Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Mrs Lorraine Schofield (Head Teacher)
Wootton Primary School
Farmclose Road
Wootton
Northampton
NN4 6HJ

Part I - Particulars of application

Date of Application  
21st November 2008

Application No.  
NCC – 08/00098/CCD
NBC – N/2008/1223

Particulars and location of development

Creation of a second pedestrian entrance to the school site to improve pedestrian safety, on land at Wootton Primary School, Farmclose Road, Wootton, Northampton, NN4 6HJ

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:

Commencement

1. The development to which this relates must be begun not later than the expiration of three years beginning with the date of this permission.

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 submitted application.

3. The gate shall be utilised by pedestrians and dismounted cyclists only and shall be accessible during the hours of 8:30am – 9:30am and 3pm – 4pm only, the gate shall be kept locked at all other times, including weekends and school holidays.

Reasons for scope of permission conditions: To define the scope of the permission and in the interest of clarity.

Materials

4. The materials to be used in the construction of the development hereby permitted shall match, in type and colour those on the existing school fence and in accordance with details/samples of which shall be submitted to and approved in writing by the County Planning Authority, prior to works commencing on the site.

Reason: To ensure that the proposed development is in keeping with the existing fencing and does not prejudice the appearance of the locality and to have regard for Saved Policy E20 of the Northampton Borough Local Plan, Saved Policy GS5 (Design) of the Northamptonshire County Structure Plan (2001) and Regional Spatial Strategy 8 Policy 4.

Bicycle Storage Facilities

5. Prior to the installation of these facilities, plans detailing the proposed location, design and materials for the proposed bicycle storage facilities shall be submitted to the County Planning Authority for approval in writing. The agreed details shall thereafter be implemented.

Reasons: To ensure the pedestrian entrance functions appropriately without congestion and in accordance with Policy T3 (Transport Requirements) of Northamptonshire County Structure Plan (2001).

Hours of Construction Works

6. Except as may otherwise be agreed in writing by the County Planning Authority 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 or Public Holidays.

Reason: To protect the amenities of nearby occupiers of property from noise and other disturbance.

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Traffic Safety

7. The new pedestrian access shall be located a minimum of 5 metres from the private road adjacent to the school.

8. Prior to the bringing into use of the development hereby permitted, a pedestrian guard rail measuring a minimum of 10 metres shall be constructed 0.5 metres from the front edge of the footway and shall be centred on the new access.

9. The footway shall be widened to a minimum width of 3 metres in the area behind the guard railing.

10. Except as otherwise agreed in writing by the County Council, the school boundary fence at the junction with the private access road shall be repositioned and setback an appropriate distance to ensure adequate visibility is provided for vehicle egress from the private road. Plans shall be submitted to the Northamptonshire County Council for approval prior to commencement of works.

Reasons for traffic safety conditions: To ensure the pedestrian entrance is safe and functional and in accordance with Policy T3 (Transport Requirements) of Northamptonshire County Structure Plan (2001).

Travel Plan

11. Prior to completion of the development hereby permitted the school Travel Plan shall be updated and shall be submitted to the County Planning Authority for approval in writing. Such a plan is to include measures to deal with future misuse of the adjacent private road for parking near the new access, and details of the provision/encouragement of alternative modes of transport to the car for all users of the site, together with the phasing of measures as appropriate. The approved Travel Plan shall be implemented on the completion of the development. An annual monitoring report on the plans effectiveness shall be submitted to the County Planning Authority on the anniversary of such approval the conclusions and recommendations of which shall, within 3 months, be implemented in full.

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 and to have regard for Policy T3 (Transport Requirements) of Northamptonshire County Structure Plan (2001).

Landscaping

12. Prior to the commencement of works on the site, a landscaping scheme clearly showing additional landscaping proposed on the site, particularly along the frontage with Farmclose Road, shall be submitted to the County Planning Authority for approval in writing.

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13. The approved landscaping plans shall be implemented during the first available planting season following the completion of development. Any trees, shrubs or hedges planted in accordance with the approved scheme shall be maintained and any plants which within five years of planting either die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the County Planning Authority.

**Reason**: To ensure the amenity of the site is maintained through plantings to screen the development from neighbouring properties.

**INFORMATIVE**

1. For the avoidance of doubt the drawings and documentation to which this decision refers are as follows: -
   - Application Form; Application Supporting Information; Site Plan.

**REASONS FOR APPROVAL**

The potential highway safety implications of the development have been carefully assessed by the Highways Authority, and by imposing appropriate conditions to ensure a safe, convenient and workable pedestrian entrance to the school, this application is considered consistent with County Structure Plan Policy T3. The design of the gate, and construction materials used, are consistent with the existing fencing and gateways and this design ensures the development is consistent with Saved Policy E20 of the Northampton Borough Local Plan and Saved County Structure Plan Policy GS5.

Date: 30th January 2009

Signed: ____________________________
For Chief Planning Officer

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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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