



## Town and Country Planning Act 1990

### PLANNING PERMISSION

#### Name and address of applicant

Magdalen College School  
St John's Buildings  
High Street  
Brackley  
NN13 7DW

#### Name and address of agent (if any)

David J Brown MBEng  
20A Allens Hill  
Bozeat  
Northamptonshire  
NN29 7LW

### Part I - Particulars of application

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#### Date of Application

Received – 17<sup>th</sup> May 2010  
Valid – 20<sup>th</sup> May 2010

#### Application No.

NCC – 10/00044/CCD  
SNC – S/2010/0698/REG3

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#### Particulars and location of development

Removal of existing un-used tennis court and provision of new staff and visitor car parking at Magdalen College School, St John's Buildings, High Street, Brackley NN13 7DW

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### 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.

**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, i.e. Application Form Rev C, dated 20<sup>th</sup> May 2010; Supporting Statement Rev E, dated 13<sup>th</sup> May 2010; Site Location Plan 1:2500; Site Location and Existing Plans – Drawing No. 09.692.001 Rev C; and Proposed Layout Plans – Drawing No. 09.692.002 Rev B.

**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 in accordance with Saved Policies G3 and EV1 of the South Northamptonshire Local Plan (1997).

## Trees

4. 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.

## Lighting

5. No 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.

**Reason:** In the interests of residential amenity in accordance with Saved Policy G3 of the South Northamptonshire Local Plan (1997).

## Archaeology

6. No development shall take place until the applicant has secured the implementation of a programme of archaeological work for the area of the additional car parking provision in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the County Planning Authority.

**Reason:** To ensure that adequate provision is made for the investigation and recording of any archaeological remains that are affected during the proposed

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works to extend the existing gravel car park in accordance with Policies 10 and 11 of the Northamptonshire Waste Local Plan (2006) and PPS5 Planning for the Historic Environment (2010).

### Travel Plan

7. Within four months of the date of this permission a Travel Plan 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 occupation of the development.


**Reason:** In order to comply with the objectives of national and local Planning Policies which promote sustainable development with particular regard to transport and to reduce the schools impact on traffic flow and parking in the surrounding area by promoting sustainable means of travel in accordance with Saved Policy G3 of the South Northamptonshire Local Plan (1997).

### REASONS FOR APPROVAL

Magdalen College School St John's site is seeking to improve and formalise existing inappropriate parking arrangements for staff, visitors, the disabled and delivery vehicles by utilising an un-used tennis court and creating 30 additional parking spaces between the front and rear car park areas.

Overall the design and appearance of the proposed car park is considered to be acceptable and would adequately reflect the character and appearance of the local area and would not detract from the Conservation Area. The issues raised by the Highway Authority have been carefully considered and the Highway Authority is now satisfied that the proposal would not increase movements through a substandard access provided that inappropriate parking is managed and prevented by firm enforcement by the school. The management of inappropriate parking can be dealt with in an updated and enhanced travel plan for the school secured by condition. The recommendations received from the Crime Prevention Design Advisor and County Archaeological Advisor can be dealt with by the imposition of planning conditions. 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 (1997).

Date... 5<sup>th</sup> August 2010 .....

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.*
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)*

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