implemented during construction of the development and the landscaping scheme to be implemented.

6.5 No objections to the proposed development have been received from statutory consultees or from the public. The development as originally proposed under planning application reference RBC/22CC007 is considered to be in accordance with the requirements of the NPPF and local plan policies. The development is acceptable in principle. The amendments to the site layout which are now being proposed are also considered to be acceptable and are recommended for approval subject to the planning conditions listed in Appendix B, which largely replicate those attached to the original consent.

7. Supporting Documents

7.1 Submitted Planning Application – Planning reference RBC/23CC007

7.2 Appendix A – Map of site and location.

7.3 Appendix B – Planning Conditions.

7.4 Appendix C – Drawings showing the previously approved site layout and the previously approved elevations of the welfare building.

7.5 Appendix D – Drawings showing the proposed site layout and the proposed elevations of the welfare building.

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