



PLANNING COMMITTEE: 20th December 2016
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1264 and N/2016/1387

LOCATION: NBC Depot , Station Road

DESCRIPTION: Variation of Condition 1 of planning permission N/2000/981 to allow the use of the building as a free school; and
Installation of new doors, windows, infill cladding panels, gates and ramps with handrails

WARD: Billing Ward

APPLICANT: Education Funding Agency
AGENT: Jones Lang LaSalle

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 Application N/2016/1264

REFUSAL for the following reason:

The proposal would fail to provide sufficient on-site parking to serve the development, which would result in a significant increase in the level of on-street parking within the surrounding residential area to the detriment to highway safety and residential amenity within the locality contrary to Paragraphs 17 and 35 of the National Planning Policy Framework.

1.2 Application N/2016/1387

APPROVAL subject to the conditions as set out below and for the following reason:

The proposed external alterations would have a neutral impact on the appearance of the existing building and surrounding area and are in accordance with Policy E20 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 This report relates to two planning applications for the site.
- 2.2 The first application **N/2016/1264** relates to a variation of a condition of planning permission N/2000/981 which allowed the continued use of the premises as a training centre, but restricted the use of the premises as a training centre only and for no other purpose under Use Class D1 (non-residential institutions). The current proposal seeks permission to use the premises as a free school, or Alternative Provision School (AP), defined by the Department for Education as a school 'for pupils who can't attend mainstream school for a variety of reasons, such as school exclusion, behavioural issues, short or long term illness, school refusal or teenage pregnancy'.
- 2.3 The details submitted with the application advise that the site will cater for up to 45 pupils (amended details indicate this would comprise 30 primary aged and 15 secondary aged) and a total of 20-24 staff working at various times of the day. School hours would commence at 8.30am and finish at 2.30pm.
- 2.4 Subsequent amended details have been received advising that there would be a total of 19 staff on-site.
- 2.5 Access to the site would be via Station Close, from Station Road. Six parking spaces would be provided on site, two visitors and four staff, with the remainder of staff expected to park on surrounding residential streets.
- 2.6 It is the intention that a new, permanent AP Academy will open in 2018, and pupils will be relocated to the new facility with the intention that Bellinge Depot is used for vocational purposes to provide services for youths and families in the local community.
- 2.7 A Management Plan has been submitted which includes the following details:
- It is planned that from January 2018 the Academy will be based at Northgate House, Sheep Street.
 - The temporary school at Station Close has been designed with behaviour management in mind and will have swipe controlled access to enable staff to control and supervise children's movement in/out and across the site.
 - All staff will be trained to manage behaviour throughout the day and not just in class rooms.
 - Staff and young people remain together during lunch and breaks.
 - The majority of learners will arrive via transport organised by the Local Authority. For students due to transfer from the two Include schools, this will be via taxi which will drop students off at 8.45am and pick up between 2.30 and 2.45pm.
 - At the start and end of the day a member of staff will be on duty at the school gate to ensure students arrive and leave site in a respectful manner.
 - Committed to being good neighbour and the Parish Council and neighbours on Station Close have the Head Teacher's direct contact details to raise any concerns immediately.
 - A monthly report of incidents and actions will be produced and reviewed with a community representative.
- 2.8 The second application **N/2016/1387** relates to the external changes proposed in relation to the change of use, and comprises the insertion of additional window and door openings throughout the building, the insertion of infill cladding panels, gates and ramps with handrails.

3. SITE DESCRIPTION

- 3.1 The application site comprises of two single storey former Council Depot buildings located around an enclosed courtyard with gated access located at the end of Station Close. Access to the depot site is via a single track road from Station Close which runs to the rear of residential gardens of properties on Station Road and Station Close. The surrounding area is residential in character, with residential properties on Station Close adjoining the immediate northern boundary of the site. Great Billing Way forms the eastern boundary of the site beyond a boundary wall and a line of trees.

4. PLANNING HISTORY

- 4.1 N/2000/981 – Continue use as a training centre on a permanent basis. Approved 1/11/00.
- N/1998/632 – Conversion of existing facility for use as an outreach training centre by Youth Service and Chamber of Commerce/Moulton College initiative. Approved.

5. PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and the Northampton Local Plan (1997) saved policies.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

The National Planning Policy Framework has a presumption in favour of sustainable development.

Paragraph 17 seeks to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Paragraph 32 advises that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 35 advises on that developments should be located and designed where practicable to create safe and secure layouts which minimise conflict between traffic and cyclists or pedestrians.

Paragraphs 56 and 57 advise on the importance of good design as a key aspect of sustainable development.

Paragraph 72 advises on the importance of ensuring a sufficient choice of school places is available to meet the needs of existing and new communities and the need for a proactive approach to meeting this requirement and the widening of choice in education.

5.3 **West Northamptonshire Joint Core Strategy (2014)**

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy S10: Sustainable Development Principles – development will achieve the highest standards of sustainable design incorporating safety and security considerations; be located where services and facilities can be easily accessed by sustainable transport methods.

Policy E6: Education, Skills and Training – new educational facilities will be encouraged and should be developed at site accessible by sustainable transport modes.

5.4 **Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

E20 – the design of any new building or extension should adequately reflect the character of its surroundings and ensure adequate standards of privacy, daylight and sunlight.

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NCC Highways:**

N/2016/1264 – After reviewing the submitted Transport Statement, the Highway Authority advise that it has not been specified how many staff will be present on site at any one time, but it is clear the site is well under provisioned which will lead to staff parking on Station Road. Whilst this in itself, although affecting the amenity of residents, would not lead to concerns on highway safety, adding the picking up/ dropping off of students would be a cause for concern and lead to an objection from the Highway Authority. It is recommended that the proposals are changed to include an on-site facility to pick-up and drop-off and, if possible, increase the number of parking spaces on site. An AutoTrack analysis should demonstrate that turning facilities are sufficient and vehicles can in fact pass one another. Alterations will need to be made to widen the access should it be required. Recommend limiting consent to 2 years.

Amended details have been received from the applicant advising that it would not be possible to widen the access but that the number of staff would be a total of 19, of which 16 are able to drive, 4 staff parking spaces would be provided on site, with a further 9 parking spaces secured from local residents at Station Close. At this stage, this would leave 6 members of staff without parking spaces; however the school is confident that 6 additional spaces can be sourced either from Station Close or other nearby residents.

On the basis of the above, the Highway Authority has advised that subject to a condition to ensure all employees are provided with an off-street parking space, evidenced by an appropriate written agreement; and restricting employees from parking on Station Road or Station Close, they would have no concerns.

N/2016/1387 - the extent of the highway ends at the concrete ramp that leads to the access to the depot. Therefore, the proposed changes will have no impact on the highway. Recommend gates swing inwards or slide across.

- 6.2 **Crime Prevention Design Advisor** – object to the proposal on the grounds of the road leading to the depot having insufficient capacity to accommodate vehicles; lack of parking and resultant use of surrounding streets by staff for parking; and insufficient room on Station Road to accommodate the number of drop-off vehicles. The local sergeant is very concerned about the impact on the residential amenity of existing residents and anticipated calls to the police to deal with nuisance, obstruction and inconsiderate parking.
- 6.3 **Billing Parish Council** – attended a Public Meeting with members of the community and representatives of Catch 22, which it is considered allayed many of the public's concerns, including traffic congestions, on-street parking, intimidation, criminal damage and control of students. Catch 22 promised a much improved management team (from the previous use of the site) with the provision of a direct line of communication with the Head Teacher should there be a repeat of such incidents. The Parish accept the unfortunate need for this temporary establishment.
- 6.4 **7 letters of objection have been received.** The comments are summarised as follows:
- Previous use of the site as a type of school/college cause problems with anti-social behaviour, children climbing over fences, hanging around, and rubbish in gardens.
 - Lack of parking and potential blocking of street.
 - Ruin peaceful enjoyment of living in property.
 - Site too small to accommodate a school of this size.
 - Narrow access road and potential of parked vehicles to block access for emergency vehicles.
 - Dropping pupils off in Station Road for the school will allow plenty of scope for mischief.
 - Impact on highway safety.
 - Deliveries into Station Close, including the refuse lorry already have difficulty.

APPRAISAL

Principle

- 7.1 Planning permission was originally granted for the use of the site as an outreach training centre in 1998, and subsequently renewed on a permanent basis in 2000. The permission was subject to a condition restricting the use of the premises as a Training Centre only and for no other purpose under Use Class D1 (non-residential institutions), in the interests of amenity, with an additional condition to restrict parking to within the site only, in the interests of highway safety and adjacent residential amenity.
- 7.2 Whilst the principle of the use as a free school may be considered comparable to the use as a training centre, and therefore, acceptable in this regard, consideration has to be given to impacts arising from the use as proposed which would include up to 45 pupils and 20-24 members of staff, on surrounding residential amenity and highway impacts. These issues are considered below.

Amenity

- 7.3 The site is situated in a predominantly residential area with a single access from Station Close which runs along the rear garden boundaries of properties on Station Road and Station Close.

- 7.4 Concerns have been raised by residents with regard to the previous use of the premises by the school and associated anti-social behaviour issues, as well as impacts on amenity and highway safety arising from increased on-street parking demand.
- 7.5 The Parish Council's comments, at paragraph 6.3 above, advise that a public meeting with members of the community and representatives of Catch 22 allayed many of the public's concerns raised, clarifying how the school would be managed and providing channels of communication should issues arise. Although further correspondence has not been received to formally withdraw the previous objections raised by residents, it would appear that with appropriate management general concerns raised by residents regarding impacts on amenity could be addressed.
- 7.6 The applicant has submitted a Management Strategy which clearly sets out how the school is intended to be managed to avoid previous anti-social behaviour issues, the contents of which are summarised in paragraph 2.7 above. The playground would be secured with swipe access to and from the site, and staff would be on duty to monitor pupils' arrival and departure from the school. Whilst the benefits of such a strategy are acknowledged and encouraged, it would be difficult to impose and enforce a planning condition requiring the development to be carried out in accordance with the Management Strategy. The intentions of this strategy would, therefore, have to be considered in good faith only with no ability to control through planning.

Highways

- 7.7 Access to the site would be via Station Close, from Station Road, which provides access to residential properties to the north of the site, with a single track arm approximately 4m in width providing access to the depot site with a turning head at the end.
- 7.8 The application is accompanied by a Transport Statement which advises the proposed car park will provide six spaces, with two allocated for visitors and the remaining four allocated for staff parking, with it being anticipated that the remaining staff travelling by car will park on the surrounding residential streets. Servicing and delivery vehicles will have access to the school car park or turning head outside the school gates. The statement advises that the closest westbound and eastbound bus stops are 220m and 280m respectively from the site, an approximate 3 minute walk distance to the north of the site on Fishponds Road.
- 7.9 The Highway Authority has raised concerns regarding the impacts on highway safety due to the lack of on-site parking and potential combined impacts of both staff and drop off/ pick up vehicular movements.
- 7.10 The Police have objected to the proposal on the grounds of insufficient capacity both on-site and on the road leading to the depot, to accommodate the potential number of staff vehicles and drop-off vehicles associated with the development proposed and the resultant impacts of inappropriate parking on surrounding residential amenity.
- 7.11 The Highway Authority Parking Standards (September 2016) require 1 space per full-time member of staff with 1 drop off space per 4 participants for educational establishments. Potentially, this would lead to a requirement of up to a maximum of 19 staff parking spaces with a requirement for approximately 11 drop off spaces.
- 7.12 The single track access to the depot site is in excess of 50m in length and 4m wide along the majority of its length with an approximately 1.5m grass verge and two lampposts, but no footway, and a turning head at the end outside the depot gates. The boundaries of residential gardens of properties on Station Road and Station Close immediately border the site access and verge. The current access is not of sufficient width to accommodate two passing vehicles.

- 7.13 The Highway Authority has recommended that consideration is given to widening the access width to allow provision for a drop off/ pick up area on site. An access width of 4.5m would be required along its length. However, the access road does not form part of the current application site and the widening of the access to allow for use of the premises for a temporary period is considered disproportionate to the overall scheme.
- 7.14 Amended details have since been received advising that there would be 19 staff and that with a combination of 4 on-site spaces and 9 spaces being secured on local residents' properties, 3 additional spaces would be required. In response to this the Highway Authority has advised that they would remove their objection subject to a condition ensuring all employees are provided with off-street parking and that employees do not park on Station Road or Station Close.
- 7.15 The issue with the arrangement as proposed is that on-site parking is physically restricted to the six spaces and the development would be reliant on the provision of additional staff spaces on land outside of the site and privately owned by local residents. Whilst the intentions of the applicant are noted, it would not be possible to ensure the availability of these spaces by condition or indeed enforce a condition to that effect.
- 7.16 In view of the above, it is considered that there is potential for there to remain a lack of on-site parking provision and resultant potential for significant on-street parking within the surrounding residential area and impacts on highway safety, the proposal is considered contrary to the aims of the National Planning Policy Framework which seeks to ensure developments are located and designed to create safe and secure layouts minimising conflict between traffic and cyclists or pedestrians, and a good standard of amenity for all.

Design and Appearance

- 7.17 The existing building is utilitarian in appearance. The alterations proposed to the exterior of the building relate to relatively minor alterations to existing window and door openings. The site is predominantly enclosed and the external works would have a neutral impact on the character of the existing building and surrounding area and are considered acceptable. Therefore, the alterations proposed under application N/2016/1387 are considered acceptable and the application is recommended for approval.

8. CONCLUSION

8.1 N/2016/1264

The proposal would fail to provide sufficient on-site parking resulting in a significant increase in the level of on-street parking within the surrounding residential area to the detriment of highway safety and residential amenity and contrary to Paragraphs 17 and 35 of the National Planning Policy Framework.

8.2 N/2016/1387

The proposed changes would have a neutral impact on the character and appearance of the existing building and character of the area and are considered acceptable and in accordance with policy and therefore recommended for approval.

9. CONDITIONS

9.1 Application N/2016/1387

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, A/L/03/02 as revised by email dated 28/10/16 to incorporate white upvc cladding in place of timber cladding as shown, A/L/A/L/03/02.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

10. BACKGROUND PAPERS

10.1 N/2016/1264 and N/2016/1387.

11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **NBC Depot, Station Road**

© Crown copyright and database rights 2016 Ordnance Survey licence no. 10019655

Date: 07-12-2016

Scale: 1:2,000

Drawn by: -----