1.0 INTRODUCTION

1.1 This Planning Statement has been prepared to accompany a full planning application submitted to Northamptonshire County Council on behalf of Northamptonshire County Council, Kettering Borough Council and the United Learning Trust for the erection of a new Academy to replace the existing school buildings. This application is made pursuant to the outline planning permission (reference: 10/00003/CCD – Appendix 1), that was granted in May 2010 for the erection of a new Academy including demolition of the existing school, retention of existing sports centre and the provision of new and improved sports facilities.

1.2 Kettering Buccleuch Academy is a co-educational academy open to students aged 4 to 19. The Academy offers education to children from the northern area of Kettering and its surrounding villages.

1.3 The sponsor for this Academy is the United Learning Trust, who operate 17 academies around the country. The Kettering Buccleuch Academy was created through the joining of Montague Secondary School with Avondale Infant and Junior Schools under the auspices of the United Learning Trust. The Academy was opened in its existing buildings in September 2010, promoting the ethos of an all through Academy.

Planning History

1.4 Outline planning permission (reference: 10/00003/CCD – Appendix 1) was granted in May 2010, for the erection of an all-through Academy that included the demolition of the existing school, retention of existing sports centre and provision of new and improved sports facilities on the current application site.
The Application Site

1.5 Kettering Buccleuch Academy is located on the north-eastern outskirts of Kettering within a predominantly residential area. The school site comprises a complex of mainly single storey buildings with a number of two storey elements of varying styles and finishes. There is a community sports hall and a number of playing fields. The main access to the school is via an existing access road which runs off the northern side of Weekley Glebe Road.

1.6 The application site comprises some 11.44 hectares that is made up of the existing school site (8.24 hectares) and an area of the adjoining Weekley Glebe Playing Fields (3.20 hectares).

1.7 The proposed Kettering Buccleuch Academy is to be sited on the former Montague School site. There are open playing fields to the north and east of the site. Residential development adjoins the site to the south and west. The existing buildings within the site are predominantly of brick construction with concrete tiled roofs; the sports hall is clad in metal roof cladding. A staff car park is located to the east of the site.

1.8 The Weekley Glebe Playing Fields consist of a large expanse of open ground to the east of Montague School on land which is undulating. Some 9 football pitches are laid out on the ground; the land has been terraced such that 4 pitches sit on higher ground and 5 pitches on the lower ground. Of these 5, the grounds have been shaped to accommodate each pitch at varying levels. A small pavilion is located on the south side of the site, adjacent to the entrance and immediately to the north of houses in Weekley Glebe Road.
The Proposed Development

1.9 The proposal is for the construction of a new all through Academy. The new Kettering Buccleuch Academy would be for pupils aged 4 to 19, with a progression through three phases: Foundation, Development and Extension. Each phase is to have an appropriate identity while the new building is required to express clearly the unity of the Academy.

1.10 The proposed development is described in detail in the Design & Access Statement prepared by Nicholas Hare Architects. The new Academy proposals comprise of:

(i) A new Academy providing for up to 1,770 students.
(ii) The demolition of the existing Montague School buildings.
(iii) The retention and remodelling of the existing single storey English teaching block into a sports pavilion to serve the Academy and the community use of the surrounding playing fields. This will replace the pavilion currently sited on the Weekley Glebe Playing Fields which will be lost due to the development of the new building.
(iv) A new all weather floodlit football pitch on the site of the existing school buildings.
(v) Retention of the existing sports hall for use by the Academy and the community.
(vi) Associated amenity space, car parking and servicing arrangement and landscaping.

1.11 The proposed building is comprised of two and three storey elements. The Foundation and Lower Development phases (primary) will be accommodated to the east of the building within the two storey element. The Upper Development and Extension
phases (secondary) will be accommodated within the western, three storey element of the building which is composed of three teaching clusters extending like fingers from the building hub.

1.12 The main plant room for the Academy has been designed as a stand-alone block to the south of the main building. In this location the energy centre will be screened by existing trees along the southern boundary of the site and will be accessible for service and delivery vehicles from the loop road formed from the main entrance to the Academy. The proposed building will have two principal entrances for the Extension and Foundation phases; these are identified by the provision of generous canopies such that they will be visible on entry to the school site.

1.13 Nicholas Hare, in their Design & Access Statement, describe the building as follows:

“The overall composition of the new building is seen as a series of simple, geometric forms with a regular arrangement of glazing set into robust panels and masonry and metal cladding. The rigorous framework will then be softened by landscape externally and enhanced internally by the quantity of glazing and daylight, and the quality of the finishes.”

1.14 The proposed building will be clad in two contrasting materials. The two storey Foundation and Development part of the building will be clad in brickwork; the brickwork is continued as a plinth to the ground floor at the three storey Extension phase element. The upper floors of the Extension phase element will be clad in
sinusoidal-profiled silver metal cladding panels which will reflect the light and change in appearance as the sun moves around the building.

1.15 As described in the Design & Access Statement, the principles of sustainability have been a key consideration in the choice of materials; wherever possible materials with low embodied energy, or which are manufactured in an environmentally responsible manner have been chosen. Materials which are highly rated in the BRE Green Guide will be favoured over those that perform less well.

1.16 It is proposed that the building will have dual education and community use. During the day the building will operate wholly as the Academy; during the evenings, weekends and school holidays, the building will be open for community use. This has dictated the form of boundary treatment and the access strategy to the site.

1.17 The proposed development retains the existing boundary fencing and gates wherever possible. This is described in greater detail in the Design & Access Statement.

1.18 To the south of the Academy building is proposed a public zone which will be dominated by the Academy Green. Car parking for visitors and drop off spaces are located along the western edge of this green space so as to ensure that they will not be visually dominant. Coach and bus drop off is located on the southwest corner of the Academy and is to be accessed from Weekley Glebe Road. A one-way road system takes vehicles around and also provides vehicular access to the energy centre for deliveries. The scheme has been purposely laid out so as to separate the principal Academy areas from the public zone.

1.19 This application seeks full planning permission for the erection of a new Academy. The site of the Academy will be for a maximum of
1,770 pupils. The Academy is to be sited entirely within the area that was identified at Condition 4 of the outline planning permission (see Appendix 1). That is, no part of the footprint of the proposed Academy the subject of this application extends beyond the area shown on the approved parameter plan NCC7-5001-A.

1.20 This application has been made as a full planning application as opposed to a reserved matters application due to issues that emerged during the detailed design for the Academy. Conditions 5 (Secured by Design), Condition 10 (surface water drainage) and Condition 11 (ground water and contaminated land) all required the submission of information to the Planning Authority for their approval before any reserved matters application could be made. Whilst surface water drainage, ground water and contaminated land together with issues of Secured by Design are matters that have been taken into account in the detailed design of the application scheme and indeed specialist reports are submitted with the application. This information could not be provided to the Planning Authority in advance of the planning application if the target of commencing the development in May 2011 was to be achieved.

1.21 A further consideration resulting in the submission of a full planning application is the form of development that has emerged through the design process. Condition 3 of the outline consent required that “the height of the proposed new Academy shall be restricted to no more than 8 metres eaves height and 12 metres ridge height”. The design for the Academy that has emerged incorporates two and three storey elements; the building has a largely flat roof set behind a parapet as opposed to a conventional roof comprising an eaves and ridge as was anticipated in Condition 3.
1.22 Whilst the vast majority of the proposed building and plant is below 12 metres anticipated by Condition 3, there are some roof lights proposed in the application building. These are positioned over the central void within the teaching wing. The roof lights allow natural light to filter down into the centre of the circulation and break out space. The roof lights have a 25 degree pitch to the north with a 65 degree pitch to the south which are the optimum angles and orientation for possible future provision of solar PV cells. The roof light upstands incorporate automated louvers which control the ventilation of the cluster spaces. As a consequence, the roof lights themselves have a maximum height beyond 12 metres.

1.23 Relative to the overall size of the building, the roof lights are small in terms of their overall scale. Due to the provision of the parapet around the perimeter of the roof, it is anticipated that the roof lights will not actually be capable of being viewed from any public vantage point. Consequently, although the roof lights extend beyond 12 metres, the vast majority of the proposed Academy is less than 12 metres, the height anticipated at the outline stage. The proposed detailed design thus conforms with the general principle of having a building with two and three storey elements with an overall height of less than 12 metres. The slight incursion beyond the 12 metre threshold is considered acceptable, given that the building aim is to minimise its energy use and environmental impact.

Public Consultation

1.24 Prior to the submission of this application, the Willmott Dixon design team has met with the planning department of Northamptonshire County Council on 26th August 2010,
22nd September 2010, 13th October 2010 and 11th November 2010 to discuss the progress of the scheme. Representatives from Kettering Borough Council were also in attendance at these meetings. In addition, a Secured by Design meeting with the Police Liaison Officer took place on 26th August 2010. Discussions have also been held with Sport England and the Football Foundation.

1.25 Approximately 300 leaflets (see Appendix 2) were distributed to properties in the vicinity of the application site; these properties are identified on the plan provided at Appendix 3. The leaflet invited the public to attend two public exhibitions to view the proposals for the development of Kettering Buccleuch Academy. These exhibitions took place on Saturday 20th November 2010 between 1030 hours and 1300 hours at the Weekley Glebe Pavilion and on Tuesday 23rd November 2010 between 1500 hours and 1900 hours at the Kettering Buccleuch Academy.

1.26 At the exhibition members of the public were invited to complete a questionnaire (see Appendix 4); their views in particular were sought on the access strategy to the Weekley Glebe Playing Fields as a consequence of the construction of the new Academy. The first option was to create a small number of parking spaces and a path for the entrance to the new Academy around its perimeter to the existing playing fields. The other option (Option 2), was to move the existing main public access onto the Weekley Glebe Road to an improved entrance and car park area at the Weekley Glebe/Stamford Road junction. The two options are shown on the drawing at Appendix 5. The results of the public consultation exercise are set out in the Consultation Report reproduced at Appendix 6.
**Content of the Planning Application**

1.27 The following reports are submitted in support of the planning application in addition to this Planning Statement:-

(i) Design & Access Statement (Nicholas Hare Architects).
(ii) Ecological report, tree report and bat survey and mitigation plan (Mott McDonald).
(iii) Traffic impact assessment (Mott McDonald).
(iv) Archaeology desktop study (Northamptonshire County Council).
(v) Sustainable Design and Energy Statement (Hoare Lea).
(vi) Ground investigation report (Geotechnics)
(vii) Flood risk assessment (JMP).
(viii) Drainage assessment/scheme (Cox Turner Morse).
(ix) External light spillage (Hoare Lea).
(x) Acoustic survey (Sound Research Laboratory).
2.0 PLANNING POLICY

The Development Plan

2.1 The Development Plan comprises the East Midlands Regional Plan, the Milton Keynes and South Midlands Sub-Regional Strategy, the North Northamptonshire Core Strategy and the Kettering Local Plan.

2.2 The East Midlands Regional Plan was adopted in March 2009. It sets out the Regional Spatial Strategy for the period up to 2026 and includes Northamptonshire. It replaces the majority of policies of the Northamptonshire Structure Plan and the Milton Keynes and South Midlands Sub-Regional Strategy with the exception of part (A) of the Strategy which remains extant. The main policies relevant to the consideration of the proposal are set out below.

East Midlands Regional Plan – March 2009

2.3 The Regional Spatial Strategy seeks to direct development and regeneration to those areas considered suitably sustainable for accommodating additional new growth. Major growth and economic activity is consequently directed towards the edge of and within existing Urban Areas. Regional Plan Policy 3 (Distribution of New Development) seeks to allocate significant levels of new development to the growth areas of Corby, Kettering and Wellingborough. This is reinforced in Regional Plan Policy 11 which seeks to strengthen the role of Kettering as a Growth Town. RP Policy MKSM SRS Northamptonshire 4 deals specifically with the Corby, Kettering and Wellingborough area; the Policy requires development to be maximised within the Urban Area of Kettering. With reference to the provision of social facilities, the Policy seeks to “expand and develop educational provision from primary
to higher education in order to improve educational attainment and skill levels across Northamptonshire”.

**Milton Keynes and South Midlands Sub-Regional Strategy – March 2005**

2.4 The Sub-Regional Strategy seeks to provide guidance on the scale, location and timing of development and infrastructure up to 2021. The Policy most relevant to consideration of this application is Strategic Policy 3 (Sustainable Communities) which sets out a list of principles by which development can contribute to the achievement of sustainable communities. Those of most relevance include:

- Improving skills levels, enterprise and innovation support;
- Providing social (education) and environmental infrastructure in accordance with current deficits and additional demands;
- Providing green infrastructure that can be used for formal and informal recreation and education purposes;
- Maximising the opportunity afforded by growth to facilitate the regeneration of deprived communities;
- Ensuring good accessibility and providing public transport and reducing the reliance on car based transport;
- Designing attractive cities towns and public places;
- Promoting the highest standards of environmental performance and taking advantage of development opportunities for renewable energy.
North Northamptonshire Core Spatial Strategy – Adopted June 2008

2.5 Kettering Borough forms part of the wider North Northamptonshire Joint Planning Committee which is working together to prepare the North Northamptonshire Local Development Framework.

2.6 The North Northamptonshire Core Spatial Strategy is a key component of the Local Development Framework. It replaces the current Structure Plan and some of the “saved” Kettering Local Plan Policies. Sustainable development underpins the Policies of the Core Spatial Strategy.

2.7 In order to achieve greater self-sufficiency for North Northamptonshire Core Spatial Strategy. Policy 1 directs development towards the Urban Areas of the three Growth Towns of Corby, Kettering and Wellingborough. Core Spatial Strategy Policy 9 (Distribution and Location of Development) seeks to direct development to the Urban Areas whilst strictly controlling new development in Open Countryside; priority will be given to the reuse of previously developed land and buildings within the Urban Area.

2.8 In order to create more sustainable communities, Policy 13 (General Sustainable Development Principles) comprises 17 specific criteria against which planning applications will be judged. The most relevant of these requires new development proposals to:

   c) Maintain and improve the provision of accessible local services and community services;
f) Not lead to the loss of community facilities unless the facilities are being relocated and improved to meet the needs of the new and existing community;

g) Not lead to the loss of Open Space or recreation facilities unless the site of equivalent quality and accessibility can be provided, serviced and made available to the community prior to the use of the existing site ceasing;

a) Incorporate flexible designs for buildings and their settings;

h) Be of a high standard of design, architecture and landscaping;

l) Not result in unacceptable impact on the amenities of neighbouring properties or the wider area;

m) Be constructed and operated using a minimum amount of non-renewable resources including where possible the reuse of existing structures and materials.

2.9 Core Spatial Strategy Policy 14 seeks to encourage development that uses sustainable construction methods and promotes energy efficiency. The policy has two parts. Part A relates to proposals for “large developments including the sustainable urban extensions”; Part B relates to “development proposals elsewhere that is residential development involving 10 or more dwellings or 0.5 hectares or more of land” and “non-
residential development involving 1000 square metres gross floor area or 1 hectare or more of land”.

2.10 Core Spatial Strategy Policy 5 seeks to ensure that all new development contributes towards a gain in green infrastructure through either the protection and enhancement of existing green assets or the creation of new multifunctional areas of green space which promote recreation and tourism, public access, green education, biodiversity, the protection and enhancement of local landscape and historic assets and mitigation of climate change, along with green economic issues. Core Spatial Strategy Policy 6 requires that all new development is supported by the appropriate infrastructure, services and facilities necessary to provide balance, more self-sufficient communities and to secure a modal shift away from car use.

**Kettering Local Plan – January 1995**

2.11 The Kettering Local Plan now comprises those Policies “saved” by the Direction of the Secretary of State in September 2007. Those most relevant to the consideration of this application are listed below:-

- Local Plan Policy 7 (Protection of Open Countryside) states that planning permission for development within the Open Countryside will not be granted except where otherwise provided for in this Plan.

- Local Plan Policy K3 (The Ise Valley) recognises the amenity, recreation and wildlife value of the Ise Valley such that the Local Planning Authority will seek to protect existing Open Spaces and
allotments, make provision for footpaths/cycleway links as well as provision of new wildlife habitats and a heritage trail.

**Sustainable Design Supplementary Planning Document**

2.12 A Supplementary Planning Document on sustainable design was adopted in 2009 by the Borough, Districts and County Councils of North Northamptonshire. The SPD sets out the contribution that needs to be made by those involved in designing and constructing new developments with regard to sustainability; namely energy efficiency, sustainable construction, green infrastructure and design.
3.0 PLANNING CONSIDERATIONS

The Principle of Development

3.1 The principle of a new Academy building on the application site has been established through the grant of outline planning permission (reference: 10/00003/CCD – Appendix 1), that was granted in May 2010.

3.2 The existing school buildings are in poor condition. They are out of date and are unsuitable for modern teaching. The new buildings are proposed to assist in raising standards and aspirations. The project provides a new building to be used by students of both primary and secondary ages. The facilities for primary age children replace the existing Avondale Infant and Junior School at Laburnum Crescent.

3.3 The new Academy proposals involve the redevelopment of the existing Montague School buildings and playing fields; they also include land to the east known as Weekley Glebe Playing Fields. Whilst the proposed development would result in the loss of approximately 3.2 hectares of playing fields and the existing community sports pavilion, this will be compensated for by the provision of new and enhanced sports and recreational facilities including a replacement sports pavilion and the construction of a new floodlit all weather pitch on the area currently occupied by the Montague School buildings. Kettering Borough Council and Sport England in supporting the outline planning application, sought to ensure that the new facilities would be made available for wider community use. This was addressed at Condition 15 of the outline planning permission (Appendix 1). Such a condition could be imposed upon any planning permission granted as a result of this application.
**Living Conditions**

3.4 Condition 4 of the outline planning permission (Appendix 1), require that no part of the footprint of the proposed Academy should exceed the area shown on the proposed parameter plan (reference: NCC7-5001-A). The detailed design for the proposed building is entirely within the footprint that was defined by Condition 4 of the outline planning permission. In other words, the proposed building will be no closer to existing properties than was anticipated at the outline stage.

3.5 As described in the Design & Access Statement, the proposed building comprises two and three storey elements. The two storey elements are at the eastern end of the building, that is, the two storey elements are at that end of the building closest to properties in Weekley Glebe Road. The three storey element of the building at the western end, will be in excess of 70 metres from properties in Weekley Glebe Road. The three storey element will be screened at least in part by existing vegetation along the southern boundary of the site.

3.6 The majority of the application building will be below 12 metres in height, the maximum height of the building required by Condition 3 of the outline planning permission (Appendix 1). As described in the Design & Access Statement and elsewhere in this Planning Statement, in order to maximise the energy efficiency of the application building, some roof lights are proposed on the building. These roof lights extend beyond the 12 metre threshold. However, relative to the overall size of the application building, these roof lights are small. By virtue of the parapet that is provided around the perimeter of the roof, it is anticipated that it will not be physically possible to view the roof lights from the public realm.
3.7 It is submitted that the proposed building, by virtue of its siting and degree of separation from existing residential properties, would not have an unacceptable effect on living conditions of adjacent properties and would not result in unreasonable living conditions being caused due to reduction in outlook or loss of privacy. The distance between the proposed building and those dwellings in Weekley Glebe Road would be similar to that commonly found within residential areas where the rear of one dwelling faces the wall of another. The proposed development will be of sufficient distance from housing in Weekley Glebe Road (70 metres), even accounting for the slightly elevated position, to ensure that it would not unacceptably damage their outlook, privacy or the amount of light they experience. Suitable boundary treatments can be provided to prevent any unacceptable overlooking of houses or gardens.

3.8 The proposed development will result in the loss of one grass pitch; this is to be replaced by an all weather floodlit pitch. The proposed development can be undertaken without affecting the existing allotments.

Playing Fields

3.9 The proposed Academy building will be constructed on the site of an existing football pitch, resulting in the loss of approximately 3.2 hectares of playing fields together with the existing community sports pavilion. The principle of the loss of this playing field has been accepted and established through the grant of outline planning permission in May 2010 (Appendix 1). When consulted on the outline planning application, Sport England raised no objections
to the application (see Appendix 7). In their consultation response (Appendix 7), they stated:-

“Sport England considers therefore that the overall package of development should result in a wide range of improvement to sports facilities in the area which will be of a significant benefit to sport. The proposals are therefore considered to be in accordance with exception E5 of the Playing Field Policy outlined above, subject to satisfactory mechanisms, to secure the provision and long term future of those facilities…”

3.10 It is intended that the proposed Academy and its sporting facilities will be available for community use in the evenings, at weekends and during school holidays. A condition (Condition 15) was imposed upon the outline planning permission (Appendix 1) to secure the community use of the facilities at the Academy. Such a condition would be appropriately applied upon any planning permission that may be granted.

3.11 It is proposed that the floodlit sports pitch which will be constructed on the site of the existing Montague School buildings will be floodlit.

3.12 The results of the consultation exercise (Appendix 6) did not indicate a strong preference for an entrance to the Weekley Glebe Playing Fields to be provided around the perimeter of the new Academy (see Option 1 at Appendix 5). As there is easy and convenient alternative public access to the playing fields close by from the footpath between 56 and 58 Weekley Glebe Road as well as from the parking area adjacent to 18 Weekley Glebe Road, it is
not proposed to provide access to the playing fields around the perimeter of the new Academy.

**Design**

3.13 The design and appearance of the proposed building is described in detail in the submitted Design & Access Statement and is illustrated on the range of application drawings. The buildings are of a contemporary design that are considered to be acceptable in this location and will secure a significant enhancement in the appearance of the site.

**Sustainable Construction**

3.14 Core Spatial Strategy Policy 14 seeks to encourage development that uses sustainable construction methods and promotes energy efficiency. The policy has two parts. Part A relates to proposals for "large developments including the sustainable urban extensions"; Part B relates to “development proposals elsewhere that is residential development involving 10 or more dwellings or 0.5 hectares or more of land” and “non-residential development involving 1000 square metres gross floor area or 1 hectare or more of land”. “Large development” is not defined in the Core Spatial Strategy. It is evident from the thrust of the policy that it is directed towards sustainable urban extensions and large mixed use development. It is submitted that the appeal proposals are to be considered in the context of Core Strategy Policy 14(b). The environmental sustainability and energy issues arising from the proposed development are addressed in the Sustainable Design & Energy Statement together with the Design & Access Statement submitted
with this application. These documents describe how the proposed development has been designed to reduce energy consumption through the use of modern technology and building design techniques. The proposed development seeks to secure a significant carbon reduction. The building has been designed specifically to allow the addition of renewable low carbon energy sources. The proposed development seeks to achieve a BREEAM very good rating, achieve the Partnership for Schools requirement of a 60% reduction in carbon emissions whilst meeting the requirements of the Building Relations 2006. In general terms, the application building aims to minimise its energy use and environmental impact wherever possible. The strategy of low energy design, coupled with energy efficient service solutions, will achieve outstanding results in the reduction of energy use and carbon emissions, and will greatly reduce operational costs for the school in the future. On the basis of the information submitted with this application, it is submitted that the proposed development is consistent with Core Spatial Strategy Policy 14.

**Floodlighting**

3.15 The proposed all weather pitch will be floodlit as required by Sport England (see Appendix 7). An assessment of the light spillage from the proposed floodlighting has been undertaken. This assessment is provided as an application document. The proposed floodlighting scheme is considered to be entirely compliant with the Guidance Notes provided by the Institute of Lighting Engineers. As such, there will be no material harm to the living conditions of any nearby residential property by virtue of light incident upon windows of surrounding properties. It is therefore submitted that the proposed
floodlighting system, although visible from the surrounding properties, would not unduly harm the use and enjoyment of any of the surrounding properties. Its impact will be localised and temporary in duration.

Highway Safety and Traffic Considerations

3.16 The proposed development raises a number of issues relating to traffic and access due to the amalgamation of the existing Montague School and the Avondale Infant and Junior Schools onto the application site. The building, the subject of this application, is of identical size, having a maximum of 1,770 students, as was anticipated at the outline planning stage.

3.17 The traffic impacts of the proposed development have been considered having regard to Core Spatial Strategy Policy 13 in the Traffic Impact Assessment that has been undertaken and is submitted as a separate application document. The Traffic Impact Assessment anticipates that a school travel plan will be implemented which seeks to reduce the number of car borne journeys to a minimum and encourage and increase walking and cycling to and from the school. When completed, there will be storage capacity for some 96 bicycles on the site. In respect of the previous application for outline planning permission, the Highway Authority were reported (paragraph 8.14 of the Planning Officer’s report – Appendix 8), as stating that:-

“The existing highway infrastructure is adequate and safe for the proposed development and has no objection to the application on highway safety
grounds subject to conditions. This includes the need for a school travel plan...”

3.18 Whilst local residents had raised concerns regarding increased traffic, highway safety and subsequent loss of amenity issues arising from an increase in vehicle movement to and from the site at the outline stage, the planning officer in his report to committee stated (paragraph 8.15 – Appendix 8):

“On balance, considering the nature of the new school, the ability to secure a school travel plan to encourage non-car based trips, the adequacy of Weekley Glebe Road to accommodate the proposed vehicular traffic, and the traffic and highway safety amenity impacts are not considered to be major issues and are not justifiable reasons to refuse the planning application.”

Planning Out Crime

3.19 A Secured by Design meeting has been undertaken by Willmott Dixon’s design team with the Police Liaison Officer on the 26th August 2010. As described in the Design & Access Statement, the design rationale for the access to the site has been concerned with ensuring the safety of students and staff as pedestrians and with limiting the possibility for unauthorised access during and outside the normal school day. The proposals will ensure that the new site boundary is fully secured by a combination of existing and new security fencing. Access into the new school building will be by
limited points of access. An access strategy has been produced, and is described in the Design & Access Statement, to ensure that there is no conflict between the educational use of the Academy site and its use by the community during evenings, weekends and school holidays.

**Flood Risk**

3.20 A flood risk assessment has been undertaken which is submitted as an application document. The Environment Agency raised no objections at the outline planning application stage (Appendix 9). The provisions of the flood risk assessment can be secured through the use of appropriate conditions upon any planning permission that may be granted.

**Bats**

3.21 A bat survey has been undertaken and is submitted as an application document. The bat survey made the following conclusions:

“The results of the suite of surveys (dusk and dawn surveys, external and internal building inspections, and analysis of previous reports) shows that two species of bats (common pipistrelle and noctule) are using the site. However, no bats were identified emerging from, or entering, the school buildings during any of the dusk and dawn surveys.”
Intermittent activity during transects around the school campus including foraging and social calling, was recorded, with most frequent activity along the “L” end shaped wooded belt between the existing school campus and the adjacent playing fields.

Mitigation measures should include the careful programming of the demolition of the school buildings to avoid potential impacts on roosting bats, minimising the loss of the wooded belt, and in the inclusion of a suitable landscaping/habitat creation scheme to promote commuting to and from the wider landscape.”

3.22 In respect of the mitigation measures identified above, the landscaping scheme for the proposed development includes the provision of new landscaping; such landscaping can be secured through the use of appropriate conditions.

Landscape
3.23 The site has a number of existing trees; these are mainly on the periphery of the site. The trees are assessed in the submitted tree survey. There are proposals to significantly enhance the landscape of the site, as shown on the submitted drawings.

Archaeology
3.24 Pre-application discussions have been undertaken with Northamptonshire County Council.
Council has produced an archaeology statement which is submitted as an application document. There is no known archaeological interest in the site. The requirements of the archaeological report can be secured through the use of appropriate conditions upon any planning permission that may be granted.

**Construction Management Plan**

3.25 It is anticipated that construction of the new Academy will commence in May 2011. The construction period will be some two years. It is intended that access to the existing pavilion and onto the Weekley Glebe Playing Fields will be maintained throughout the project. Similarly, access to the sports hall will also be maintained throughout the project except during the minor refurbishment works that are required.

3.26 It is anticipated that construction will take place during the hours of 0800 to 1800 hours on Mondays to Fridays. There will be no construction work on Saturdays and Sundays. Construction traffic will only be allowed to enter the site between the hours of 0900 hours and 1515 and between 1600 hours and 1800 hours on Mondays to Fridays. There will be no construction vehicle allowed to enter the site on Saturdays and Sundays. An appropriate condition, such as Condition 9 that was imposed on the outline planning permission, can be used to ensure that these times are adhered to.
4.0 CONCLUSIONS

4.1 The proposal will result in a loss of one of the existing playing fields at Weekley Glebe Playing Fields. The new sports facilities proposed include a floodlit full size pitch and a new sports pavilion. Such facilities are to be made available for community use during evenings, weekends and bank holidays. Such provision will provide a significant net gain in recreational capacity and contribute positively to the remaining green assets of the locality. In this respect the proposed development is considered to be entirely consistent with Core Spatial Strategy Policy 5.

4.2 The provision of the new Academy will contribute to the provision of modern infrastructure required to facilitate growth in the locality. The provision of a travel plan will include initiatives to encourage walking and cycling to and from the school. In this respect the proposed development is consistent with Core Spatial Strategy Policy 6.

4.3 The proposed development will result in increased community facilities through encouraging community use of the Academy building and its sporting facilities at weekends, during the evenings and during school holidays. This can be secured by planning condition. The proposed development can be undertaken without adversely affecting the living conditions of neighbouring properties; the development will be of a significant benefit to the wider community. In this respect, the proposed development is considered to be entirely consistent with Core Spatial Strategy Policy 13.

4.4 The application building seeks to minimise its energy use and environmental impact wherever possible. The strategy of low energy design, coupled with energy efficient services solutions, will
achieve outstanding results in the reduction of energy use and carbon emissions, and greatly reduce operational costs for the school in the future. The applicant is proposing to design and build to BREEAM “very good” standard. In this respect the proposed development will be consistent with the objectives of Core Spatial Strategy 14.

4.5 The principle of constructing a new Academy in this location has been established through the granting of outline planning permission (Appendix 1) in May 2010. The design of the proposed building is considered to be innovative and appropriate to the location. The proposed development meets planning policy objectives with regard to design and appearance, consideration of traffic matters, archaeology and planning out crime. It is submitted that by virtue of its design and siting, the proposed development will not have an unacceptably detrimental impact on the living conditions of neighbouring properties. It is therefore considered that the proposal is in accordance with the aims and objectives of the relevant development plan policies, is consistent with the outline planning permission (reference: 10/00003/CCD – Appendix 1), granted in May 2010; full planning permission should therefore be granted.

CET/3678
29th November 2010
5.0 LIST OF APPENDICES

Appendix 1: Outline planning permission 10/00003/CCD.

Appendix 2: Leaflet Distributed to Local Residents.

Appendix 3: Map of properties to which the leaflet was distributed.

Appendix 4: Questionnaire available at the public exhibitions on 20th November and 23rd November 2010.

Appendix 5: Plan showing options for access to the Weekley Glebe Playing Fields.

Appendix 6: Consultation Report

Appendix 7: Consultation Response from Sport England dated 12th February 2010.

Appendix 8: Planning Officer’s report in respect of outline planning application 10/00003/CCD.

Outline planning permission 10/00003/CCD
Town and Country Planning Act 1990

OUTLINE PLANNING PERMISSION

Name and address of applicant
NCC (Education)
John Dryden House
8-10 The Lakes
Bedford Road
Northampton
NN4 7DD

Name and address of agent (if any)
Planning & Regeneration
1 Avebury Court
Mark Road
Hemel Hempstead
Hertfordshire
HP2 7TA

Part I - Particulars of application

Date of Application
8th January 2010

Application No.
NCC Ref: 10/00003/CCD
KBC Ref: KET/2010/0043/NCC

Particulars and location of development

Outline Planning Application for the erection of all-through academy, demolition of existing school, retention of existing sports centre, provision of new and improved sports facilities at Montagu school and Weekley Glebe Playing Field Site, Weekley Glebe Road, Kettering, Northamptonshire, NN16 9NS.

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:-

Commencement

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
REASON: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. In addition to the reserved matters covered in the conditions of this permission, the following additional reserved matters set out below shall be submitted to the County Planning Authority for approval within three years from the date of this permission:

i. layout;
ii. appearance;
iii. scale (subject to constraints in condition 3);
iv. BREEAM/Sustainability Measures;
v. external lighting details and impact assessment, including flood lighting with proposed hours of use;
vii. landscaping;
viii. ecology;
ix. A revised Transport Assessment to cover the maximum 1770 pupils design capacity of the Academy;
x. cycle provision; and
x. means of access, parking and circulation within the site.

Approval of all reserved matters shall be obtained from the County Planning Authority in writing before any development is commenced.

REASON: To enable the County Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

3. The height of the proposed new academy shall be restricted to no more than 8 metres eaves height and 12 metres ridge height.

REASON: To ensure that the development is compatible with the existing character of development in the locality and in the interests of visual amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

4. No part of the footprint of the proposed academy shall exceed the area shown on the Proposed Parameter Plan ref. NCC7-5001-A.

REASON: To ensure that the development is compatible with the existing character of development in the locality and in the interests of visual amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Secured by Design

5. Prior to any reserved matters a scheme detailing the how the academy will achieve ACPO SBD Ltd "Secured by Design" Schools award shall have been

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submitted to and approved in writing by the County Planning Authority in consultation with the Police CPDA:
http://www.securedbydesign.com/pdfs/SBD-Schools-2010.pdf

REASON: This is in the interest of the security and quality life of future occupants of the development in accordance with policy 13 of the North Northamptonshire core spatial strategy.

Highways

6. Prior to the commencement of the development hereby permitted, the following highway works shall be agreed and completed in accordance with full engineering, drainage and constructional details, to be submitted to and gain the approval of the County Planning Authority:

   ▪ Proposed drop off areas and staff parking internal to the site.
   ▪ Internal road layout including swept path analysis of service vehicle routes, refuse vehicle routes, and emergency service vehicle access.

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

Travel Plan

7. Before the school is first brought into use, an Interim School Travel Plan shall be submitted to and approved by the County Planning Authority. Within 6 months of the school being first brought into use a detailed School Travel Plan shall be submitted to the County Planning Authority for its approval. The scheme shall be based on appropriate survey work, assessment of the results of this work, consideration of options and shall result in the formulation of an Action Plan, all of which shall be undertaken in regular consultation with the County Council’s Travel Plan Team. Upon approval, the School Travel Plan shall be fully implemented within 3 months.

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).

8. Except as otherwise may be agreed in writing with the County Planning Authority, prior to the opening of the new academy the applicant shall provide details to confirm that funding has been provided and measures have been put into place to secure the diversion of the existing bus service 8, which runs between Corby, Geddington and Kettering, into the Academy at the start and the end of the of the school day.

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).

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
Construction Management Plan

9. Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the County Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:

- Dust mitigation measures during the construction period;
- Control of noise emanating from the site during the construction period;
- Hours of construction work for the development
- Contractors' compounds and other storage arrangements;
- Enclosure of phase or sub-phase development sites;
- Provision for all site operatives, visitors and construction vehicles loading, off loading, parking and turning within the site during the construction period;
- Arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent public highways;
- Routing agreement for construction traffic.

The construction of the development shall be carried out in accordance with the approved Construction Management Plan unless otherwise approved in writing by the County Planning Authority.

REASON: In the interests of highway safety and to protect the amenities of nearby occupiers of property from noise and other disturbance in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Surface Water Drainage

10. Prior to any Reserved Matters application, a detailed surface water drainage scheme for the site in accordance with the amended Flood Risk Assessment undertaken by Mott MacDonald (dated March 2010, Revision C) shall be submitted to and approved in writing by the County Planning Authority. The detailed scheme shall be designed in accordance with and subsequently implemented and maintained in accordance with the approved details before the development is occupied.

REASON: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Groundwater and Contaminated Land

11. Prior to Reserved Matters (or such other date or stage in development as may be agreed in writing with the County Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the County Planning Authority:

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1) A preliminary risk assessment which has identified:
   - all previous uses
   - potential contaminants associated with those uses
   - a conceptual model of the site indicating sources, pathways and receptors
   - potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the County Planning Authority. The scheme shall be implemented as approved.

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

12. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the County Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON: To ensure that infiltration systems such as soakaways do not increase the potential for contaminant migration. Soakaways should not be located in areas of potential contamination. In the interests of sustainable development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

13. 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 the developer has submitted, and obtained written approval from the County Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON: To ensure that if previously undetected contamination is encountered during the redevelopment, it is dealt with in an appropriate manner.

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manner and in the interests of sustainable development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no development (other than that expressly authorised by the County Planning Authority) shall be constructed on sites known to be at risk from contamination.

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

**Community Use**

15. Prior to the commencement of the use a Community Use Scheme for the STP, Sports Pavilion, MUGA and retained school playing fields shall be submitted to and approved in writing by the County Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

**REASON:** To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

**Archaeology**

16. No development shall take place within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the County Planning Authority.

**REASON:** To ensure that a proper record is produced and maintained of any archaeology affected by the development pursuant to PPS5 and in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

**REASONS FOR APPROVAL**

In respect of Policy 5 of the Core Spatial Strategy and the developments overall impact on green infrastructure, the proposal will result in the loss of one of the existing playing fields; however the new sports facilities including floodlit pitch, MUGA and new sports pavilion will provide a significant net gain in recreational capacity and contribute positively to the remaining green assets.

In terms of Policy 6 of the Core Spatial Strategy, the provision of the new school will contribute to the modern infrastructure required to facilitate growth and the provision of a Travel Plan to include walking initiatives and cycling provision, and a diverted bus route with a modal shift away from car use.

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The general sustainable development principles required to be assessed under Policy 13 of the Core Spatial Strategy are considered to be adequately addressed in the application. In particular the provision of increased community facilities through the enhanced community use of the new sports facilities which can be secured by planning condition (See Appendix A, condition 11) is considered to be a significant benefit. The amenity impacts of building the new academy and its impacts on neighbouring properties are not considered to be significant and would not justify refusal of the application.

In respect of energy efficiency and sustainable construction the applicant is proposing to design and build to BREEAM 'Very Good' standard and this satisfies the requirements of Policy 14 of the Core Spatial Strategy.

It is therefore considered that the proposal is in accordance with the aims and objectives of the relevant Development Plan policies and that outline planning permission be granted

Date: 28th May 2010

Signed: __________________________

For Chief Planning Officer

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You are invited to a public exhibition to view the proposals for the development of Kettering Buccleuch Academy

Saturday 20 November 10.30am to 1pm at the Weekley Glebe Pavilion or Tuesday 23 November 3pm to 7pm at Kettering Buccleuch Academy

Northamptonshire County Council in association with Kettering Borough Council and the United Learning Trust are developing designs for an exciting new build at Kettering Buccleuch Academy.

Outline Planning Permission was granted in May 2010. Before the final design is submitted for planning approval we want your views on two access options for the Weekley Glebe playing fields.

One option is to create a small number of parking spaces and a path from the entrance to the new academy to the existing playing fields. The other option is to move the main public access onto the Weekley Glebe to an improved entrance and car park area at the Weekley Glebe/Stamford Road junction.

Meet the design team and representatives of your local and county councils who will be there to answer your questions.

We want your views

Any questions? Contact Kettering Borough Council Customer Services on 01536 410 333 or email customerservices@kettering.gov.uk

United Learning Trust
The best in everyone™

Kettering Borough Council
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One option is to create a small number of parking spaces and a path from the entrance to the new academy to the existing playing fields. The other option is to move the main public access onto the Weekley Glebe to an improved entrance and car park area at the Weekley Glebe/Stamford Road junction.

Come and view the proposals at one of the following locations:
- Weekley Glebe Pavilion on the playing fields off Weekley Glebe Road
  Saturday 20 November 10.30am to 1pm
- Kettering Buccleuch Academy
  Tuesday 23 November 3pm to 7pm

Meet the design team and representatives of your local and county councils who will be there to answer your questions.

We want your views

Any questions? Contact Kettering Borough Council Customer Services on 01536 410 333 or email customerservices@kettering.gov.uk
Map of properties to which the leaflet was distributed
Questionnaire available at the public exhibitions on 20th November and 23rd November 2010
Buccleuch Academy Options: Community Consultation

Which option for accessing the Weekley Glebe do you prefer?

Option 1: □
Option 2: □

1. Why do you prefer this option?

2. What do you think are the most exciting aspects of the building design?

3. Do you have any concerns?

PLEASE PROVIDE YOUR CONTACT DETAILS IF YOU WOULD LIKE TO STAY INFORMED

Title, Initials, Family Name: ........................................................................................................................................

Address: .................................................................................................................................................................

Town: ........................................................................................................................................................................

Postcode: ...............................................................................................................................................................

PLEASE TURN OVER
**Equal Opportunities monitoring**

This section is optional. The information is required for monitoring and evaluation purposes only and will be treated in the strictest of confidence. The information is retained solely to provide statistical information. Personal details are not included in reporting, only overall statistics.

**GENDER**

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**AGE GROUP**

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**HOW WOULD YOU DESCRIBE THE ETHNICITY OF YOUR HOUSEHOLD MEMBERS?**

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**DO YOU CONSIDER THEMSELVES TO HAVE A DISABILITY?**

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<th>Yes</th>
<th>No</th>
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**WHAT IS THE PREFERRED LANGUAGE OF THE HOUSEHOLD?**

**WHAT STREET/ROAD DO YOU LIVE?**

**TOWN**

**THANK YOU FOR YOUR COMMENTS.**
Kettering Buccleuch Academy Consultation

FAQ

Why is closing off the access to the Glebe being considered?

- This option improves security for the school
- It makes the school easier to manage and keeps cars away from students.

What alternative access would be provided?

- Access to the Glebe would be by the alternative access points at the following locations: The footpath between houses 56 and 58 on Weekley Glebe Rd and the parking area adjacent to 18 Weekley Glebe Rd.

What’s the alternative?

- A wide grass path would be provided at the front of the school to allow pedestrians access to the Glebe.
- A few car parking spaces will be provided at the front of the school to allow users of the Glebe to park before walking onto the Glebe.

Why are the buildings being replaced?

The existing school buildings are in poor condition, are out of date and are unsuitable for modern teaching. The new buildings are also required to help raise standards and aspirations.

Who’s paying for it?

The school is being funded entirely by central government and not local council tax with the primary element being paid for by the Northamptonshire County Council Primary Capital Grant.

How many pitches are lost?

Just one grass pitch which is replaced by an all-weather pitch.

Does this proposal affect the allotments?

No. Neither of the options affects the allotments

When will it happen?

Construction will commence in May 2011.
How long will it take to build?

2 years

Does it include a primary school?

The project provides new buildings for primary and secondary aged students. The facilities for primary aged children replace the existing Avondale Infant and Junior schools at Laburnum Crescent.

Will traffic increase?

There are likely to be some additional car trips as a result of the primary schools moving to this site but alternative means of transport will be encouraged.

Will there be cycling storage?

When completed there will be cycle storage for 96 bikes.

How much access will the community have?

The academy will be open for community use at evenings and weekends.

Who has been involved in designing the academy?

Willmott Dixon who are the BCSE Best School Contractor 2010 are working in collaboration with Nicholas Hare Architects who are widely acclaimed for their school work having recently won the following awards:

- BCSE Best School Architect 2009
- Excellence in BSF: Best Design for a New School - Park Hall School, Solihull 2009
- BCIA Prime Minister's Better Public Building Award - Joseph Chamberlain Sixth Form College, Birmingham 2009
- BCSE Inspiring Design Award: Schools - Golden Lane Campus, Islington 2009
- RIBA Award - Joseph Chamberlain Sixth Form College, Birmingham 2009
- RIBA/LSC Further Education Building Design Excellence Award - Joseph Chamberlain Sixth Form College, Birmingham 2009
- BCSE Best School Extension - Coleridge Primary School, London 2010
Plan showing options for access to the Weekley Glebe Playing Fields
Consultation Report
Kettering Buccleuch Academy Consultation

Saturday 20\textsuperscript{th} November & Tuesday 23\textsuperscript{rd} November 2010

**Brief**

Respondees were invited to a public consultation event on Saturday 20\textsuperscript{th} November 2010 from 10.30am-1pm and Tuesday 23\textsuperscript{rd} November at 3.30-7pm. 300 leaflets were distributed to neighbouring residents and local businesses.

A number of plans detailing the different options, artist impressions and models were available for respondees to look at. An 8 minute fly through of the project was also running on a continuous loop for people to watch.

There were representatives from Northamptonshire County Council, Kettering Borough Council, Willmott Dixon Construction and Nicholas Hare Architects.

Once respondees had looked round the plans and talked to individuals they were asked to complete a questionnaire that asked them which option they preferred and to note any comments.
Results

Who Responded?
No of Questionnaires Completed: 21

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Concerns:
The main concerns have been summarised in the below table; all comments have been noted fully on the attached spreadsheet.

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Consultation Response from Sport England
dated 12th February 2010
Dear Peter

EM/NRC/2010/18844/S
Outline Planning Application for the erection of all-through academy, demolition of existing school, retention of existing sports centre, provision of new and improved sports facilities at Montagu School and Weekley Glebe Road, Kettering, Northants, NN16 9NS

Thank you for consulting Sport England on the above application.

The development will have an impact on playing fields. A playing field is defined in the 1996 Statutory Instrument No.1817 (as amended by 2009 Statutory Instrument No.453) as the whole of a site which encompasses at least one playing pitch. In accordance with Planning Policy Guidance Note 17 and its playing field policy, Sport England will object to the loss of any area within playing fields to development unless one of five exceptions is met. The exceptions relate to the following:-

- E1 - A proven excess of provision.
- E2 - The use is ancillary to the playing field.
- E3 - The site is incapable of forming part of a pitch.
- E4 - Equivalent or better replacement will be provided elsewhere.
- E5 - An alternative sports use is proposed, outweighing loss

Sport England has considered this application in the light of its playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches. The policy states that;
“Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the Specific circumstances applies.”

Reason; Development which would lead to the loss of all or part of a playing field, or which would prejudice its use, should not normally be permitted because it would permanently reduce the opportunities for participation in sporting activities. Government planning policy and the policies of Sport England have recognised the importance of such activities to the social and economic well-being of the country.

The proposal comprises the redevelopment and relocation of the existing Montague School to part of the adjacent Weekley Glebe playing fields to create the proposed Kettering Buccleuch Academy. The existing Montague School would be demolished except for the existing sports centre and the existing English teaching block. The existing school site would be remodelled to form new sports pitches for both the school and community use. The remodelling work allows the creation of potential expansion space for the existing sports centre, the creation of additional MUGA, the provision of an Artificial (Synthetic) Grass Pitch (AGP). The existing English teaching block would be renovated as a sports pavilion for the school and the community, the sports pavilion would replace the existing changing facilities on the Weekley Glebe. It is understood that the AGP will be floodlit and would be a 3rd Generation (3G) construction; it would clearly be of additional benefit to the school and the community if the MUGA area was also floodlit.

The development results in the loss of part of the playing field area at the Weekley Glebe site, with the resultant loss of one pitch, as currently marked out. The submitted planning statement advises that the Weekley Glebe playing fields site provides an important resource for the whole of Kettering. The Kettering Open Space needs assessment 2007 revealed that, many comments on the Weekley Glebe site were positive. The negative comments however, referred to pitch drainage and the lack of suitable changing facilities. Recent work on pitch drainage has improved this aspect of the site but the existing changing facilities require further improvement. In particular the household survey found that a flood lit STP was high on the list of required additional facilities.

The existing school playing fields would remain and be available to the community outside of school hours as part of a package of measures which in the view of the applicant have a significant benefit to sport:

- On site management of the school sports facilities and the Weekley Glebe site leading to further improvements in the quality and accessibility of the Weekley Glebe site.
- Replacement of the grass pitch, which would be lost, by securing access to a pitch on the retained school playing field area as part of the improved management of facilities.
- Improved car parking and access to the Weekly Glebe pitches.
- The provision of a floodlit Synthetic Turf Pitch (Artificial Grass Pitch) for the school and the community.
- Improved hard court sporting facilities in the form of MUGA’s. It would clearly be preferable to provide floodlighting for this facility, to improve the facilities for the school and the community.
- Improved standard and security of changing facilities at the new Sport Pavilion for school and community use.
- Additional school playing fields available to the community as a replacement for the pitch lost on the Weekly Glebe site.
- Improved access and car parking for the existing Sports Centre.
- Space available to improve, extend and develop the retained Sports Centre.

Whilst the proposals do result in the provision of additional facilities and replacement playing field area, the overall result is the loss of approximately 5400 m² of playing field area.

There is however further evidence of need in the Kettering area for a Synthetic turf pitch. In addition to the Kettering Open Spaces Study, the draft North Northamptonshire Strategic Sports Facilities Report confirms that an additional full size 3G Artificial Grass pitch is recommended in Kettering. The Football Association support the layout in principle but are keen to ensure that the appropriate mechanisms are in place to ensure that replacement of the grass pitch which would be lost from the Weekley Glebe site, regardless of the provision of the AGP. Unfortunately the FA or Football Foundation cannot confirm at present that funds would be available to support the provision of the AGP or the Sports Pavilion.

Sport England considers therefore that the overall package of development should result in a wide range of improvement to sports facilities in the area which would be of a significant benefit of sport. The proposals are therefore considered to be in accordance with exception E5 of the Playing field Policy outlined above subject to satisfactory mechanisms, which secure the provision and long term future of those facilities. If the mechanisms are not available or conditions, as listed below cannot be imposed which secure the provision then this letter should be taken as an objection to the development. This view is taken on the understanding that the full size (107m x 70m) Artificial Grass pitch will be provided in accordance with Sport England guidance and will be floodlit, the AGP would not meet the needs of the community as identified above if it was provided without flood lighting in addition it would be preferable for the MUGA to be floodlit to maximise the potential for use by the school and the community.

1. Community Use. The Sport England recommended condition is given below

   Prior to the commencement of the use a Community Use Scheme for the STP, Sports Pavilion, MUGA and retained school playing fields shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.
**Reason:** To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with RSS/UDP/LP/LDF Policy **.

2. That the Synthetic Turf Pitch (3G Artificial Grass Pitch) is constructed in accordance with the appropriate guidance and is floodlit.

3. That the MUGA’s are constructed in accordance with appropriate guidance and the appropriate surface is provided for the designated sports use.

4. That the Sports Pavilion is renovated in accordance with appropriate technical/design guidance with particular reference to changing facilities for team sports and officials on a number of pitches.

The application should be referred to the Government Office in accordance with the Town and Country Planning (Consultation) (England) Direction 2009 should your Council be minded to grant planning permission for the development without the conditions recommended or other mechanisms agreed with Sport England which secure the provision and future use of the facilities.

I would be grateful if you would advise me of the outcome of the application by sending me a copy of the decision notice to enable the completion of the database required by central government.

Yours sincerely

Steve Beard
Planning Manager
Email: steve.beard@sportengland.org
Tel 020 7273 1770
Planning Officer’s report in respect of outline planning application 10/00003/CCD
1. Purpose of Report

1.1 The purpose of this report is to provide the Committee with professional planning advice on any issues, Development Plan Policies and other material considerations relevant to the determination of a planning application.

2. Relevant Priority Outcomes

2.1 As an organisation we have developed a set of principles which define what we are here for – our core purpose:

- We are here to help you help yourself
- We are here to help you when you can't help yourself
- We want you to see us as a trusted advocate

Our perspectives and priority outcomes show how we will go about achieving our vision: “Proud to make Northamptonshire a great place to live and work”

<table>
<thead>
<tr>
<th>Perspective</th>
<th>Outcome</th>
</tr>
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</table>
| Customers - to achieve our vision, what will our customers see? | - A cleaner, greener and more prosperous county
- Young people feel engaged
- Feel treated with dignity in care |

3. Background

3.1 Montagu School is located within a predominantly residential area on the north-eastern outskirts of Kettering. The school site consists largely of open playing fields, a large community sports hall and a complex of mainly single storey buildings with a small
number of two storey elements of varying styles and finishes. There are residential properties located along the school's southern and western boundaries and to the north and east of the site, there is a large expanse of undulating open ground which is used for sports by the community. The main access to the school is via an existing access road which runs off Weekley Glebe Road.

3.2 The application site covers a total area of 11.44 hectares comprising of the existing school site (8.24 Ha) and an area of the adjoining Weekley Glebe Playing Fields (3.20 Ha).

4. Proposal

4.1 The proposal is for the construction of a new all-through Academy which would replace the Montagu School, Avondale Junior and Infant Schools. The new Kettering Buccleuch Academy would be for pupils aged 5 to 18, comprising two forms of entry primary provision (420 places) and seven forms of entry secondary provision (1100 places) with a 250 place sixth form. The new academy proposals comprise of:

- A new Academy covering a maximum area of 12,900 square metres (gross internal floorspace) for up to 1770 students and be no more than two to three storeys in height which will be sited on the Weekley Glebe Playing Fields adjacent to the existing Montagu school site.
- Demolition of the existing Montagu school buildings.
- Retention and remodelling of existing single storey English teaching block into a sports pavilion to serve the Academy and the community. This will replace the pavilion that is currently sited on the Weekley Glebe Playing Fields which will be lost due to the development of the new buildings.
- New all-weather football pitch and improvements to games court provision (including Multi-Use Games Areas) for Academy and community use.
- Retention of existing sports hall for use by the Academy and the community.
- Associated amenity space, car parking and servicing arrangements and landscaping.

4.2 However, this application is outline and is only dealing with the principle of the development and access at this stage. All other matters are reserved for later approval and will be the subject of a further planning application should outline planning permission be granted. The application is supported by a Design and Access Statement incorporating Visual Impact Assessment, A Statement of Educational Need, a Flood Risk Assessment, a Transport Assessment, an Extended Phase 1 Ecological Assessment and a Geo-environmental Site Fact Sheet. In addition, a summary report on the Public Consultation exercise conducted by Kettering Borough Council has also been submitted.

4.3 Kettering Buccleuch Academy would specialise in Mathematics and Computing, which has been chosen to be symbolic of high aspirations and expectations of the Academy and its students and to complement the local mix of specialisms. It would also specialise in Sport, building on and enhancing, the expertise in this area developed by the predecessor school. The theme of Business and Enterprise would also underpin all aspects of the Academy’s work. In partnership with other local schools the Academy would play a lead role in the development and implementation of diplomas in IT and in sport and leisure. Both specialisms would offer a range of courses to match the abilities, interests and needs of each student throughout all key stages. The Business and Enterprise theme would underpin all aspects of the Academy’s curriculum and a visible business and enterprise ethos would be developed. Work-related and work-based courses would be
included to provide students with additional routes to success by offering relevant experiences that would address learning through work, learning for work, and learning about work.

4.4 A number of options for the development of the new Kettering Buccleuch Academy have been explored by the consultants working on behalf of the Academy Sponsor and the Northamptonshire County Council:

1. Redevelopment of the existing Montagu Site within the current site boundaries.
2. Development of the main academy buildings on the adjoining Weekley Glebe site with the Montagu site retained for school and community sports.
3. The redevelopment of the nearby Avendale site for Infants and Juniors (Foundation Phase).
4. Development of an ‘all age’ academy on the Montagu site by relocating the existing infants and primary schools from the nearby Avendale Site.
5. Development of an ‘all age’ academy on the Weekley Glebe site by relocating the existing infants and primary schools from the nearby Avendale Site.
6. Development of an ‘all age’ academy as options 4 and 5 but minus the infant’s school which would remain at Avendale.

4.5 The outcome of this exercise identified that options 4 and 5 were the most viable solutions. Both these options were explored further and option 5 was chosen as the preferred solution. The Weekley Glebe option was chosen for the following reasons:

- Greater presence for the Academy within the community it serves.
- Ability to create a clear, well defined set of buildings that have the appropriate relationships that are not compromised by the existing development.
- More appropriate location for the lower school with better relationship to the main body of the Academy.
- Enhanced community sports provision with improved access.
- Replaces the existing dilapidated sports pavilion.
- Reduced traffic issues related to school and community access.
- Improved security for properties adjoining Weekley Glebe.

5. Consultation

5.1 The following is a summary of the consultation responses which were received. Copies of the full responses are available to the committee members from the Committee Administrator.

Kettering Borough Council

5.2 Has no objection to the proposed development subject to the following points:

- Scale must either be a Reserved Matter or more information sought to enable scale to be fully considered and approved at the outline planning stage.
- A robust management plan between the Academy, Northamptonshire County Council and Kettering Borough Council, to deliver community use of the Academy facilities must be secured. This could be achieved through the use of a planning condition or clause in the Section 106 agreement.
- The proposed pavilion must meet the needs of the existing community.
A robust Travel Plan, with targets and penalties specified, must be secured through the Section 106 agreement.

NCC should satisfy themselves that both the end-users and construction workers will be safe from any harmful effects of contamination (historic landfill site) and that the proposed use is acceptable in this location.

The advice of Natural England and the Wildlife Trust must be sought with regard to protected species, BAP targets and the proposed Wildlife Site. Mitigation measures outlined in the ecological assessment must be secured by planning condition(s).

The 10 design quality criteria that CABE have developed for Building Schools for the Future should be used to assess the scheme. Schools Design Review Panel (or a local review panel) may be an appropriate tool when design approaches are being developed.

The development must be in accordance with Policy 11 (a) (ii) and (iii) of the Core Spatial Strategy with regard to Renewable Energy and the BREEAM standard.

The impact on the setting of Boughton House, Grade I Registered Park and Garden of Special Historic Interest must be considered and the comments of English Heritage sought.

A Construction Management Plan must be secured by planning condition to deal with all elements of the construction phase and to ensure any impacts are mitigated.

Environment Agency

5.3 Initially objected to the proposed development on the grounds that the Flood Risk Assessment (FRA) submitted in support of the application did not comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 25 (PPS 25).

5.4 Following the submission of further information from the applicant’s consultants, the Environment Agency withdrew their objection subject to the imposition of the planning conditions relating to surface water, groundwater and contaminated land.

Highway Authority

5.5 No objection to the proposed development subject to conditions being imposed relating to highway works, car parking, cycle spaces, travel plan, construction management plan and a financial contribution towards a bus service diversion to serve the school at peak times.

Sport England

5.6 Whilst the academy proposals do result in the loss of approximately 5,400m2 of playing field, Sport England consider that overall package of development will result in a wide range of improvement to sports facilities in the area and therefore be of significant benefit to sport. The proposals are therefore considered to be in accordance with exception E5 of the Playing field Policy outlined above subject to satisfactory mechanisms, which secure the provision and long term future of those facilities. If these mechanisms are not available or conditions cannot be imposed which secure the provision and future use of the facilities by the school and the community then Sport England would object to the development. This view is taken on the understanding that the full size (107m x 70m) Artificial Grass pitch will be provided in accordance with Sport England guidance and will be floodlit; the AGP would not meet the needs of the community as identified above if it was provided without flood lighting in addition it would be preferable for the Multi-Use
Games Area (MUGA) to be floodlit to maximise the potential for use by the school and the community.

Crime Prevention Design Adviser

5.7 No objection to the proposed development subject to a condition being imposed...

County Archaeological Advisor

5.8 Has previously provided comments regarding this development and other variations. The proposed plan for the Weekley Glebe Site was previously identified as potentially the most archaeologically sensitive of all the schemes. The proposed new school is within an area which has not been disturbed or archaeologically investigated. To the north lie the remains of World War II anti-aircraft defences which fortunately appear to be outside the development area. However the sites and monuments record (SMR) contains reference to a number of undated cropmarks which maybe archaeological in nature.

5.9 In light of the archaeological interests listed above, the County Archaeological Advisor would advise that although there is a potential for archaeological activity within the site it is not so significant that it would have the potential to preclude development within this area. All development could be dealt with by the imposition of an archaeological condition based on Para 30 PPG16 Archaeology and Planning to any permission granted in respect of application related to these sites.

6. Public Advertisement and Neighbour Notification

6.1 The application has been advertised by means of a site notice, a press notice in a locally circulating newspaper and by direct notification to individual properties within the vicinity of the application site.

6.2 Two letters of representation have been received from local residents. A summary of their comments follows. Full copies are available to the committee members from the Committee Administrator.

56 Kipling Road

6.3 Objects to the proposed development on the following grounds:

- Increased noise levels;
- Potential anti-social behaviour;
- Access to the rear of their property being obstructed;
- Level of use of the sports pitches;
- Location.

19 Weekley Glebe Road

6.4 Raised a number of concerns regarding the proposed development:

- Location and loss of existing football pitches and facilities;
- Loss of main access point, parking, pavilion and changing rooms for Weekley Glebe playing fields;
- Parking and congestion problems;
7. Development Plan Policies

7.1 The following Central Government guidance and planning policies are considered to be relevant to the proposal, as follows:

North Northamptonshire Core Spatial Strategy (2008)

Policy 5 (Green Infrastructure)
Policy 6 (Infrastructure Delivery and Developer Contributions)
Policy 13 (General Sustainable Development Principles)
Policy 14 (Energy Efficiency and Sustainable Construction)

8. Assessment

8.1 The main issues to consider in determining this application are:

i. Whether the proposal accords with the Development Plan; and

ii. Whether there are any traffic, highway safety or amenity issues to justify refusal of the application.

Development Plan

8.2 The North Northamptonshire Core Spatial Strategy (2008) has identified the town of Kettering as a future area for growth and therefore it is necessary to consider the proposed development against the key objectives and planning policies set out in the Core Spatial Strategy. The key policies which are relevant to the determination of this planning application are Policies 5, 6, 13 and 14.

8.3 Policy 5 of the Core Spatial Strategy seeks to ensure that all new development contributes towards a net gain in green infrastructure through either the protection and enhancement of existing green assets or the creation of new multi-functional areas of green space which promote recreation and tourism, public access, green education, biodiversity, the protection and enhancement of local landscape and historic assets and mitigation of climate change, along with green economic uses. Policy 6 of the CSS that all new developments are supported by the appropriate infrastructure, services and facilities necessary to provide balanced, more self-sufficient communities and to secure a modal shift away from car use.

8.4 Policy 13 of the Core Spatial Strategy provides general criteria against which to consider proposals for development. These criteria require proposed developments to be of a high standard of design that respect and enhance the character of their surroundings. It also requires that proposals should not result in an unacceptable impact on the amenity of neighbouring properties or the wider area. Policy 14 of the Core Spatial Strategy seeks to encourage development that uses sustainable construction methods and incorporates energy efficiency measures such as the use of micro-renewable technologies. It is therefore necessary to consider the development in the context of these Development Plan policies (i.e. 5, 6, 13 and 14).
Principle of Development

8.5 Whilst the new academy proposals involve the redevelopment of the existing Montagu School buildings and playing fields, they also include land to the east known as Weekley Glebe Playing Fields. This area of land was previously protected by Policies 88 and 94 of the Kettering Borough Local Plan which sought to protect open space, environmentally important open space and outdoor sports facilities. These policies are no longer saved and the playing fields do not benefit from 'blanket' protection from development. However, Policy 13 of the Core Spatial Strategy does seek to ensure that any new development does not result in the loss of open space, community and recreation facilities.

8.6 It is accepted that the proposed development will result in the loss of approximately 3.2 hectares of playing fields and the existing community sports pavilion but this will be compensated by the provision of new and enhanced sports and recreation facilities including a replacement sports pavilion and the construction of a new all-weather pitch. Both Kettering Borough Council and Sport England have requested that these new facilities be made available to the wider community and that a condition be imposed to securing this through a Community Use Agreement between the Academy, Northamptonshire County Council and Kettering Borough Council (See Appendix A, condition 11). Sport England has also requested that the new sports facilities being provided as part of the new academy development are constructed in accordance with the appropriate guidance relating to design, surfacing and lighting.

Design

8.7 This application is for outline planning permission and is only seeking to establish the acceptability of the site in principle for the proposed academy and details of access and the scale of the development. Other matters relating to the appearance, scale, layout and landscaping of the development are reserved for subsequent consideration although the applicant has provided some indicative material in the Design and Access Statement which shows the maximum level of new floorspace being proposed and location of build zones with specified maximum building heights within each of the zones.

8.8 The Design and Access Statement also incorporates a Visual Impact Assessment which shows the likely visual impact of the proposed development on adjoining residents. Whilst it is accepted that the new academy will have an impact on some of the adjoining properties, in particular Nos. 72 to 104 Weekley Glebe Road, in terms of the loss of the open views that they currently have. However, this could be mitigated by the introduction of an appropriate landscaping screen which could lessen the visual impact of the new academy building.

8.9 Policy 13 of the Core Spatial Strategy seeks to encourage developments which are flexible enough to be adapted for future needs and to take into account the needs of all users. Whilst the application does not contain any information as to the final footprint, positioning and layout of the new academy, it does give an indication of the approximate area of development and use which does show a degree of flexibility. With regard to the proposed position of the new academy, it is considered that the new building will make a positive addition to the existing built environment.

8.10 The applicant also states in their application, that a requirement of the Academy programme is that the new building should be designed and built with sustainability in
mind. It is intended that the new academy will achieve at least a BREEAM rating of Very Good and will have to reduce its carbon footprint by 60%. This will hopefully be achieved by a good building design and the integration of renewable technologies which is broadly in line with the objectives set out in Policy 14 of the Core Spatial Strategy. A reserved matter condition will be imposed to ensure this (See Appendix A, condition 2).

8.11 Overall, the amount, location and design parameters of the new academy are considered to be acceptable and in accordance with Policies 13 and 14 of the Core Spatial Strategy which seeks to raise the standard of design, protect the amenities of adjoining properties and encourage the use of sustainable construction and energy efficiency techniques.

Highway Safety & Traffic Amenity

8.12 The creation of the new Kettering Buccleuch Academy raises a number of issues relating to traffic and access because of the amalgamation of The Montagu School and Avondale Infants and Junior Schools on the application site. These are considered in the following paragraphs.

8.13 Concerns have been expressed by neighbours over regarding the traffic and highway implications of the proposed development as it will increase the number of staff and visitors to the school. These traffic impacts therefore need to be considered having regard to the aims of Policy 13 of the Core Spatial Strategy which seeks to protect the amenities of adjoining properties.

8.14 A detailed Transport Assessment (copy available to be viewed from Committee Administrator) was submitted with the planning application. This provided details of all the staff and pupil numbers at the existing Montagu School, Avondale Junior School and Avondale Infant School. In respect of the application site the existing and proposed numbers are that there will be an overall increase in full and part time staff from 143 to 202. Pupils would increase from 957 to 1252. This increase in staff and pupils will generate additional traffic movements and therefore traffic amenity disturbance for occupiers of the residential properties on the approach roads to the site. The Transport Statement has identified that with staff and pupil movement combined there would be an additional 125 movements at the start of the school day and an additional 96 movements at the end of the school day. However, the School Travel Plan requirement will be seeking to reduce the number of car borne journeys to a minimum and increase walking and cycling. The Highway Authority has considered the Transport Assessment and is of the opinion that the existing highway infrastructure is adequate and safe for the proposed development and has no objection to the application on highway safety grounds subject to conditions. This includes the need for a School Travel Plan and an agreement from the applicant to provide funding to contribute to a diversion of the existing service 8 which runs between Corby, Geddington and Kettering at Academy start and finish times.

8.15 The concerns raised by the local residents regarding the traffic, highway safety and amenity issues arising from an increase in vehicle movements have been carefully considered. On balance, considering the nature of the new school, the ability to secure a School Travel Plan to encourage non-car based trips, the adequacy of Weekley Glebe Road to accommodate the proposed vehicular traffic, then the traffic and highway safety and amenity impacts are not considered to be major issues and are not justifiable reasons to refuse the planning application.
Other Matters

8.16 Issues relating to archaeology, biodiversity, community use, potential land contamination and crime prevention have been carefully considered and can be dealt with by the imposition of appropriate planning conditions.

9. Conclusions

9.1 In respect of Policy 5 of the Core Spatial Strategy and the developments overall impact on green infrastructure, the proposal will result in the loss of one of the existing playing fields; however the new sports facilities including floodlit pitch, MUGA and new sports pavilion will provide a significant net gain in recreational capacity and contribute positively to the remaining green assets.

9.2 In terms of Policy 6 of the Core Spatial Strategy, the provision of the new school will contribute to the modern infrastructure required to facilitate growth and the provision of a Travel Plan to include walking initiatives and cycling provision, and a diverted bus route with a modal shift away from car use.

9.3 The general sustainable development principles required to be assessed under Policy 13 of the Core Spatial Strategy are considered to be adequately addressed in the application. In particular the provision of increased community facilities through the enhanced community use of the new sports facilities which can be secured by planning condition (See Appendix A, condition 11) is considered to be a significant benefit. The amenity impacts of building the new academy and its impacts on neighbouring properties are not considered to be significant and would not justify refusal of the application.

9.4 In respect of energy efficiency and sustainable construction the applicant is proposing to design and build to BREEAM ‘Very Good’ standard and this satisfies the requirements of Policy 14 of the Core Spatial Strategy.

9.5 It is therefore considered that the proposal is in accordance with the aims and objectives of the relevant Development Plan policies and that outline planning permission be granted subject to the conditions contained in Appendix A.
| Author: | Name: Peter Moor  
Team: Development Control |
|---|---|
| Contact details: | Tel: (01604) 237019  
Fax: (01604) 236065  
Email: pmoor@northamptonshire.gov.uk |
| Background Papers: | Planning Application File: 10/00003/CCD |
| Does the report propose a key decision is taken? | NO |
| If yes, is the decision in the Forward Plan? | NO |
| Will further decisions be required? If so, please outline the timetable here | NO |
| Is this report proposing an amendment to the budget and/or policy framework? | NO |
| Have the financial implications been cleared by the Strategic Finance Manager (SFM)? | NO. There are none relevant to the determination of a planning application.  
Name of SFM: N/A |
| Have any capital spend implications been cleared by the Capital Asset Investment Group (CAIG)? | NO |
| Has the report been cleared by the relevant Corporate Director or ACE? | NO but cleared by Chief Planning Officer. |
| Has the relevant Cabinet Member been consulted? | NO |
| Has the relevant scrutiny committee been consulted? | NO |
| Has the report been cleared by Legal Services? | NA |
| Have any communications issues been cleared by Communications and Marketing? | NA |
| Has an Equalities Impact Assessment been carried out in relation to this report? | No. There are no equal opportunity implications. |
| Are there any community safety implications? | These are considered in the report. |
| Are there any environmental implications? | YES. These are identified and discussed in the report. |
| Are there any Health & Safety Implications? | NO |
| Are there any Human Resources Implications? | NO |
| Are there any human rights implications? | The process for determining planning applications accords with the Human Rights Legislation. |
| Constituency Interest: | NCC: Grange  
KBC: Avondale Grange |
Agenda Item No: 6a - Appendix A: Proposed Planning Conditions

Commencement

1. The development hereby permitted shall be commenced before the expiration three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.

   REASON: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. In addition to the reserved matters covered in the conditions of this permission, the following additional reserved matters set out below shall be submitted to the County Planning Authority for approval within three years from the date of this permission:

   i. siting;
   ii. external materials;
   iii. design;
   iv. BREEAM/Sustainability Measures;
   v. external lighting including flood lighting;
   vi. landscaping;
   vii. ecology;
   viii. cycle provision; and
   ix. means of access, parking and circulation within the site.

   Approval of all reserved matters shall be obtained from the County Planning Authority in writing before any development is commenced.

   REASON: To enable the County Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

Secured by Design

3. Prior to any reserved matters a scheme detailing the how the academy will achieve ACPO SBD Ltd “Secured by Design” Schools award shall have been submitted to and approved in writing by the County Planning Authority in consultation with the Police CPDA.  http://www.securedbydesign.com/pdfs/SBD-Schools-2010.pdf

   REASON: This is in the interest of the security and quality life of future occupants of the development in accordance with policy 13 of the North Northamptonshire core spatial strategy.

Highways

4. Prior to the commencement of the development hereby permitted, the following highway works shall be agreed and completed in accordance with full engineering, drainage and constructional details, to be submitted to and gain the approval of the County Planning Authority:

   - Proposed drop off areas and staff parking internal to the site.
Internal road layout including swept path analysis of service vehicle routes, refuse vehicle routes, and emergency service vehicle access.

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

Travel Plan

5. Before the school is first brought into use, an Interim School Travel Plan shall be submitted to and approved by the County Planning Authority. Within 6 months of the school being first brought into use a detailed School Travel Plan shall be submitted to the County Planning Authority for its approval. The scheme shall be based on appropriate survey work, assessment of the results of this work, consideration of options and shall result in the formulation of an Action Plan, all of which shall be undertaken in regular consultation with the County Council's Travel Plan Team. Upon approval, the School Travel Plan shall be fully implemented within 3 months.

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.

Construction Management Plan

6. Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the County Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:

- Dust mitigation measures during the construction period;
- Control of noise emanating from the site during the construction period;
- Hours of construction work for the development
- Contractors' compounds and other storage arrangements;
- Enclosure of phase or sub-phase development sites;
- Provision for all site operatives, visitors and construction vehicles loading, off loading, parking and turning within the site during the construction period;
- Arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent public highways;
- Routing agreement for construction traffic.

The construction of the development shall be carried out in accordance with the approved Construction Management Plan unless otherwise approved in writing by the County Planning Authority.

REASON: In the interests of highway safety and to protect the amenities of nearby occupiers of property from noise and other disturbance in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Surface Water Drainage

7. Prior to any Reserved Matters application, a detailed surface water drainage scheme for the site in accordance with the amended Flood Risk Assessment undertaken by Mott MacDonald (dated March 2010, Revision C) shall be submitted to and approved
in writing by the County Planning Authority. The detailed scheme shall be designed in accordance with and subsequently implemented and maintained in accordance with the approved details before the development is occupied.

REASON: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Groundwater and Contaminated Land

8. Prior to Reserved Matters (or such other date or stage in development as may be agreed in writing with the County Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the County Planning Authority:

1) A preliminary risk assessment which has identified:

   ▪ all previous uses
   ▪ potential contaminants associated with those uses
   ▪ a conceptual model of the site indicating sources, pathways and receptors
   ▪ potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the County Planning Authority. The scheme shall be implemented as approved.

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

9. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the County Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON: To ensure that Infiltration systems such as soakaways do not increase the potential for contaminant migration. Soakaways should not be located in areas of potential contamination. In the interests of sustainable development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).
10. 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 the developer has submitted, and obtained written approval from the County Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON: To ensure that if previously undetected contamination is encountered during the redevelopment, it is dealt with in an appropriate manner and in the interests of sustainable development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no development (other than that expressly authorised by the County Planning Authority) shall be constructed on sites known to be at risk from contamination.

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

Community Use

12. Prior to the commencement of the use a Community Use Scheme for the STP, Sports Pavilion, MUGA and retained school playing fields shall be submitted to and approved in writing by the County Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

REASON: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Archaeology

13. No development shall take place within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the County Planning Authority.

REASON: To ensure that a proper record is produced and maintained of any archaeology affected by the development pursuant to PPS5 and in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).
Planning Statement

Consultation Response from Environment Agency dated 5th May 2010
Dear Sir,

Outline planning application for the erection of all-through academy, demolition of existing school, retention of existing sports centre, provision of new and improved sports facilities.
Weekley Glebe playing fields, Weekley Glebe Road, Kettering, NN16 9NS.

We have received directly from Mott MacDonald a revised Flood Risk Assessment (FRA, dated March 2010, Revision C) in support of the above application and have advised that this FRA be formally submitted to your Authority.

There is a large amount of land available for attenuation on site therefore we consider that any surface water scheme can realistically be achieved on site and that the site can cope with any additional surface water created as part of the development. Accordingly, we remove our previous objection, subject to the inclusion of the following planning condition on any subsequent planning permission granted:

**Condition 1:**
Prior to any Reserved Matters application, a detailed surface water drainage scheme for the site in accordance with the amended Flood Risk Assessment undertaken by Mott MacDonald (dated March 2010, Revision C) shall be submitted to and approved in writing by the Planning Authority. The detailed scheme shall be designed in accordance with and subsequently implemented and maintained in accordance with the approved details before the development is occupied.

**Reasons:**
To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

Please note that our advice has not considered the risk of flooding from other sources, such as ground water, drainage systems, reservoirs, canals or ordinary...
watercourses. Your Authority will therefore need to be satisfied that the proposed development is also in accordance with other requirements of Planning Policy Statement 25 (see Annex C).

Groundwater and Contaminated Land

We have also received directly from Mott MacDonald a Phase 1 Preliminary Risk Assessment (dated March 2010, Revision A) in support of this application and have again advised that this report be formally submitted to your Authority.

As per my letter of 26 February 2010 (reference AN/2010/109070/01-L01), part of the site (to the west boundary) was a previous landfill and the site overlies groundwater vulnerability zones. We previously reviewed the Geo-Environmental Fact Sheet reference 258960/ENV/01 dated April 2009 by Mott MacDonald and have now reviewed the recently submitted Preliminary Risk Assessment. Based on both of these documents and with regard to the potential risk posed to controlled waters on site, we require the following conditions to be appended to any planning permission granted:

Condition 2:
Prior Reserved Matters (or such other date or stage in development as may be agreed in writing with the Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the planning authority:

1) A preliminary risk assessment which has identified:
   - all previous uses
   - potential contaminants associated with those uses
   - a conceptual model of the site indicating sources, pathways and receptors
   - potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Planning Authority. The scheme shall be implemented as approved.

Reason:
We consider that intrusive site investigation is required to assess the potential risk posed to controlled waters as per the recommendations made in the Geo-Environmental Fact Sheet. Soil and groundwater samples should be tested for each contaminant of concern including potential contaminants associated with landfill leachate which include ammonia and chloride. Any further investigations and reporting should be done in accordance with CLR11 'Model Procedures for the
Management of Land Contamination' and Planning Policy Statement 23 'Planning & Pollution Control'.

**Condition 3:**
No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

**Reasons:**
To ensure that infiltration systems such as soakaways do not increase the potential for contaminant migration. Soakaways should not be located in areas of potential contamination.

Please note that the risk assessment required under Condition 2 should be used to identify areas which may not be suitable for infiltration, and this should be further used to inform the surface water drainage scheme for the site required under Condition 1. This will ensure that surface water management by infiltration is not proposed in areas of contamination, therefore meeting the requirement of Condition 3.

**Condition 4:**
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 Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

**Reason:**
To ensure that if previously undetected contamination is encountered during the redevelopment, it is dealt with in an appropriate manner.

**Condition 5**
We also require that a condition be imposed on any planning permission granted, removing Local Authority permitted development rights under Part 12 of the Town & Country Planning GDPO 1995, within any areas of contaminated land identified within Condition 2. This would allow the County Council, as Local Planning Authority to have greater control over future building proposals that may pose a risk to controlled waters. We suggest condition wording as follows:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no development (other than that expressly authorised by the Planning Authority) shall be constructed on sites known to be at risk from contamination.

In summary, to ensure development at this site does not pose an unacceptable risk to controlled waters, there is a clear requirement for the submission of suitably timed further information which can be used to inform further aspects of the application, secured by way of planning conditions. As you are aware the discharge of planning conditions rests with the Planning Authority. It is therefore essential that you are satisfied that our proposed draft conditions meet the requirements of Circular 11/95
‘Use of Conditions in Planning Permission’. Please notify us if you are unable to apply our suggested conditions, as we may need to tailor our advice accordingly.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact Lesley Tims on the number below.

Yours faithfully

Ben Thornely  
Team Leader Planning Liaison  
Please ask for Lesley Tims  
Planning Liaison Officer

Direct dial 01536 385159  
Direct e-mail lesley.tims@environment-agency.gov.uk
PLANNING STATEMENT
Northamptonshire County Council/Kettering Borough Council/ United
Learning Trust, Kettering Buccleuch Academy
Weekley Glebe Road, Kettering, Northamptonshire NN16 9NS

Our Reference: CET/3678
Date: 29th November 2010

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