



**Town and Country Planning Act 1990**

**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)**

GHM Rock Townsend  
The Old School  
Exton Street  
London  
SE1 8UE

**Part I - Particulars of application**

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**Date of Application**

27<sup>th</sup> May 2008

**Application No.**

08/00045/CCD / 08/00290/COC

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**Particulars and location of development**

Erection of a new one form entry primary school at Land to the West of Stanion.

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**Part II - Particulars of decision:**

**The Northamptonshire County Council**

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

**Time Limit**

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

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

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## Scope of Permission

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

**Reason:** To define the scope of the permission and in the interest of clarity.

## Materials

3. The development hereby permitted shall not commence until details of all external materials and/or finishes have been submitted to the County Planning Authority and shall then only take place in accordance with the details as approved.

**Reason:** To retain control of the external appearance of the development in the interest of visual amenity and in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

## Landscaping

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 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.

## Lighting

5. 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.

## Fencing

6. 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

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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.

### **Travel Plan**

7. Before the school is first brought into use an Interim School Transport 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 and an annual monitoring report on its effectiveness shall be submitted to the County Planning Authority on the anniversary of such approval, the conclusions and recommendations of which shall, within 3 months, be implemented in full.

**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.

### **Cycle Provision**

8. Within 3 months of the date of this planning permission, a plan shall be submitted to the County Planning Authority showing the precise location and layout of 40 individual and secure cycle spaces in accordance with the standards set out on the County Council's adopted Supplementary Planning Guidance 'Parking' and except as may otherwise be agreed in writing by the County Planning Authority the plan shall be fully implemented in a phased manner, over a period of 5 years from the date of first occupation with not less than 25% of the cycle spaces available on first occupation.

**Reason:** To ensure that an appropriate number of cycle spaces shall be provided in accordance with the standards set out in the Supplementary Planning Guidance ('Parking') adopted in March 2003 by the County Council.

### **Safer Routes to School**

9. Prior to the new school coming into operation, a pedestrian / cycle route audit as part of the "Safer School" strategy, shall be submitted to and agreed in writing by the County Planning Authority. Any agreed works shall be fully implemented prior to the new school coming into operation.

**Reason:** To ensure Safer Routes to School principles and strategy are implemented as part of the development in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

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## Surface Water Drainage

10. The surface water drainage system for the site shall be constructed in accordance with the approved details. The approved scheme shall be implemented before the construction of impermeable surfaces draining to this system and fully completed in accordance with the approved details unless otherwise agreed in writing by the County Planning Authority.

**Reason:** To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

## Contaminated Land

11. Unless as otherwise agreed by the County Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 12 to 15 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the County Planning Authority in writing until condition 15 has been complied with in relation to that contamination.

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

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

- i. a survey of the extent, scale and nature of contamination;
- ii. an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- iii. an appraisal of remedial options, and proposal of the preferred option(s).

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

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

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

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

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

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

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

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

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with the requirements of condition 13, which is subject to the approval in writing of the County Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the County Planning Authority in accordance with condition 14.

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

- 16.A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the County Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the County Planning Authority.

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

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

### **Protection of breeding birds**

17. Operations that involve the destruction and removal of trees and other vegetation shall 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.

### **Protection of Trees/Existing Hedgerow**

18. All trees and hedgerows 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.

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**Reason:** In the interest of amenity with regard to policy 13 of the North Northamptonshire Core Spatial Strategy.

### Hours of Construction Works

19. No construction works or deliveries into the site shall take place other than between the hours of 07.30 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the County Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the County Planning Authority.

**Reason:** 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.

### Informative(s)

1. For the avoidance of doubt the drawings and documentation to which this decision refers are as follows:-

Drawing Nos. 01, 02, 03, 2658P/01, 10, 11, 12, 20, 21, 30, 40, 41 and 28090, Design and Access Statement and Planning Support Statement.

### REASONS FOR APPROVAL

It is considered that the proposed new primary school would not adversely impact upon residential amenity or the visual appearance of the area and it is in accordance with the relevant development plan policies. The outstanding issues which have been raised by the Borough Council's Environmental Health Officer and the Highways Authority can be dealt with by the imposition of planning conditions. The site, size and design of the new primary school are considered to be acceptable and the proposed development is considered to be acceptable having regard to policy 13 (General Sustainable Development Principles) of North Northamptonshire Core Spatial Strategy (2008). It is therefore recommended that planning permission be granted subject to conditions.

Date: 5<sup>th</sup> November 2008

Signed:



For Chief Planning Officer

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