Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Mrs L Schofield
Headteacher
Wootton Primary School
Farmclose Road
Wootton
Northampton
NN4 6HJ

Name and address of agent (if any)

Date of Application
Valid – 1st March 2012

Application No.
NCC – 12/00012/CCD
NBC – N/2012/0183

Particulars and location of development
Replacement of existing fencing along north boundary with double weld mesh fencing at Wootton Primary School, Farmclose Road, Wootton, Northampton NN4 6HJ

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 permission relates must be begun not later than the expiration of three years beginning with the date of this permission. Written notification of the date of commencement shall be sent to the County Planning Authority within 7 days of such commencement.

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:

- Application Form, dated 10th February 2012;
- Supporting Statement, dated 19th January 2012;
- AMP Information Sheet, dated 19th January 2012;
- Photo of existing fence;
- Photo of proposed fence; and
- Drawing No. NO194A/B – Site Plan

Reason: For the avoidance of doubt and in the interests of amenity with regard to Saved Policy E20 of the Northampton Borough Local Plan (1997).

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 Policy 2 of the East Midlands Regional Plan (2009) and Saved Policy E20 of the Northampton Borough Local Plan (1997).

Fencing

4. The fencing hereby approved shall be finished in dark green to match the existing unless otherwise agreed in writing by the County Planning Authority.

5. The height of the first two panels of new fencing nearest to Farmclose Road shall be reduced to match the height of the existing fencing that is situated along the eastern boundary of the school.

Reason: In the interests of visual amenity in accordance with Saved Policy E20 of the Northampton Borough Local Plan (1997).

INFORMATIVES

1. The applicant’s attention is drawn to the requirements of the Highway Authority to locate any new fencing at least 1 metre away from the Highway boundary/land.

2. Prior to the commencement of any site works, all occupiers of potentially sensitive properties surrounding the site should be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom enquiries/complaints should be directed.

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REASONS FOR APPROVAL

Wootton Primary School is seeking planning permission to replace the existing damaged fencing along the north boundary of the school site with 3m high double weld mesh fencing. It is considered that the proposed fencing would not adversely impact upon residential amenity or the visual appearance of the area and is in accordance with Policy 2 of the East Midlands Regional Plan (2009) and Saved Policies E20 and E40 of the Northampton Borough Local Plan (1997). It is therefore recommended that planning permission be granted subject to the conditions below.

Date: 26th April 2012
Signed: [Signature]

For Assistant Director of Environment and Planning

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.


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