

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	21/01086/COMIND Thatcham	21 st July 2021 ¹	Change of use from Class E(g) (i), E(f) and E(e) to F1(a) for a special educational needs school and associated works The Grange Nursery, 18-21 Church Gate, Thatcham, RG19 3PN Phoenix Childcare Limited
¹ Extension of time agreed with applicant until 6 th August 2021			

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01086/COMIND>

Recommendation Summary: Delegate to the Head of Development and Planning to grant planning permission subject to conditions.

Ward Members: Councillors Nassar Hunt and Owen Jeffery

Reason for Committee Determination: More than 10 letters of objection

Committee Site Visit: 28th July 2021

Contact Officer Details

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1. Introduction

- 1.1 This application seeks planning permission for the change of use of buildings currently used as a children's day nursery, physiotherapist's clinic and offices to provide a school for children with special educational needs.
- 1.2 The principal buildings within the application site comprise:
- The Mews - existing offices (Class E) fronting onto Church Gate;
 - The Grange - Grade II listed building to the south of the Mews currently occupied by Bright Horizons Day Nursery;
 - The Lodge - contemporary building to the south-west of the site occupied by Bright Horizons;
 - The Atrium - contemporary building to the south east of the site occupied by a physiotherapists and wellbeing centre.
- 1.3 The proposal will bring the site into a single use. The school will accommodate up to 60 pupils and 25 members of staff.
- 1.4 No works are proposed to the listed buildings as part of this application. A separate application will be submitted in due course for works to renovate the property.
- 1.5 Works are however proposed to The Lodge and The Mews as part of this application. These works seek to replace an external door at The Lodge and extend an existing mezzanine floor thus increasing the floor area by 44sqm. These buildings are curtilage listed and as such the applicant will also submit a listed building application in this regard.
- 1.6 The proposal seeks to utilise the existing access into the site. Much of the open space within the site is laid as hardstanding and currently provides 67 car parking spaces. The proposal seeks to retain this and reconfigure the parking to provide 62 spaces. There is also an existing children's play area and associated mature planting and green space which will be retained.

2. Planning History

- 2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision / Date
90/37028/LBC	Demolition and rebuilding of the west wing of The Grange for office use following the grant of planning permission in 1985 for the building to be used for offices.	Approved 19 th August 1991
11/01331/FUL	Change of use from B1 offices to D1 day nursery.	Approved 10 th October 2011

15/02580/FUL	Change of use of the Atrium from B1 offices to D1 children's day nursery to allow for the expansion of the existing day nursery.	Approved 7 th December 2015
15/00835/FUL	Change of use from existing B1(a) offices to a multidisciplinary mind, body, clinical and education centre and erection of shed and associated works.	Approved 22 nd May 2015

3. Procedural Matters

- 3.1 **EIA:** Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 **Publicity:** Two site notices were displayed on 19th May 2021 at the entrance to the site. These expired on the 10th June 2021. A further notice was displayed on the 9th June 2021 advertising the setting of the listed buildings. This was displayed in the same location and the deadline for representations expired on 30th June 2021. A public notice was displayed in the Newbury Weekly News on 20th May 2021.
- 3.3 **CIL:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. The proposed development is not CIL liable.

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Thatcham Town Council:	No objection
Highways (WBC):	No objection subject to conditions
Conservation (WBC):	No objection
Environmental Health (WBC):	No objection
Archaeology (WBC):	No objection

Lead Local Flood Authority (WBC):	No objection
Trees (WBC):	No objection

Public representations

- 4.2 Representations have been received from 98 contributors, 2 of which are ambivalent and 96 of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- Concern for the loss of the existing physiotherapy practice and wellbeing clinic which provides Pilates, Reflexology, Podiatry, Nutrition, Sports Rehab, Teacher Training School and Women's Health and currently operates from The Atrium. The practice provides a locally valuable facility supporting the NHS and provides first class facilities. The facility is a local family run business with local employees and the loss of building will potentially result in job losses.
 - Concern for increase in traffic and capacity of the roads to accommodate 25 staff and 60 children.
 - Request for an hours of work condition during any building works.
 - Request the removal of existing external lighting from the building which are unneighbourly.
 - The Grange area is a valued dark-zone within the town and this should be retained. Request for a new lighting strategy.
 - Concerns for noise from the proposed use.
 - Comments seek retention of the Atrium and conversion of the rest of the site only.

5. Planning Policy

- 5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.
- Policies ADPP1, ADPP3, CS5, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
 - Policies OVS5, OVS6, TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- 5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- WBC Quality Design SPD (2006)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Impact on the character and appearance of the area and the setting of a listed building
- Impact on neighbouring amenity
- Highways matters
- Flooding and drainage
- Ecology

Principle of development

- 6.2 The [National Planning Policy Framework](#) (NPPF) was revised on 20 July 2021, replacing previous NPPF published in February 2019. It sets out the government's planning policies for England and how they are expected to be applied. References to the NPPF relate to the latest revision unless otherwise stated.
- 6.3 The application site is located within the settlement boundary of Thatcham. Thatcham is defined within Policy ADPP1 as an urban area and is therefore the focus for new development. The site is sustainably located within walking distance of the town centre and is served by a network of good transport links. The site is readily accessible to a large population and Policies ADPP1, ADPP3 and CS5 support the principle of the proposed use.
- 6.4 A large number of objections have been raised by local residents due to loss of the existing physiotherapists and wellbeing centre from the site should planning permission be granted. The potential loss of the wellbeing centre is disappointing as the level of objection received by the Council demonstrates much local support for this existing facility. The loss of a valued existing use weighs against granting planning permission; however there is no specific policy to support its protection in this location. While the National Planning Policy Framework seeks to promote economic and social development the proposed new use will similarly meet with this objective.
- 6.5 The West Berkshire Special Educational Needs Strategy 2018-2023 establishes a strategy to support children and young people with special educational needs from birth to adulthood. South Thatcham is one area within West Berkshire with a high young population, 15%-16% of the population are aged 0-9 years old. The number of children with Special Educational Needs support has risen since 2017. There is a high level of pressure for places in the existing local special schools and an increasing number of children transferring to non-West Berkshire schools. Additional local provision is required to enable more children to be educated within their own community and this application seeks to help address this need.
- 6.6 According to paragraph 95 of the NPPF, it is important 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 through the preparation of plans and decisions on applications.

- 6.7 In the absence of any specific policy to retain the current physiotherapy use within the site the loss of this use carries relatively less weight in the decision making process than the great weight that should be given to the creation of new schools. The Council have a duty to assess the application that is presented to them and in this case the proposals comply with the principles of Policies ADPP1, ADPP3 and CS5. The new use will also derive a number of economic and social benefits to help meet a local need and this weighs in favour of the scheme. As such the principle of the change of use is considered to be acceptable.
- 6.8 The site is also within a conservation area and is occupied by The Grange a Grade II listed building. The Lodge and The Mews are considered to be curtilage listed due to their age. The impacts of the proposals in this regard are discussed in detail below.

Character and appearance of the area and the setting of a listed building

- 6.9 The Government attaches great importance to the design of the built environment. Core Strategy Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Policy CS19 states that particular regard will be given to (a) the sensitivity of the area to change, (b) ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character, and (c) the conservation and, where appropriate, enhancement of heritage assets and their settings (including listed buildings and conservation areas).
- 6.10 The application site is located within a historic part of the town and is within a conservation area. The site comprises a Grade II listed building and others which are curtilage listed. The application is supported by a Heritage Statement in accordance with the requirements of the National Planning Policy Framework. The works proposed, with the exception of a new external door to The Lodge, are internal. These works are not considered to impact on the character or appearance of the buildings or on their historic value.
- 6.11 No objections have been raised by the Conservation Officer or Archaeologist. The new educational use for the site requires minimal external changes and as such the use will have very limited impact on the character or historical significance of the site and the wider conservation area. A materials condition to cover the external works has not been included in this case as these works will be covered by the forthcoming listed building application.
- 6.12 In conclusion the proposal complies with policy CS14 and CS19 of the West Berkshire Core Strategy and the guidance within the National Planning Policy Framework with respect to design and the impact on the historic environment.

Impact on neighbouring amenity

- 6.13 Core Strategy Policy CS14 states that new development must make a positive contribution to the quality of life in West Berkshire. Securing a good standard of amenity for all existing and future occupants of land is a key material planning consideration.
- 6.14 The application is supported by a noise assessment by ACCON Noise Consultants which assessed the proposed school as both a noise sensitive use and a noise generating use. Noise measurements were carried out over a 24 hour period in March 2021 and the results were adjusted to take account of the lower traffic levels associated with the COVID -19 lockdown restrictions in place at the time of the survey. With regards to the noise generated by the proposed use, this was modelled with reference to a case study of a larger school facility of 150-200 children. It concludes that in the worst case

scenario receptors would be around 35-45dB and therefore below the 50dB criteria for external noise levels as identified in BS 8233. Environmental Health Officers have confirmed findings that the use of the site as a school would not have a significant impact on adjacent neighbouring properties.

- 6.15 It is also recognised that the proposed school use will operate at a much more restricted level in terms of hours of use when compared to the existing uses on the site. The existing day nursery has no limitations on its hours of operation but typically operated throughout the year Monday-Friday 7:30am to 6pm. The proposed school would open from 8:30am-3:30pm Monday-Friday and be closed at the weekends and school holidays. Schools operate some 38 weeks of the year as opposed to the 52 weeks a year operation of day nurseries.
- 6.16 While concerns have been raised by some residents for the potential noise impacts arising from the new use the information submitted demonstrates that the impacts are within acceptable limits and the hours of use of the site and number of children will be reduced when compared to the former nursery.
- 6.17 A number of concerns have been raised by residents for the impacts of the existing external lighting within the site. This is an existing issue which cannot be managed through the application however the applicant has confirmed that the lighting will be investigated. A condition to agree details of any new external lighting with the Council prior to its installation has also been agreed with the applicant.
- 6.18 In conclusion the proposed use is not considered to have any significant adverse impact on the amenity of neighbouring properties and as such the proposal complies with Policy CS14 of the Core Strategy and the guidance within the National Planning Policy Framework.

Highways

- 6.19 In accordance with Core Strategy Policy CS13, development that generates a traffic impact will be required to reduce the need to travel, improve and promote opportunities for healthy and safe travel, improve travel choice and facilitate sustainable travel, and mitigate the impact on the local transport network. The main transport and highway issues relating to this application are traffic generation, sustainable travel, site access, parking and cycle parking.
- 6.20 The traffic generated by the proposal is considered to be at an appropriate level for the accessibility of the site and the close proximity to the town centre, bus routes and railway station are such that there is a reasonable availability of travel choices.
- 6.21 The former children's nursery at the site accommodated 150 children and 17 staff members. The proposed school would cater for circa 60 pupils and up to 25 members of staff.
- 6.22 The Transport Statement (TS) notes that there have been no recorded accidents 100 meters either side of the site access over the last 10 years using Personal Injury Data from Crashmap. Although Crashmap is not generally accepted by the Local Highway Authority, in his case as the development is anticipated to reduce the number of vehicular trips at the access it is reasonable that no further analysis of Personal Injury Data is required.
- 6.23 As part of the proposals the access into the site will remain unchanged. The main site entrance is to the north of the site from Church Gate. The road known as Church Gate is subject to a 20mph speed limit with regular speed cushions acting as traffic calming

measures. The visibility splays at the access are acceptable, and as such the access is considered acceptable.

- 6.24 The trip generation estimate for the children's nursery (150 pupil and 17 staff) has been estimated based on assumption that 1 or 1.25 children arrive per vehicle. This would lead to around 192 arriving and departing in the morning peak and 192 arriving and departing in the evening peak. There could also be 17 car trips each way associated with staff which leads to up to around 418 two way vehicular trips. The two way trips may be more when allowing for visitors and servicing vehicles.
- 6.25 The proposed SEN school (60 pupils and 25 staff) has been estimated as 120 two way trips for the pupil and 50 two way trips for the staff resulting in 170 two way trips from the site. The two way trips may be more when allowing for visitors and servicing vehicles.
- 6.26 The Transport Statement submitted with the application states that the lower numbers of children associated with the proposed land use is likely to reduce the number of car trips associated with the site. This is accepted by the Highways Authority.
- 6.27 The Transport Statement outlines that the existing internal site layout holds 66 car parking spaces with one motorcycling parking space equalling 67 spaces in total. The proposed number of car parking spaces is 62 which is a net reduction of 5.
- 6.28 The change of use for the proposed development and associated parking will be implemented in 2 phases:
- a) Phase 1: change of use of The Grange and The Lodge including the associated 45 car parking spaces (40 spaces after the car parking space reduction)
 - b) Phase 2: change of use of The Mews and The Atrium and associated car parking spaces
- 6.29 During phase 1 the 40 spaces will accommodate up to 25 staff parking, 5 pick-up/drop-off spaces and 10 for visitors and additional drop-offs/pick-ups. Once the remaining 22 spaces from phase 2 are in use they are to provide additional visitor and drop-off/pick-up spaces.
- 6.30 The TS states that the 62 parking spaces are able to accommodate a worst case scenario of 85 vehicles during peak hours and would prevent any overspill parking on Church Gate. The parking proposals are considered to be acceptable.
- 6.31 Reference is made to the provision of cycle parking however it has not been identified on a plan. Given the phased implementation of the scheme a condition has been attached requiring the submission of a phased parking plan showing both vehicular parking and cycle parking to be submitted before the change of use is implemented.
- 6.32 With regards to refuse collection. This will be managed by a private company and collections will take place outside of school opening hours. The proposed arrangements are considered acceptable.
- 6.33 The applicant is required to deliver at least one electric vehicle charging point as part of the application. This will be secured by condition.
- 6.34 In conclusion the proposed change of use can be suitably accommodated within the site without any adverse impact on the road network. The proposal provides for the necessary vehicle and cycle parking and as such no objections are raised. The proposal complies with Policy CS13 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.

Flooding and drainage

- 6.35 The site is located within Flood Zone 1. The proposal does not seek to increase the amount of hard standing within the site or increase the amount of built form. As such no objections are raised with regards to drainage and the proposal is considered to comply with Policy CS16 of the West Berkshire Core Strategy 2006-2026.

Ecology

- 6.36 Policy CS17 seeks to ensure habitats are protected and that species of principal importance are protected. The application is supported by a stage 1 bat survey which was undertaken in February 2021. The stage 1 survey recorded evidence of bats in The Grange, indicating it has a high potential to support roosting bats. All other buildings also have the potential to support roosting bats. The physical works to the buildings required to facilitate the change of use as proposed under this application include the extension of an existing mezzanine floor and a replacement external door within The Lodge. These works are minimal and do not require any works to the roof spaces of the buildings. The proposed use would also not have any impact on any bat roosts or potential bat roosts and therefore no further action is required at this stage. In conclusion the proposal complies with Policy CS17 of the West Berkshire Core Strategy 2006-2026.

7. Planning Balance and Conclusion

- 7.1 The proposed change of use of the site to a school for children with special educational needs aligns with Policies ADPP1, ADPP3 and CS5 of the West Berkshire Core Strategy 2006-2026 which seek to direct such uses to urban areas which are supported by good infrastructure and accessible to the population at large. The NPPF states that great weight should be given to the need to create schools. The proposed use is comparable in nature to the existing day nursery and would result in a lower intensity use with pupil capacity being reduced from 150 to 60. Consultations with statutory consultees also demonstrate that there are no technical objections to the scheme.
- 7.2 Whilst there is policy support for the proposal it is recognised that the scheme has generated a high level of public objection due to the loss of the physiotherapy and wellbeing clinic that currently operates from the site. The objection letters have been read and the loss of this facility, which is well supported within the local area, is disappointing as the letters of support demonstrate that this meets with an existing social need. However the proposed school for those with special educational needs will also meet with a different identified need as set out in West Berkshire's SEND Strategy. This recognises a need for additional specialist school spaces in the district.
- 7.3 The proposal as presented accords with the policies within the West Berkshire Core Strategy 2006-2026 and is supported by the social objectives set out in the National Planning Policy Framework. While the loss of the physiotherapy and wellbeing clinic from the site weighs against the proposal, it is considered that this can be given relatively limited weight in the planning balance. In conclusion the proposal is recommended for approval.

8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1. Commencement of development

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Approved plans

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

Existing and proposed Site Plans drawing 1034/PL02H;
The Lodge Proposed Ground Floor Plan drawing 1034/PL15D;
The Lodge Proposed First Floor Plan drawing 1034/PL16G;
The Lodge Proposed Elevations drawing 1034/PL17C;
The Grange Proposed Basement Plan drawing 1034/PL20C;
The Grange Proposed Ground Floor Plan drawing 1034/PL21C;
The Grange Proposed First Floor Plan 1 drawing 1034/PL22D;
The Grange Proposed First Floor Plan 2 drawing 1034/PL23D;
The Grange Proposed Second Floor Plan drawing 1034/PL24C;
The Grange Proposed Elevations Sheet 1 drawing 1034/PL25C;
The Grange Proposed Elevations Sheet 2 drawing 1034/PL26C;
The Mews Proposed Floor Plan drawing 1034/PL31;
The Mews Proposed Elevations drawing 1034/PL32;
The Atrium Proposed Floor Plan drawing 1034/PL33;
The Atrium Proposed Elevations drawing 1034/PL34;
Proposed Garden Room Elevations drawing 1034/PL19C;
Proposed Garden Room Floor Plan drawing 1034/PL18D.

Reason: For the avoidance of doubt and in the interest of proper planning.

3. External lighting

No external lighting shall be installed until an external lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall show the location and type of lighting to be used. No external lighting shall be installed except in accordance with the above strategy.

Reason: To protect the amenity of neighbouring properties in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.

4. Cycle and vehicular parking

The use hereby approved (school for children with special educational needs) shall not commence until a phasing plan showing vehicular and cycle parking has been submitted to and approved in writing by the Local Planning Authority. The cycle and vehicle parking shall thereafter be provided and thereafter kept available for vehicle and cycle parking in accordance with the approved details.

Reason: To ensure the provision of suitable vehicular parking within the site and prevent any overflow impacts on Church Gate and to ensure suitable cycle parking facilities are provided in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026 and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

6. **Electric vehicle charging spaces**

The use hereby approved (school for children with special educational need) shall not commence until details of an electric vehicle charging point have first been submitted to and approved in writing by the Local Planning Authority and thereafter provided in accordance with the approved details. The charging point shall be maintained and kept available and operational for electric vehicles at all times thereafter.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026,

Informatives

1. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development which improves the economic, social and environmental conditions of the area.