



**PLANNING COMMITTEE:** 21<sup>st</sup> January 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1523

**LOCATION:** The Spires Academy, Station Close

**DESCRIPTION:** Variation of Condition 1 of Planning Permission N/2018/0845 (Variation of Condition 1 of Planning Permission N/2016/1264 to extend temporary period) to allow the Spires Academy to occupy the building for another three months to 15th May 2020

**WARD:** Billing Ward

**APPLICANT:** Department for Education (DfE)  
**AGENT:** JLL

**REFERRED BY:** Director of Planning and Sustainability  
**REASON:** Council owned land

**DEPARTURE:** No

---

#### **APPLICATION FOR DETERMINATION:**

#### **1 RECOMMENDATION**

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

The proposal would continue to allow for the provision of a temporary facility to meet an existing educational need until a more permanent facility is provided. Subject to the conditions below, it is not considered that the continue use would lead to any unacceptable adverse impacts on adjacent residential amenity or existing highway conditions. The proposal is therefore in accordance with the requirements of Policies S10 and E6 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

#### **2 THE PROPOSAL**

2.1 The application seeks to vary Condition 1 of planning permission N/2018/0845 which permitted the use of the buildings as a free school for a temporary period until February 2020. The current application seeks to extend the period of use until 15<sup>th</sup> May 2020.

#### **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 a private road. The site is owned by

the Council. Access to the depot site is via a single track private 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/2018/0845 - Variation of Condition 1 of Planning Permission N/2016/1264 (Variation of Condition 1 of planning permission N/2000/981 to allow the use of the building as a free school) to allow the Spires Academy to occupy the building for longer than the consented period for a further 12 months until 15 February 2020. Approved 1/08/18.
- 4.2 N/2016/1387 - Installation of new doors, windows, infill cladding panels, gates and ramps with handrails. Approved 21/12/16.
- 4.3 N/2016/1264 - Variation of Condition 1 of planning permission N/2000/981 to allow the use of the building as a free school. Approved 15/02/17.
- 4.4 N/2000/981 - Continue use as a training centre on a permanent basis. Approved 1/11/00.
- 4.5 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 6/10/98.

#### **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**

**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:

Paragraph 94 – seeks to ensure a sufficient choice of school places is available to meet the needs of existing and new communities.

Paragraph 109 – Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Section 12 – Achieving well-designed places.

##### **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 sites 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, there is no relevant policy relating to this proposal.

#### 5.5 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004  
Northamptonshire County Parking Standards 2016  
Northampton Parking Standards 2019

### **6 CONSULTATIONS/ REPRESENTATIONS**

6.1 **Public Protection (NBC)** – no objection.

6.2 **Highway Authority (NCC)** – no comments to make.

6.3 Two comments from 3<sup>rd</sup> parties have been received, the comments of whom are summarised as follows:

- No objection to the continued use of the buildings by the Spires Academy.
- There is insufficient space on site to accommodate all the staff cars resulting in cars parked on both sides of Station Road during the school day, creating a tortuous route for traffic and difficulties for commercial and emergency vehicles.
- Impact on driveway access and visibility for properties on Station Road.
- Acknowledge Headteacher has endeavoured to resolve situation, but any improvements only last a short time.

### **7 APPRAISAL**

#### **Principle**

7.1 The NPPF advises on the need to take a proactive approach to ensuring the availability of a sufficient choice of school places to meet the needs of the community and the widening of choice in education. Policy E6 of the JCS supports the provision of educational facilities on sites accessible by sustainable transport modes.

7.2 The continued provision of a facility to meet educational needs as proposed is supported by planning policy as identified above. The main issues to consider therefore relate to the continued use of the premises on a temporary basis as a school, and the impacts on surrounding residential amenity and the highway.

#### **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 residential properties on Station Road and Station Close.

7.4 The principle of the use of the site as a school on a temporary basis has been established through the grant of the permission in 2017, extended for a further period in 2018 until 15<sup>th</sup> February 2020. The use of the site has always been intended as a temporary solution with the intention to move pupils from the existing temporary classroom at the depot to a new school at Northgate House on

Sheep Street, currently undergoing conversion to a school. The completion of Northgate House has been delayed due to alterations being undertaken to the car park.

- 7.5 The depot property is leased from the Council, which would retain an element of control over appropriate use of the building in respect of any potential to cause nuisance or inconvenience to the Landlord, or any owner or occupier of neighbouring properties. As such, it is considered that the continued use of the buildings on a further temporary basis as proposed is acceptable and would not lead to any undue impact on surrounding residential amenity.

## **Highways**

- 7.6 Access to the site is from Station Close, via a private road under the ownership of the Council.
- 7.7 The existing school at the depot is staffed by 20 full and part time staff. 13 on-site parking spaces are provided comprising 5 allocated for drop off/pick up and the remaining 8 allocated for staff parking. The application details also advise that parking occurs for 4 vehicles on land immediately south of the school gates for up to 4 vehicles and there are existing lease agreements with 5 nearby residential properties for up to 9 spaces and a further 5 spaces at the Deer Leap Public House.
- 7.8 Concerns raised regarding impacts on parking and highway safety within the area are acknowledged. However, the Highway Authority raises no objection and the current works being carried out to Northgate House provide a greater level of certainty that a more permanent solution will imminently be in place. The proposal seeks to extend the use of the premise for a limited period and, as such it is not considered that the proposal would lead to any unacceptable adverse impacts on highway safety or surrounding residential amenity, particularly when making a balanced judgement against the provision of much needed school places.

## **8 CONCLUSION**

- 8.1 The continued use of the site is intended as a temporary measure until works to the alternative accommodation are completed. A condition imposing a temporary consent is proposed on this basis, and to enable the Local Planning Authority to continue to assess the impacts of the use, should there be a further future requirement for a longer period. Whilst the management of the facility would not be enforceable by planning condition, there would be an element of control under the lease agreement with the Council to enable control over any unacceptable adverse impacts on adjacent residential amenity. The impacts of the proposal in relation to highway matters are not considered to be of such severity that the application should be refused on this basis. On balance, it is considered that the proposal would provide a much needed educational facility, the impacts of which could be appropriately mitigated subject to the conditions proposed, and therefore, the application is recommended for approval.
- 8.2 As this application is for a variation of condition, the previous relevant conditions of the original consent N/2000/0981 are imposed, in addition to the conditions of the previous temporary consent N/2018/0845.

## **9 CONDITIONS**

1. The use of the premises hereby permitted shall be for a temporary period only expiring on or before the 15<sup>th</sup> May 2020.

Reason: The proposed use is considered acceptable as a temporary use of the land and building to meet a current need and would allow the Local Planning Authority to monitor the impact on adjacent residential amenity and highway safety in accordance with Policy E6 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Proposed Ground Floor Layout Option 6 received 30/01/17.

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

3. The temporary use hereby permitted shall be carried out in accordance with the details set out in the submitted Traffic Management Plan dated 4/07/18.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

4. The parking area providing 13 parking spaces as shown on the approved drawing, Ground Floor Layout Option 6 received 30/01/17, shall be retained throughout the life of the development.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

5. The premises shall only be open for the use hereby permitted between 08:00 and 21:00 hours Mondays to Fridays and at no time whatsoever on Saturdays, Sundays or Bank Holidays.

Reason: In the interests of the amenities of nearby residential properties in accordance with the National Planning Policy Framework.

## **10 BACKGROUND PAPERS**

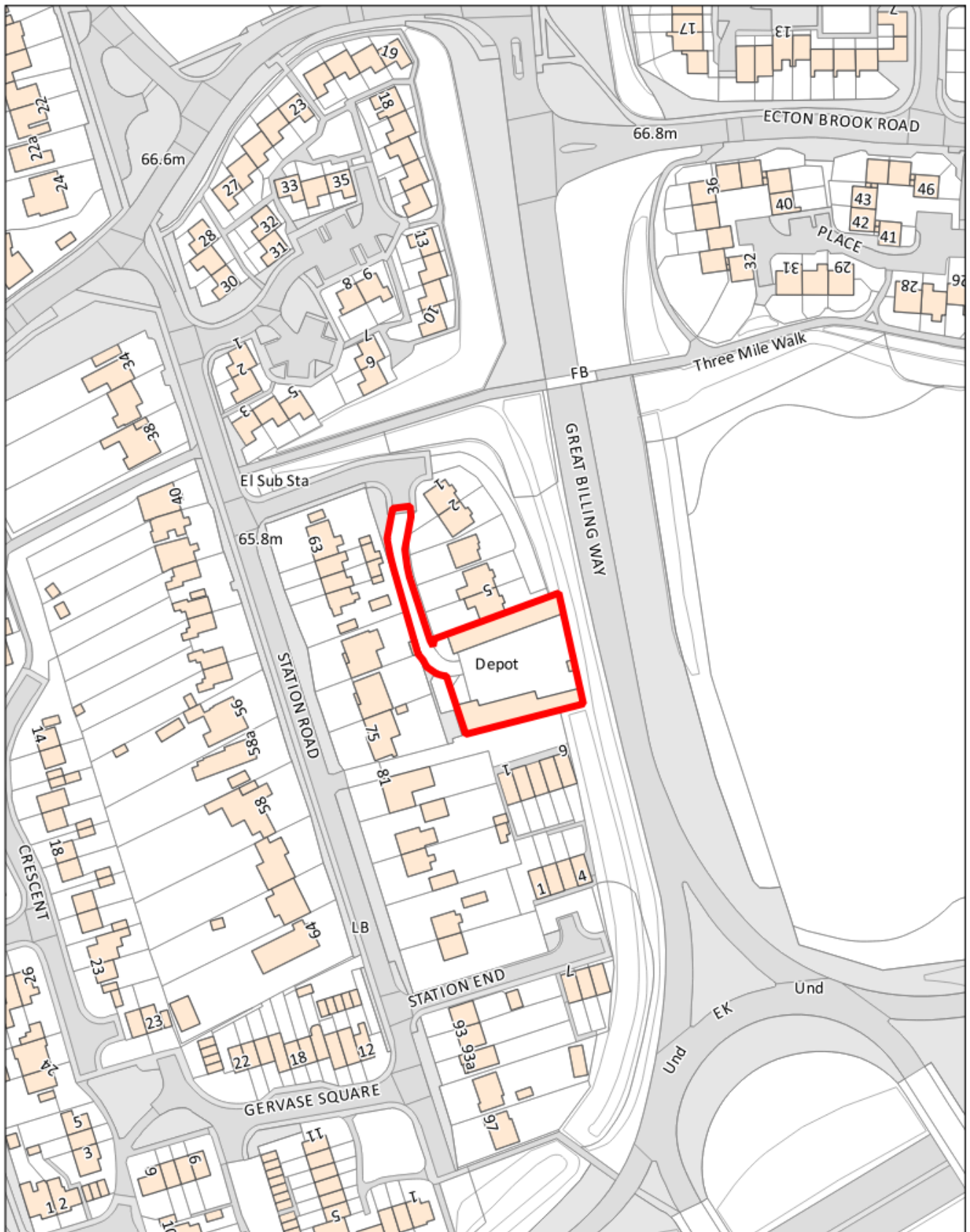
- 10.1 N/2019/1253.

## **11 LEGAL IMPLICATIONS**

- 11.1 The development is not CIL liable.

## **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: **The Spires Academy, Station Close**

© Crown copyright and database rights 2019 Ordnance Survey licence no. 100019655

Date: 08-01-2020

Scale: 1:1,500

Drawn by: -----