



THE RUGBY BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

PLANNING PERMISSION

Notice is hereby given that the Borough Council in pursuance of its powers under the above mentioned Act, as amended and Rules, Orders and Regulations made there under, grants planning permission for the development referred to hereunder subject to the conditions also specified and in accordance with the plans and particulars submitted except insofar as may otherwise be required by the conditions.

APPLICATION NUMBER

R18/0801

DATE APPLICATION VALID

10/08/2018

ADDRESS OF DEVELOPMENT

5 & 6 ROYAL GEORGE BUILDINGS
MARKET PLACE
69 & 70 CHURCH STREET
RUGBY
CV21 3PT

APPLICANT/AGENT

Richard Palmer
Hb Architects
The Old Telephone Exchange
Albert Street
Rugby
Warwickshire
CV21 2SA

On behalf of Daniel Berko, Rugby (Church Street) LLP

APPLICATION DESCRIPTION

Conversion and extension of upper floors to twelve dwellings (8x1-bed, 3x2-bed & 1x3-bed) with associated works, including provision of ground floor door to front elevation.

CONDITIONS

CONDITION: 1

The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

REASON:

To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION: 2

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

<u>Plan/Document</u>	<u>Reference</u>	<u>Received</u>
Location and Site Plan	33-18-04/C	26/09/2018
Scheme Elevations	33-18-HBA-10	/B 22/10/2018
Scheme Design Plans	33-18-HBA-08/B	10/09/2018
Scheme Sections	33-18-HBA-11	24/07/2018
Bike Store	33-18-11	26/09/2018
Design & Access Statement	33-18	24/07/2018

REASON:

For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

IMPORTANT – PLEASE READ THE NOTES ATTACHED TO THIS DECISION NOTICE

CONDITION: 3

No external alterations to the building shall commence unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks and roof tiles have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.

CONDITION: 4

Notwithstanding any indication given on the approved drawings, full details of the design, materials and finishes of all windows, including the reveal depths, as well as the type and size of the proposed rooflights, and external doors shall be submitted to and approved in writing by the Local Planning Authority before any external alterations to the building commence.

Development shall not be carried out other than in accordance with the approved details and the approved design, materials and finishes shall not thereafter be maintained or replaced other than with identical materials and finishes without the prior written permission of the Local Planning Authority.

REASON:

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.

CONDITION: 5

Full details of the design and materials of the proposed bin stores shall be submitted to and approved in writing by the Local Planning Authority.

The bin and cycle stores shall be provided, in accordance with the approved details before the first occupation of any flat.

REASON:

In the interest of visual and residential amenity.

CONDITION: 6

The development shall not be first occupied unless and until details of the equipment and technology to be incorporated to achieve carbon emission reductions have been submitted to and approved in writing by the Local Planning Authority.

Unless otherwise agreed in writing with the Local Planning Authority, the minimum standards shall comprise a 10% carbon emissions reduction.

The approved efficiency measures shall be implemented in accordance with the approved details and shall be retained in working order in perpetuity.

REASON:

To ensure energy efficiency is achieved through sustainable design and construction.

CONDITION: 7

No development shall commence unless and until a full noise survey and assessment, including details of any proposed works and mitigation, has been submitted to and approved in writing by the Local Planning Authority.

The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of residential amenity.

CONDITION: 8

No development shall commence unless and until an air quality assessment has been submitted to and approved in writing by the Local Planning Authority. This must take into consideration the impact of traffic emissions on the proposed new residential flats.

The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of residential amenity.

STATEMENT OF POSITIVE ENGAGEMENT:

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the NPPF.

INFORMATIVE: 1

Should your development require a new address or an amendment to an existing address please complete an application form for Postal Naming and Numbering. This can be found on-line at rugby.gov.uk

Alternatively, you can contact the Street Naming and Numbering Team for an application form at: servicedesk@rugby.gov.uk or by ringing 01788 533456.

INFORMATIVE: 2

This development is subject to a s106 legal agreement.

INFORMATIVE: 3

Environmental Services advise that in order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site should not occur outside the following hours: -

Monday - Friday - 7.30 a.m. - 18.00 p.m.,

Saturday - 8.30 a.m. - 13.00 p.m.

No work on Sundays & Bank Holidays.

INFORMATIVE: 4

The development will be subject to Building Regulation approval and the applicant should refer to Approved Document E in relation to resistance to the passage of sound. Whilst this specifically applies to the sound transmission between newly formed adjoining dwellings, the document (particularly section 4) is a good reference for selecting the sound insulation scheme.

INFORMATIVE: 5

The applicant should comply with the Council's Standards of Amenities.

If the proposed development is to be used to provide rented accommodation the applicant will be required to comply with Parts 1, 2 and 7 of the Housing Act 2004, as applicable.

It is expected Building Control will ensure appropriate fire safety measures are installed to the accommodation and will address the issue surrounding inner rooms.

For further information contact Housing Enforcement on (01788) 533890.

INFORMATIVE: 6

The noise assessment required by condition 7 should be completed by a competent noise consultant.

The assessment must take into account the general background noise for day time and night time periods and in particular traffic from the road and taxi rank. Any proposed mitigation must insure that the internal noise climate for each flat achieves compliance with BS8233:2014 Internal ambient noise level guidelines.

INFORMATIVE: 7

Rugby Borough Council will charge for the supply of domestic refuse and recycling bins. These will be collected from the kerbside.

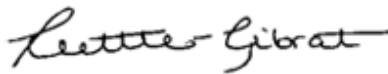
INFORMATIVE: 8

- Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) making them a European Protected Species. It is a criminal offence to disturb, obstruct or destroy a bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a licence may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 02080 261089. The applicant is advised that to ensure no bats are endangered during destructive works, the roof tiles should be removed carefully by hand. If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 02080 261089 for advice on the best way to proceed.

- 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. Please note that 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.

- Consideration should be given to the provision of suitable bat and bird boxes within the new build in order to increase opportunities for wildlife. Many bat and bird populations have declined dramatically in recent years due to loss of roost, nest and foraging sites as a result of development. However a variety of bat and bird species use boxes and they can be particularly useful in the built environment, where natural nesting places can be scarce. Further advice and information can be obtained from the Bat Conservation Trust (BCT), and the Royal Society for the Protection of Birds (RSPB). WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required, in particular regarding which type of boxes to use.

PLANNING DEPARTMENT,
TOWN HALL,
EVREUX WAY,
RUGBY,
CV21 2RR



STEPHANIE CHETTLE-GIBRAT
Head of Growth & Investment

DATE: **29/03/2019**

NOTES

Other Legislation

This decision does not grant any right or approval under other legislation. You will have to apply separately for Building Regulations approval and for consent to undertake works, or place scaffolds, hoardings or skips within the highway.

Important Information Regarding Conditions

Please note that any works carried out without compliance with the conditions attached to this approval will be entirely at the risk of the persons involved and may result in formal action being taken by the Local Planning Authority.

If conditions are imposed on this decision notice and a formal discharge of the said conditions is required, a fee will be payable for each request. The fee will be refundable if written confirmation from the Local Planning Authority is not received within 12 weeks of the date of receipt.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Communities & Local Government under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against a decision to refuse planning permission for a householder application, you must do so using a Householder Planning Appeal Form within 12 weeks of the date of this notice, in all other cases you must do so within six months of the date of this notice, using a Planning Appeal Form which you can get from Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Bristol BS1 6PN, Tel: 0303 444 5000 or online at <https://www.gov.uk/planning-inspectorate>. If requesting forms from the Planning Inspectorate please state the appeal form you require. The Secretary of State can allow a longer period for giving notice of an appeal, but they will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within six months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy it will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State need not consider an appeal if it seems to them that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by them.

Please note, only the applicant possesses the right of appeal.

Purchase Notices

If either the local planning authority or the Secretary of State for Communities & Local Government refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to them. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.