



Northamptonshire
County Council

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Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Bozeat Community Primary School
Harrold Road
Bozeat
NN29 7LP

Name and address of agent

Part I - Particulars of application

Date of Application
Received: 18 March 2011
Valid: 7 April 2011

Application No.
NCC: 11/00024/CCD
WBC: WP/2011/0156

Particulars and location of development

Application 11/00024/CCD for the erection of 57 metres of 2 metres high mesh fencing to replace an existing low level wooden fence at Bozeat Community Primary School, Harrold Road, Bozeat, Wellingborough, NN29 7LP

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.

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 Forms received 7th April 2011, Planning Statement and Design and Access Statement received 29th March 2011 and Site Plan received 23rd March 2011.

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

Protection of Existing Vegetation

3. Prior to the commencement of works, a method statement for the erection of the new fencing and a risk assessment of the potential for damage to the existing vegetation in accordance with 'British Standard 5037:2005 Trees in relation to construction – Recommendations' shall be submitted to the County Planning Authority for approval in writing. The approved proposals shall thereafter be implemented.

Reason: To protect existing vegetation from damage in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Protection of Breeding Birds

4. Operations that involve the destruction and removal of 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. Should nesting birds be found, development shall be delayed until such time as nesting has ceased.

Reason: To ensure that breeding birds are not adversely affected.

Fencing Materials

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

Reason: In the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Hours of Construction Works

6. Except as may otherwise be agreed in writing by the County Planning Authority, 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).

Access and Highway Safety

7. 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

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the hours of 8.15am to 9.00am and 2.45pm to 3.30pm Mondays to Fridays during term time.

Reason: To safeguard the pupils and parents at Bozeat Community Primary School and reduce congestion in the area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

INFORMATIVES

None

REASONS FOR APPROVAL

The overall design, appearance and colour of the proposed fence is considered to be acceptable in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy (2008) which seeks to ensure design of any extension reflects the character of its surroundings. It is considered that the proposed fencing would not adversely impact upon residential amenity or the visual appearance of the area. The proposals have been designed to minimise potential impacts on biodiversity and this is reinforced through recommended conditions. The Crime Prevention Design Advisor has no objection to the proposed scheme and it is considered to be in accordance with the Supplementary Planning Guidance provided in Planning Out Crime in Northamptonshire (2004). It is therefore recommended that planning permission be granted subject to the conditions outlined below.

Date 27th May 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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