Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Children & Young People’s Service
Northamptonshire County Council
County Hall
Northampton
NN1 1AS

Name and address of agent (if any)
Peter Haddon & Partners
The Old Rectory
Rectory Lane
Milton Malsor
Northampton
NN7 3AQ

Part I - Particulars of application

Date of Application
22nd September 2009

Application No.
NCC Ref: 09/00060/CCD
NBC Ref: N/2009/0767

Particulars and location of development

Change of Use and Alterations and Extensions to Former Caretakers Bungalow to form new Childrens Centre, at Former Kingsthorpe Middle Community School, Penfold Close, Kingsthorpe, Northampton, NN2 8AD

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 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 Saved Policy E20 of the Northampton Local Plan (2007).

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'.

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Travel Plan

6. Prior to completion of the development hereby permitted a Travel Plan shall be updated and shall be submitted to the County Planning Authority for approval in writing. Such a plan is to include 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 the East Midlands Regional Plan (March 2009) Policy 2 ‘Promoting Better Design’.

Crime Prevention Design

7. Measures to secure the site shall be undertaken as detailed in the application, and include secure doors and windows, intruder alarm systems and the installation of 2.1 metre high steel mesh security fencing as detailed in the application and shown on the plan titled ‘Penfold Children’s Centre – Proposed Site Layout: Drawing 3858/03 Revision A dated August 2009’ by PHP Architects.

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 Saved Policy E40 of the Northampton Local Plan (2007).

Informative(s)

1. For the avoidance of doubt the drawings and documentation to which this decision refers are as follows: - Application Form dated 16/09/2009; Planning Support Statement – Proposed Change of Use, Alterations and Extensions to Former Caretakers Bungalow to establish new Children’s Centre Plans: Penfold Children’s Centre - Location Plan: Drawing No 3357/SLP01 dated August 2009: PHP Architects; Penfold Children’s Centre – Existing Elevations including Site Plan: Drawing 3857/01 dated August 2009: PHP Architects; Penfold Children’s Centre – Proposed Site Layout: Drawing 3858/03 Revision A dated August 2009: PHP Architects; Penfold Children’s Centre – Proposed Plans and Elevations: Drawing 3858/02 Revision A dated August 2009: PHP Architects.

2. The applicant’s attention is drawn to the comments from the Crime Prevention Design Advisor, as listed in the email dated 23 October 2009, and the accompanying “Appendix To CPDA Responses To Planning Applications”, attached to this decision.

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REASONS FOR APPROVAL

The development is considered acceptable in terms of the East Midlands Regional Plan (March 2009) Policy 2 'Promoting Better Design' and the Northampton Local Plan (June 2007) Saved Policy E20 (Design), which seek 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 scale of the development and the materials proposed are considered appropriate in terms of compatibility with the existing building on the site. The measures proposed to secure the development and discourage crime are considered appropriate in terms of the scale of the development and location of the development site, and are consistent with Saved Policy E40 (Crime and Vandalism) of the Northampton Local Plan. The transport, traffic and parking aspects of the application are considered appropriate in terms of Policy 46 of the East Midlands Regional Plan (March 2009), which seeks to change people’s behaviour in regards travelling, including Travel Plans and walking and cycling. The application does not result in a significant amenity impact so as to justify refusal of the application.

Date 23rd October 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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