



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Magdalen College School
St Johns Buildings
High Street
Brackley
Northamptonshire
NN13 7DW

Name and address of agent (if any)

PHP
The Old Rectory
Rectory Lane
Milton Malsor
Northampton
NN7 3AQ

Part I - Particulars of application

Date of Application

Received – 8th October 2010
Valid – 13th October 2010

Application No.

NCC – 10/00068/CCD
SNC – S/2010/1320/PCC

Particulars and location of development

Refurbishment and extension to existing Pavilion Building to form a new Eco Information Centre for Land Based Studies at Magdalen College School, St. John's Buildings, High Street, Brackley NN13 7DW

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 8th October 2010; Planning (Design and Access) Statement, dated October 2010; Protected Species (Bat & Bird) Report, dated 21st December 2010; Drawing No. S0003/4550 – Site Location Plan; Drawing No. 3878/01 – Existing Site Plan; Drawing No. 3878/02 – Existing Floor Plans and Sections; Drawing No. 3878/03 – Existing Elevations; Drawing No. 3878/04 – Proposed Site Plan; Drawing No. 3878/05 – Proposed Floor Plans; Drawing No. 3878/06 – Proposed Elevations; Drawing No. 3878/07 – Proposed Sections; Photos 1-4.

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 2 of the East Midlands Regional Plan (2009) and Saved Policies G3 and EV1 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 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 Magdalen College School (St John's Buildings) 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).

Archaeology

5. No development shall take place within the application area until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological building recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the County Planning Authority.

Reason: To ensure that adequate provision is made for the investigation and recording of any archaeological remains that are affected during the proposed works to refurbish and extend the Pavilion Building in accordance with PPS5 Planning for the Historic Environment (2010).

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Materials

6. 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 interests 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

7. Prior to the commencement of any wider community use of the Eco Information Centre a revised 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 of measures as appropriate. The approved Travel Plan shall be implemented on the commencement of wider community use of the facility and thereafter reviewed on an annual basis.

Reason: In order to comply with the objectives of national and local Planning Policies which promote sustainable development with particular regard to transport and to reduce the schools impact on traffic flow and parking in the surrounding area by promoting sustainable means of travel in accordance with Saved Policy G3 of the South Northamptonshire Local Plan (1997).

REASONS FOR APPROVAL

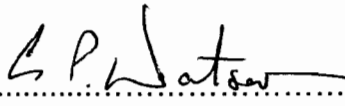
The proposal is to refurbish and extend the Pavilion Building at Magdalen College School (St John's Buildings) to create an Eco Friendly Building that will be used not only for the School's Land Based Studies Course but as a centre for study of eco building and alternative energy sources. A new fully glazed extension (33m²) is proposed to the south-west elevation of the Pavilion Building forming a plant propagation area, which will also be used as a heat recovery source for heating and ventilating the rest of the building.

The proposed extension to the Pavilion Building is of a scale and design which would sit well with the existing building and would not detract from the character or appearance of the street scene. The proposed extension would also be constructed from appropriate materials which compliment the proposed sympathetic refurbishments to the Pavilion Building. The original objection from Natural England has been removed following the production of a Bat Survey which concluded that no bats use the buildings for roosting and therefore no further action is necessary. The recommendations received from the Crime Prevention Design Advisor are to be incorporated into the proposal and adequate provision for the investigation and recording of any archaeological remains that are affected can be secured by the

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imposition of a planning condition. 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).

Date.....17th February 2011.....

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.*

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*

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