Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Ecton Brook Primary School
Ecton Brook Road
Ecton Brook
Northampton
NN3 5DY

Name and address of agent (if any)
Ellis Architectural Design
Frome House
5 North Portway
Round Spinney
Northampton
NN3 8RQ

Part I - Particulars of application

Date of Application
14th April 2011

Application No.
NCC Ref: 11/00026/CCD

NBC Ref: N/2011/0369

Particulars and location of development

Erection of a Gazebo (retrospective application) at Ecton Brook Primary School (Ecton Brook Site), Ecton Brook Road, Ecton Brook, Northampton, NN3 5EN

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 following approved documents and plans:

- Application Forms dated 14th April 2011
- Planning Statement
- Site Location Plan
- Gazebo Dimensions 1 of 1
- Gazebo Illustration 1 of 2
- Gazebo Illustration 2 of 2

REASON: To define the scope of the permission and in the interest of clarity.

REASONS FOR APPROVAL

It is considered that the proposed retention of the wooden gazebo will not have any significant adverse impact on the amenities of the local area due particularly to its location within the school site. Furthermore, the design, appearance and size of the wooden gazebo are also considered to be acceptable. The application is therefore considered acceptable having regard to Policy 2 of the East Midlands Regional Plan (2009) and Saved Policy E20 of the Northampton Borough Local Plan (1997) which seeks to ensure that the design of any new building to adequately reflect the character of its surrounding in terms of layout, sitting, form, scale and materials. It is therefore recommended that planning permission be granted subject to conditions.

Date: 26th May 2011
Signed: [Signature]
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 of 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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