Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant                  Name and address of agent (if any)
NCC (Property Services)                      Stimpson Walton Bond Architects
County Hall                                    59 York Road
PO Box 128                                    Northampton
Northampton                                   NN1 5QL
NN1 1AS

Part I - Particulars of application

Date of Application                           Application No.
15th March 2010                               NCC Ref: 10/00023/CCD

KBC Ref: KET/2010/0224/NCC

Particulars and location of development

Construction of a two storey building to create an engineering teaching facility at Montsaye School, Greening Road, Rothwell, Kettering, NN14 6BB.

Part II - Particulars of decision:

The Northamptonshire County Council

Hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:-

Time Limit

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

   REASON: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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Scope of Permission

2. Except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the following approved plans:

- Application Forms dated 15\textsuperscript{th} March;
- Design and Access Statement dated 11\textsuperscript{th} March 2010;
- Planning Statement dated 11\textsuperscript{th} March 2010;
- Statement of Community Involvement dated 11\textsuperscript{th} March 2010;
- Public Consultation Summary dated 11\textsuperscript{th} March 2010;
- Sport England Pre-Application Consultation;
- Renewable Energy and Climate Statement dated 19\textsuperscript{th} February 2010;
- Drainage Statement dated February 2010;
- Site Investigation Report dated February 2010;
- Ecological Assessment dated March 2010;
- Drawing No. 2903-110;
- Drawing No. 2903-111;
- Drawing No. 2903-112;
- Drawing No. 2903-113;
- Drawing No. 2903-300;

REASON: For the avoidance of doubt and in the interests of proper planning.

Materials

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those detailed in the application, and shall be in accordance with details/samples of materials submitted to and approved in writing by the County Planning Authority, prior to works commencing on the site.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality with regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Landscape

4. No later than the completion of the building works, a detailed scheme of landscaping incorporating native species shall be submitted to the County Planning Authority. This scheme should also include wherever possible the recommendations set in the Middlemarch Report RT-MME-106960. Once approved, the scheme shall be implemented during the first available planting season following the commencement of development. Any trees, shrubs or hedges planted in accordance with the approved scheme shall be maintained and any plants which within five years of planting either die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in

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writing by the County Planning Authority.

REASON: To safeguard the amenities of neighbouring occupiers and to ensure that the proposed development does not prejudice the appearance of the locality with regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2009).

Protection of breeding birds

5. Operations that involve the destruction and removal of trees, hedgerows and shrubs should not be undertaken during the months of March to August inclusive, unless an ecologist report is submitted to demonstrate that breeding birds will not be affected and this has been approved in writing by the County Planning Authority.

REASON: To ensure that breeding birds are not adversely affected in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

BREEAM

6. Within 12 months of the occupation of the development hereby permitted, a certificate to confirm that a BREEAM rating has been achieved shall be submitted to and approved in writing by the County Planning Authority.

REASON: In the interests of sustainability in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy (2009).

Hours of Use

7. Except as may otherwise be agreed in writing by the County Planning Authority, the use hereby permitted shall not be carried on other than between the hours of 0800 and 2200 on Monday to Friday inclusive and at no time on Saturdays, Sundays, Public and Bank Holidays except for works of essential maintenance or which are to respond to an emergency.

REASON: To safeguard the amenities of the occupiers of properties in the vicinity of the site with regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Contaminated Land

8. Unless as otherwise agreed by the County Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 9 to 12 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the County Planning Authority in writing until condition # has been complied with in relation to that contamination.

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REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

9. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the County Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the County Planning Authority. The report of the findings must include:

i. a survey of the extent, scale and nature of contamination;

ii. an assessment of the potential risks to:
   - human health,
   - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
   - adjoining land,
   - groundwaters and surface waters,
   - ecological systems,
   - archaeological sites and ancient monuments;

iii. an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

10. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in

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relation to the intended use of the land after remediation.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

11. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the County Planning Authority. The County Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the County Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the County Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 9, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10, which is subject to the approval in writing of the County Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the County Planning Authority in accordance with condition 11.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

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Piling

13. Prior to the commencement of piling operations a scheme for the control and mitigation of noise, including vibration, affecting surrounding premises shall be submitted to, and approved in writing, by the County Planning Authority. Such measures shall operate throughout the piling operations in accordance with the approved details or amendments which have been submitted to and approved in writing by the County Planning Authority.

REASON: in the interests of residential amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Lighting

14. No external lighting, shall be installed until a scheme of all lighting provision related to the development hereby permitted has been submitted to, and approved by the County Planning Authority. The scheme shall include details of the types and height of lights and/or light columns, their location, technical specification, means of preventing or minimising light spillage and the proposed hours of use. The lights shall be designed, installed, and thereafter maintained in accordance with Institute of Lighting Engineers ‘Guidance Notes for the Reduction of Light Pollution’.

REASON: In the interests of residential amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Hours of Construction

15. Except as may otherwise be agreed in writing by the County Planning Authority all construction works shall be confined to the hours of 8.00am to 6.00pm Mondays to Friday and 8.30am to 1.00pm on Saturdays, with no works on Sundays, or Public Holidays. During school term construction traffic or deliveries shall not be permitted to enter or leave the site between 08.15am to 09.00am and 2.45pm and 3.45pm.

REASON: To protect the amenities of neighbouring properties from noise and other disturbance in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Construction Management

16. Prior to the commencement of development, a scheme detailing the on-site construction staff accommodation, storage of plant and materials, parking and manoeuvring of site operatives and visitor vehicles, together with the loading/unloading and manoeuvring of goods vehicles, shall be submitted to and approved in writing by the Country Planning Authority. The agreed works shall then be implemented before any other building or engineering operations are commenced.

REASON: In the interests of highway safety and the amenity of local residents

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during the construction process in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Construction Traffic

17. Prior to the commencement of the development hereby permitted, details of access points and routes for construction traffic shall be submitted to and approved in writing by the County Planning Authority. Construction vehicles shall visit and access the site only in accordance with the details so approved.

REASON: In the interests of highway safety and the amenity of local residents during the construction process in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Highway Safety

18. Operations shall be controlled to ensure that no mud or other debris is deposited on the public highway.

REASON: In the interests of highway safety in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Travel Plan

19. Prior to the occupation or use of the development hereby permitted, and in any event no later than 12 months from the date of this permission, the existing School Travel Plan shall be reviewed and updated and submitted to the County Planning Authority for its approval.

REASON: To reduce the number of car borne journeys related to the development and to encourage the use of means of transport other than the private car in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Informative(s)

1. Prior to the commencement of any site works, all sensitive properties surrounding the site should be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom enquiries/complaints should be directed.

2. Contractors and sub contractors must have regard to BS 5228-2:2009 “Code of Practice for Noise Control on Construction and Open Sites” and the Control of Pollution Act 1974.

3. Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days notice to Environmental Health, Kettering Borough Council, Bowling Green Road, Kettering, NN15 7QX. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or

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Environmental Health.

Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and fines of up to £5000 plus £50 for each further breach and/or six months imprisonment.

4. The external lighting should be designed and installed by competent persons. The system should be designed according to best practice in respect of glare, light spill and efficiency. Advice can be obtained: The Institution of Lighting Engineers, Lennox House, 9 Lawford Road, Rugby, Warwickshire, CV21 2DZ.

5. If you alter your proposals in any way, including to comply with the Building Regulations, a further planning application may be required. If you wish to deviate in any way from the proposals shown on the approved drawings you should contact the Development Control Section, Planning, PO Box 163, County Hall, Guildhall Road, Northampton, NN1 1AX (Tel: 01604 236700).

6. The applicant is advised that the erection of new buildings or alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made.

REASONS FOR APPROVAL

It is considered that the proposed engineering block and associated external works would not have a significant adverse impact upon residential amenity in terms of traffic, highway safety and amenity issues which would justify refusal of the planning application. The location, size and design of the new engineering teaching block are considered to be acceptable and the proposed development is considered to be acceptable having regard to Policies 13 and 14 of North Northamptonshire Core Spatial Strategy (2008).

Date: 16th June 2010
Signed: [Signature]
For Chief Planning Officer

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