Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Ronald Tree Nursery
Laburnum Crescent
Kettering
NN16 9PH

Name and address of agent (if any)
Surham Tompkins and Partners
Cottage Farm
Mears Ashby Road
Sywell
Northampton
NN6 0BY

Part I - Particulars of application

Date of Application
14th May 2009

Application No.
NCC – 09/00038/CCD
KBC – KET/2009/0320/NCC

Particulars and location of development

Extension to construct an enlarged multi purpose room and associated internal alterations and flat roof canopy over entrance; at Ronald Tree Nursery, Laburnum Crescent, Kettering NN16 9PH

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.

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: 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.

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.

Hours of Construction Works

3. 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, and to have regard for Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Materials

4. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type and colour those on the existing school buildings and shall be in accordance with those details supplied as part of the planning application.

Reason: To ensure that the proposed development is in keeping with the design and appearance of the existing development on the site, and to have regard for Policy 2 ‘Promoting Better Design’ of the East Midlands Regional Plan (March 2009) and Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Lighting

5. No additional external lighting shall be installed until a scheme of all lighting provision related to the development hereby permitted has been submitted to and approved in writing by the County Planning Authority. The scheme shall include details of the types and height of lights and/or light columns, their location, technical specification, means of preventing or minimising light spillage and the proposed hours of use.

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Reason: To protect the amenities of nearby properties, and to have regard for Policy 2 'Promoting Better Design' of the East Midlands Regional Plan (March 2009) and 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:
   - Application Form, dated 12 May 2009; Design and Access Statement – March 2009 (Sursham Tompkins & Partners); Planning Support Statement – March 2009 (Sursham Tompkins & Partners); Site Location Plan/Site Plan: Drawing No. 4491/13 (March 2009); Survey As Existing, Plan and Elevations: Drawing No. 4491/14 (March 2009); Scheme Proposals Plan: Drawing No. 4491/10 Rev A (January 2009); Scheme Proposals Elevation: Drawing No. 4491/12; Rev A; January 2009.

2. The applicant's attention is drawn to the informative comments made by the Crime Prevention Design Advisor in relation to this application, as listed below:
   - The security of flat roofs should be improved by using deep eaves.
   - Rainwater downpipes can provide a convenient scaling aid onto roofs or to reach windows above ground floor level. Rain water pipes should be either flush fitting (i.e. square profile) or concealed within the cavity.
   - Any skylights fitted should have either steel bars or expanded metal beneath them, which is securely fixed to the building fabric.
   - All Entry/Exit doors of the apartments should meet Pas 24 Standard which is the minimum requirement for door security (as per Secured by Design guides).
   - Windows should meet BS7950 standard which is the minimum requirement for window security.

REASONS FOR APPROVAL

The development is considered acceptable in terms of the East Midlands Regional Plan (March 2009) Policy 2 'Promoting Better Design' which seeks to continuously improve the layout and design of developments, by encouraging designs which take account of local character and which reduce crime. The development is also acceptable in terms of the North Northamptonshire Core Spatial Strategy Policy 13, which seeks to ensure developments are of high quality design, while minimising amenity impacts. The scale of the development and the materials proposed are considered appropriate in terms of compatibility with the existing built development on the site. The application does not result in a significant amenity impact so as to justify refusal of the application.

Date 17th 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 5PN). 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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