

Appendix B

Proposed use of land at Paynes Lane, Rugby for WCC Highways Depot, Paynes Lane, Highways Depot, Paynes Lane, Rugby, CV21 2 UH.

RBC/19CC009

Planning Conditions.

1. The development hereby approved shall be commenced no later than 3 years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following plans and documents:

- 1250 Location plan - Land and chipping store at Paynes Lane, Rugby
- 120093/pl/01 Existing site topographic and underground trace survey
- 120093/pl/02 Proposed site – Block Plan
- 120093/pl/03 Office and Welfare Building - Proposed floor plan and elevations
- 120093/pl/04 Salt Dome – Proposed floor plan and elevations
- 120093/pl/05 Gritter and snow plough store – Proposed floor plans and elevations,
- 16-16320-HL-XX-XX-DR-630-E P00 – Luminaire Specification,
- The Hoare Lea Environmental Lighting Document 16-16320 Paynes Lane DBLS-OLS dated 28 February 2019.
- The Hoare Lea Noise Impact Assessment Revision 1 – dated 17 July 2018
- The Hoare Lea Paynes Lane Air Quality Assessment rev 02 – 06 April 2020, Project number: 10/10096, Document reference: REP-1010096-5A-20200406-Paynes Lane Rugby-R2.
- Transport Statement Curtins Ref: TPNO69903 Rev P02 - dated 26 February 2020

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 define the permission and to ensure that the permission is implemented in all respects in accordance with the submitted details.

3. The development hereby approved shall not be commenced and no equipment, machinery or materials shall be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the County Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to Design, Demolition and Construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered, or any excavation take place without the prior consent in writing of the County Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed.

Reason: To protect trees and other features on site and adjacent to the site during construction.

4. Within 3 months of the commencement of works details of a scheme for the installation of three bird boxes attached to the approved buildings or located within the grounds or the vicinity of the site, shall be submitted to and approved in writing by the County Planning Authority. The scheme shall be carried out in accordance with the approved details.

Reason: To provide appropriate bird nesting opportunities for species that may be displaced as a result of the development.

5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

6. The development hereby approved shall not be commenced until a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the County Planning Authority. The scheme shall minimise the risk of pollution to the Sow Brook and the underlying Secondary A aquifer and shall include, but not be limited to, measures for the management of grit, moving and washing of HGV vehicles, and spillages. The scheme shall include detailed surface water drainage arrangements based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development and shall:
- a. Include the results of infiltration testing, in accordance with BRE Digest 365 Soakaway Design Guidance, to demonstrate suitability (or otherwise) of the use of infiltration Sustainable Drainage Systems (SuDS).
 - b. Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C753 The SuDS Manual.
 - c. Show that the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rainstorm has been limited to provide a 50% betterment on existing runoff rates for all return periods.
 - d. Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the drainage system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
 - e. Demonstrate the proposed allowance for exceedance flow and associated overland flow routing.

The scheme shall be implemented in accordance with the approved details before the development is brought into use and shall thereafter be maintained in good working order at all times.

Reason: To prevent the increased risk of flooding; to improve and protect water quality and to improve habitat and amenity. In particular, the Severn river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact could prevent the recovery of, or cause deterioration of the Sow Brook waterbody currently classified as only achieving a status of Moderate Potential.

7. The development hereby approved shall not be commenced until:
- a) A Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the County Planning Authority.
 - b) The programme of archaeological evaluative work and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken and a report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted in writing to the County Planning Authority.
 - c) An Archaeological Mitigation Strategy document informed by the archaeological evaluation and including a Written Scheme of Investigation for any archaeological fieldwork proposed has been submitted to and approved in writing by the County Planning Authority.

The development and any archaeological fieldwork, post-excavation analysis, publication of results and archive deposition detailed in the approved documents shall be undertaken in accordance with those documents.

Reason: To ensure adequate opportunity is provided for archaeological research is provided on this site and to comply with the requirements of the NPPF and Policy SDC3 of the Rugby Borough Local Plan.

8. No occupation or use of the development shall take place until a detailed maintenance plan has been submitted to and approved in writing by the County Planning Authority giving details on how surface water systems shall be maintained and managed for the lifetime of the development. The name of the party responsible at the time of first occupation or use, including contact name and details, shall be included in the plan.

Reason: To ensure the future maintenance of the sustainable drainage structures.

9. A scheme for mitigating noise from the proposed air source heat pumps shall be submitted to and approved in writing by the County Planning Authority prior to such plant being installed. The approved scheme shall be implemented on site prior to the pumps being brought into use and shall be retained thereafter.

Reason: in the interests of residential amenity, to prevent the emission of fumes which would be detrimental to the amenity of the area and to ensure the details are acceptable to the Local Planning Authority.

10. Material stored in the three-sided bays shall not exceed the height of the side or rear walls.

Reason: in the interests of residential amenity.

11. A scheme of works to enclose the gritter wash down bay shall be submitted to and approved in writing by the County Planning Authority and implemented before gritters are washed on the site.

Reason: in the interests of residential amenity to control water spray and mist blowing off the site.

12. If audible reversing alarms are fitted to any vehicle operated on site, these shall only be of the broadband (white noise) alarm type. This shall include any delivery vehicles or plant operated on site.

Reason: in the interests of residential amenity and to ensure the details are acceptable to the County Planning Authority.

NOTES

Ecology Notes

Nesting Bird note:

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). The main nesting season lasts approximately from March to September inclusive, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

Public Rights of Way Note

Public footpath RB15 must remain open and available for public use at all times, unless closed by legal order, so must not be obstructed by parked vehicles or by materials during works.

Advice from Environment Agency:

Paragraph 179 of the National Planning Policy Framework states “Where a site is affected by contamination or land stability issues, responsibility for securing safe development rests with the developer and/or landowner.”

We recommend that developers and /or Landowner should:

1. Follow the advice in Land Contamination: risk management <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> when dealing with land affected by contamination.

2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to our website at www.gov.uk for more information.

The Environment Agency request that the following informatives are attached to any planning permission that may be issued:

- The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/ or land development works are waste or have ceased to be waste. Under the Code of Practice:
 - excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
 - treated materials can be transferred between sites as part of a hub and cluster project
 - some naturally occurring clean material can be transferred directly between sites
- Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. We recommend that developers should refer to:
 - the position statement on the Definition of Waste: Development Industry Code of Practice
 - The waste management page on GOV.UK
- Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:
 - Duty of Care Regulations 1991
 - Hazardous Waste (England and Wales) Regulations 2005
 - Environmental Permitting (England and Wales) Regulations 2016
 - The Waste (England and Wales) Regulations 2011
- Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If

in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

- If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the [hazardous waste](#) pages on GOV.UK for more information.

Fire Officer Notes:

1. The applicant's attention is drawn to the need for the development to comply with Approved Document B, Volume 2, Section B5 – Access and Facilities for the Fire Service. Full details including the positioning of access roads relative to buildings, the arrangement of turning circles and hammer heads etc. regarding this can be found at;
www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning

Where compliance cannot be met, please provide details of alternative measures you intend to put in place.

2. Please also note The Warwickshire County Council Guide 2001, Transport and Roads for Developments, Section 5.18; Access for Emergency Vehicles.
3. Warwickshire Fire and Rescue Authority fully endorse and support the fitting of Sprinkler installations, in accordance with the relevant clauses of BS EN 12845: 2004, associated Technical Bulletins, and or to the relevant clauses of British Standard 9251: 2014, for residential premises.
4. Warwickshire Fire and Rescue Authority ask you to consider and ensure that access to the site, during construction and once completed, are maintained free from obstructions such as parked vehicles, to allow Emergency Service vehicle access.

Rugby Borough Council Environmental Health Officer Notes:

Air quality neutral/mitigation

The applicant is recommended to incorporate measures to assist in reducing their impact upon the Air Quality as part of this development. In order to achieve air quality neutral standards, it is suggested that the approved scheme could include the installation of ultra-low emission boilers (<40mg/kWh if gas is used for any space/water heating, green walls / roofs. Such measures contribute as mitigation for air quality purposes.

Development Plan Policies Relevant to the Decision.

Rugby Borough Council Local Plan 2011 – 2031 (Adopted June 2019)

Policy GP2 – Settlement Hierarchy

Policy ED1: Protection of Rugby's Employment Land

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 SDC1: Sustainable Design

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

Car Parking Standards (Appendix 5 of Local Plan):

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

In considering this application the County Council has complied with paragraph 38 contained in the National Planning Policy Framework 2019