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)
Northampton Schools Ltd Partnership
Waterside House
Waterside Way
Northampton
NN4 7XD

Part I - Particulars of application

Date of Application
28 March 2013

Application No.
NCC Ref: 13/00034/CCDFUL

NBC Ref: N/2013/0383

Particulars and location of development
Construction of a new two storey 8 classroom teaching block with small hall, external works including an enlarged staff car park and retaining wall structure, new external canopy to existing building at Lings Primary School, Hayeswood Road, Northampton, Northamptonshire, NN3 8NN.

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
- Location Plan, Drawing Number LG-01 dated March 2013
- Proposed Site and Ground Floor Plan, Drawing Number LG-04 dated March 2013
- Proposed Plans, Drawing Number LG-05 dated March 2013
- Proposed Elevations and Sections, Drawing Number LG-06 dated March 2013
- Existing Elevations, Drawing Number LG-03 dated March 2013
- Proposed Access Plan, Drawing Number LG-08 dated March 2013
- Planning Statement version 1.2
- Design and Access Statement version 1.1
- Transport Statement, Reference 4875R010A TS dated October 2012
- Drainage Assessment dated 12 March 2013

Reason: To specify the approved documents and plans in the interests of amenity and the environment having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

3. **Archaeology**

Prior to the commencement of any part of the development hereby permitted the applicant, or their agents or successors in title, shall secure 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 features of archaeological interest are properly examined and recorded, in accordance with paragraph 141 of the National Planning Policy Framework.

4. **Parking**

Prior to the commencement of any part of the development hereby permitted a revised layout plan that provides for further parking on the site shall be submitted to and approved in writing by the County Planning Authority. The parking layout as approved shall be implemented within six months of the occupation of the building hereby permitted and shall thereafter be maintained for the lifetime of the development.

Reason: In the interests of residential amenity and to avoid adverse impacts on the highway network and highway safety having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

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5. Contaminated Land

Prior to the commencement of any part of the development hereby permitted an Intrusive Investigation Report including a method statement and phasing programme for any remedial works and in accordance with the submitted Preliminary Investigation Report (Reference STJ2295M-P01 Revision 0 dated November 2012) shall be submitted to and approved in writing by the County Planning Authority. The report shall be implemented in accordance with the approved details. Confirmation of the full implementation of the recommendations of the report, including validation reports, shall be submitted to the County Planning Authority within two weeks of completion of the remediation works.

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 BN9 of the West Northamptonshire Joint Core Strategy (Pre-Submission, July 2012).

6. 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 BN9 of the West Northamptonshire Joint Core Strategy (Pre-Submission, July 2012).

7. Arboricultural Report

Except as otherwise required by conditions attached to this planning permission the development shall be undertaken in accordance with the submitted Arboricultural Report reference 12-2753/3614/D01/R v2 dated March 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 saved Policy E20 of the Northampton Borough Council Local Plan (1997).

8. 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

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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 shown on the tree protection plan 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 saved Policy E20 of the Northampton Borough Council Local Plan (1997).

9. **Earthworks**

Prior to the commencement of any of the development hereby permitted a scheme for the management of any excavated material that is to be retained on the school site shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include a map showing the proposed areas and depths of fill and the root protection areas of any trees in the vicinity of proposed filling. The scheme, as approved in writing shall be implemented.

Reason: To maximise the area of land available for recreation and ensure that retained trees, shrubs and hedgerows are protected from damage in the interests of visual amenity and biodiversity, having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

10. **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:

a) Types, number and size of species proposed with a focus on native species.

b) Aims and objectives of proposed landscaping;

c) Appropriate management options for achieving aims and objectives;

d) Prescriptions for management actions;

e) Preparation of a work schedule (including an annual work plan and the means by which the plan will be rolled forward annually);

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f) Personnel responsible for implementation of the plan;
g) Monitoring and remedial / contingencies measures triggered by monitoring.

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 that retained trees are protected from damage in the interests of amenity and biodiversity having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

11. **Landscape Maintenance**

Trees, shrubs and hedges planted in accordance with the approved landscaping scheme shall be maintained and any plants which die, are removed or become seriously damaged or diseased within five years of planting shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing with the County Planning Authority.

Reason: To ensure the enhancement of the site and to safeguard the visual amenities of the vicinity having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

12. **Construction Management**

Prior to the commencement of any part of the development hereby permitted, a final Construction Management Plan in general accordance with the submitted Preliminary Construction Management Plan, Drawing Number LG-10 dated March 2013 shall be submitted to and approved in writing by the County Planning Authority. The Construction Management Plan shall include details of on-site wheel cleaning facilities. 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 saved Policy E20 of the Northampton Borough Council Local Plan (1997).

13. **Hours of Construction**

Except as further restricted by condition 14, 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 saved Policy E20 of the Northampton Borough Council Local Plan (1997).

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14. **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 saved Policy E20 of the Northampton Borough Council Local Plan (1997).

15. **Plant and Equipment**

Prior to the commencement of any part of the development hereby permitted, full details of proposed external plant and equipment, including renewable or low carbon technology, shall be submitted to and approved in writing by the County Planning Authority. The submitted information shall include elevation drawings showing any plant and equipment that will affect the approved elevations. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the appearance of the building and the amenity of the area having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

16. **Noise**

Prior to the commencement of any part of the development hereby permitted full details of predicted noise from any proposed external plant or equipment, including renewable or low carbon technology, and the provisions to be made for its control, shall be submitted to and approved in writing by the County Planning Authority. The approved control measures shall be implemented prior to occupation of the building hereby permitted and shall be maintained thereafter.

Reason: In the interests of residential amenity having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

17. **Materials**

Prior to the commencement of construction of the new building hereby permitted, details of the proposed exterior brick, including make and manufacturer and a photograph showing the colour and finish of the proposed brick against the existing brick of the adjacent school building shall be submitted to and approved by the County Planning Authority in writing. The approved brick shall be used for the construction of the external brickwork.

Reason: To provide the best match for the existing brickwork at the site in the interest of the appearance of the school and the visual amenities of the area having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

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18. **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 saved Policy E20 of the Northampton Borough Council Local Plan (1997).

19. **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 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 saved Policies E20 and E40 of the Northampton Borough Council Local Plan (1997).

20. **Cycle Spaces**

Within six months of the occupation of the development hereby permitted ten covered cycle spaces shall be provided as shown on the Proposed Site and Ground Floor Plan, Drawing Number LG-04 dated March 2013.

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 Policies S10 and C2 of the West Northamptonshire Joint Core Strategy - Pre-Submission (July 2012).

21. **Cycle Spaces**

The number of cycle spaces provided shall be reviewed annually alongside the school travel plan (condition 22) and additional covered spaces shall be provided if the results of the annual review demonstrate that there are insufficient numbers of covered 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 Policies S10 and C2 of the West Northamptonshire Joint Core Strategy - Pre-Submission (July 2012).

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22. **Travel Plan**

No development shall commence until a revised school travel plan has been submitted in writing and approved by the County Planning Authority in consultation with the Highway Authority. The approved travel plan shall be implemented prior to occupation of the building 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 C2 of the West Northamptonshire Joint Core Strategy - Pre-Submission (July 2012).

23. **Highway Safety**

All vehicles entering and leaving the site shall be cleansed of mud and other 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 C2 of the West Northamptonshire Joint Core Strategy - Pre-Submission (July 2012).

24. **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 saved Policy E20 of the Northampton Borough Council Local Plan (1997).

**REASONS FOR APPROVAL**

It is proposed to expand Lings Primary from one form to two form entry with an increase in pupil numbers from 210 to 420 in order to help accommodate the increasing number of primary-aged children in the area. A new two storey stand-alone building is proposed that would include eight classrooms, a small hall, outdoor teaching terrace and accompanying facilities. Additional external works are proposed and include an extension of the car park, a new external canopy, additional fencing and the relocation of the kitchen pod and bin store.

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Whilst it is accepted that there will some impact upon residential amenity in terms of traffic, highway safety and amenity issues, these are not considered to be significantly adverse to justify refusal of the planning application and the creation of an additional 210 places at the school within an area where there is high demand for primary school places is considered to be of significant benefit to the local community. There has been no objection from the Highway Authority in relation to the highway safety and traffic concerns and it is considered that the proposed new extension would not have a significant adverse impact upon residential amenity in terms of traffic, highway safety and amenity issues which would justify refusal of the planning application. The issues which have been raised by the statutory consultees can be dealt with by the imposition of planning conditions. Therefore, it is considered that need for the development outweighs the negative impacts relating to amenity (traffic and noise) and highway safety through increased traffic, and the proposed development is acceptable having regard to the National Planning Policy Framework and to saved Policies E20 and E40 of the Northampton Borough Local Plan, and Policies C2 and S10 of the West Northamptonshire Joint Core Strategy (Pre-Submission, July 2012).

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.

INFORMATIVES

1. 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.

2. 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.

3. If you alter your proposals in any way, even if to comply with the Building Regulations, a further planning application may be required. If you wish to deviate in any way from the proposals shown on the approved drawings you should contact the Development Control Section, Planning Service, Floor 3, Guildhall Road Block, County Hall, Northampton, NN1 1DN (Tel. 01604 366130) for advice on the appropriate procedure.

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4. 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.

5. The applicant's attention is drawn to the recommendations of the Crime Prevention Design Advisor in the response dated 30 April 2013.

Date: 24th July 2013

Signed: ..................................

For Assistant Director of Environment and Planning

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