

RECOMMENDED PLANNING CONDITIONS

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The County Planning Authority (CPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development hereby permitted.

Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.

3. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application (as amended), documents and recommendations of reports, and the following plans:

- (a) Location Plan (Drawing 29642-ARC-ZZ-00-DR-A-00020 D5 Rev P02) received by the CPA on 4 October 2021.
- (b) Proposed Site Plan (Drawing 29642-ARC-ZZ-00-DR-A-00022 D5 Rev P04) received by the CPA on 25 November 2021.
- (c) General Arrangement Plan (Drawing 29642-ARC-ZZ-00-DR-A-00023 D5 Rev P01) received by the CPA on 25 November 2021.
- (d) Proposed Elevations (Drawing 29642-ARC-ZZ-00-DR-A-00024 D5 Rev P01) received by the CPA on 25 November 2021.
- (e) Proposed Site Sections (Drawing 29642-ARC-ZZ-00-DR-A-00025 D5 Rev P03) received by the CPA on 25 November 2021.
- (f) Reinstatement Plan (Drawing 29642-ARC-ZZ-00-DR-A-00029 D5 Rev P03) received by the CPA on 25 November 2021.

Reason: For the avoidance of doubt as to the development that is permitted.

4. Notwithstanding details on the application form this permission shall approve the use of *Paladin* (not *Palisade*) perimeter security fencing. Development shall be carried out in accordance with the approved details.

Reason: For the avoidance of doubt as to the development permitted and in the interest of visual amenity.

5. Within a period of one month preceding the commencement of development a survey recording:
- a) the ground condition and appearance of the area of public open space; and
 - b) the location, species and size of trees

that will be impacted by the proposed temporary access road between Sheepwash Way and public footpath East Leake FP5 shall be submitted to and approved in writing by the CPA.

Reason: To record the area impacted to facilitate its later reinstatement.

6. No development shall commence before the submission to the CPA of an updated ecological survey for protected species recommended on page 36 of the submitted Preliminary Ecological Appraisal Report, with development to proceed in accordance with any relevant recommendations.

Reason: To ensure that development proceeds in accordance with up to date ecological information and recommendations.

7. Vegetation clearance works to be carried out between the months of March to August inclusive shall only be undertaken in accordance with a methodology which shall be first be submitted to and approved in writing by the CPA. Works to be carried out in accordance with the approved methodology shall only be undertaken following inspection by a suitably qualified ecologist and written confirmation from the ecologist first being submitted to the CPA that breeding birds would not be adversely impacted by the proposed clearance works.

Reason: To avoid disturbance to birds during the breeding season.

8. Unless in the event of an emergency, or as otherwise may be previously agreed in writing with the CPA:
- (a) no construction deliveries or work shall take place on Sundays, Public or Bank Holidays;
 - (b) no construction deliveries to site shall take place on any day other than between 07:30–18:00 hours Mondays to Fridays and 07:30– 13:00 hours on Saturdays;
 - (c) no construction work shall be carried out or plant operated except between 07:30–18:00 hours Mondays to Fridays and 07:30–13:00 hours on Saturdays.

Reason: To safeguard the amenity of nearby residents.

9. Prior to the commencement of development, details of the method of working during the construction phase, in the form of an environmental management plan, to include:
- (a) the routeing of lorries to be used in construction between Sheepwash Way and the principal highway network (A6006);
 - (b) provision of parking for construction operatives and/or visitors;
 - (c) a scheme of noise mitigation measures to be implemented during construction, in order to minimise noise impacts to the lowest practicable levels;
 - (d) a scheme of liaison with neighbouring properties and the procedure to be followed in the event of a noise complaint;
 - (e) areas for the loading and unloading of plant and materials;
 - (f) a scheme for the recycling/disposal of surplus soils and waste resulting from construction;
 - (g) construction related lighting;
 - (h) measures to safeguard risk to mammals during the period of construction.

shall be submitted to and approved in writing by the CPA. All construction shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the CPA.

Reason: Details are required prior to the commencement of development to protect the amenities enjoyed by the occupiers of nearby properties, in the interests of sustainable construction, and to safeguard against impacts on ecology.

10. Imported aggregates and soils shall be tested or otherwise certified to be free of contaminants and suitable for their intended use with regard to impacts on the environment and the end use of the development.

Reason: To safeguard against risk to the environment and human health.

11. No development approved by this planning permission shall be commenced until:
- a) a site investigation and risk assessment recommended in the submitted Phase 1 - Geo-Environmental Desk Top Study has been

completed and approved by the CPA has been completed; and (if contamination is identified)

- b) a Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters and on the proposed land use, using the information obtained from the site investigation, has been submitted to the CPA and approved in writing by the CPA prior to that remediation being carried out on the site.
- c) Prior to commencement of main site works, the approved remediation works shall be completed in accordance with the Method Statement approved in compliance with b) to the satisfaction of the CPA.

Where site remediation has been undertaken in compliance with this condition, a validation report including evidence of post remediation sampling and monitoring results, to demonstrate that the required remediation has been fully met shall be submitted to and approved in writing by the CPA prior to the development approved by this permission first being brought into use.

Reason: To ensure that the site is suitable for use in relation to the protection of human health and controlled waters.

- 12. Prior to the commencement of main site works, a watching brief for contamination shall be submitted to and approved in writing by the CPA. In the event that during development contamination not previously identified is found to be present, no further development shall take place in the area of contamination, unless first agreed in writing by the CPA, until a remediation strategy to deal with the identified contamination has been submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: Details are required prior to the commencement of main site works to ensure that the site is remediated to an appropriate standard.

- 13. Prior to the commencement of main site works, or such other timescale as may be agreed with the CPA, a hibernacula for grass snake shall be provided in accordance with the recommendations of the submitted Reptile Report in a location that shall first be approved in writing by the CPA.

Reason: In the interest of the ecology of the site and mitigation of the impact of development.

- 14. Prior to the commencement of main site works, foul water drainage works shall be submitted to and approved by the CPA in writing. The foul drainage works shall be completed prior to the development hereby approved first being brought in to use, in accordance with the approved details.

Reason: Details are required prior to the commencement of main site works to prevent the increased risk of flooding and to minimise pollution by ensuring the provision of a satisfactory means of foul water disposal.

15. Prior to the commencement of main site works a detailed scheme of sustainable surface water drainage, including demonstrating that the approved surface water balancing pond has sufficient capacity for the proposed development, shall be submitted to and approved in writing by the CPA. The scheme shall subsequently be implemented in accordance with the approved details and shall be completed prior to the development hereby approved first being brought into use.

Reason: Details are required prior to the commencement of main site works to prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

16. Prior to the commencement of main site works details of a School Zone, which shall consider the need for improvements to the highway between (and including) the roundabout at the junction of Sheepwash Way with Kirk Ley Road, and along Sheepwash Way, and may include the making of a Traffic Regulation Order, signage and such other measures necessary to mitigate the impact of traffic and the provision of a safe route to the school, shall be submitted to and approved in writing by the CPA. The approved measures shall be implemented within a timescale agreed by the CPA and no later than the school first being brought into use.

Reason: Details are required prior to the commencement of main site works to mitigate the impact of traffic associated with construction, and in the interest of safe travel to school and the operation of the school.

17. Prior to being installed, the location, design details including height and appearance, of 10 covered cycle storage spaces shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: For the avoidance of doubt as to the development permitted in the interest of visual amenity.

18. Notwithstanding details submitted in support of the application, prior to being installed:

- a) lighting times of external construction site lighting;
- b) lighting times of operational school temporary external lighting;

- c) a scheme for the operation of external security lighting outside of hours permitted by a) and b);
 - d) the location of external light fittings; and
 - e) a lighting scheme complying with Institute of Lighting Professionals Guidance for the Reduction of Obtrusive Light – Zone E2:
 - i) within the school site;
 - ii) lighting public footpath East Leake FP5, between the footpath linking public footpath East Leake FP5 to Sheepwash Way and the school entrance gate, from within the school site; and
 - iii) lighting of the temporary access road
- all to be designed taking account of the presence of and impact on bats, shall be submitted to and approved in writing by the CPA.

Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, and to control the potential impact of external lighting on bats in order to ensure the favourable conservation status of a protected species.

19. Prior to the temporary school first being brought into use, and notwithstanding details approved in compliance with Rushcliffe Borough Council permission 20/00887/DISCON, the footpath between Sheepwash Way and the school entrance gate shall be surfaced with a bound material of a neutral colour appropriate to the location, details of which shall be first submitted to and approved in writing by the CPA. Furthermore, the footpath between Sheepwash Way and public footpath East Leake FP5 shall be lit in accordance with approval 20/00887/DISCON as a minimum during school start/finish times of darker months so as to provide a safe route between the school and the highway.

Reason: In the interest of pedestrian safety and in the interest of the visual amenity of the area.

20. Prior to being installed the design detail of the point at which the temporary access road crosses public footpath East Leake FP5 shall be submitted to and approved in writing by the CPA. The crossing point shall be grade separated, designed to slow vehicle speeds, and to give priority to pedestrian users both through physical measures and visual continuity of the surface finish. Development shall be carried out in accordance with the approved details.

Reason: To give priority to pedestrian users of public footpath East Leake FP5 in the interest of pedestrian safety.

21. The school car park approved by this permission shall be provided before the Learning Village is brought into use and shall be retained for its intended purpose throughout the life of the development.

Reason: To ensure the provision of on-site parking and manoeuvring to meet the operational needs of the school in the interest of highway safety.

22. Prior to school first being brought into use a School Travel Plan setting out measures to be employed in terms of:

- a) information to be provided to parents about the parking limitations of the temporary school, including considerate parking when making journeys to and from school by car;
- b) encouraging travel by means other than by car, including opportunities for cycling;
- c) education of children regarding safe travel to school

shall be submitted to and approved in writing by the CPA. The approved measures shall be employed for the duration of the development.

Reason: In the interest of highway safety and sustainable school travel.

23. The temporary access road approved by this permission shall be used only by school staff, for disability access, by operational service vehicles, or in the event of an emergency, and shall expressly not be used to access the school for parent drop-off and pick-up. The school shall keep the gate on the temporary access road nearest to Sheepwash Way closed at all times other than when being used for purposes authorised by this condition.

Reason: For the avoidance of doubt as to the development permitted and in the interest of safety of users of the site.

24. The school shall not permit pedestrian access to the school site from the temporary access road. All pedestrian access to the school site shall be along pedestrian routes.

Reason: To ensure the use of safe routes to school within the application site segregated from vehicular traffic.

25. The number of children on the school roll shall not exceed 120.

Reason: For the avoidance of doubt as to the development permitted. Traffic impacts have been assessed on the basis of a maximum school roll of 120 children.

26. This permission is granted for a time-limited period that shall expire on 31 July 2023 at which point the buildings and other works authorised by this permission, other than as set out in Condition 27 shall be removed and the site restored in accordance with Condition 28 of this permission.

Reason: Planning permission is granted for a temporary period with consideration of the difficulties related to the timely delivery of a permanent school building on an adjacent site. The design and appearance of the school buildings are not considered to be an appropriate architectural standard such that a permanent grant of planning permission should be permitted.

27. With the exception of

- the balancing pond;
- the improvement to public footpath East Leake FP5;
- the bound surfacing of the pedestrian route between the public footpath and Sheepwash Way; and
- improvement to pedestrian and cyclist connectivity adjacent to the Sheepwash Way turning head

approved by this permission, all temporary surfacing, buildings and fencing authorised by this grant of planning permission, unless being developed in accordance with grant of planning permission 8/21/01029/CTY or other planning permission which may have been first approved, shall be removed from the site by not later than 31 October 2023, with the exception of:

- i) the temporary access road between Sheepwash Way and the school site, including the culverted ditch crossing;
- ii) the Sheepwash Way footway crossing;
- iii) temporary access road gate; and
- iv) fencing separating the temporary access road from the adjacent open space

which shall all be removed by no later than 31 December 2023. The footway crossing to the temporary access road at the turning head of Sheepwash Way shall be reinstated to an adoptable standard by no later than 31 December 2023.

Reason: The Learning Village buildings and associated works are not of an acceptable design and appearance as permanent features of the site and their retention would detract from the visual amenity of the area. An extended period for the temporary retention of the access road would allow construction access to the lower part of the approved permanent school site.

28. The ground on which the temporary road between Sheepwash Way and public footpath East Leake FP5 has been constructed, and the area immediately adjoining impacted by the temporary works, shall be reinstated as public open space to a standard equivalent to its condition and appearance recorded in compliance with Condition 5, in accordance with a scheme of landscaping including:
- a) tree and shrub species, locations, planting size, and planting density;
 - b) grass seed mix;
 - c) establishment methods (including tree pit detail);
 - d) schedule of maintenance including a Landscape Management Plan to guide ongoing management of created and retained habitats

which shall first be submitted to and approved in writing by the CPA. Other than as may be agreed in the programme for the provision of landscaping and planting, the approved reinstatement landscaping and planting scheme shall be completed not later than Spring 2024 being the first planting and sowing seasons following the removal of the access road temporarily authorised by this permission. Any tree, plant, shrub or grass seeding that fails to become established within 5 years of the completion of the approved planting and landscaping scheme shall be replaced to the satisfaction of the CPA.

Reason: In the interest of visual amenity.

Informatives/notes to applicants

1. With reference to Condition 9, it is advised that the contractor should employ appropriate controls, following recommended guidance in BS5228-1:2009 (Code of practice for noise and vibration control on construction and open sites) to ensure that any noise impacts are kept to a minimum.
2. With reference to Condition 13, the hibernacula should be located where it will not need to be further disturbed when providing playing fields for the permanent school, and should be in the general location of where the grass snake has been identified by survey.

3. With reference to Condition 16, it may be appropriate to implement some School Zone measures early within an agreed timescale, such as a Traffic Regulation Order, to mitigate the impact of construction traffic.
4. Consideration should be given to the temporary relocation of trees impacted by the development, ideally on the adjacent area of open space, although this will require the consent of the land owner. The three trees impacted by the siting of the temporary school buildings could be replanted on the permanent school site in suitable locations taking account of the future school playing field layout.
5. NCC Rights of Way advises that a Temporary Traffic Regulation Order to close public footpath East Leake FP5 for public safety may be required for construction. An alternative route can be offered for the duration of the closure. Where the path can be kept open safely during construction a banksman should be used to safeguard the public using the footpath. No structures are to be installed on the public footpath without the prior authorisation of the highway authority. On reinstatement of the site, cycle signage should be altered to correctly sign authorised cycle routes, with a waymark post installed at the point where the cycle track splits from the public footpath to ensure clarity of the route. A post can be supplied.
6. The consent of Severn Trent Water will be required for either a direct or indirect connection to the public sewerage system under the provisions of Section 106 of the Water Industries Act 1991. Current guidance notes and an application form can be found at www.stwater.co.uk or by contacting Severn Trent Water New Connections Team (01332 683369).
7. Severn Trent Water advise that although the statutory sewer records do not show any public sewers within the site, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and the applicant is advised to contact Severn Trent Water to discuss the proposal. Severn Trent Water will seek to assist in obtaining a solution which protects both the public sewer and the building.