Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Meadowside Primary School
Park Road
Burton Latimer
Kettering
NN15 5QY

Name and address of agent (If any)
Sursham Tompkins & Partners
Cottage Farm
Sywell
Northampton
NN6 0BJ

Part I - Particulars of application

Date of Application
Received – 28th September 2010
Valid – 22nd October 2010

Application No.
NCC – 10/00072/CCD
KBC – KET/2010/0724/NCC

Particulars and location of development
Construction of a new Library/Staff Resource Room extension, new covered link between existing school buildings, new gated emergency vehicular access off Park Road and four additional parking spaces at Meadowside Primary School, Park Road, Burton Latimer, Kettering NN15 5QY

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.

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.
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 accordance with the submitted application: i.e. Application Form, dated 23rd September 2010; Design & Access Statement, dated September 2010 Ref. JV/4490/27101/JV Rev A; Drawing No. 4490/10B – Survey as Existing; Drawing No. 4490/11B – Scheme as Proposed; Drawing No. 4490/12A – Location Plan; and Drawing No. 4490/13A – Site Plan.

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, Public or Bank Holidays.

Reason: To protect the amenities of nearby occupiers of property from noise and other disturbance and in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008) and Saved Policy 30 of the Local Plan for Kettering Borough (1995).

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 8.00am to 9.30am and 2.30pm to 4.00pm Mondays to Fridays during term time.

Reason: To safeguard the pupils and parents at Meadowside Primary School and reduce congestion in the area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008) and Saved Policy 30 of the Local Plan for Kettering Borough (1995).

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 13 of the North Northamptonshire Core Spatial Strategy (2008) and Saved Policy 30 of the Local Plan for Kettering Borough (1995).

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New Gated Access for Emergency Vehicles

6. Prior to commencement of works, full details of the new gated access for emergency vehicles showing the gates opening inwards and the swept paths of a large emergency vehicle into and out of the proposed access shall be submitted to the County Planning Authority for approval in writing. The submitted proposals which are approved shall thereafter be implemented and the new gated access shall be used by emergency vehicles only.


7. The new gates shall be metal palisade type in green finish to match adjacent fencing.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008) and Saved Policy 30 of the Local Plan for Kettering Borough (1995).

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.

Landscape

9. Prior to the commencement of works, the applicant shall submit to the County Planning Authority for approval in writing a scheme for additional planting along the south elevation of the proposed extension. The scheme as agreed shall be implemented within the first planting season following completion of the fence erection work.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008) and Saved Policy 30 of the Local Plan for Kettering Borough (1995).

10. Any trees or shrubs which die or otherwise fail within five years of planting shall be replaced during the following planting season with trees or shrubs of a similar size or species to those originally planted.

Reason: To ensure the proper maintenance and aftercare of the approved landscaping scheme.

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1. The applicant's attention is drawn to the following notes and advice from the Highway Authority regarding construction and licensing:

- The issue of planning permission does not give or infer permission to implement any works within the highway. No works of any nature may commence within the highway without the express written permission of the highway authority. Such permission would be subject to the completion of an appropriate license under Section 184 of the Highways Act 1980.

- Extensive access works and reinstatement of redundant accesses may require alternative licensing or the completion of an Agreement under Section 278 of the Highways Act 1980.

- Existing street furniture or features such as street lighting columns, signs, cabinets, post boxes, gullies, highway drainage covers etc may be affected by the creation of, or alteration to, a vehicular access. Works to such furniture and infrastructure would need to be agreed with the Highway Authority or whoever maintains such features. All costs associated with the alteration, protection, relocation or removal of such features rest with the developer.

- Existing utility plant or features such as inspection chamber covers, cabinets, poles etc may be affected by the creation of, or alteration to, a vehicular access or any works within the highway. The responsibility for arranging and agreeing alterations, protection or relocation of such plant and meeting all associated costs rests with the developer.

2. With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note the following standard requirements:

- The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at all times, it is an offence to obstruct the highway under s36 HA 1980.

- There must be no interference or damage to the surface of the right of way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by this office, under s131 HA1980.

- If as a result of the development the Right of Way needs to be closed by applying for a Temporary Traffic Regulation Order. An Application form for such an order is available from Northamptonshire County Council website, a fee is payable for this service and a period of six weeks notice is required. Please follow the link below: www.northamptonshire.gov.uk/en/councilservices/transport/row/legal/pages/emptros.aspx

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Any new path furniture (e.g. gates preferred over stile) needs to be approved in advance with the Access development Officer, standard examples can be provided.

3. The applicant’s attention is drawn to the comments from Burton Latimer Town Council regarding suitable fire exits in correspondence dated 17th November 2010 and 8th December 2010.

REASONS FOR APPROVAL

Following the recent amalgamation of the former Meadowside Infant and Junior schools, Meadowside Primary School wishes to construct a covered link between the former school buildings to physically link them to form one school. Part of the proposal includes constructing a single storey extension to accommodate a Library area and enlarged Staff Resources facility to serve the two areas of the school. The proposals also include forming a new gated access off Park Road for emergency vehicle use only and providing four additional car parking spaces within the staff car park.

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 concerns raised by Burton Latimer Town Council regarding suitable fire exits along the covered link have been carefully considered. Emergency egress is a matter for Building Control and therefore it is considered that this issue would not justify refusal of the application. As no further issues were raised, it is considered that the proposed development is acceptable in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008) and Saved Policy 30 of the Local Plan for Kettering Borough (1995) and the application should be approved subject to the conditions above.

Date 17th December 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.


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