



## Town and Country Planning Act 1990

### PLANNING PERMISSION

#### Name and address of applicant

Magdalen College School  
Waynflete Avenue  
Brackley  
Northamptonshire  
NN13 6FB

#### 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

Received – 1<sup>st</sup> June 2010  
Valid – 7<sup>th</sup> June 2010

#### Application No.

NCC – 10/00041/CCD  
SNC – S/2010/0666/PCC

---

#### Particulars and location of development

Single storey dining room extension at Magdalen College School, Waynflete Avenue, Brackley, Northamptonshire NN13 6FB

---

### 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 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.

#### Scope of Permission

2. Except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be carried out in

**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.

accordance with the submitted application, i.e. Application Form, dated 1<sup>st</sup> June 2010; Planning (Design and Access) Statement, dated May 2010; Site Location Plan – Drawing No. 3894/SLP01; Existing Plan – Drawing No. 3894/01 Rev A; Proposed Plan – Drawing No. 3894/02 Rev A; Existing Elevations – Drawing No. 3894/03; Proposed Elevations – Drawing No. 3894/04.

**Reason:** To define the scope of the permission 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 in accordance with Saved Policies G3 and EV1 of the South Northamptonshire Local Plan (1997).

### **Construction Delivery Vehicles**

4. Except as may otherwise be agreed in writing by the County Planning Authority all construction delivery vehicles shall not enter or leave the site during the hours of 8.00am to 9.30am and 2.30pm to 4.00pm Mondays to Fridays.

**Reason:** To safeguard the pupils and parents at Magdalen College School and reduce congestion in the area in accordance with Saved Policies G3 and EV1 of the South Northamptonshire Local Plan (1997).

### **Materials**

5. All materials and finishes on the proposed extension shall be carried out as proposed in the submitted application unless otherwise agreed in writing by the County Planning Authority.

**Reason:** In the interests of visual amenity and in accordance with Saved Policies G3 and EV1 of the South Northamptonshire Local Plan (1997).

### **Landscape**

6. Within two months of the date of this permission a scheme for additional planting with details of location, size and species of shrubs shall be submitted to the County Planning Authority for approval in writing. The scheme as agreed shall be implemented within the first planting season (following completion of the building works) available.

**Reason:** To ensure that the proposed development does not prejudice the appearance of the locality in accordance with Saved Policies G3 and EV1 of the South Northamptonshire Local Plan (1997).

**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.

### Trees

7. All trees and shrubs to be retained shall be protected from any development including the storage of earth and materials in accordance with the provisions given in BS 5837: 1991 "Guide for Trees in Relation to Construction".

**Reason:** To protect existing trees and shrubs from damage.

### Protection of Breeding Birds

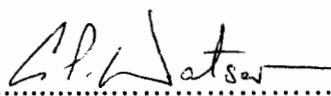
8. Operations that involve the destruction and removal of trees and other vegetation shall not be undertaken during the months of March to August inclusive, unless an ecologist report is submitted to demonstrate that breeding birds will not be affected and this has been approved in writing by the County Planning Authority.

**Reason:** To ensure that breeding birds are not adversely affected.

### REASONS FOR APPROVAL

Magdalen College School Waynflete Site is proposed to be extended to provide a new dining area with direct access from the existing kitchen. The design and appearance of the proposed extension is considered to be acceptable and would adequately reflect the character and appearance of the local area. The recommendations received from the Crime Prevention Design Advisor are to be incorporated into the proposal. As no further issues were raised, it is considered that the proposed development is acceptable in accordance with Saved Policies G3 and EV1 of the South Northamptonshire Local Plan and the application should be approved subject to the conditions below.

Date... 2<sup>nd</sup> August 2010 .....

Signed  .....

For Chief Planning Officer

**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.

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.*
4. *Guidance on using the Planning Portal's online appeals service, see leaflet PCS4 available at [http://www.planningportal.gov.uk/PpWeb/jsp/redirect.jsp?url=http%3A/www.planningportal.gov.uk/uploads/pins/pcs\\_a5\\_leaflet.pdf](http://www.planningportal.gov.uk/PpWeb/jsp/redirect.jsp?url=http%3A/www.planningportal.gov.uk/uploads/pins/pcs_a5_leaflet.pdf)*

**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.