Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Bursar and Business Manager
Park Infant School
Park Avenue
Kettering
Northamptonshire
NN16 9RU

Name and address of agent (if any)
David Brown
20A Allens Hill
Bozeat
Northampton
NN29 7LW

Part I - Particulars of application

Date of Application
9th September 2014

Application No.
NCC: 14/00065/CCDFUL
KBC: KET/2014/0669/NCC

Particulars and location of development

New extension and roof conversion to accommodate a staff room and toilets, IT suite and office with toilet block for pupils at Park Infant School, Park Avenue, Kettering, Northamptonshire NN16 9RU

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:

- Application Forms dated 14th August 2014;
- Drawing No. PL.14.788.101 Rev E Location and School Block Plans;
- Drawing No. PL.14.788.102 Rev C Ground Floor – Existing;
- Drawing No. PL.14.788.101 Rev C Ground Floor – Proposed;
- Drawing No. PL.14.788.101 Rev C First Floor – Proposed;
- Drawing No. PL.14.788.105 Rev D Elevations – Existing;

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

Materials

3. Prior to construction, details and samples of the materials to be used in construction works for the external appearance of the buildings, shall be submitted to and approved in writing by the Planning Authority. The details shall include the materials, colours and finishes to be used on the buildings. The development shall be implemented in accordance with the approved details and maintained thereafter.

Reason: To ensure that the proposed development is in keeping with the existing school and does not prejudice the appearance of the locality having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Hours of Construction

4. Except as further restricted by condition 5, 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

5. 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).

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Highway Safety

6. Operations shall be controlled to ensure that no mud or other debris is deposited on the public highway.

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

Complaints

7. In the event that during construction works any 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 applicant, an assessment of the complaint shall be undertaken by the applicant. A report on the finding, 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 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.

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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.

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.

REASONS FOR APPROVAL

It is proposed to create a small single storey extension to accommodate additional toilets for pupils plus a roof conversion to create improved facilities for staff at first floor level. Dormer windows are proposed to increase the floor space at first floor level. The objection raised by KBC regarding the use of dormer windows has been carefully considered but on balance and having regard to the JPU comments is not considered to be significant enough to justify refusal of the application and is outweighed by the creation of additional space within a school that is in desperate need of additional space. It should be noted that no other objections have been raised. 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 perceived negative impacts relating to design and appearance and the proposed development is acceptable having regarding to the NPPF (in particular paragraph 72) and Policy 13 of the North Northamptonshire Core Spatial Strategy. It is therefore recommended that planning permission for the development be granted subject to the conditions above.

Date: 13th November 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.


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