

**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 TNA-PL-00-001 Rev P02) received by the CPA on 26 June 2014.

- b) Site Layout Plan (Drawing TNA-PL-00-002 Rev P07) received by the CPA on 28 August 2014.

- c) Landscape Plan - West (Drawing TNA-PL-00-003 Rev P08) received by the CPA on 28 August 2014.

- d) Landscape Plan - East (Drawing TNA-PL-00-005 Rev P03) received by the CPA on 28 August 2014.

- e) Phased Construction Layout (Sheets 1 and 2) received by the CPA on 27 August 2014.

- f) Tree Retention and Removal Plan (Drawing TNA-PL-00-004 Rev P03) received by the CPA on 28 August 2014.
- g) Planting Strategy Plan (Drawing TNA-CP-94-002 Rev P04) received by the CPA on 29 August 2014.
- h) Landscape Fencing Strategy (Drawing TNA-PL-00-006 Rev P04) received by the CPA on 29 August 2014 (as may be modified by details approved in compliance with Condition 21b)).
- i) Proposed Ground Floor Plan (Drawing TNA-PL-20-000-01 Rev P04) received by the CPA on 10 July 2014.
- j) First Floor Plan (Drawing TNA-PL-20-001) received by the CPA on 26 June 2014.
- k) Second Floor Plan (Drawing TNA-PL-20-002) received by the CPA on 26 June 2014.
- l) Roof Plan (Drawing TNA-PL-20-003) received by the CPA on 26 June 2014.
- m) North and South Elevations (Drawing TNA-PL-20-100-01) received by the CPA on 10 July 2014.
- n) East and West Elevations (Drawing TNA-PL-20-101-01) received by the CPA on 10 July 2014.
- o) Main Building Elevations (Drawing TNA-PL-20-102) received by the CPA on 10 July 2014.
- p) Sports Block Elevations (Drawing TNA-PL-20-103) received by the CPA on 10 July 2014.
- q) Part Elevation (Drawing TNA-PL-20-104) received by the CPA on 10 July 2014.
- r) Lighting and CCTV (Drawing 1.4.5.54) received by the CPA on 26 June 2014 (as may be modified by details approved or required in compliance with Conditions 28 and 29).
- s) Lux Plot (Drawing 14031-BSXX(40)1004-CP Issue 3) received by the CPA on 1 September 2014 (as may be modified by details approved or required in compliance with Conditions 28 and 29).
- t) Wildflower seed mix received by the CPA on 11 August 2014.
- u) Tree Pit Detail received by the CPA on 11 August 2014.

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

4. Notwithstanding details shown on approved drawings referenced in Condition 3, prior to the commencement of main site works, a scheme to segregate vehicular traffic from pedestrians and cycle users of the shared pedestrian/cycle path to be provided to the north of the site access road such that vehicles would not be able to park on the pedestrian/cycle route, 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 interest of safe movement of pedestrians and cyclists within the site.*

5. Prior to the commencement of development a scheme of archaeological treatment for the stripping, mapping, recording and sampling of the archaeology of the site shall be submitted to and approved in writing by the CPA. The scheme shall be carried out in accordance with the approved details under the supervision of an archaeologist or archaeological organisation that shall first be approved in writing by the CPA.

*Reason: To record the archaeology the site and accord with Newark and Sherwood Development Management Policy DM9 Protecting and Enhancing the Historic Environment.*

6. Unless otherwise agreed by the CPA in writing, no tree, shrub, scrub or other vegetation clearance works shall be carried out between the months of February to August inclusive.

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

7. Prior to the commencement of development, the means of protection of trees to be retained during the period of construction which shall be sited so as not to encroach within root protection areas identified on Drawing TNA-PL-00-004 Rev P03, shall be submitted to and approved by the CPA in writing. The approved scheme shall be completed as part of site enabling works, and prior to the commencement of main site works, to the written satisfaction of the CPA.

*Reason: In order to safeguard the health of trees on the site during the period of construction and in the interest of the visual amenity of the site.*

8. Notwithstanding Condition 7, where works need to be carried out within root protection areas identified on Drawing TNA-PL-00-004 Rev P03, the work shall be carried out in accordance with a methodology which shall first be submitted to and approved in writing by the CPA.

*Reason: In order to safeguard the health of trees on the site during the period of construction and in the interest of the visual amenity of the site.*

9. 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 school day between 08:00-09:00 hours and 14:45-15:45 hours;
- c) no construction deliveries to site shall take place on any non-school day other than between 07:30-18:00 hours;
- d) no construction work shall be carried out or plant operated except between 07:30 hours–18:00 hours Mondays to Fridays and 07:30 hours – 13:00 hours on Saturdays.
- e) noise generated by construction activities on the site shall not exceed 65dB ( $L_{Aeq, 15mins}$ ) measured at a distance of 3.5m from the nearest façade of a property.

*Reason: To safeguard the amenity of nearby residents and to minimise risk of pedestrian/cycle conflict when The Newark Academy is in use.*

10. 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) lorry routeing for construction traffic;
- b) measures to prevent the deposit of debris on the public highway;
- c) the segregation of construction vehicle and pedestrian movements on site;
- d) measures for the control of noise, vibration and dust emissions (including mitigation measures in the event of a complaint);

- e) a scheme for the recycling/disposal of surplus soils and waste resulting from construction;
- f) construction site management practice to safeguard against risk to mammals (protected species) throughout 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: In the interest of highway safety, the ecological potential of the site, and to protect the amenities at present enjoyed by the occupiers of nearby residential properties.*

11. Prior to the commencement of development, an assessment of the quality of the existing grass playing field identified on attached drawing 3/14/01269/FULR3N/1 shall be submitted to and approved in writing by the CPA.

*Reason: To provide an appropriate baseline assessment of playing pitch quality that would be impacted by the development.*

12. Prior to the commencement of development approved by this planning permission, or such other time as may first be agreed in writing with the CPA, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the CPA:

- a) a site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including off-site receptors; and if required
- b) an options appraisal and remediation strategy based on the site investigation results and detailed risk assessment, giving full details of the remediation measures required, and how they are to be undertaken; and
- c) a verification plan, providing details of the data to be collected in order to demonstrate that the works set out in b) will be complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The written consent of the CPA shall be obtained prior to any change being made to components a) – c). The scheme shall be implemented as approved.

*Reason: To ensure that the site is remediated to an appropriate standard.*

13. Prior to the commencement of site works such that the existing running track is no longer available for use, the location and timescale for temporary athletic provision, which shall include a marked out running track (temporarily lit as appropriate) within the application site, shall be submitted to and approved in writing by the CPA. Temporary athletic provision shall be made available in accordance with the approved details prior to the commencement of site works such that the existing running track is no longer available for use, unless otherwise first agreed by the CPA in consultation with Newark Athletic Club, and shall be so retained until such time as permanent athletic provision is substantially completed in compliance with the unilateral undertaking reference (to be inserted) submitted in support of the application.

*Reason: To ensure satisfactory continuity of provision for sport.*

14. Prior to the commencement of main site works, a scheme of 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: To prevent the increased risk of flooding and minimise pollution by ensuring the provision of a satisfactory means of foul water disposal.*

15. Prior to the commencement of main site works a scheme of surface water drainage works which shall accord with the Flood Risk Assessment submitted in support of the application, and incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development shall be submitted to and approved in writing by the CPA. The surface water drainage works shall be completed prior to the development hereby approved first being brought in to use, in accordance with the approved details.

*Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.*

16. Prior to their use on site, samples and/or a schedule of all proposed facing materials and finishes, including paving, shall be submitted to and approved by the CPA in writing. Development shall be carried out in accordance with the approved details, other than with the prior written consent of the CPA.

*Reason: In the interest of visual amenity.*

17. Prior to use on site, design details of 2.4m high weldmesh security fencing to be installed 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 interest of visual amenity.*

18. Prior to being installed, design details of the:

- a) Sprinkler tank and related enclosure; and
- b) Covered cycle storage

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 interest of visual amenity.*

19. Prior to installation, design details of raised crossing points within the site, designed to give priority to pedestrians and cyclists over vehicular traffic, 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 interest of pedestrian and cyclist safety.*

20. Within 3 months of the commencement of development, details including timescale of proposed:

- a) provision for roosting bats in the development (in accordance with the requirements of the European Protected Species licence issued by Natural England); and
- b) provision of bird nest boxes on the building and/or retained trees;

shall be submitted to and approved by the CPA in writing. Provision for roosting bats and nest boxes shall be made in accordance with the approved details.

*Reason: To enhance the ecology of the site.*

21. Within 6 months of the commencement of development a scheme, including a programme for the provision of landscaping to include

- a) species, locations, planting size and planting density;
- b) establishment methods (including the provision of a secure fence line while hedging becomes established); and
- c) schedule of maintenance including a Landscape Management Plan to guide ongoing management of created and retained habitats

shall 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 landscaping and planting scheme shall be completed not later than the first planting season following the development first being brought into use. 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.*

22. Within 6 months of the commencement of development, design details of;

- a) replacement sports pitch construction (which shall be to a standard at least equivalent to the baseline assessment provided in compliance with Condition 11);
- b) construction specification for hard play and multi-use games areas;
- c) drainage of areas used for outdoor play and sport; and
- d) a grid of replacement sports pitch levels, multi-use games area and areas of hard play;

shall be submitted to and approved in writing by the CPA.

The replacement sports pitch, multi-use games area and areas of hard play shall be provided in accordance with the approved details prior to the development first being brought into use or in accordance with a timetable that shall first be agreed in writing with the CPA.



*Reason: To ensure the provision of a replacement pitch and outdoor facilities to a standard fit for purpose.*

23. Car parking spaces and service areas approved by this permission shall be provided in accordance with a timescale that shall be submitted to and approved in writing by the CPA. All car parking areas and associated access drives shall be surfaced and drained through trapped gullies with an overall capacity compatible with the site being drained, or other acceptable form of drainage as may be approved in compliance with Condition 15.

*Reason: To ensure the timely provision of car parking in the interest of highway safety and to safeguard against increased risk of flooding and pollution of the water environment.*

24. Prior to the commencement of works of demolition on site, a full asbestos survey of buildings to be demolished shall be submitted to and approved in writing by the CPA. Development shall not be carried out other than in accordance with the approved details.

*Reason: To ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.*

25. No demolition of existing school buildings shall take place until a scheme indicating the method of demolition, the hours of operation, the method of removal and the length of time required for demolition has been submitted to and approved in writing by the CPA. Demolition shall then proceed in accordance with the agreed scheme.

*Reason: To protect the amenities at present enjoyed by the occupiers of nearby residential properties.*

26. Unless otherwise agreed in writing by the CPA, the use of the playing fields, and school buildings for organised community activities, shall be restricted to the following hours:

School Buildings

Monday – Sunday            07:30 – 23:00 hrs

Playing Fields and Multi-Use Games Area

Monday – Sunday            09:00 – 22:00 hrs

The multi-use games area shall not be lit between 22:05 hours and 09:00.

*Reason:        To safeguard the amenity that nearby residents could reasonably expect to enjoy.*

27. Prior to the development first being brought into use, a Community Use Agreement for the use of school buildings and sports facilities (prepared in consultation with Sport England), including details of:

- a)     pricing policy;
- b)     hours of use;
- c)     access by non-school users/non-members;
- d)     management responsibilities; and
- e)     a mechanism for review of the Community Use Agreement;

shall be submitted to and approved by the CPA in writing.

The facilities shall be used in accordance with the approved Community Use Agreement unless varied by the governors of the school and parties to the agreement.

*Reason:        To ensure well managed safe community access to the sports facility and to ensure sufficient benefit to the development of sport.*

28. Notwithstanding submitted details, all external lighting to be installed shall comply with the recommendations of the Bat Method Statement - Appendix 6 received by the CPA on 17 September 2014.

*Reason: To control the potential impact of external lighting on bats.*

29. Notwithstanding approved Lux Plot (Drawing 14031-BSXX(40)1004-CP Issue 3), prior to being installed on site, the reflective luminance of MUGA lighting on the Sport Hall north elevation, designed to minimise building luminance and in compliance with *ILP Guidance Notes for the Reduction of Obtrusive Light GN01:2011*, shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details. All light fittings shall be shielded as appropriate to minimise the level of light spillage outside the application site.

*Reason: In the interest of amenity, minimise light pollution, and to control the potential impact of lighting on bats.*

30. The Head Teacher/Principal of the Academy, or other suitably authorised person, shall appoint and thereafter continue to employ or engage a Travel Plan Coordinator who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the draft Newark Academy Travel Plan (received by the CPA on 28 August 2014) and within 3 months of the completion of development (the demolition of existing buildings and substantive restoration of the site) provide a completed Newark Academy Travel Plan aimed at reducing reliance on the private car as the principal means of staff and parent transport to and from the school. The Newark Academy Travel Plan shall be implemented in accordance with the approved timetable and shall be updated consistent with future Newark Academy Travel Plan initiatives (to include education relating to sustainable travel; cycle training; demand for, and future provision of additional covered cycle spaces; and management of student drop-off and pick-up), including implementation dates, to the satisfaction of the CPA.

*Reason: To promote sustainable travel.*

31. The Travel Plan Coordinator shall first submit a report to the CPA within 6 months following the completion of development (as defined in Condition 30), and thereafter submit annual reports for a minimum period of 5 years and until Travel Plan targets have been met. The monitoring reports shall summarise

the data collected over the monitoring period and propose revised initiatives and measures where Travel Plan targets are not being met, including implementation dates, to be approved in writing by the CPA.

*Reason: To promote sustainable travel.*

32. Within 6 months following the completion of development (as defined in Condition 30), a review of The Newark Academy school zone signage on London Road shall be carried out, and a report with recommendations shall be submitted to the CPA. Recommendations for the modification of school zone signage shall be implemented within 3 months of the date of submission of the report.

*Reason: In the interest of highway safety.*

33. Following the completion of the development, noise levels generated by the development or activities on site shall not exceed 55dB(A)L<sub>aeq</sub>, 1 hour, between 07:00 – 23:00 hours, measured on any boundary of the site.

*Reason: To protect the amenities at present enjoyed by the occupiers of nearby residential properties.*

34. Following the completion of the development, noise levels from any machinery or activity on the site between the hours of 23:00 – 07:00 shall not exceed the existing night - time background L<sub>a90</sub> noise level, measured in the garden of any property adjoining the site boundary.

*Reason: To protect the amenities at present enjoyed by the occupiers of nearby residential properties.*

#### Informatives/Notes to applicant

1. With reference to Condition 13, for the avoidance of doubt, temporary athletic provision is to be provided to enable all age groups and teams to train in accordance with Newark Athletic Club requirements.

2. With reference to condition 17, the condition refers to fencing that will be permanent as part of the completed development, and not temporary construction fencing.
3. With reference to Condition 19, the applicant is advised to contact NCC Rights of Way Team to discuss a temporary closure of the Public Footpath crossing the site during the construction of raised platforms.
4. With reference to Condition 20, ideally, a proportion of bat boxes should be integrated into the fabric of the new school buildings, although boxes affixed to the exterior surface would also be appropriate. Additional boxes can be affixed to retained trees around the site. Boxes for birds should target species such as house sparrow, starling and swift, although 'general' hole and open fronted boxes can also be used.
5. The applicant is advised that a European Protected Species licence for handling bats will be required from Natural England.
6. With reference to Condition 27, a template for a Community Use Agreement is enclosed.
7. Network Rail has an operational line adjoining the application site. Attention is drawn to Network Rail requirements in respect of drainage; boundary security; trees, shrubs and landscaping; and lighting in the consultation response received from Network Rail on 1 August 2014, a copy of which is enclosed.
8. The applicant is advised to contact NCC Energy and Carbon Management Team to discuss enhancement of the design to deliver additional energy efficient and educational benefits. More use could be made of LED lighting, while the use of PVs providing on-site renewable energy can offer an income stream through Feed in Tariffs for electricity generation. Renewable energy generation provides a good opportunity to link to educating about the issues and opportunities around energy and climate change, non-renewable resources, etc.
9. Western Power Distribution has a sub-station and an easement covering electricity cables on the site. Attention is drawn to the consultation response from Western Power Distribution dated 25 July 2014, a copy of which is enclosed.
10. National Grid has apparatus on the site. Attention is drawn to the consultation response from National Grid dated 17 July 2014, a copy of which is enclosed.