



Northamptonshire
County Council

my
county
council

Town and Country Planning Act 1990

COPY

PLANNING PERMISSION

Name and address of applicant

Chenderit School
Archery Road
Middleton Cheney
Banbury
Oxon OX17 2QR

Name and address of agent (if any)

Malcolm E Timms
Hazelbrook
Banbury Road
Bloxham
Banbury
Oxon OX15 4PD

Part I - Particulars of application

Date of Application

Received – 13th September 2010
Valid – 14th October 2010

Application No.

NCC – 10/00069/CCD
SNC – S/2010/1321/PCC

Particulars and location of development

Construction of an extension to create a new fitness centre at Chenderit School, Archery Road, Middleton Cheney, Oxon OX17 2QR

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, dated 13th September 2010; Design and Access Statement; Planning Support Statement; Site Plan, received 20th September 2010; Block Plan; Survey-Model – Drawing No. 10:3507:1; and Proposed-Model – Drawing No. 10:3507:2.

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 07.30am to 17.30pm Mondays to Fridays and 08.00am to 13.00pm on Saturdays, with no works on Sundays, Public or Bank Holidays.

Reason: To protect the amenities of nearby occupiers of property from noise and other disturbance and in accordance with Policy 2 of the East Midlands Regional Plan (2009) and Saved Policy G3 of the South Northamptonshire Local Plan (1997).

Construction Delivery Vehicles

4. Except as may otherwise be agreed in writing by the County Planning Authority, construction delivery vehicles shall not arrive at, enter or leave the site between the hours of 08.00 to 09.30 and 14.30 to 16.00 Mondays to Fridays during term time.

Reason: To safeguard the pupils and parents at Chenderit School and reduce congestion in the area in accordance with Policy 2 of the East Midlands Regional Plan (2009) and Saved Policies G3 and EV1 of the South Northamptonshire Local Plan (1997).

Materials

5. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those detailed in the application unless otherwise agreed in writing by the County Planning Authority.

Reason: In the interest of visual amenity and in accordance with Policy 2 of the East Midlands Regional Plan (2009) and Saved Policies G3 and EV1 of the South Northamptonshire Local Plan (1997).

Travel Plan

6. Within four months of the date of this permission a revised School 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

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.

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. To reduce the schools impact on traffic flow and parking in the surrounding area by promoting sustainable means of travel, having regard to Policy 45 of the East Midlands Regional Plan (2009).

Community Use of the Fitness Centre

7. Except as may otherwise be agreed in writing by the County Planning Authority the community use of the fitness centre hereby permitted shall be restricted to between the hours of 18:00 and 22:00 on Mondays to Fridays and between 09:00 and 13:00 on Saturdays and at no time on Sundays, Public and Bank Holidays and at times when the school car park would be full as a result of after school events taking place.
8. The main school car park shall be made available for use by users and visitors to the fitness centre during the hours permitted for community use as in condition 7 above.

Reason: To protect the amenities of nearby occupiers of property from noise and other disturbance associated with the use of the development; having regard to Policy 2 of the East Midlands Regional Plan (2009) and Saved Policy G3 of the South Northamptonshire Local Plan (1997).

REASONS FOR APPROVAL

Chenderit School is proposed to benefit from a small scale single storey extension to provide a new fitness centre to be used solely for keep fit machines. The fitness centre will be used predominantly by the pupils at Chenderit during school hours. The usage will be extended to the local community out of school hours.

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 recommendation received from the Crime Prevention Design Advisor is to be incorporated into the proposal and the issues raised by a neighbour regarding parking problems arising from the use of the fitness centre out of school hours 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 Policy 2 of the East Midlands Regional Plan (2009) and Saved Policies G3 and EV1 of the South Northamptonshire Local Plan (1997) and the application should be approved subject to the conditions above.

Date 14th December 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*

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.