Town and Country Planning Act 1990

PLANNING PERMISSION

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

Name and address of agent (if any)
Nicholas Hare Architects LLP
3 Barnsbury Square
London
N1 1JL

Part I - Particulars of application

Date of Application
25th March 2011

Application No.
NCC Ref: 11/0002/CCD
KBC Ref: KET/2011/0237

Particulars and location of development

Variation of condition 2 of planning permission 10/00084/CCD to amend the approved design to include a single storey extension on the north elevation to provide additional dining accommodation, an external plant compound/bin store, installation of roof mounted flues to service fixed science fume cupboards and a revised main academy entrance on the south elevation at Kettering Buccleuch Academy (Montagu School site) and Weekley Glebe Field Site, Weekley Glebe Road, Kettering, 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:-

Note: This consent supersedes, consolidates and updates planning permission 10/00084/CCD.

In the interests of clarity the following is a list of conditions originally granted on planning permission 10/00084/CCD with various amendments and updates reflecting

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planning permission 11/00022/CCD. Conditions that are struck through have been deleted or updated as they have been dealt with or are no longer appropriate.

Time Limit

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

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

Scope of Permission

2. Except as otherwise required by conditions attached to this planning permission, the development hereby permitted shall be carried out in accordance with the approved plans/reports listed in the attached schedule.

   REASON: For the avoidance of doubt and in the interests of amenity with regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Materials

3. Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the County Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.

   REASON: In the interest of the appearance of the building and the visual amenities of the area with regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Landscape

4. Within 6 months of the date of this permission, a scheme of landscaping incorporating native species shall be submitted to the County Planning Authority. Once approved, the scheme shall be fully implemented during the first available planting season following the completion of development. Any trees, shrubs or hedges planted in accordance with the approved scheme shall be maintained and any plants which within five years of planting either die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the County Planning Authority.

   REASON: To compensate for planting lost as a result of the development and in the interest of amenity with regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

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Ecological Management Plan

5. Within 6 months of the date of this permission, an Ecological Management Plan (EMP) for the school site shall be submitted to the County Planning Authority for approval in writing. The plan should set out a range of measures for improving the ecological quality of the site including, but with greater details, those originally suggested in Section 4 of the Extended Phase 1 Ecological Assessment produced by Mott MacDonald as part of the supporting information for the application. In addition, the EMP should also include how the features will be managed in the longer term and details of the landscaping scheme for the site, again to be agreed with the County Planning Authority in writing. The landscaping should consist of native species.

REASON: In the interests of the protection of the ecology and associated habitat of the site in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Bats

6. The mitigation and enhancement measures as detailed in Sections 4 and 5 of the Bat Survey and Mitigation Plan dated November 2010 produced by Mott Macdonald are implemented.

REASON: To avoid any detrimental impact upon Bat Species in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Highways

7. 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).

Fencing

8. Prior to the erection of any fence on the site, details shall be submitted to the County Planning Authority in respect of the type, height, colour and location of all perimeter and internal fences for approval in writing. The details as approved shall thereafter be implemented.

REASON: In the interests of residential amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

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Travel Plan

9. Before the new academy building 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).

Cycle Parking

10. Prior to the commencement of the development hereby permitted, details of cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the County Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Construction Management Plan

11. 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 both the construction and demolition phases;
- Control of noise emanating from the site during both the construction and demolition phases;
- 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 both the construction and demolition phases;

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- Details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded;
- 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. Formally discharged 22nd July 2011 and in accordance with Willmott Dixon’s Construction Phase Plan Revision C dated 27th June 2011.

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).

Hours of Construction

12. Except as may otherwise be agreed in writing by the County Planning Authority all construction works including demolition shall be confined to the hours of 8.00am to 6.00pm Mondays to Friday and 8.00am to 1.00pm on Saturdays, with no works on Sundays, Bank or Public Holidays. During school term construction traffic or deliveries shall not be permitted to enter or leave the site between 08.15am to 09.00am and 14.45pm and 15.45pm.

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

Highway Safety

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

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

Community Use

14. Prior to the occupation and use of the development, a Community Use Scheme for the Artificial Grass Pitch, 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.

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Playing Pitches/Sports Facilities

15. The Floodlit 3G Artificial Grass Pitch shall be constructed in accordance with the appropriate guidance shall be floodlit and shall be available for use within 3 months of the completion of the development.

REASON: To ensure the development is fit for purpose, subject to high quality design standards and sustainable and to accord with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

16. The MUGA's shall be constructed in accordance with appropriate guidance and the appropriate surface shall be provided for the designated sports use and shall be available for use within 3 months of the completion of the development.

REASON: To ensure the development is fit for purpose, subject to high quality design standards and sustainable and to accord with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

17. 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 and is available for use concurrent beneficial use of the development hereby approved.

REASON: To ensure the development is fit for purpose, subject to high quality design standards and sustainable and to accord with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Flood Risk

18. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 2nd December 2010, Report no. R.003, prepared by JMP Consultants and development shall not be commenced until such time as a scheme to determine the discharge rate of the surface water via soakaway has been submitted to, and approved in writing by, the County Planning Authority.

REASON: To prevent flooding by ensuring the satisfactory disposal of surface water from the site in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Noise

19. The building and any plant shall be acoustically insulated to a scheme submitted to and approved by the County Planning Authority before the use commences. The scheme shall ensure that the background noise level at the

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boundary of the site or the nearest noise sensitive dwelling does not increase. For the avoidance of doubt calculated noise levels at the measurement point should be 10dBA below the existing background level.

REASON: To prevent an increase in background noise levels and protect the amenity of any residents in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Refuse

20. Prior to the commencement of the use hereby approved, a scheme for the storage and collection of waste, particularly food waste shall be submitted to and approved by the County Planning Authority. These facilities shall be retained at all times thereafter, unless otherwise agreed in writing with the County Planning Authority.

REASON: In the interest of public health in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Reporting of Unexpected Contamination

21. In the event that contamination is found at any time when carrying out the approved development that was not previously identified in the report ‘Ground Investigation at Buccleuch Academy, Kettering Factual and Interpretative Report for Willmott Dixon Construction Limited Project Number : PC104350 dated October 2010 it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11 (or any model procedures revoking and replacing those model procedures with or without modification)’ and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the County Planning Authority before any measures to address the contamination commence. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the County Planning Authority before the condition can be discharged.

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

Archaeology

22. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of

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investigation which has been submitted by the applicant and approved in writing by the County Planning Authority. Formally discharged on 10th May 2011 and in accordance with Archaeological Evaluation Report prepared by University of Leicester ref. 2011-057.

REASON: To ensure that features of archaeological interest are properly examined and recorded, in accordance with PPS5 Policy HE12 and Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

External Lighting

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

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

Floodlighting

24. Prior to the erection of the floodlights hereby approved details of the level of illumination, angling and cowling of the light sources shall be agreed in writing with the County Planning Authority and the agreed scheme shall be implemented in full prior to the use of the lighting commencing and retained as thereafter.

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

25. The use of floodlighting in connection with the all weather pitches/MUGAs shall be restricted between 07.45 to 22.30hrs Monday to Friday, 07.45 to 18.00hrs on Saturdays and 10.00 to 13.00hrs Sundays, Bank and Public Holidays except as may otherwise be agreed with the County Planning Authority.

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

BREEAM

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

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REASON: In the interests of sustainability in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy (2008).

Secured by Design

27. Prior to the commencement of development, a scheme detailing the security standards to be incorporated within all openings associated with the development shall have been submitted to and approved in writing by the County Planning Authority in consultation with the Police Crime Prevention Design Advisor and in line with the recommendations of ‘Secured by Design’.

REASON: 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 (2008).

Public Art

28. Prior to the occupation and use of the development, a detailed public art plan shall be submitted to and approved in writing by the County Planning Authority. The plan shall include:

- Creative vision for public art within the scheme
- Evidence of consultation with local stakeholders
- Aims and objectives
- Description of artist’s roles and outline briefs
- Proposed artist appointment processes
- Artist shortlists
- Management structures
- Evidence of financial commitment on behalf of the applicant to delivering the programme

REASON: In the interest of the history, culture and visual amenities of the area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Protection of Breeding Birds

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

REASON: To ensure that breeding birds are not adversely affected in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Protection of Trees/Existing Hedgerow

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30. All trees, hedgerows and shrubs to be retained shall be protected from any
development, including the storage of earth and materials, by means of
appropriate fencing in accordance with the provisions of the British Standard
5837:2005 "Recommendations for Trees in Relation to Construction", or as
otherwise may be agreed in writing with the County Planning Authority.

REASON: In the interest of amenity with regard to Policy 13 of the North
Northamptonshire Core Spatial Strategy (2008).

Extract Flues

31. Within one month of the date of this permission, details of the proposed colour
scheme for the extract flues shall be submitted to the County Planning
Authority for approval in writing. The approved colour scheme shall then
implemented forthwith and maintained as such thereafter.

REASON: In the interest of visual amenity having regard to Policy 13 of the
North Northamptonshire Core Spatial Strategy (2008).

REASONS FOR APPROVAL

The proposed amendments to the approved scheme are considered to be
acceptable, and it is not considered that the proposed amendments will have any
significant impact on the overall design concept for the new academy building, visual
amenity or generate an unacceptable level of noise or nuisance. Therefore, the
proposed amendments are considered to be acceptable having regard to Policy 13
of North Northamptonshire Core Spatial Strategy 2008.

Date: 31st August 2011  Signed: [Signature]

For Assistant Director of Environment and Planning

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under the Building Regulations for which separate permission may be required. The
requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability
should also be adhered to wherever appropriate.
Schedule of Approved Plans/Reports

Application Forms dated 7th December 2010
Planning Statement
Design and Access Statement dated November 2010
Design and Access Addendum dated March 2011

Drawing No. 627-PL-001-00  Site Location Plan
Drawing No. 627-PL-002-00  Site Aerial Photo
Drawing No. 627-PL-100-01  Ground Floor Plan
Drawing No. 627-PL-101-02  First Floor Plan
Drawing No. 627-PL-102-02  Second Floor Plan
Drawing No. 627-PL-103-01  Third Floor Plan
Drawing No. 627-PL-200-03  Elevations
Drawing No. 627-PL-201-00  Part Elevations
Drawing No. 627-PL-210-03  Elevations – North
Drawing No. 627-PL-211-03  Elevations – North Wing
Drawing No. 627-PL-212-03  Elevations – Central Wing
Drawing No. 627-PL-213-03  Elevations – South Wing and Art Terrace (East)
Drawing No. 627-PL-214-03  Elevations – South
Drawing No. 627-PL-215-03  Elevations – Primary
Drawing No. 627-PL-216-03  Elevations – Courtyard
Drawing No. 627-PL-300-02  Sections
Drawing No. 627-PL-301-00  Part Sections 1
Drawing No. 627-PL-302-00  Part Sections 2
Drawing No. 627-PL-600-00  Aerial Sketch Views
Drawing No. 627-PL-601-01  Aerial Visualisation of Site
Drawing No. 627-PL-602-01  Entrance Approach Visualisation
Drawing No. 627-PL-603-00  Foundation Courtyard Visualisation
Drawing No. 627-PL-604-00  Internal Visualisation
Drawing No. 627-PL-EC100-02  Energy Centre Plan
Drawing No. 627-PL-EC200-02  Energy Centre Elevations
Drawing No. 627-PL-SP100-01  Ground Floor Plan
Drawing No. 627-PL-SP200-00  Sports Pavilion Elevations
Drawing No. 627-PL-SP300-00  Sports Pavilion Sections

Landscape Design Statement dated December 2010

Drawing No. D1864 L.100 Revision E  Colour Landscape Masterplan
Drawing No. D1864 L.211 Revision B  Hard Landscape Sheet 1 of 6
Drawing No. D1864 L.212 Revision D  Hard Landscape Sheet 2 of 6
Drawing No. D1864 L.213 Revision C  Hard Landscape Sheet 3 of 6
Drawing No. D1864 L.214 Revision C  Hard Landscape Sheet 4 of 6
Drawing No. D1864 L.215 Revision D  Hard Landscape Sheet 5 of 6
Drawing No. D1864 L.216 Revision C  Hard Landscape Sheet 6 of 6
Drawing No. D1864 L.310 Revision C  Plant Schedule and Specification
Drawing No. D1864 L.311 Revision C  Soft Landscape Sheet 1 of 6
Drawing No. D1864 L.312 Revision D  Soft Landscape Sheet 2 of 6
Drawing No. D1864 L.313 Revision B  Soft Landscape Sheet 3 of 6

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Montague School – Extended Phase 1 Ecological Assessment dated May 2009
Bat Survey & Mitigation Plan dated November 2010
Arboricultural Report dated October 2010
Transport Assessment dated April 2010
Transport Assessment – Addendum dated November 2010
Archaeology Desk Top Study dated October 2010
Kettering Roman Settlement Report dated 2002
Heritage Statement dated February 2011
Sustainable Design and Energy Statement dated December 2010
Sustainable Design and Energy Statement – Supplementary Statement
Ground Investigation Report dated October 2010
Flood Risk Assessment dated December 2010
Foul Water Drainage Statement
Drawing No. 10-348-P500 Revision B Proposed Levels
Drawing No. 10-348-P501 Revision C Drainage Layout
Drawing No. 03354-HL-00-XX-DR-E-630-3004-T3 Site Plan External Lighting
Noise from Fixed Plant & Equipment - Letter from SRL dated 2 December 2010

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