Town and Country Planning Act 1990

PLANNING PERMISSION

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

Name and address of agent (if any)
GSS
2 Spencer Parade
Northampton
NN1 5AA

Part I - Particulars of application

Date of Application
4 April 2013

Application No.
NCC Ref: 13/00012/CCDFUL
KBC Ref: KET/2013/0276

Particulars and location of development
Extension and refurbishment providing new teaching spaces to accommodate a 3 form entry school, including improvements to external areas and onsite parking at Barton Seagrave Primary School, Belvoir Drive, Barton Seagrave, Kettering, Northamptonshire, NN15 6QY.

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:-

1. **Commencement**

   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. Written notification of the date of commencement shall be sent to the County Planning Authority within seven days of such commencement.

   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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2. **Scope of Permission**

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

- Planning Application Forms dated 28 March 2013
- Site Location Plan drawing no. S4 revision B dated June 2012
- Proposed Site Plan drawing no. SK06 revision D dated 9 August 2012
- Proposed Ground Flood Plan drawing no. SK03 revision C dated 2 August 2012
- Proposed Elevations drawing no. SK07 revision B dated 31 January 2013
- PV Panel Location drawing no. 120895/M/1800 Rev T1 dated February 2013
- Planning Statement reference CC/JEJK/VW/Sch.201 dated 14 March 2013
- Design and Access Statement reference CC/JEJK/VW.Sch.201 dated 14 March 2013
- Transport Statement reference 4955R001 TS dated March 2013
- Flood Risk Assessment reference R-FRA-Q6127FA-01-A dated March 2013
- Ecological Assessment reference DMB/770420/R1 revision 3 dated 27 March 2013
- Environmental Impact Statement reference 120895 dated September 2012
- Sustainability Report reference 120895 dated September 2012
- Ground Investigation Report reference STJ2236A-G01 Revision 0 dated August 2012

Reason: To specify the approved documents and plans in the interests of amenity and the environment having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

3. **Construction Management Plan**

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:

i. Overall strategy for managing environmental impacts which arise during construction;
ii. Proposals for informing neighbouring properties of the construction programme, including contact details for the site manager on site;
iii. Measures to control the emission of dust and dirt during construction;
iv. Control of noise emanating from the site during the construction

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period;

v. Construction Plant Directional signage (on and off site);

vi. Provision for emergency vehicles;

vii. Provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials;

viii. Details of delivery times;

ix. Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;

x. Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;

xi. Storage of plant and materials used in constructing the development; and

xii. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works.

The approved Construction Management Plan shall be implemented as approved throughout the construction period.

Reason: In the interests of residential amenity, highway safety and visual amenity having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

4. Hours of Construction

Except as further restricted by condition 5, all construction works shall be confined to the hours of 7.30am to 5.30pm Mondays to Fridays and 8.00am to 1.00pm on Saturdays, with no works on Sundays, Bank or Public Holidays.

Reason: To protect the amenities of neighbouring properties from noise and other disturbance having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

5. Hours of Working - Construction Delivery

Construction vehicles shall not enter or leave the site between the hours of 8.15am to 9.30am and 2.45pm to 3.45pm Mondays to Fridays during term time.

Reason: In the interests of amenity and highway safety having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

6. Arboricultural Report

Except as otherwise required by conditions attached to this planning permission the development shall be undertaken in accordance with the submitted Arboricultural Impact Assessment Revision 6 dated 10 June 2013.

Reason: To ensure that retained trees, shrubs and hedgerows are protected from damage in the interests of visual amenity and biodiversity, having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

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7. Arboricultural Method Statement

No development shall take place, nor equipment, machinery or materials shall be brought on to the site for the purpose of development, until an Arboricultural Method Statement for the protection of trees, shrubs and hedgerows to be retained within the vicinity of the development has been submitted to and approved in writing by the County Planning Authority. The Arboricultural Method Statement shall be prepared in accordance with the guidelines contained in BS5837:2012 (Trees in relation to design, demolition and construction). The protection measures shall be appropriate to the scale and duration of the development hereby permitted and shall include:

i. A Tree Protection Plan that clearly shows any trees that are to be removed as well as those trees in the vicinity of the development that are to be retained, including the location of protective measures proposed around any Root Protection Area, Construction Exclusion Zone and/or Ground Protection Zones;

ii. A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work;

iii. Details of development supervision by a suitably qualified, competent and experienced person; and

iv. Timing and methods of site visiting and record keeping and provision of monitoring to the Arboricultural Clerk of Works and the County Planning Authority.

The approved Arboricultural Method Statement shall be implemented as approved throughout the construction period.

Reason: To ensure that retained trees, shrubs and hedgerows are protected from damage in the interests of visual amenity and biodiversity, having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

8. Landscaping Scheme

Prior to occupation of any part of the development hereby permitted, a Landscaping Scheme shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include types, number and size of species proposed with a focus on native species. The landscaping scheme as agreed in writing by the County Planning Authority shall be implemented within the first available planting season following the completion of the development hereby permitted.

Reason: To ensure the enhancement of the site and to safeguard the visual amenities of the vicinity having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

9. External Lighting

No external lighting shall be erected or installed until a scheme has been submitted in writing and approved by the County Planning Authority. The scheme shall include a layout plan that covers all new proposed external

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lighting and details the proposed beam orientation and schedule of equipment in the design, including luminaire type, mounting height, aiming angles and luminaire profiles. In addition a lighting contour map shall be submitted along with detail of the proposed operating hours for the lighting and how these would be controlled. The approved scheme shall be installed, maintained and operated in accordance with the approved details for the lifetime of the development.

Reason: In the interests of amenity, ecology, site security and sustainability in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

10. **Materials**

The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with those detailed in the application.

Reason: In the interest of the appearance of the school and the visual amenities of the area having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

11. **Cycle Spaces**

Within three months of the occupation of the development hereby permitted a total of 40 cycle spaces (including a minimum of 18 covered spaces) shall be provided on the site as shown on Proposed Site Plan drawing no. SK06 revision D dated 9 August 2012.

Reason: To ensure that an appropriate number of cycle spaces are provided and to encourage the use of means of transport other than the private car in accordance with having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

12. **Cycle Spaces**

The number of cycle spaces provided shall be reviewed annually alongside the school travel plan (condition 17) and additional covered spaces shall be provided if the results of the annual review demonstrate that there are insufficient numbers of cycle spaces to meet peak demand.

Reason: To encourage staff and students to cycle and ensure that an appropriate number of cycle spaces are provided in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

13. **Car Park Management**

Prior to the occupation of the development hereby permitted a scheme for managing the use of the back to back car parking spaces shall be submitted to the County Planning Authority for approval in writing. The approved scheme Statement shall be implemented thereafter.

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Reason: To encourage staff and students to cycle and ensure that an appropriate number of cycle spaces are provided in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

14. Playing Field Restoration

Within six months of the occupation of the building hereby approved the areas of playing field disturbed during construction shall be reinstated to a standard at least the equivalent of the remainder of the school playing field.

Reason: To ensure the playing field is restored to a condition fit for purpose.

15. Removal of Mobile Classrooms

Within three months of the completion of the development hereby permitted the two mobile classrooms shown on the Existing Site Plan drawing no. S1 revision C dated 3 August 2012 shall be removed from the site.

Reason: To protect the amenities of neighbouring properties having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

16. Contaminated Land

If, during development, ground contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the County Planning Authority for a remediation strategy detailing how this contamination shall be dealt with.

Reason: To ensure that risks from land contamination are minimised and to ensure that the development can be carried out safely without unacceptable risks to human health and the environment having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

17. Travel Plan

The submitted travel plan (reference 9282217) shall be implemented prior to occupation of any of the extensions hereby permitted and shall be subsequently reviewed on an annual basis and updated where appropriate with updates to be submitted to the County Planning Authority for approval in writing.

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 having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

18. Highway Safety

All vehicles entering and leaving the site shall be cleansed of mud and other

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debris to ensure that there is no nuisance dust and no mud or debris deposited on the public highway.

Reason: To ensure satisfactory access and avoid any adverse impacts on the highway network and highway safety having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

19. **Complaints**

In the event that complaints regarding dust, noise, lighting or other land use planning matters are received by the County Planning Authority from any sensitive receptor, and thereafter notified to the occupier, an assessment of the complaint shall be undertaken by the occupier. A report on the findings, with proposals for removing, reducing or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures and works to be undertaken shall be submitted to the County Planning Authority no later than five working days from the receipt of the complaint, unless a later date is otherwise agreed in writing by the County Planning Authority. The approved proposals shall be implemented in accordance with the agreed programme and shall be maintained thereafter.

Reason: In the interests of amenity protection having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (June 2008).

**REASONS FOR APPROVAL**

It is proposed to expand Barton Seagrave Primary from two form to three form entry with an increase in pupil numbers from 420 to 630 in order to help accommodate the increasing number of primary-aged children in the area. Four additional classrooms, a staff room, reception, offices and toilet facilities are proposed between the infant and junior school buildings. Also proposed is the infilling of areas on the north and west elevations to create improve classroom space and storage. Finally an extension is proposed in the north-east corner of the site to create two further classrooms and associated facilities. The proposed extensions are single storey in height. Improvements to parking and access are also proposed and would necessitate the removal of existing mobile classrooms and the disused Premises Manager’s building and garage. The location, appearance and design of the extensions are considered to be acceptable having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy. In particular the design and appearance of the school will enhance the character of its surroundings and will not result in loss of light or overlooking and will not detract from visual amenity for neighbouring properties.

The main issues relating to these proposals are traffic and highway safety and corresponding amenity impacts. It is acknowledged that the increase from a two form entry to a three form entry will have some implications for traffic and highway safety, and this is raised in the representation from a local resident and the response from Barton Seagrave Parish Council. The Highway Authority has been consulted on this application and has no objection to the proposed development. It is not considered that the Parish Council’s request to open the car park to parents at pick

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up and drop off times is practical and this has not been taken forward. The proposals do include a significant increase to the current parking provision and this would help remove some of the staff vehicles from surrounding streets and makes good use of the available space. In conjunction with the required implementation of the measures set out in the approved travel plan it is considered that the development will not have an adverse impact on the highway network or highway safety that would justify refusal of this application. While some highway impacts are anticipated during construction and from the increase in pupil numbers these impacts must be balanced against the statutory requirement for school places to meet educational needs. The increased demand for primary school places is significant and the NPPF gives great weight to the need to create, expand or alter schools. It is considered that the need for the development outweighs the negative impacts relating to traffic and amenity and the proposed development is acceptable having regard to the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

INFORMATIVE

1. **Tree Preservation Order**

   The applicant is advised that Wallis Spinney is protected by a Tree Preservation Order (TPO) and that these works will affect the TPO and therefore require consent from Kettering Borough Council.

2. **Building Regulations**

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

3. **Flood Risk Standing Advice**

   The applicant's attention is drawn to the Environment Agency Flood Risk Standing Advice which can be viewed on the Environment Agency web site at www.environment-agency.gov.uk

4. **Crime Prevention**

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The applicant's attention is drawn to the recommendations of the Crime Prevention Design Advisor in their correspondence dated 7 May 2013. In particular the CPDA recommends:

The development complies with the requirements of Secured by Design for Schools 2010 (www.securedbydesign.com) in so far as is practical.

- All ground floor windows and others that are easily accessible meet BS7950 or equivalent with laminated glazing to 6.8 millimetres minimum thickness.
- All external doors to conform to PAS23/PAS247 or equivalent with access control to staff room and office areas.
- Access control to all external entrances used by the public with a double set of doors to the main entrance to provide an air lock operated from reception.

5. Utilities

The applicant's attention is drawn to the response from Western Power Distribution (WPD) dated 22 April 2013 which points out that there are two underground cables which supply the buildings. WPD note that there may be other private or WPD owned electricity cables on the site that are not shown on the plan.

6. Breeding Birds

The applicant's attention is drawn to the protection given to breeding birds under the Wildlife and Countryside Act 1981. To avoid contravening the relevant provisions of the Act it would be advisable to avoid carrying out any work that might damage an active nest during the bird breeding season (March to September inclusive) or to ensure that an appropriate inspection is undertaken by a competent person to ensure that no breeding birds will be adversely affected.

7. Neighbour Notification

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

Date: 31st July 2013

Signed _______________________

For Assistant Director of Environment and Planning

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