Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

NCC (Property Asset Management)
County Hall
P O Box 128
Northampton
NN1 1AS

Name and address of agent (if any)

Rock Townsend
Old School
Exton Street
London
SE1 8UE

Part I - Particulars of application

Date of Application

22 July 2013

Application No.

NCC Ref: 13/00069/CCDVOC

NBC Ref: N/2013/0785

Particulars and location of development

Variation of conditions 2 and 3 of planning permission 11/00057/CCD to change the materials and position of the brise soleil and amend the design of the gable ends at Kings Heath Primary School, North Oval, Northampton, Northamptonshire, NN5 7LN.

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

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.

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.
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:

- Application Form dated 11th August 2011, except as amended by planning application form dated 8 July 2013;
- Planning Statement dated August 2011, except as amended by Planning Statement;
- Design & Access Statement dated August 2011;
- Appendix A Construction Management dated August 2011;
- Appendix B Arboricultural Survey dated August 2011;
- Appendix C Noise Impact Assessment ref: C/12858/L03/CMW dated 7th July 2011;
- Appendix D Drainage/Foul Sewerage ref: 11/13366 dated 2nd August 2011;
- Appendix E External Lighting dated August 2011;
- Appendix F Contamination SI Report ref: 518022.KH dated 9th February 2005;
- Appendix G Supplementary SI Reports ref: 322943-1-1 dated 4th July 2003;
- Appendix I Transport Statement ref: 4622R003A, Revision A dated August 2011;
- Drawing No. KH-01 Rev A – Location Plan and Existing Site Plan;
- Drawing No. KH-02 – Existing Site/Ground Floor Plan;
- Drawing No. KH-03 – Existing Elevations;
- Drawing No. KH-04 Rev A – Proposed Site/Ground Floor Plan;
- Drawing No. KH-05 Rev A – Proposed Roof Plan;
- Drawing No. KH-06 Rev A – Proposed New Block Ground Floor Plan;
- Drawing No. KH-07 Revision A – Proposed Elevations/Sections;
- Drawing No. KH-08 Revision A – Proposed Site Section;
- Drawing No. KH-09 Revision A – Proposed 3D Views;
- Drawing No. KH-10 – Site Access Plan Proposed;
- Drawing No. KH-12 – External Play Space Analysis;
- Drawing No. KH-13 Rev A – Construction Management; and
- Drawing No. KH-14 – Proposed Elevations and Section

Reason: For the avoidance of doubt and in the interests of amenity with regard to Policy 2 of the East Midlands Regional Plan (2009) and Saved Policy E20 of the Northampton Borough Local Plan (1997).

3. **Materials**

Details of the materials including colours 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: Discharged in letter dated 10 September 2013.

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4. The proposed gate and fencing hereby approved shall match the existing fencing on site unless otherwise agreed in writing by the County Planning Authority.

Reason for conditions 3 to 4: In the interest of the appearance of the building and the visual amenities of the area with regard to Policy 2 of the East Midlands Regional Plan (2009) and Saved Policy E20 of the Northampton Borough Local Plan (1997).

5. Covered Link and Reception Canopy

Full details of the design of the covered link proposed to connect the new building to the existing school building and the canopy proposed adjacent to the Reception Classroom area 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. Discharged in letter dated 10 September 2013.

Reason: In the interest of the appearance of the building and the visual amenities of the area with regard to Policy 2 of the East Midlands Regional Plan (2009) and Saved Policy E20 of the Northampton Borough Local Plan (1997).

6. Hours of Construction

Except as may otherwise be agreed in writing by the County Planning Authority 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 in accordance with Policy 2 of the East Midlands Regional Plan (2009) and Saved Policy E20 of the Northampton Borough Local Plan (1997).

7. Access and Highway Safety

Except as may otherwise be agreed in writing by the County Planning Authority, construction delivery vehicles shall not enter or leave the site between 8.15am to 9.00am and 2.45pm and 3.45pm Mondays to Fridays during term time.

Reason for conditions 7 to 8: To avoid any adverse impacts on the highway network and highway safety in accordance with Policy 2 of the East Midlands Regional Plan (2009) and Saved Policy E20 of the Northampton Borough Local Plan (1997).

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9. **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:

i. Overall strategy for managing environmental impacts during construction;

ii. Measures to control the emission of dust and dirt during construction;

iii. Measures to control noise emanating from the site during construction;

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

v. Provision for emergency vehicles;

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

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

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

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

x. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works unless otherwise approved in writing by the County Planning Authority. **Discharged in letter dated 9 February 2013.**

Reason: In the interests of residential amenity, highway safety and visual amenity in accordance with Policy 2 of the East Midlands Regional Plan (2009) and Saved Policy E20 of the Northampton Borough Local Plan (1997).

10. **Travel Plan and Existing Cycle Spaces**

Prior to the occupation and use of the development, the existing School Travel Plan shall be reviewed and updated and submitted to the County Planning Authority for approval. The plan as approved shall thereafter be implemented and should be reviewed on an annual basis and updated where appropriate. **Discharged 13 August 2013.**

11. Except as otherwise agreed in writing by the County Planning Authority, within three months of the date of commencement under condition 4 Within three months of the date of this permission the existing cycle spaces shall be located under a covered shelter.

Reason for conditions 10 to 11: To reduce the number of car borne journeys related to the development, encourage the use of means of transport other than the private car and provide a degree of protection to student and staff.

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12. Cycle Provision

The provision of cycle spaces shall be monitored and reviewed on an annual basis alongside the school travel plan (condition 10) and additional covered spaces provided if the results of the annual review demonstrate that there are an insufficient number of 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 2 and 46 of the East Midlands Regional Plan (2009) and Saved Policy E20 of the Northampton Borough Local Plan (1997). 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).

13. Protection of Breeding Birds

Operations that involve the destruction and removal of trees, hedgerows and shrubs shall not be undertaken during the months of March to September 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 2 of the East Midlands Regional Plan (2009) and Saved Policy E20 of the Northampton Borough Local Plan (1997).

14. Landscaping and Protection of Trees

All trees to be retained shall be protected and replacement trees planted in accordance with the tree protection measures and landscaping specification set out in the Arboricultural Implications Plan Ref. 3526/D01/D11-0884 Rv 1 and Tree Schedule Ref. 11-0905/3526/D01/Rev1.

15. The replacement trees proposed shall not be located within two metres of any play equipment or hard surfacing and shall be planted into an edged bed or protected by tree guards or fencing in order to prevent damage by compaction.

16. Except as otherwise approved in writing by the County Planning Authority the proposed replacement trees shall comprise a *Platanus x hispanica* (London Plane), a *Betula pendula* (Silver Birch) and a native tree species such as Alder, Oak, Willow, Crabapple or Hawthorn.

17. Any trees which die or otherwise fail within five years of planting shall be...
replaced during the following planting season with trees of a similar size and species to those originally planted.

18. Should plant T1 as shown on the submitted Arboricultural Implications Plan Ref. 3526/D01/D11-0884 Rv 1 and Tree Schedule Ref. 11-0905/3526/D01/Rev1 die or otherwise fail within five years of the implementation of this permission it shall be replaced during the following planting season with a tree of similar size and species.

Reason for conditions 14 to 18: To maximise biodiversity benefits and ensure the proper maintenance and aftercare in accordance with Policy 2 of the East Midlands Regional Plan (2009) and Saved Policy E40 of the Northampton Borough Local Plan (1997).

REASONS FOR APPROVAL

The principle of an extension at Kings Heath Primary School was approved in 2011 under planning permission 11/00057/CCD but several revisions to the approved design are now sought by the applicant. The proposals to remove the brick pattern design from the gable ends and the revisions to the design of the brise soleil would not adversely impact on the character or appearance of the local area and are considered to be acceptable in accordance with Saved Policy E20 of the Northampton Local Plan. It is important to note that Northampton Borough Council has no objections to this proposal and no representations have been received from local residents. The conditions previously approved planning permission 11/00057/CCD have been updated to reflect these variations and conditions which have been discharged since the original decision.

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 by assessing the proposals against relevant Development Plan policies, all material considerations and consultation responses. This approach has been in accordance with the requirement set out in the National Planning Policy Framework, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

INFORMATIVE

1. 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. The development has commenced.

2. 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

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should contact the Development Control Section, Planning Service, Floor 3, Guildhall Road Block, County Hall, Northampton, NN1 1DN (Tel. 01604 236700) for advice on the appropriate procedure.

3. 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.

4. The applicant's attention is drawn to the recommendation of the Crime Prevention Design Advisor that all new doors and windows meet the standards outlined in the Secured by Design Guidance for Schools.

5. 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.

Date: 12th September 2013  
Signed........................................

For Assistant Director of Environment and Planning

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