Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant  
NCC (Property Asset Management)  
John Dryden House  
8-10 The Lakes  
Northampton  
NN4 7YD

Name and address of agent (if any)  
Gotch Saunders & Surridge LLP  
2 Spencer Parade  
Northampton  
NN1 5AA

Part I - Particulars of application

Date of Application  
24 September 2012

Application No.  
NCC Ref: 12/00067/CCDCOU  
NBC Ref: N/2012/0963

Particulars and location of development

Change of Use from office building to a primary school at Stirling House, 77 The Avenue, Cliftonville, Northampton, Northamptonshire, NN1 5BT

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. Written notification of the date of commencement shall be sent to the County Planning Authority within 7 days of such commencement.

   REASON: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory

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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:

- Planning Application Forms dated 11th September 2012;
- Planning Statement dated October 2012;
- BCAL Consulting Transport Statement Report ref. 4856R001TS dated September 2012;
- TMS Consultancy Road Safety Audit Stage 2, ref. 10620 dated November 2012;
- Letter from BCAL Consulting re Traffic Count and Speed Survey dated 23rd November 2012;
- Drawing No. 00 Existing Aerial View;
- Drawing No. SK01 Existing Site Plan;
- Drawing No. (SK)10 Existing Ground & First Floor Plan;
- Drawing No. (SK)11 Existing Second & Third Floor Plan;
- Drawing No. (SK)12 Existing Elevations - North & East;
- Drawing No. (SK)13 Existing Elevations - South & West;
- Drawing No. (SK)15 Ground & First Floor Layouts;
- Drawing No. (SK)16 Second & Plant Floor Layouts;
- Drawing No. (SK)17 Proposed Elevations - North & East;
- Drawing No. (SK)18 Proposed Elevations - South & West;
- Drawing No. (SK)19 Proposed Sections AABB;
- Drawing No. SK20 Rev B Proposed Site Plan;
- Drawing No. SK05 Site Schematic;
- Drawing No. SK06 Schematic Section;

REASON: To specify the approved documents to ensure the development as proposed is permitted and in the interests of amenity protection having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

3. Construction Management

Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to the County Planning Authority for approval in writing. The Construction Management Plan shall include and specify the provision to be made for the following:

i. Overall strategy for managing environmental impacts which raise during construction;
ii. Procedures for maintaining good public relations including complaint management, public consultation and liaison;
iii. Measures to control the emission of dust and dirt during construction;
iv. Control of noise emanating from the site during the construction period;
v. Construction Plant Directional signage (on and off site);
vi. Provision for emergency vehicles;

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vii. Provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials;
viii. Details of delivery times;
ix. Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
x. Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
xii. Storage of plant and materials used in constructing the development;
xi. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works unless otherwise approved in writing by the County Planning Authority.

REASON: In the interests of residential amenity, highway safety and visual amenity having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

**Hours of Construction**

4. All construction works shall be confined to the hours of 8.00am to 5.30pm Mondays to Fridays and 8.00am to 1.00pm on Saturdays, with no works on Sundays, Bank or Public Holidays.

REASON: To protect the amenities of neighbouring properties from noise and other disturbance having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

**Noise**

5. Prior to the occupation and use of the development, a scheme shall be agreed with the County Planning Authority which specifies the sources of noise on the site, whether from fixed plant or equipment or noise generated within the buildings, and the provisions to be made for its control. The agreed scheme shall be implemented prior to the development coming into use and shall be maintained thereafter.

REASON: In the interests of residential amenity having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

**Odour**

6. Prior to the occupation and use of the development, a scheme shall be agreed with the County Planning Authority that specifies the provisions to be made for the collection, treatment and dispersal of cooking odours. The agreed scheme shall be implemented prior to the development coming into use and shall be maintained thereafter.

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Highways

7. Prior to the occupation and use of the development, the following highway works shall be agreed and completed in accordance with full engineering, drainage and constructional details, to be submitted to the County Planning Authority for approval in writing:

i. Modifications are required at the school entrance including the provision of ‘School Keep Clear’ road markings.

ii. Modifications are required at the Cliftonville Road (South) junction with the Avenue to include Yellow box Junction markings in order to allow 'Right Turn' into The Avenue.

iii. A provision of uncontrolled pedestrian crossings on The Avenue at both the Junctions (North + South) with Cliftonville Road.

iv. A provision of a 'Drop Off Lay- By' on the Avenue adjacent to the school with associated parking restrictions.

v. The implementation of a Traffic Regulation Order (TRO) required to reduce the overall Speed Limit of the whole Avenue to 20mph with an associated signage and road markings.

vi. A provision of an appropriate signage to highlight the new school, such as 'Children Crossing' or 'School'.

vii. A provision of white 'H-Bar' road markings across all the private accesses in the vicinity of the school to prevent any inappropriate car parking.

viii. Improvements to the condition of the footway along the frontage of the school development including re-surfacing work to the footpath.

ix. Some large potholes in the carriageway opposite the school access will require to be repaired.

x. Additional pedestrian safety barriers at locations to be agreed including on the Billing Road.

xi. Timescales for the timely implementation of the works listed in points i. - x. above.

The highway works shall be constructed in accordance with the approved details and maintained thereafter.

Reason: In the interests of highway safety having regard to Policy C2 of the West Northamptonshire Joint Core Strategy - Pre-Submission (July 2012).

8. The vehicle parking area shown on Drawing No. SK20 Revision A shall not be used otherwise than for the parking of motor vehicles belonging to staff and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained having regard to Policy C2 of the West Northamptonshire Joint Core Strategy - Pre-Submission (July 2012).

External Canopies

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9. Prior to the erection of any external canopy on the site, details for the construction and external finishes of the external canopies shall be submitted to the County Planning Authority for approval in writing. The details as approved shall thereafter be implemented.

REASON: In the interests of amenity having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

Fencing

10. Prior to the erection of any fence on the site, details shall be submitted to the County Planning Authority in respect of the type, height, colour and location of all perimeter and internal fences for approval in writing. The details as approved shall thereafter be implemented.

REASON: In the interests of residential amenity having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

Travel Plan

11. Prior to the occupation and use of the development, an Interim School Travel Plan shall be submitted to the County Planning Authority for approval in writing. Within 12 months of the school being first brought into use, a detailed School Travel Plan shall be submitted to the County Planning Authority for approval in writing. The plan as approved shall thereafter be implemented and should be reviewed on an annual basis and updated to reflect any changes in circumstances.

REASON: To reduce the number of car borne journeys related to the development and to encourage the use of means of transport other than the private car having regard to Policy C2 of the West Northampronshire Joint Core Strategy (Pre-Submission, July 2012).

Cycle Provision

12. Details of the location of the cycle parking spaces shall be as submitted on Drawing No. SK20 unless otherwise agreed in writing with the County Planning Authority. These spaces shall be covered and this provision shall be monitored and reviewed on an annual basis alongside the school travel plan and additional spaces be provided if the results of the annual review demonstrate that there is an insufficient number of spaces to meet peak demand.

REASON: To ensure that an appropriate number of cycle spaces shall be provided having regard to Policy C2 of the West Northampronshire Joint Core Strategy (Pre-Submission, July 2012).

Secure by Design

13. Within 3 months of the date of this permission, a scheme detailing the safety

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and security standards including those to be incorporated within all openings associated with the development shall have been submitted to and approved in writing by the County Planning Authority in consultation with the Police Crime Prevention Design Advisor and in line with the recommendations of 'Secured by Design'. The scheme as approved shall be implemented prior to the occupation and use of the development.

REASON: In the interest of the security and quality life of future occupants of the development having regard to saved Policy E40 of the Northampton Borough Council Local Plan (1997).

Trees

14. No development shall take place until details of how the existing trees within the site are to be retained and protected shall be submitted to the County Planning Authority for approval in writing. The details as approved shall thereafter be implemented.

REASON: To ensure the protection of trees on the site having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

15. Any excavation including post holes for fencing within tree protection areas shall be carried out using non-mechanised hand tools only.

REASON: To ensure that the tree(s) are not damaged or otherwise adversely affected by building operations having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

Use of Roof Restricted

16. The roof of the building shall not be used for any purpose other than as a means of escape in emergency or for maintenance of the building.

REASON: To safeguard the amenities of the adjoining premises and the area generally having regard to saved Policy E20 of the Northampton Borough Council Local Plan (1997).

REASONS FOR APPROVAL

It is accepted that the proposed conversion of Stirling House into a new school will have some impact upon residential amenity in terms of increased traffic along The Avenue and an increase in noise levels. These impacts are not considered to be significantly adverse to justify refusal of the planning application and the creation of a new 210 place primary school within an area where there is high demand for primary school places is considered to be of significant benefit to the local community. The issues which have been raised by the Borough Council’s Environmental Health Officer and the Highways Authority can be dealt with by the imposition of planning conditions including a Traffic Regulation Order to secure traffic calming and safety measures. Therefore, it is considered that need for the development outweighs the negative impacts relating to amenity (traffic and noise) and highway safety through

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increased traffic, and the proposed development is acceptable having regard to saved Policies B12, E20 and E40 of the Northampton Borough Local Plan, and Policies C2 and S10 of the West Northamptonshire Joint Core Strategy (Pre-Submission, July 2012). It is therefore recommended that planning permission be granted subject to the conditions.

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

INFORMATIVE(S)

1. Prior to the commencement of any site works, all occupiers of potentially sensitive properties surrounding the site should be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom enquiries/complaints should be directed.

2. If you alter your proposals in any way, including to comply with the Building Regulations, a further planning application may be required. If you wish to deviate in any way from the proposals shown on the approved drawings you should contact the Development Control Section, Planning Services, Floor 3, County Hall, Guildhall Road, Northampton, NN1 1DN (Tel: 01604 366130) for advice on the appropriate procedure.

3. The applicant is advised that the erection of new buildings or alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made.

Date: 18th December 2012
Signed: ________________________________

For Assistant Director of Environment and Planning

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