Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Head Teacher
Isebrook SEN College
Eastleigh Road
Kettering
Northamptonshire
NN15 6PT

Name and address of agent (if any)
Philip Horne
Architectural Services
80A Water Lane
Wootton
Northampton
NN4 6HG

Part I - Particulars of application

Date of Application
12th August 2014

Application No.
NCC: 14/00056/CCDCOU
KBC: KET/2014/0658/NCC

Particulars and location of development

Change of use from dwelling to D1 Non-Residential Institutions (School) at Caretakers House, Isebrook SEN College, Eastleigh Road, Kettering NN15 6PT

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 7 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.

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.
Scope of Permission

2. 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:

(a) Application Forms dated 17th July 2014;
(b) Planning Support Statement Ref. 1181/PASS01 Rev B dated July 2014;
(c) Design and Access Statement Ref. 1191/DAS01 Rev A dated July 2013;
(d) Drawing No. K0100A Location Plan;
(e) Drawing No. 14/1181/01 Existing Ground Floor Plan and Elevations;
(f) Drawing No. 14/1181/02 Proposed Ground Floor Plan and Elevations;
(g) Drawing No. 14/1181/03 Existing External; and
(h) Drawing No. 14/1181/04 Proposed External Alternations.

Reason: To specify the approved documents to ensure the development as proposed is permitted and in the interests of amenity having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Hours of Construction

3. Except as further restricted by condition 4, 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 Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Hours of Working – Construction Delivery

4. 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 Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Highway Safety

5. 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 13 of the North Northamptonshire Core Spatial Strategy (2008).

Parking

6. A parking review shall be carried out six months after the unit has been fully in use in its new capacity to ascertain whether the existing parking is adequate.

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.
The review shall be submitted to and approved in writing by the County Planning Authority.

Reason: To ensure satisfactory access and avoid any adverse impacts on the highway network and highway safety having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

**Arboricultural Method Statement**

7. No development shall take place, no 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.

Reason: To ensure that retained trees, shrubs and hedgerows are protected from damage in the interests of visual amenity and diversity, having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

**External Lighting**

8. No external lighting shall be erected 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 Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

**Complaints**

9. 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.

**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.
Reason: In the interests of amenity protection having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

INFORMATIVES

1. The following should be included, which if implemented will reduce the likelihood of crime, disorder and anti-social behaviour occurring:

(a) All entry/exit doors to the building should meet Pas 23/24 2012 or equivalent standard, which is the minimum requirement for door security (as per Security by Design guides);
(b) Windows (where possible on new builds) should meet Pas 24 standard, which is the minimum requirement for window security; and
(c) All ground floor glazing should be laminated to P1A standard.

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, including 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 Services, Floor 3, County Hall, Guildhall Road, Northampton, NN1 1AX (Tel: 01604 366700) 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 Building Regulations for which a separate application should be made.

5. 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 by a competent person to ensure that no breeding birds will be adversely affected.

REASONS FOR APPROVAL

It is proposed to change the use of the existing Caretakers Bungalow at Isebrook SEN College to general teaching accommodation. The external appearance will remain largely the same with the addition of a conservatory to the rear, fencing and footpaths. It is considered that the proposal would not have a significant adverse impact upon residential amenity in terms of traffic safety and amenity issues which would justify refusal of the application. The location, size and design of the proposed external works are considered to be acceptable and the proposed development is

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.
considered to be acceptable having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008). It is therefore recommended that planning permission be granted subject to conditions.

**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.

Date 9th October 2014

Signed

For Assistant Director of Environment and Planning

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.
1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or the grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/08a Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements (a), to the provisions of the development order, and to any direction given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.


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.