Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant  Name and address of agent (if any)
Early Years and Childhood Team Sursham Tompkins & Partners
Northamptonshire County Council Cottage Farm
PO Box 128 Mears Ashby Road
County Hall Sywell
Northampton Northampton
NN1 1AS NN6 0BJ

Part I - Particulars of application

Date of Application
16th September 2009

Application No.
NCC Ref: 09/00058/CCD
KBC Ref: KET/2009/0567/CCD

Particulars and location of development

Extension to existing library building to form Children’s Centre, at Desborough Library, High Street, Desborough, Kettering, NN14 2QS

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.

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

Materials

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match, in type and colour those on the existing building and shall also be in accordance with those details supplied as part of the planning application.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and to have regard for the East Midlands Regional Plan (March 2009) Policy 2 ‘Promoting Better Design’, and Policy 13 of the North Northamptonshire Core Spatial Strategy.

Hours of Construction Works

4. 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.

Contaminated Land Survey

5. Prior to the commencement of development, an investigation and risk assessment shall be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and submitted to the County Planning Authority for approval in writing. The report of the findings must include details of the extent, scale and nature of contamination, assessment of the potential risks to human health, and an appraisal of remedial options, and proposal of the preferred option(s). The agreed remedial works shall hereafter be implemented.

Reason: To ensure that the development site is appropriate and to have regard for the East Midlands Regional Plan (March 2009) Policy 2 ‘Promoting Better Design’, and Policy 13 of the North Northamptonshire Core Spatial Strategy.

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Crime Prevention Design

6. Measures to secure the site shall be undertaken as proposed as detailed in the application and consist of 2.0 metre high bow top fencing and 2.4 metre high palisade fencing (welded bolts and rivets) as detailed in the letter from the applicant dated 6 November 2009, and plans titled ‘Proposed Lighting and Emergency Lighting Layout’ – Drawing No. 90680/E/2200 Revision T1 dated July 09 and ‘Proposed Fire Alarm Detection, Intruder Alarm and Access Control Layout’ – Drawing No 90680/E/2400 Revision T1 dated July 09, (Building Services Design Consulting Engineers).

Reason: To ensure that the proposed development is appropriate in terms of the Secured By Design scheme in terms of reducing crime and the fear of crime, and to have regard for the East Midlands Regional Plan (March 2009) Policy 2 ‘Promoting Better Design’, and Policy 13 of the North Northamptonshire Core Spatial Strategy.

Informative(s)

1. For the avoidance of doubt the drawings and documentation to which this decision refers are as follows: -
   Application Form, dated 10 September 2009; Supporting Statement and Design and Access Statement: dated 10 September 2009; Correspondence from Sursham Tompkins and Partners dated 6th November 2009
   Plans: Site Location Plan - Job Reference 4558 - Sursham Tompkins & Partners;
   Survey As Existing - Drawing No 4558/01 Revision A dated May 2009 - Sursham Tompkins and Partners; Site Layout as Proposed - Drawing No 4558/12 Revision A dated August 2009 - Sursham Tompkins and Partners; Scheme as Proposed: Ground Floor Plan - Drawing No 4558/10 Revision A dated August 2009 - Sursham Tompkins and Partners; Elevations and Block Plan as Proposed - Drawing No 4558/11 Revision A dated August 2009 - Sursham Tompkins and Partners; Proposed Lighting and Emergency Lighting Layout – Drawing No. 90680/E/2200 Revision T1 dated July 09 – Building Services Design Consulting Engineers; Proposed Fire Alarm Detection, Intruder Alarm and Access Control Layout – Drawing No 90680/E/2400 Revision T1 dated July 09 – Building Services Design Consulting Engineers.

2. The applicant’s attention is drawn to the informative comments from the Crime Prevention Design Advisor in the correspondence dated 2nd October 2009.

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, designs which reduce crime, while taking account of the transport and access needs of a development. 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 measures proposed to secure the development and discourage crime are considered appropriate in terms of the scale of the development and location of

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the development site. 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: 23rd October 2009
Signed: [Signature]

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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