

Appendix B

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

Planning Conditions

1. The development hereby approved shall be begun no later than three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby approved shall be carried out in accordance with the application form and drawings numbered:
 - 5461-010 Rev C3 - Proposed Site Plan
 - 11940-WBL-02-ZZ-M3-Y-Q-2001-S3 Rev P05 - Welfare Building Proposed Elevations
 - 11940-WBL-02-GF-DR-Y-Q-1001-S3 Rev P05 - Welfare Building Proposed GA Ground Floor
 - 11940-WBL-02-FF-DR-Y-Q-1002-S3 Rev P04 - Welfare Building Proposed GA First Floor
 - 5461-DE007 Rev C2 - Equipment Store Plan, Section and Elevations
 - 5461-DE002 Rev C1 - Cycle Shelter
 - PL-04 Proposed Plan, Elevations and 3D Images, Minerva Unit and Filtration Unit (submitted with planning application RBC/22CC007)
 - PL-06 Proposed Plan, Elevations and 3D Images, Minerva Unit and Filtration Unit (submitted with planning application RBC/22CC007)
 - 24.1842.001 Landscape Proposals

and any samples or details approved in accordance with the conditions attached to this permission, except to the extent that any modification is required or allowed by or pursuant to these conditions.

Reason: To ensure a satisfactory standard of development, in accordance with Policy SDC1 – Sustainable Design of the Rugby Borough Local Plan 2011-2031.

Construction Environmental Management Plan

3. The development hereby permitted, including site clearance and any excavation works, shall not be carried out other than in accordance with the submitted Construction and Environmental Management Plan.

Reason: To ensure that any protected species and habitats to be retained are not harmed by the development, in accordance with Policy NE3 – Landscape Protection and Enhancement of the Rugby Borough Local Plan 2011-2031, the National Planning Policy Framework (NPPF) 2021, and ODPM Circular 06/2005.

Landscape Proposals

4. The landscape proposals detailed on drawing no. 24.1842.001 shall be implemented during the first available planting season following the commencement of the development. Any tree that is seriously damaged or becomes seriously diseased or dies or is removed during the first 5 years after planting shall be replaced with a similar specimen of similar size within the next available planting season.

Reason: To ensure that the appearance and environmental quality of the development hereby permitted is acceptable and that the development does not result in adverse landscape or visual impact, in accordance with Policy SDC2 – Landscaping of the Rugby Borough Local Plan 2011-2031.

Hours of construction

5. No work relating to the construction of the development hereby permitted (including works of preparation prior to operations, the delivery of construction materials, skips or machinery, or the removal of waste materials from site) shall take place outside the hours of 0800 to 1800 Monday to Friday inclusive, 0800 to 1400 hours on Saturdays or at any time on Sundays or Public or Bank Holidays.

Reason: To protect the amenities of occupiers of nearby properties and to ensure the developments accords with Policy ED2 – Employment Development of the Rugby Borough Local Plan 2011-2031.

Hours of operation

6. The use of the development hereby permitted shall not take place outside the hours of 0800 to 2200 Monday to Friday inclusive, 0800 to 1400 hours on Saturdays or at any time on Sundays or Public or Bank Holidays.

Reason: To protect the amenities of occupiers of nearby properties and to ensure the developments accords with Policy ED2 – Employment Development within Rugby Urban Area of the Rugby Borough Local Plan 2011-2031.

Use of the site

7. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), the application site shall be used for no other purpose than as a fire rescue training centre.

Reason: As any alternate uses could significantly increase the number of vehicular movements to the site, and to comply with Policies ED2 – Employment Development within Rugby Urban Area, HS5 – Traffic Generation and Air Quality, Noise and Vibration, and SDC1 – Sustainable Design of the Rugby Borough Local Plan 2011-2031.

Development Plan Policies Relevant to the Decision.

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

Policy GP2 – Settlement Hierarchy

Policy ED2 – Employment Development Within Rugby Urban Area

Policy HS5 – Traffic Generation and Air Quality, Noise and Vibration

Policy NE1 – Protecting Designated Biodiversity and Geodiversity Assets

Policy NE3 – Landscape Protection and Enhancement

Policy SDC1 – Sustainable Design

Policy SDC2 – Landscaping

Policy SDC3 – Protecting and Enhancing the Historic Environment

Policy SDC4 – Sustainable Buildings

Policy SDC6 – Sustainable Drainage

Policy SDC7 – Protection of the Water Environment and Water Supply

Policy D1 – Transport

Policy D2 – Parking Facilities

Compliance with the Town and Country Planning (Development Management Procedure) Order 2015

In considering this application the County Council has complied with paragraph 38 of the National Planning Policy Framework (December 2023).

Notes

1. Environmental Health Officer's Comments

The applicant's attention is drawn to the following comment by the Rugby Borough Council Environmental Health Officer:

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.