Town and Country Planning Act 1990

PLANNING PERMISSION

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

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
6 August 2013

Application No.
NCC Ref: 13/00078/CCDFUL
NBC Ref: N/2013/0877

Particulars and location of development
Construction of a new 2 form entry two-storey primary school and associated external works on the site of The Duston School, to create a through-school facility at The Duston School, Berrywood Road, Northampton, NN5 6XA.

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. Time Limit

The development to which this permission relates must be begun not later than the expiration of THREE YEARS beginning 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 comply with Section 91 of the Town and Country Planning Act 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 plans:

- Application Forms dated 13 August 2013
- Planning Statement ver1.0 dated July 2013
- Design and Access Statement ver1.0 dated July 2013
- Drawing No. DT-01 Rev A - Location Plan
- Drawing No. DT-02 - Existing Site and Ground Floor Plan
- Drawing No. DT-03 - Existing Elevations 1 of 2
- Drawing No. DT-04 - Existing Elevations 2 of 2
- Drawing No. DT-05 Rev A - Site Plan
- Drawing No. DT-06 Rev A – Proposed Plan and Ground Floor
- Drawing No. DT-07 – Proposed Plan, First Floor and Roof
- Drawing No. DT-08 - Elevations
- Drawing No. DT-09 - Elevations
- Drawing No. DT-10 – Site Sections
- Drawing No. DT-11 Rev A – Proposed 3D Views & Details
- Drawing No. DT-12 Rev A – Proposed Access Plan
- Drawing No. DT-13 – Site Photographs
- Drawing No. DT-14 Rev B – Preliminary Construction Management Plan
- Transport Statement ref. 4875R011 TA dated July 2013
- Drainage Assessment ref. MBP-5394 dated October 2013
- Noise Survey ref. A619/R01 dated 12th July 2013
- Framework Travel Plan ref. 4875R011 TP dated July 2013
- Preliminary Investigation Report ref. STK2494M-G01 dated July 2013

Reason: To specify the approved documents to ensure the development as proposed is permitted and in the interests of amenity protection having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

3. **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 ref: DT-14 Rev B 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).

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4. **Archaeology**

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 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 NPPF Paragraph 141.

5. **Hours of Construction**

Except as further restricted by condition 6, 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).

6. **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).

7. **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.

8. **Foul Water Management**

No development shall commence until a foul water strategy has been submitted to and approved in writing by the County Planning Authority. The new building shall not be occupied until the works have been carried out in accordance with the foul water strategy as approved.

Reason: To prevent environmental and amenity problems arising from flooding.

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9. Surface Water Management

Prior to the commencement of any part of the development hereby permitted a surface water drainage/management scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the County Planning Authority. The scheme shall be fully implemented in accordance with the approved details before development is completed.

The scheme shall also include:
- Percolation Test results in accordance with BRE digest 365 or Ciria 156.
- The scheme should demonstrate the hierarchy of drainage has been followed
- Details of the proposed surface water drainage for all events up to and including the 0.5% (1 in 200) plus climate change

Reason: To prevent the increased risk of flooding, both on and off site.

10. 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 STK2494M-G01 dated July 2013) 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.

11. If, during development, 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.

12. 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.

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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).

13. **Parking**

Prior to the occupation and use of the development, the parking and drop-off layout shall be provided as shown on the Site Plan Drawing No. DT-05 Rev A dated July 2013 and maintained thereafter.

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).

14. **Cycle Spaces**

Prior to the occupation and use of the development, twenty covered cycle racks shall be provided as shown on the Proposed Site/Ground Floor Plan Drawing No. DT-05 Rev. A dated July 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.

15. **Cycle Spaces**

The number of cycle spaces provided shall be reviewed annually alongside the school travel plan (condition 16) 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.

16. **Travel Plan**

Prior to the occupation and use of the development, a revised travel plan shall be submitted for approval in writing by the County Planning Authority in consultation with the Highway Authority. The approved travel plan shall be implemented by the School Management Team and 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.

17. **Arboricultural Report**

Except as otherwise required by conditions attached to this planning permission the development shall be undertaken in accordance with the

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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).

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

19. **Ecological Mitigation Plan**

A protected species assessment or survey of the site shall be carried out to update the information previously submitted to the County Planning Authority together with an ecological mitigation strategy prepared by a qualified ecologist, to mitigate the impact of the development upon the identified rare or protected species.

The protected species mitigation strategy shall be submitted to and approved in writing by the County Planning Authority prior to the commencement of the development hereby permitted. The development shall thereafter be implemented in accordance with the approved ecological mitigation strategy.

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Reason: To make appropriate provision for the management of natural habitat relating to the approved development in the interests of biodiversity.

20. **Landscaping Scheme**

Prior to the occupation and use of the development, 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 and grass seed mixes proposed with a focus on native species and any hard landscaping. The scheme shall also include proposals for the eastern boundary of the site, adjacent to the new MUGAs. 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 saved Policy E20 of the Northampton Borough Council Local Plan (1997).

21. **Landscape Maintenance**

Trees, shrubs and hedges planted in accordance with the approved scheme (condition 20) 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).

22. **Plant and Equipment**

Prior to the commencement of any part of the development hereby permitted, full details of proposed external plant and equipment, including any renewable or low carbon technologies, 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).

23. **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

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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).

24. **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).

25. **Secure by Design**

Within 3 months of the date of this permission, a scheme detailing the safety and security standards including those 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'. The scheme as approved shall be implemented prior to the occupation and use of the development.

Reason: In the interest of the security and quality life of future occupants of the development having regard to saved Policy E40 of the Northampton Borough Council Local Plan (1997).

26. **All Weather Courts**

The All Weather Courts hereby permitted shall be constructed prior to the occupation of the building in accordance with the layout shown on the Proposed Site/Ground Floor Plan, Drawing Number DT-05 Rev A dated July 2012 and shall be substantially in accordance with Sport England Technical Design Guidance Notes, Artificial Surfaces for Outdoor Sports (October 2012).

Reason: To ensure the facilities are fit for purpose.

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27. 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 County Local Plan (1997).

REASONS FOR APPROVAL

The concerns expressed by local residents regarding the potential amenity impacts of the development have been carefully considered and whilst it is accepted that there will be some impact upon residential amenity in terms of traffic, highway safety and amenity issues, these are not considered to be significant enough to justify refusal of the planning application and are outweighed by the creation of an additional 420 places within an area where there is high demand for primary school places. It should be noted that the Highway Authority have not raised any objection to the proposed developments on traffic or highway safety grounds. The 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 NPPF gives great weight to the need to create, expand or alter schools and 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 (in particular paragraph 72) and to saved Policies E11, E17, E20 and E40 of the Northampton Borough Local Plan. Furthermore it is also in line with Policies BN9, C2 and S10 of the emerging West Northamptonshire Joint Core 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.

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INFORMATIVE

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.

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 response from the Crime Prevention Design Advisor dated 5 September 2013 which recommends that the new building is protected by a fit for purpose monitored intruder alarm with detectors in all ground floor classrooms as well as the communal areas.

Date: 20th November 2013
Signed

For Assistant Director of Environment and Planning

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