



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Falconers Hill Infant School
Ashby Road
Ashby Fields
Daventry
NN11 0QF

Name and address of agent (if any)

James Cubbit & Partners Architects
Exchange Plaza
London
W5 2ST

Part I - Particulars of application

Date of Application

14 June 2012

Application No.

NCC – 12/00047/CCDFUL
DDC – DA/2012/0442

Particulars and location of development

Extension to the existing school to provide additional meeting rooms at Falconers Hill Infant School, Ashby Road, Ashby Fields, Daventry, NN11 0QF

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 following approved plans:

- Application Form dated 23 July 2012
- Location Plan dated 31 May 2012
- Proposed Plans/Elevations, Site Plan ref: 876/TP/100 Rev C
- Planning Statement dated 12 June 2012
- Middlemarch Environmental Ltd Initial Bat Survey Ref: RT-MME112472-01 dated August 2012
- RGS Aboricultural Consultants Tress Survey Report dated July 2012

Reason: For the avoidance of doubt and in the interests of proper planning.

Materials

3. Materials, colours and finishes to be used on all buildings shall be in accordance with the approved details on plan ref: 876/TP/100 Rev C.

Reason: In the interest of the amenity of the local area having regard to saved policies GN2 and EN42 of the Daventry District Local Plan (1997).

Hours of Construction

4. Except as may otherwise be agreed in writing by the County Planning Authority all construction works shall be confined to the hours of 8.00am to 5.30pm Mondays to Friday and 8.00am to 1.00pm on Saturdays, with no works on Sundays, or Public Holidays.

Reason: To protect the amenities of neighbouring properties from noise and other disturbance having regard to saved policy GN2 of the Daventry District Local Plan (1997).

Access & Highway Safety

5. Construction delivery vehicles shall not enter or leave the site between 8.15 to 9.00 and 14.45 and 15.45 Mondays to Fridays during term time.

Reason: In the interests of highway safety and the amenity of local residents during the construction process having regard to saved policy GN2 of the Daventry District Local Plan (1997).

Tree Protection

6. No development shall take place, nor equipment, machinery or materials shall be brought on to the site for the purpose of development, until a scheme for the protection of trees to be retained (T1, T2 and T3 as shown on plan ref: 876/TP/100 Rev C) within the vicinity of the development has been submitted to and approved in writing by the County Planning Authority. The scheme shall include:

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- a. Details and positions of the Ground Protection Zones and Construction Exclusion Zones in accordance with section 9.3 of BS5837.
- b. A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work. All trees works shall be carried out in accordance with BS3998:2010, 'Recommendations for Tree Work'.
- c. Details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area of any retained tree, including those on neighbouring or nearby ground in accordance with section 5.2 of BS5837.

The method of tree protection shall be carried out in accordance with approved details and retained until construction work has been completed.

Reason: To ensure that retained trees are protected from damage in the interest of visual amenity having regard to saved policy GN2 of the Daventry District Local Plan (1997).

Breeding Birds

7. Operations that involve the destruction and removal of buildings, trees, shrubs, hedgerow and other 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 submitted to and approved in writing by the County Planning Authority.

Reason: To make appropriate provision for the management of natural habitat within the approved development in the interests of biodiversity having regard to saved policy EN42 of the Daventry District Local Plan (1997).

REASONS FOR APPROVAL

It is considered that the proposed extension would not have a significant adverse impact upon neighbouring residential amenity. No objections were received in relation to the proposed development. The location, size and design of the new extension are considered acceptable and the proposed development is considered to be acceptable having regard to saved policies GN2 and EN42 of the Daventry District Local Plan (1997).

Date 27th September 2012

Signed G.P. Watson

For Assistant Director of Environment and Planning

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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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