Town and Country Planning Act 1990

NON MATERIAL AMENDMENT TO PLANNING PERMISSION

Name and address of applicant  
Montsaye Academy  
Greening Road  
Rothwell  
Kettering  
NN14 6BB

Name and address of agent  
Stimpson Walton Bond Architects  
59 York Road  
Northampton  
NN1 5QL

Part I - Particulars of application

Date of Application  
Valid – 24th May 2012

Application No.:  
NCC – 12/00041/CCDNMA  
KBC – KET/2012/0380/NCC

Particulars and location of development

Non-Material Amendment to Planning Permission 10/00023/CCD to change the opening hours of the new engineering building at Montsaye Academy, Greening Road, Rothwell, Kettering NN14 6BB

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:-

Scope of Permission

1. Except as otherwise required by conditions attached to this planning permission the non-material amendment hereby permitted shall be carried out in accordance with the following approved plans:

• Application Form dated 22nd May 2012;

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.
• Drawing No. 2903-110 Existing Plans;
• Drawing No. 2903-113 Existing Site Plans; and
• Drawing No. 2012-7-100 Rev B Proposed Site Plan.

Reason: To specify the approved documents in the interests of amenity with regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Hours of Use

2. The use hereby permitted shall not be carried out other than between the hours of 0800 and 2200 on Monday to Friday, 0900 and 1800 Saturdays and Sundays and at no time on Public and Bank Holidays except for works of essential maintenance or which are to respond to an emergency.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site with regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Noise

3. In the event of complaints relating to activities in the building involving electronically amplified sound outside normal school hours are received by the County Planning Authority from any sensitive receptor, and thereafter notified to Montsaye Academy, an immediate assessment of the complaint shall be undertaken. A report on the findings, with proposals for removing, reducing or mitigating identified adverse effects resulting from the use, and a programme for the implementation of remedial measures to be undertaken shall be submitted to the County Planning Authority no later than 5 working days from the receipt of the complaint. The remedial measures, as agreed in writing, shall thereafter be implemented.

Reason: In the interests of local amenity having regard to Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

INFORMATIVE

1. This decision is permission for a Non Material Amendment to planning permission ref. 10/00023/CCD and all of the conditions imposed on this permission remain applicable.

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.
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.


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.