

Corby Borough Council
C/o Mr Mark Dixon
Grosvenor House,
11 St Paul's Square,
Birmingham,
B3 1RB

Application Ref: - 19/00573/REG3

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
GRANT OF PLANNING PERMISSION**

The Corby Borough Council as the Local Planning Authority within the meaning of the above Act and associated Orders GRANTS permission for the following:-

Description of Development:

Conversion of existing gym building to residential flats comprising five single-storey dwellings (2 x 1-bed apartment, 2 x 2-bed apartments and 1 x 3-bed accessible apartment) with private rear garden space and associated car parking.

Location of development: Champs Gym
Cannock Road
Corby
Northamptonshire
NN17 1YQ

Date of application: 2 December 2019

Plan Numbers: See attached schedule of plans

Permission is subject to the condition(s) listed on the attached schedule:-

SIGNED



Date: 19 March 2020 P. B.

NOTES:

- I. Please also see the informatives included in the Schedule of Conditions.
- II. Should you wish to appeal against any of the conditions please read the attached sheet which explains the procedure.
- III. This decision does not convey any approval or consent which may be required under any by-laws, building regulations or under any Act other than the Town and Country Planning Act 1990 (as amended).

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REASONS FOR APPROVAL

1. The development hereby approved would be in keeping with the form, character and appearance of the surrounding settlement, would not have an adverse effect on the amenity of adjoining neighbours and would not result in additional traffic which would give rise to a road safety hazard. The proposal is therefore considered to comply with Policy 8 of the North Northamptonshire Joint Core Strategy 2016, the National Planning Policy Framework 2019 and no other material considerations indicate that the policies of the development plan should not prevail.

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be built in accordance with the approved plans as listed below in the 'Schedule of Plans'. The development shall be completed in accordance with the approved plans unless alternative details have been submitted and approved in writing by the Local Planning Authority prior to commencement.

Reason: To specify the permission and for the avoidance of doubt.

3. The materials used in the construction of the external surfaces of the building are to match those outlined in the application form. Development shall be carried out in accordance with these approved details.

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

4. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. Works audible at the site boundary will not exceed the following times unless with the written permission of the LPA or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

Reason: In the interests of residential amenity.

6. The applicant should have regard to the Building Regulations Approved Document E 'resistance to the passage of sound' in order to ensure the acoustic insulation is adequate to minimise airborne and structure borne noise to occupants. Where the development is flats or houses in multiple occupation, this shall include individual units and shared amenity spaces. This is of particular note as the proposed layout includes non-habitable rooms such as kitchens and bathrooms adjoining habitable rooms such as bedrooms.

Reason: In the interests of residential amenity.

7. Northamptonshire has varying levels of radon due to its underlying geology. Radon can enter buildings and affect the health of the occupants living in affected areas. Advice should be sought from local authority building control officers or from approved inspectors to establish if radon protection is necessary and if this is the case radon protection measures will need to be installed in accordance with BRE Report (BR 211 Radon: guidance on protective measures for new dwellings).

Reason: To protect the health of the occupants of new buildings in radon affected areas.

8. An electric charging point shall be installed in one of the allocated parking spaces at the development. The charging point shall be supplied with an independent 32amp radial circuit and must comply with BS7671. Standard 3 pin, 13 amp external sockets will be required. The socket shall comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building.

Reason: Paragraph 35 of the National Planning Policy Framework states; "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people. Therefore, developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles."

9. Prior to any on site construction works, details of the proposed lighting scheme for the entire exterior of the site shall be submitted to and approved in writing by the Local Planning Authority. The uniformity should provide equal quality of illumination in all areas. The scheme shall include low lux levels and a plan showing the position, type and extent of the lighting over the area to be lit. The approved scheme shall be implemented prior to the first occupation of the associated proposal and shall be retained in that form thereafter.

Reason: To ensure that there is adequate lighting over the associated scheme and to reduce the fear of crime through the creation of a safe environment and accord with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

10. Pedestrian visibility splays of at least 2.0m x 2.0m shall be provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access/footway level. The land should be contained entirely within land in the control of the developer.

Reason: To ensure the development has a suitable relationship with the highway network in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy 2016.

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11. Vehicular visibility splays of 2.0m from the carriageway edge along the centre of the vehicular access by a distance of 43m measured from the centre of the vehicular access along the carriageway edge. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.9m in height above carriageway level.

Reason: To ensure the development has a suitable relationship with the highway network in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy 2016.

12. Prior to first use of the development hereby permitted, a technical, scaled and detailed car parking plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include full details of accesses and parking, including surfacing, gradients and drainage. The proposed vehicular accesses and parking shall not be provided other than in accordance with the approved plans and shall thereafter be set aside and retained and maintained for those purposes.

Reason: To ensure the development has a suitable relationship with the highway network in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy 2016.

13. Prior to the first occupation of the development hereby permitted, details of the proposed enclosed secure bicycle parking and bin storage for each dwelling shall be submitted to and approved in writing by the local Planning Authority and the scheme approved shall be provided and be retained thereafter.

Reason: To ensure the provision and availability of adequate cycle parking and bin storage in accordance with policy 8 of the North Northamptonshire Joint Core Strategy 2016.

END OF SCHEDULE

STANDARD INFORMATIVES

1. Corby Borough Council worked with the applicant in a positive and proactive manner. In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' Local Plan Policies 1997, Joint Core Strategy Adopted July 2016, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
2. The County Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact – Highways, Northamptonshire County Council, Sustainable Transport, Riverside House, Riverside Way,

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Bedford Road, Northampton, NN1 5NX

3. You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.
4. The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to: carry out work to an existing party wall; build on the boundary with a neighbouring property; in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM.

5. Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor
6. Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-
 - a. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.
 - b. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
 - c. Dust emissions shall be controlled in compliance with Government Best Practice Guidance.
 - d. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Services Team (www.corby.gov.uk/envservices Tel. 01536 464175) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise

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disturbance to adjoining premises.

INFORMATIVE/S

- 1 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework 2019 to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' Local Plan Policies 1997, Joint Core Strategy Adopted July 2016, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
- 2 Any investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination: Risk Management' (or any guidance revoking and replacing this guidance with or without modification).

Further guidance on Contaminated Land investigations can be found in the Northants Contaminated Land Group Developers Guide.

- 3 Contractors and sub-contractors must have regard to BS 5228-2:2009+A1:2014 "Code of Practice for Noise and Vibration Control on Construction and Open Sites" and the Control of Pollution Act 1974. Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental Health, Corby Borough Council. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health. Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and fines of up to £5000 plus £50 for each further breach and/or six months imprisonment. The applicant should have regard to the IAQM Guidance on the assessment of dust from demolition and construction during the development.

Address:

Planning Department Corby Borough Council
Deene House, New Post Office Square, Corby Northants NN17 1GD Tel: 01536 464158
www.corby.gov.uk

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SCHEDULE OF PLANS

Location Plan	Site Location Plan	02.12.2019
Planning Layout	Proposed Site Layout Plan	17.02.2020
Planning Layout	Detailed Layout Plan	17.02.2020
Existing plans	Existing Plans and Elevations	02.12.2019
Elevations	Proposed Elevations	17.02.2020
Other	Design and Access Statement	17.02.2020

RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING

AUTHORITY TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of The Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 8424) Appeal forms can be downloaded from the Planning Inspectorate's website at <http://.Planning-inspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of an appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the officer of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Corby Borough Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

