Planning Statement

Proposed Change of Use of Approved Commercial Uses
Northampton International Academy, Barrack Road, Northampton, NN1 1AA

CC Town Planning on behalf of Northamptonshire County Council - Property Asset Management

July 2018
INTRODUCTION

1.1 CC Town Planning have been appointed by Northamptonshire County Council - Property Asset Management (the “Applicant”) to prepare a Planning Statement in support of a full planning application to change the use of areas within the main Northampton International Academy (“NIA”) building (the “Site”) which are approved for various ‘commercial’ uses as part of the planning approvals for the conversion of the building.

1.2 Planning permission (ref: 14/00039/CCDFUL) was granted on 29th October 2014 to convert the Former Royal Mail Depot at 55 Barrack Road into the NIA and construction work is close to completion with the main school building due to open in September 2018. NIA is a through-school for pupils aged 4-19 years and when fully occupied will provide education for 420 primary school pupils (2 form entry) 1500 secondary school pupils and 300 6th from pupils. NIA opened in September 2016 with the first intake of pupils currently being taught in temporary buildings within the site.

1.3 NIA is operated by the EMLC Academy Trust.

1.4 The aforementioned planning permission was subsequently amended under 17/00043/CCDVOC on 7th December 2017 which secured permission for minor material amendments to the approved scheme. The main building is being converted under this permission.

Proposed Change of Use

1.5 Part of the approved scheme grants permission for various non educational uses within the main NIA building. Under 14/00039/CCDFUL these uses include residential units (7 No. apartments – C3 use), a gym (D2 use), café (A3 use) and a private nursery (D1 use). These are detailed both within the approved plans and also referenced within the development description set out at in the table at Paragraph 2.8. Within 17/00043/CCDVOC these uses are all defined as ‘commercial uses’ on the approved plans.

1.6 Planning permission is now sought to change the use of these areas of the building, which total some 2,946 sq.m (including external terrace of 2,750 sq.m) and are located on the ground, first, second and third floors of the front part of the building.

1.7 At this stage there has been no interest in bringing forward these ‘commercial uses’ and as such consent is now secured to change the use of these areas of the building into Educational (D1 use). This could be for additional floorspace for NIA, or potentially for a separate educational institution – possibly a Special Educational Needs (SEN) school given local demand for this provision. It is however possible that some or all of the ‘commercial uses’ could still come forward as envisaged, however a flexible consent is required to permit either these commercial uses to come forward, or to permit these areas to be used for D1 (Education) purposes.

1.8 A detailed description of the development is set out in Section 3 below.

1.9 The application is submitted to Northamptonshire County Council (the “LPA”) as the determining Planning Authority for the area.
1.10 This Planning Statement provides a justification for the proposed development in light of prevailing national and local planning policy. The following supporting documents have been submitted with the application:

**Drawings**

- BK-105 Rev A  Site Location Plan/Proposed Site Plan
- BK-162-P02  Existing Level 0 Plan
- BK-163-P02  Existing Level 1 Plan
- BK-164-P02  Existing Level 2 Plan
- BK-165-P02  Existing Level 3 Plan
- BK-172-P03  Proposed Level 0 Plan
- BK-173-P03  Proposed Level 1 Plan
- BK-174-P03  Proposed Level 2 Plan
- BK-175-P03  Proposed Level 3 Plan

2 **SITE & SURROUNDINGS**

2.1 This section of the statement provides an overview and analysis of the site including relevant recent planning history and its relationship with the surrounding area.

2.2 The site is shown edged red in the aerial image below and extends to approximately 1.5 hectares in area:

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**Site Location Plan**

2
2.3 The application site is located within the Semilong area on the northern edge of Northampton Town Centre. The site comprises a large and substantially-massed office building (formerly the Royal Mail Sorting Office) which dates from the 1970’s. The principal frontage of the building fronts Barrack Road (A508), a main north-south arterial route within Northampton.

2.4 The site is bordered to the north by Semilong Road and an established largely residential area. Residential blocks including Semilong House, Adelaide House, Alliston Gardens and Mill House are located to the north of the site and vary in height from 2 to 7 storeys.

2.5 The Castle Academy, an established primary school, lies immediately to the south-west of the site. An older low-density modest industrial estate lies beyond the Castle Academy. Overall the site forms part of an area with a variety of uses, and which is of typical an edge of centre location. It is envisaged that the Northampton International Academy will cater for many of the residents and families within the Semilong and wider area.

2.6 The site largely comprises of hardstanding in addition to the existing NIA temporary classrooms and temporary staff car parking areas.

2.7 The Barrack Road Conservation Area is located to the north east of the site. The Gibraltar Barracks (an army cadet barracks) and Gibraltar Court (residential flats) are located to the south.

2.8 A summary of the relevant planning history is detailed within the table below. In addition to the above, planning permissions for temporary teaching accommodation has been approved on the site. These will be removed once the main NIA building is completed.

<table>
<thead>
<tr>
<th>NBC Ref:</th>
<th>Proposed conversion and extension of existing former Royal Mail sorting office building to provide a 420 place primary school, 1500 place secondary school with 300 place 6th form, as well as a private nursery, cafe, gym and 7 residential units. Demolition of an existing metal transport shed at the west of the site, canopy and brick wall to loading bay, rear stair core and general site clearance surrounding the existing building. Other external works include alterations to external elevations, infilling of internal roof courtyard, provision of new hard and soft landscaping at the front, side and rear of the building, creation of new pedestrian and cycle access, construction of a new single storey external deck to provide additional car parking and play/teaching space, provision of</th>
<th>Approved</th>
<th>29/10/2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>14/00039/CCDFUL</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>N/2014/0757</td>
<td>Proposed conversion and extension of existing former Royal Mail sorting office building to provide a 420 place primary school, 1500 place secondary school with 300 place 6th form, as well as a private nursery, cafe, gym and 7 residential units. Demolition of an existing metal transport shed at the west of the site, canopy and brick wall to loading bay, rear stair core and general site clearance surrounding the existing building. Other external works include alterations to external elevations, infilling of internal roof courtyard, provision of new hard and soft landscaping at the front, side and rear of the building, creation of new pedestrian and cycle access, construction of a new single storey external deck to provide additional car parking and play/teaching space, provision of</td>
<td>Approved</td>
<td>29/10/2014</td>
</tr>
</tbody>
</table>
THE PROPOSED DEVELOPMENT

3.1 This application seeks full planning permission to change the use of various parts of the main NIA building from a series of ‘commercial uses’ into additional D1 Education use.

3.2 The development description as set out in the submitted forms is:

Change of Use of parts of building located at ground, first, second and third floor level from approved ‘commercial uses’ to Education (D1) Use.

3.3 As set out above these were approved under 14/00039/CCDFUL for a variety of uses including residential units (7 No. apartments – C3 use), a gym (D2 use), café (A3 use) and a private nursery (D1 use). These are detailed both within the approved plans, application forms and also referenced within the development description set out at in the table at Paragraph 2.8. Within 17/00043/CCDVOC, which permitted amendments to various conditions imposed on the first permission and minor material amendments to the approved plans, these uses are relabelled as ‘commercial uses’ on the approved plans.

3.4 Consent is now sought to change the use of these areas of the building into Educational (D1 use) to provide some flexibility in the way that these areas are used. As set out above, it is possible that some or all of the ‘commercial uses’ could still come forward as envisaged, however a flexible consent is required to permit either these commercial uses to come forward, or to permit these areas to be used for D1 (Education) purposes, or potentially a combination of both.

3.5 The table below sets out the areas of the building that are the subject of this application.
Northampton International Academy

Proposed Change of Use of Commercial Uses

<table>
<thead>
<tr>
<th>Floor</th>
<th>Commercial Uses Permitted Under 14/00039/CCDFUL</th>
<th>Commercial Floorspace Permitted Under 14/00039/CCDFUL</th>
<th>Commercial Uses Permitted Under 17/00043/CCDV OC</th>
<th>Commercial Floorspace Permitted Under 17/00043/CCDV OC</th>
<th>Proposed D1 Floorspace</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 0</td>
<td>Residential Lobby, Café, Gym, Reception, Private Nursery</td>
<td>487 sq.m</td>
<td>Commercial Units</td>
<td>548 sq.m</td>
<td>548 sq.m</td>
</tr>
<tr>
<td>Level 1</td>
<td>Gym</td>
<td>1288 sq.m</td>
<td>Commercial Units</td>
<td>886 sq.m</td>
<td>886 sq.m</td>
</tr>
<tr>
<td>Level 2</td>
<td>Residential</td>
<td>792 sq.m</td>
<td>Commercial Units</td>
<td>841 sq.m *</td>
<td>841 sq.m *</td>
</tr>
<tr>
<td>Level 3</td>
<td>N/A</td>
<td>0 sq.m</td>
<td>Commercial Units</td>
<td>671 sq.m</td>
<td>671 sq.m</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>2,567 sq.m</td>
<td></td>
<td>2,946 sq.m</td>
<td>2,946 sq.m</td>
</tr>
</tbody>
</table>

(* Includes external amenity area of 196 sq.m)

Table 2 – Floorspace Analysis

3.6 There are no proposed changes to either of the 2 basement levels of the building (Level -1 and Level -2) which includes the parking area. There are no external alterations proposed to the building as part of the application, or any alterations proposed to the external areas of the site including the front plaza and amenity and sports provision.

4 REVIEW OF PLANNING POLICY FRAMEWORK

4.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that decisions on planning applications be taken in accordance with the development plan, unless material considerations indicate otherwise. This is also reinforced within the National Planning Policy Framework (NPPF) at Paragraph 2.

4.2 In assessing the planning policy context, consideration has been given to the adopted development plan and supplementary planning guidance and also to national planning guidance. All relevant documents are set out below in order of national and local levels.
The National Planning Policy Framework

4.3 At the heart of the National Planning Policy Framework ("NPPF"), at Para 14, lies the 'presumption in favour of sustainable development'. In order for the delivery of sustainable development to be achieved, the NPPF contains a set of core principles (Para 17), which include (inter alia):

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial and thriving local places the country needs…;
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Support the transition to a low carbon future in a changing climate, taking into account of flood risk…and encouraging the use of renewable resources (for example, by the development of renewable energy);
- Promote mixed use developments, and encourage multiple benefits form the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage or food production);
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;

4.4 There are three dimensions to sustainable development as identified at Paragraph 7 - economic, social and environmental and that the planning system must therefore perform a number of roles:

- An economic role – contributing to building a strong, responsive and competitive economy;
- A social role – supporting strong, vibrant and healthy communities;
- An environmental role – contributing to protecting and enhancing our natural, built and historic environment.

4.5 Para 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- Give great weight to the need to create, expand or alter schools; and
- Work with school promoters to identify and resolve key planning issues before applications are submitted.

4.6 Section 7 of the NPPF highlights the importance the Government attaches to the design of the built environment. Para 56 specifically states that ‘Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people’. Section 7 continues at Para 57 to state that ‘it is important to plan positively for the achievement of
**Northampton International Academy**

**Proposed Change of Use of Commercial Uses**

high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes’.

4.7 Para 58 of the NPPF states that ‘Local and neighbourhood plans should develop robust comprehensive policies that set out the quality of development that will be expected for the area’ and continues to further state that ‘Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result good architecture and appropriate landscaping.’

4.8 Paragraph 32 sets out some of the key transport related considerations that should be taken into account when making decisions. This includes ensuring that a safe and suitable access to a site for all people can be achieved. “Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

**Local Planning Policy**

**The Development Plan**

4.9 The statutory Development Plan for the area currently comprises of the adopted West Northamptonshire Joint Core Strategy (2014), the saved policies of the Northampton Local Plan (adopted 1997) and the Northampton Central Area Action Plan (2013).

4.10 The following policies are considered to be relevant to the proposed development.

**West Northamptonshire Joint Core Strategy (2014) (“WNJCS”)**

<table>
<thead>
<tr>
<th>Policy</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA</td>
<td>Presumption in Favour of Sustainable Development</td>
</tr>
<tr>
<td>S1</td>
<td>The Distribution of Development</td>
</tr>
<tr>
<td>S7</td>
<td>Provision of Jobs</td>
</tr>
<tr>
<td>S10</td>
<td>Sustainable Development Principles</td>
</tr>
</tbody>
</table>
Policy S11  Low Carbon and Renewable Energy
Policy C5   Enhancing Local and Neighbourhood Connections
Policy BN2  Biodiversity
Policy BN5  The Historic Environment
Policy BN9  Planning for Pollution Control
Policy E6   Education Skills and Training

**Saved Policies of the Northampton Local Plan (1997) ("NBLP")**
Policy E11  Hedgerow, Trees and Woodland
Policy E20  New Development
Policy E40  Crime and Vandalism

**Northampton Central Area Action Plan (2013) ("CAAP")**
Policy 1   Promoting Design Excellence
Policy 3   Public Realm
Policy 4   Green Infrastructure
Policy 5   Flood Risk and Drainage
Policy 10  Parking
Policy 34  Former Royal Mail Post Office

**Review of Development Plan Policies**

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

4.11 The Joint Core Strategy ("JCS") sets out the long-term vision and objectives for the area covered by Daventry District, Northampton Borough and South Northamptonshire Council’s for the plan period, including strategic policies for steering and shaping development.

4.12 **Policy SA** sets out the presumption in favour of sustainable development reflecting that in the NPPF.

4.13 **Policy S1** sets out the distribution of development within the plan area and sets out that development will be concentrated primarily in and adjoining the principal urban area of Northampton.

4.14 **Policy S7** sets out that provision will be made for 28,500 jobs in West Northamptonshire during the plan period.

4.15 **Policy S10** sets out the principles for ensuring sustainable developments. This relates to design considerations; energy efficiency and materials; waste management; accessibility by walking, cycling and public transport; renewable energy; water efficiency and sustainable drainage; preservation,
conservation and enhancement of the natural and built environment and heritage assets; promoting Green Infrastructure Networks and enhancing biodiversity and minimising pollution.

4.16 **Policy S11** of the JCS provides greater detail in relation to low carbon and renewable energy requirements. Proposals should be sensitively located and designed to minimise potential adverse impact on people, the natural environment, biodiversity, historic assets and should mitigate pollution. All new non residential development over 500 m² gross internal floorspace are required to achieve a minimum of at least BREEAM very good standard (or equivalent).

4.17 **Policy C5** seeks to improve access to bus, cycle and walking networks to improve connectivity between areas.

4.18 **Policy BN2** of the JCS sets out development will maintain and enhance biodiversity. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment.

4.19 **Policy BN5** relates to the historic environment. Development in conservation areas and on sites of known or potential heritage or historic significance will need to sustain and enhance the area.

4.20 **Policy BN9** of the JCS sets out that proposals for new development will need to demonstrate that they provide opportunities to minimise and where possible reduce pollution issues. This relates to air quality, water quality, light pollution, ground contamination and reducing the adverse impacts of noise.

4.21 **Policy E6** sets out that new educational facilities will be encouraged and should be developed at sites which are accessible by sustainable transport modes.

Saved Policies of the Northampton Local Plan (1997) (**“NBLP”**)

4.22 **Policy E11** of the NBLP sets out that planning permission will not be granted for development which would involve the destruction of, or substantial damage to, trees, hedgerows or woodland of significant value. Provides general guidance for all new development and requires proposals to be in keeping with the locality and not detract from local amenity. Proposals should have a satisfactory means of access, not have an adverse impact on the road network, be provided with the necessary infrastructure and public services including public transport, not adversely affect heritage assets, nature conservation, geology or archaeology, does not adversely affect a Special Landscape Area and has full regard to protect the best and most versatile agricultural land.

4.23 **Policy E20** sets out that planning permission will be granted for new development subject to the design of the development adequately reflecting the character of its surroundings and being designed, located and used in a manner which safeguards privacy, daylight and sunlight.

4.24 **Policy E40** of the NBLP relates to crime and vandalism and sets out that development will need to pay adequate regard to the need to deter crime and vandalism.

Northampton Central Area Action Plan (2013) (**“CAAP”**)

4.25 The CAAP was adopted by Northampton Borough Council in January 2013 and forms part of the statutory Development Plan for the area. Its overall aim is to provide a consistent strategic framework
for the improvement and extension of the town centre whilst seeking to protect and enhance its intrinsic historic built character and green spaces.

4.26 **Policy 1** of the CAAP requires that all new development within the Central Area must demonstrate a high design standard of design and address objectives such as contributing to the character of the area, considers the relationship between buildings and public spaces, considers linkages to improve accessibility, creates uncluttered streets, designing for energy and resource efficiency, make efficient use of land, preserve and enhance heritage assets, promote high quality inclusive design.

4.27 **Policy 3** sets out that changes to the public realm should be consistent with the Public Realm Implementation Framework.

4.28 **Policy 4** of the CAAP requires that developments delivers and/or contributes to the provision of green infrastructure.

4.29 **Policy 10** sets out the parking requirements for the Central Area of Northampton. Within the edge of Town Centre Boundary identified on the proposals map, parking provision will be at a maximum of 50% of the relevant parking standard as set out in Appendix E of the CAAP.

4.30 **Policy 34** of the CAAP identifies the former Royal Mail Sorting Office (which is now the site of the Northampton International Academy) as a Strategic Development Site within the town. The policy supports the redevelopment of the site for business, residential or other uses in accordance with the Development Plan. Development should conform to design and green infrastructure policies, provide improvements to pedestrian crossing along Barrack Road and enhance links to the town centre and Racecourse. Development should also create a positive frontage along Barrack Road, enhance the exterior of the building and incorporate appropriate vehicular access arrangements that are sympathetic to the adjacent Barrack Road Conservation Area.

4.31 Paragraph 2.27 of the CAAP is also of relevance and sets out that existing educational facilities within the area, Spring Lane and Castle, are performing well but are at capacity and will suffer from further pressure for places due to a more recent influx of families into the area.

**Supplementary Planning Documents & Guidance**


4.33 The parking standards replaced the previous countywide parking standards which were published in 2003 and applied maximum parking standards.

4.34 Also of relevance to the proposed development is the Planning Out Crime in Northamptonshire SPG (2004).

**Other Policy Considerations**

4.35 The Government Policy Statement “Planning for Schools Development” (DCLG August 2011) *(Appendix B)* seeks to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, “yes”.
4.36 The policy statement sets out the following guidance and principles:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.
- Local authorities should make full use of their planning powers to support state-funded schools applications.
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95.
- Local authorities should ensure that the process for submitting and determining state-funded schools’ applications is as streamlined as possible, and in particular be proportionate in the information sought from applicants.
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.
- Appeals against any refusals of planning permission for state funded schools should be treated as a priority.
- Where a local planning authority refuses planning permission for a state-funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission.
- This statement applies to both change of use development and operational development necessary to the operational needs of the school.

5 PLANNING ASSESSMENT

5.1 The Need for the Development

Given the levels of population growth within the County, including within central Northampton, there is a significant need for additional school places to meet both current and future needs. A Statement of Educational Need was prepared by Northamptonshire County Council in support of the main Northampton International Academy (“NIA”) application (ref: 14/00039/CCDFUL). This document remains relevant and is attached as Appendix A to this statement.

5.2 The document sets out:

“The County Council’s capital programme has planned to add 10,000 new primary school places across the county by September 2015 in order to meet the rising demand from an increased birth-rate, high levels of in-migration and developments of new housing. Northampton town was the first part of the county to experience this growth and since 2010 there have been extensions either completed or
Currently underway at twenty primary schools. This is adding over 3,360 new pupils and in the next two or three years, they will have moved through the primary system and will be applying for secondary school places. In addition two new primary schools are opening in September 2014 and September 2015 with another 840 places."

5.3 This highlights the clear need for the NIA and also the importance of its central location to meet the educational needs of the town’s current primary school children as they move through the primary school system, as well as meeting the immediate need for more primary school places.

5.4 The provision of additional D1 floorspace in the NIA building to replace the approved commercial (non D1 uses) will therefore help to meet this need. It is possible that the floorspace will be used for a SEN school and will be managed by EMLC Academy Trust alongside NIA.

**Principle of the Development**

5.5 The principle of the development has been established through the granting of planning permission for a through school for pupils aged 4-19 on the NIA site (ref: 14/00039/CCDFUL). The ‘commercial uses’ permitted within the building were ancillary or separate to the education use and included a private gym, nursery, café and residential accommodation. The change of use of these areas of the building will not detract from the education use or function of NIA in any way and will provide additional D1 floorspace in the event that the commercial floorspace is not required. The additional D1 floorspace will help to meet the educational needs of the town and its residents in an accessible and sustainable location and is therefore consistent with policies S10, C5 and E6 of the WNJCS which support the provision of schools/development in highly accessible locations.

5.6 The redevelopment of the site to create the NIA also brings significant socio economic benefits to the local area, as well as facilitating the regeneration of the area through enhancements to the public realm, all of which align with the objectives of the Joint Core Strategy and Northampton Central Area Action Plan.

5.7 The contents of Paragraph 72 of the NPPF, where the Government attaches great importance to ensuring that a sufficient choice of school places are available, add substantial weight to the proposed development. Further the presumption in favour of building new state funded schools (and carrying out operational development to meet the needs of schools) established through the Government Policy Statement for Planning for Schools Development (DCLG August 2011) adds further weight to the proposed development in planning policy terms.

**Material Planning Considerations**

5.8 The following planning considerations are considered to be material to the determination of this planning application to change the use of the ‘commercial uses’ into additional D1 floorspace.

- Fall Back Position
## Fall Back Position

5.9 Whilst all of the ‘commercial uses’ included within NIA are included within this application, it is material to note that planning permission would not be required to change the use of the private nursery located on Level 0, given that this already falls within the D1 use class.

5.10 The Town and Country Planning (General Permitted Development) (England) Order 2015 (“GPDO”) also permits the change of use of D2 uses (Gym) into D1 use subject to a prior approval process having regard to Class T of Schedule 2, Part 3 of the GPDO. This establishes the acceptability (and the principle) of D1 use subject to prior approval matters including transport and highway impacts, noise and contamination.

5.11 Given the above, whilst planning permission is sought to change the use of the commercial uses so that they can be provided for D1 use at the outset, weight should be given to the fact that the nursery could be changed to education use without the need to apply for planning permission and that the gym could also be changed to education use subject to prior approval.

5.12 Weight should also be given to the provisions of Class C of Schedule 2, Part 4 of the GPDO which determines that any part of the building can be used as a state funded school for a period of 2 academic years without planning permission.

## Flexibility to move between use classes

5.13 As set out at the outset, conversion works at NIA are close to completion with the building ready to be occupied for the start of the next academic year commencing in September 2018.

5.14 At this stage no end users of the ‘commercial uses’ have been identified and so some flexibility is required to allow these areas of the building to be used for D1 purposes. This could either be additional D1 floorspace for NIA or potentially a SEN school which will also come under the management of EMLC.

5.15 Should this application be permitted and the use of these areas changed to D1 use, then it is material to note that these areas can still be used for the approved commercial uses for a period of 10 years from when permission was granted, having regard to Class V of Schedule 2, Part 3 of the GPDO.
5.16 Given that no alterations are proposed to either the exterior of the building or the external areas, the proposed change of use will have no impact on the character and appearance of the area.

Impact of Residential Amenity

5.17 The use of the approved commercial uses for D1 Education purposes will have no material impact on amenity. The hours of use will align with the rest of NIA.

Highway Considerations/Sustainable Transport

5.18 The key consideration of this application is likely to be whether the proposed change of use of the approved ‘commercial uses’ has any material impact on highway matters through either an increase in vehicle movements or by creating an additional demand for car parking.

5.19 As considered during the main NIA application, the site is in a wholly sustainable location. Pedestrian access provides safe walking access to surrounding residential areas, the town centre and to a number of bus stops including the North Gate Bus Interchange. The site is located less than 400 metres from a local cycle route. Given the above the site provides the opportunity for access by sustainable means of transport as required by Policies C5, E6 and S10 of the WNJCS in addition to Paragraphs 29 and 32 of the NPPF. However it is also important to ensure that the highway impacts of the development are considered within the context of Section 4 of the NPPF, which requires amongst other things that the site has a safe and suitable access for all people, but that also “development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

5.20 With regards to parking, the NIA building provides a total of 108 car parking spaces (8 of which are disabled spaces) within the dedicated parking area located at Level -2, in addition to 136 cycle spaces.

5.21 At this stage aside from the 8 No. disabled spaces and ‘drop off spaces’, the remaining spaces are not allocated between the various uses and will be managed by EMLC/NIA through a Car Park Management Plan submitted pursuant to Condition 26 of 17/00043/CCDVOC.

5.22 It is not possible to calculate the precise parking requirement for the proposed D1 floorspace given that no details are as yet known as to who will operate these areas and the potential amount of additional staff that this will generate. As such we have sought to review parking requirements based on the amount of parking spaces per square metre of D1 floorspace as approved.

5.23 Within the scheme as permitted under 14/00039/CCDFUL, 19 No. spaces were allocated specifically to these uses (15% of the 127 car parking spaces) as detailed within the table below. Under
17/00042/CCDVOC these spaces were reduced to a total of 108 spaces of which approximately 16 No. spaces would serve the commercial uses based on a percentage of 15%.

<table>
<thead>
<tr>
<th>Use</th>
<th>No of Car Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schools (Primary/Secondary/Sixth Form) including 10 dedicated pick-up/drop-off spaces</td>
<td>96</td>
</tr>
<tr>
<td>Nursery</td>
<td>2</td>
</tr>
<tr>
<td>Gym</td>
<td>13</td>
</tr>
<tr>
<td>Cafe</td>
<td>1</td>
</tr>
<tr>
<td>Residential</td>
<td>3</td>
</tr>
<tr>
<td>Disabled</td>
<td>12</td>
</tr>
<tr>
<td>Total</td>
<td>127</td>
</tr>
</tbody>
</table>

**Figure 3 – Breakdown of Car Parking Spaces within 14/00039/CCDFUL by use class (Source JMP Transport Assessment).**

5.24 The approved D1 floorspace amounts to some 22,490 sq.m (excluding nursery) equating to approximately 1 space per 234 sq.m of D1 floorspace (96 spaces). Under the same consent 19 No. spaces were allocated to serve the ‘commercial uses’ (gym, café, residential and nursery – totalling 2,567 sq.m) equating to 1 space per 135 square metres. Therefore given the above rates and the higher requirement for parking space per square metre for the ‘commercial uses’, the change of use of the ‘commercial uses’ to D1 use will actually reduce demand for car parking compared to the permitted scheme.

5.25 It is evident that the car parking area within the building will require very careful management and this will be managed by EMLC/NIA through the Car Park Management Plan and as part of the wider suite of travel planning to reduce car journeys to NIA. Should any amendments be needed to as a result of this proposed change of use, this would be picked up through the ongoing car park management and travel plan process and discussed with the local highway authority.

5.26 The Travel Plan process has been successfully operating at the temporary NIA accommodation since its opening in 2016. The initial Travel Surveys have shown a high percentage of pupils walking to the school and further work will be carried out to continue to promote sustainable travel as the main NIA school opens in September 2018 in line with the Travel Plan process.

5.27 In terms of vehicle movements, having regard to the Transport Assessment that supported the main NIA application it is considered that the change of use of the commercial uses to create additional D1 floorspace will have a minimal impact. The additional D1 floorspace has the potential to result in a modest increase in vehicle movements during the AM peak, but reductions in particular during the PM peak given the removal of the gym from the scheme. NIA/EMLC will manage this through the Travel Plan and Car Park Management and potentially look to stagger operating hours for the additional D1 floorspace as is the case with the hours for the primary and secondary schools.

5.28 Similarly cycle parking levels will continue to be monitored and their number increased in line with condition 24 of 17/00043/CCDVOC depending upon demand.
Given the sites location and accessibility, and the measures put forward to encourage sustainable travel and the management of car parking, it is considered that the proposed change of use of the ‘commercial uses’ into D1 (Education) use is satisfactory from a highway safety and parking perspective in accordance with Paragraphs 29 and 32 of the NPPF, Policies C5, E6 and S10 of the WNJCS and Policy 10 of the CAAP.

**Other Planning Considerations**

Given the nature of the proposals which will not generate any additional floorspace, external alterations or changes to the external areas of the building, there will be no material impact on the following matters which were considerations in the main NIA application.

- Contamination, Noise and Air Quality
- Flood Risk and Drainage
- Sustainability
- Security
- Ecology
- Heritage

**SUMMARY AND CONCLUSIONS**

Planning permission is sought to change the use of various non educational uses within the main NIA building, which under 14/00039/CCDFUL included residential units (7 No. apartments – C3 use), a gym (D2 use), café (A3 use) and a private nursery (D1 use). Within 17/00043/CCDVOC these uses are all defined as ‘commercial uses’ on the approved plans.

The application proposes to change the use of these ‘commercial uses’ which are located in Levels 0,1,2 and 3 at the front of the building, into additional D1 (Education) floorspace given the lack of demand for these permitted uses at the present time and an identified need for additional schools, potentially a SEN school.

The additional D1 floorspace would be managed by EMLC Academy Trust along with NIA.

It has been identified that the key planning consideration of this application is likely to be parking and highways given that no external changes are proposed to the building, no additional floorspace created and no changes made to the external areas of the site.

It has been demonstrated that aside from potential minor changes to vehicle movements, there will be no material impacts of the proposed change of use. The proposed change of use will not generate an additional demand for car parking over and above the permitted ‘commercial uses’.
6.6 The various transport related measures used on the main NIA scheme, including a Travel Plan, Car Parking Management Plan and review mechanisms will apply to the additional D1 floorspace and the end user will work with the local highway authority through the annual review process to ensure that highway impacts are minimised.

6.7 It has also been demonstrated that the principle of the proposed change of use is supported by permitted development rights which determines that some of the consented ‘commercial uses’ could be changed into D1 floorspace without planning permission at a later date. Weight should also be given to the provisions of Class C of Schedule 2, Part 4 of the GPDO which determines that any part of the building can be used as a state funded school for a period of 2 academic years without planning permission. Substantial weight should be given to the fall back position as set out in this statement.

6.8 Given the above, the proposed development is supported by national and local planning policies and should be approved without delay.
APPENDIX A

Statement of Need (2014)
Appendix A

Statement of Need: a new secondary school for Northampton at Barrack Road

Introduction

The County Council’s capital programme has planned to add 10,000 new primary school places across the county by September 2015 in order to meet the rising demand from an increased birth-rate, high levels of in-migration and developments of new housing. Northampton town was the first part of the county to experience this growth and since 2010 there have been extensions either completed or currently underway at twenty primary schools. This is adding over 3,360 new pupils and in the next two or three years, they will have moved through the primary system and will be applying for secondary school places. In addition two new primary schools are opening in September 2014 and September 2015 with another 840 places.

Secondary phase pupil numbers

The current position (May 2014) at the Northampton secondary schools is as follows:

<table>
<thead>
<tr>
<th>PAN</th>
<th>SCHOOL</th>
<th>Year 7</th>
<th>Year 8</th>
<th>Year 9</th>
<th>Year 10</th>
<th>Year 11</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>8FE</td>
<td>Abbeyfield</td>
<td>195</td>
<td>242</td>
<td>228</td>
<td>225</td>
<td>218</td>
<td>1,108</td>
</tr>
<tr>
<td>8FE</td>
<td>Kingsthorpe</td>
<td>193</td>
<td>206</td>
<td>224</td>
<td>228</td>
<td>233</td>
<td>1,084</td>
</tr>
<tr>
<td>8FE</td>
<td>Malcolm Arnold</td>
<td>236</td>
<td>209</td>
<td>197</td>
<td>190</td>
<td>177</td>
<td>1,009</td>
</tr>
<tr>
<td>8FE</td>
<td>Northampton Academy</td>
<td>221</td>
<td>240</td>
<td>243</td>
<td>242</td>
<td>240</td>
<td>1,186</td>
</tr>
<tr>
<td>7FE</td>
<td>Northampton School Boys</td>
<td>224</td>
<td>223</td>
<td>217</td>
<td>221</td>
<td>211</td>
<td>1,096</td>
</tr>
<tr>
<td>9FE</td>
<td>Northampton School Girls</td>
<td>274</td>
<td>272</td>
<td>270</td>
<td>270</td>
<td>269</td>
<td>1,355</td>
</tr>
<tr>
<td>8FE</td>
<td>The Duston School</td>
<td>240</td>
<td>241</td>
<td>234</td>
<td>237</td>
<td>226</td>
<td>1,178</td>
</tr>
<tr>
<td>6FE</td>
<td>Thomas Becket RC</td>
<td>102</td>
<td>139</td>
<td>149</td>
<td>173</td>
<td>178</td>
<td>741</td>
</tr>
<tr>
<td>9FE</td>
<td>Weston Favell Academy</td>
<td>231</td>
<td>248</td>
<td>190</td>
<td>211</td>
<td>233</td>
<td>1,113</td>
</tr>
<tr>
<td>71FE</td>
<td></td>
<td>1,916</td>
<td>2,020</td>
<td>1,952</td>
<td>1,997</td>
<td>1,985</td>
<td>9,870</td>
</tr>
</tbody>
</table>

This pattern is following the national picture in that secondary numbers are dipping slightly before increased numbers come through from the primary phase. The table overleaf indicates that we are short of secondary places in Year 7 from September 2016 onwards and additional capacity will need to be provided. However this assumes:

- No further increases from in-year admissions or in-migration
- No additional pupil yield from new housing completions

SS Barrack Road, Northampton Page 42
• 100% transfer rate between Northampton town primaries and secondaries
• Current pupil numbers in the system, so excludes further PAN (Published Admission Number) increases in the primary phase for September 2014 and 2015
• No additional pupils from schools like Campion, Caroline Chisholm or Moulton where an increasing proportion of the pupil intake is from closer to the school rather than offering places to Northampton children

Shortage of secondary places

The table overleaf indicates how additional secondary capacity will be required by September 2016 at the latest, with possibly some temporary measures for September 2015.

<table>
<thead>
<tr>
<th>Current year group</th>
<th>Entry into Year 7</th>
<th>Pupil numbers</th>
<th>Current capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 6</td>
<td>September 2014</td>
<td>2,052</td>
<td>78 surplus places</td>
</tr>
<tr>
<td>Year 5</td>
<td>September 2015</td>
<td>2,076</td>
<td>54 surplus places</td>
</tr>
<tr>
<td>Year 4</td>
<td>September 2016</td>
<td>2,278</td>
<td>Short of 148 places</td>
</tr>
<tr>
<td>Year 3</td>
<td>September 2017</td>
<td>2,391</td>
<td>Short of 261 places</td>
</tr>
<tr>
<td>Year 2</td>
<td>September 2018</td>
<td>2,466</td>
<td>Short of 336 places</td>
</tr>
<tr>
<td>Year 1</td>
<td>September 2019</td>
<td>2,649</td>
<td>Short of 519 places</td>
</tr>
<tr>
<td>Reception</td>
<td>September 2020</td>
<td>2,665</td>
<td>Short of 535 places</td>
</tr>
</tbody>
</table>

The biggest jump in numbers is expected between Sept 15 and Sept 2016, which reflects the large numbers currently in Year 4. Additional capacity is need for the secondary phase to meet the expected levels of growth, and to add some diversity and choice into the admissions system. Further new capacity will be required by September 2018 and the County Council is exploring other options.

Role of the Education Funding Agency

The Education Funding Agency (EFA) has been monitoring the position regarding secondary school places at a national level and has been working with those authorities where pressures have been identified. The Council was advised at the end of March 2014 that the EFA had “completed” on the purchase of Barrack Road for conversion to a secondary school, subject to a successful planning application. This was on the basis of site visits and a feasibility study undertaken by the County Council to explore the potential for developing the Barrack Road site as a secondary school. Further the EFA had confidence to allocate funding and ask the Council to lead the project development, detailed designs and eventual procurement of construction works. Subject to necessary approvals this will be a major refurbishment project, possibly the largest of its type outside London, with the aim of creating a 10 form of entry secondary school with a sixth form and a potential capacity of 1700-1800 pupils. It is a one-off opportunity to redevelop a large, unused building as a model for an urban school, which we
believe with some creative design, can encompass a range of facilities and provide a high quality education environment. The new school will be operated by a Free School sponsor, who will be appointed by the Department for Education.

**Barrack Road as a location**

The site for a proposed secondary school is considered a good location in terms of geography and adjacency to other secondary schools in the town. It is well positioned in the town centre, where some of the biggest growth in primary numbers has taken place. The Council already has experience of successfully converting a former office building (Stirling House) into a high quality learning environment for the primary phase, and other town centre primary schools eg Castle and Spring Lane have been expanded. There is therefore a growing number of school aged children living in the town centre, who would live closer to this site than any other.

**Alternative options**

Alternative options for secondary provision have been discounted and new provision is considered to be the best solution to adding capacity. The following should be noted:

- Use of mobile classrooms is less satisfactory in the secondary phase, as increased numbers has an impact on other curriculum spaces eg science labs as well as teaching bases.
- There is likely to be limited appetite from the existing schools to increase their PANs within existing facilities.
- The option of extending the 5 secondary schools in the PFI contract is not viable due to the complex nature of PFI procurement; also, these are already big schools at 8 or 9 FE and were all purpose-built in the original PFI contract as new builds for those capacities.
- The scale of the additional capacity required means that all nine schools would have to expand by 2FE, which is not likely to be widely supported.

A further option is the consideration of new school sites that are brought forward as planning obligations in relation to housing development. A secondary school site for Northampton has been reserved at Kings Heath, but this is not likely to come forward until the next decade and is being provided to mitigate the pupil yield arising from the associated sustainable urban extension. Further housing development in the other sustainable urban extensions around the outskirts of Northampton will also generate the need for additional secondary places, which further justifies new provision at this stage. Smaller housing developments with approved planning permissions also bring another 400 houses across the town. It is therefore highly unlikely that secondary pupil numbers will fall back to below the current levels.
APPENDIX B

Policy Statement – Planning for Schools Development (DCLG 2011)
The Secretary of State for Communities and Local Government (Mr Eric Pickles) and the Secretary of State for Education (Mr Michael Gove) wish to set out the Government’s commitment to support the development of state-funded schools and their delivery through the planning system. This statement supersedes the Statement of 26 July 2010.

The Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. State-funded schools - which include Academies and free schools, as well as local authority maintained schools (community, foundation and voluntary aided and controlled schools) - educate the vast majority of children in England. The Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state-funded school sector to meet both demographic needs and the drive for increased choice and higher standards. For instance, creating free schools remains one of the Government’s flagship policies, enabling parents, teachers, charities and faith organisations to use their new freedoms to establish state-funded schools and make a real difference in their communities. By increasing both the number of school places and the choice of state-funded schools, we can raise educational standards and so transform children’s lives by helping them to reach their full potential.

It is the Government’s view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations. We expect all parties to work together proactively from an early stage to help plan for state-school development and to shape strong planning applications. This collaborative working would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, “yes”.

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their
planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.

- **Local authorities should make full use of their planning powers to support state-funded schools applications.** This should include engaging in pre-application discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.

- **Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95.** Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.

- **Local authorities should ensure that the process for submitting and determining state-funded schools’ applications is as streamlined as possible, and in particular be proportionate in the information sought from applicants.** For instance, in the case of free schools, authorities may choose to use the information already contained in the free school provider’s application to the Department for Education to help limit additional information requirements.

- **A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.** Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.

- **Appeals against any refusals of planning permission for state-funded schools should be treated as a priority.** Where permission is refused and an appeal made, the Secretary of State will prioritise the resolution of such appeals as a matter of urgency in line with the priority the Government places on state education.

- **Where a local planning authority refuses planning permission for a state-funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission.**

This statement applies to both change of use development and operational development necessary to the operational needs of the school.

The Government is today publishing a summary of the responses to its consultation, *Planning for Schools Development*, and will continue to explore whether there is further scope and need for the planning system to do more to support state-funded schools, and in particular, free schools in the future.

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