PLANNING PERMISSION

Name and address of applicant  |  Name and address of agent (if any)
Latimer Community Arts College | Sursham Tompkins & Partners
Castle Way | Cottage Farm
Barton Seagrave | Mears Ashby Road
Kettering | Sywell
NN15 6SW | Northampton
| NN6 0BJ

Part I - Particulars of application

Date of Application  |  Application No.
1st May 2009 |  NCC Ref: 09/00030/CCD
| KBC Ref: KET/2009/0303/NCC

Particulars and location of development

New Food Technology Block at Latimer Community Arts College, Castle Way, Barton Seagrave, Kettering, NN15 6SW

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.

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.

Reason: To define the scope of the permission and in the interest of clarity.

Materials

3. All facing materials shall be in accordance with the details submitted unless otherwise agreed in writing with the County Planning Authority.

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

Landscape

4. No later than the completion of the building works, a scheme of landscaping incorporating native species shall be submitted to the County Planning Authority. Once approved, the scheme shall be implemented during the first available planting season following the commencement 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 that the proposed development does not prejudice the appearance of the locality and to preserve and enhance nature conservation interests with regard to policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

External Lighting

5. Any external illumination of the premises shall not be carried out except in accordance with details giving the method and intensity of any such external illumination which shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of the buildings.

Reason: To protect/safeguard the amenities of the locality with regard to policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Storage of Waste Materials

6. No development shall commence until a scheme detailing proposals for the storage and disposal of builders materials, fuels and waste arising from the proposed construction work has been submitted to and approved in writing by the County

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Planning Authority and no storage of materials, fuels or waste shall take place during construction other than in accordance with the details of the approved scheme.

Reason: To ensure no detrimental impact on wildlife from surface water run-off with regard to policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Details of Drainage

7. Prior to the commencement of the development, full details of the proposed foul and surface water drainage from the site shall be submitted to the County Planning Authority. The approved details shall thereafter be implemented in full before the building is first occupied or brought into use.

Reason: In the interests of nature conservation with regard to policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Protection of Trees/Hedgerows

8. All trees and hedgerows to be retained shall be protected from any development, including the storage of earth and materials, by means of appropriate fencing in accordance with the provisions of the British Standard 5837:2005 “Recommendations for Trees in Relation to Construction”.

Reason: In the interest of amenity with regard to policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Hours of Construction

9. Except as may otherwise be agreed in writing by the County Planning Authority all construction works shall be confined to the hours of 8.00am to 5.30pm Mondays to Friday and 8.00am to 1.00pm on Saturdays, with no works on Sundays, or Public Holidays.

Reason: To protect the amenities of neighbouring properties from noise and other disturbance in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Informative(s)

1. For the avoidance of doubt the drawings and documentation to which this decision refers are as follows:-


2. 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 proposal's shown on the approved drawings you should contact the Development Control Section, Spatial Environmental and Economic Planning,

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PO Box 163, County Hall, Guildhall Road, Northampton, NN1 1AX (Tel: 01604 236700).

3. 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.

REASONS FOR APPROVAL

The position, size and design of the proposed Food Technology Block is considered to be acceptable and generally in keeping with the overall character and appearance of the existing complex of buildings that make up the college. It is also considered that the proposed building will not have a significant adverse impact on the residential amenity of neighbouring properties in Belvoir Drive due to their distance (approximately 70 metres) and screening provided by trees within the LWS and designated Pocket Park at Wallis’s Spinney. The application is therefore considered to be acceptable in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy which seeks to raise the standard of design and protect the amenities of adjoining properties.

Date: 26th June 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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