

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO. 15

PLANNING APPLICATIONS COMMITTEE: 7 February 2018

Ward: Thames

App No.: 172135/FUL

Address: 1 Derby Road, Caversham

Proposal: Change of use from physiotherapy clinic and residential to day School, ancillary to existing school at 14-16a Peppard road (retrospective). Single storey extension [amended description].

Applicant: Innova Schools Ltd.

Date received: 21 December 2017

Minor Application 8 week target decision date: 15 February 2018

RECOMMENDATION:

Delegate to the Head of Planning, Development and Regulatory Services (HPDRS) to GRANT planning permission by 15 February 2018 subject to a S.106 legal agreement to secure:

- (1) Restrict the site to D1 school only and only in connection with the adjacent site known as Caversham Preparatory School and for no other purpose.
- (2) Ensure that the residential dwelling shall not be occupied other than by a person solely or mainly employed or last employed by the School (or a widow or widower of such a person or any resident dependents).

If the S.106 legal agreement is not completed by 15 February 2018, delegate to officers to refuse planning permission, unless the HPDRS agrees to any later extension.

Conditions to include:

1. TL1 Standard three year time limit
2. Approved plans
3. Materials of extension to match main building
4. No commencement of extension before submission and approval of a Construction Method Statement, with all associated construction-related servicing and deliveries to 14a/16 Peppard Road only
5. Parking areas to be retained for school staff and occupiers of the residential dwelling only
6. Garage retained for parking for dwelling only
7. All servicing and deliveries and/or drop off/pick up of children associated with Caversham Preparatory School shall be undertaken at 14a and 16 Peppard Road. No servicing and deliveries and/or drop off/pick up of children associated with Caversham Preparatory School, including the ancillary school use hereby permitted, shall take place from the Derby Road access, as shown on the approved plans. Access to be used for staff and access and visitors to the residential use only.
8. Submission and approval of details of catering delivery trolleys, including noise mitigation arrangements within two months and implementation of such within one month of approval of the details.
9. No installation of any kitchen extraction equipment.

10. No installation of air conditioning, cooling or associated/similar plant unless details submitted and approved
11. The application site, in conjunction with the Caversham Preparatory School site, shall not accommodate more than 100 pupils at any one time
12. Maximum of 55 children on the (1 Derby Road) premises at any one time
13. Use of rooms as shown on approved use plan and no classroom use to be located adjoining the adjacent property at 1a Derby Road
14. Music room only to be in room identified on layout plan (away from boundary with 1a Derby Road)
15. No first use of music room as shown on approved plan until details of soundproofing to a standard approved by the LPA have been submitted, approved and installed. Soundproofing to be maintained thereafter. Suitable noise level to be maintained at boundary/by nearest noise-sensitive receptor (level to be advised).
16. Hours as per planning permission 151663/FUL (and 160522):
 - (a) 0800-1830 Mondays to Fridays
 - (b) Not at all on Saturdays*, Sundays or Bank/Public Holidays
 *with the exception of up to five Saturdays during the months of September - July for activities that are ancillary and subservient to the primary school use.
Reason: in order for the Local Planning Authority to control the intensity
17. No external play area(s) or any other school use to be carried out outside the buildings on the application site?>
18. Non-opening rear window in first floor rear room (computer/design/art studio)
19. Submission of disabled persons' access statement

Informatives:

- Positive and proactive requirement
- Terms and conditions
- A S.106 agreement applies to this planning permission
- Separate approval under the Building Regulations required

1. INTRODUCTION

- 1.1 The application site is approximately 500 sq.m. and consists of a largely single-storey building at the western end of Derby Road (a private Road) at its junction with Peppard Road in Caversham. Historically, the building appears to be Victorian and was believed to be the gatehouse to Caversham Park. The main part of the building maintains its 'lodge' appearance, with single-storey tiled roof, ornate bargeboards and stone window surrounds. The building has been extended in a generally sympathetic style.
- 1.2 The area is predominantly residential along Derby Road and Peppard Road in this area, although to the south of the site are the grounds of Queen Anne's School and to the north of the site (at 14a-16 Peppard Road) is the Caversham Preparatory School and for the purposes of this current planning application, the main school site has been included in blue on the application location plan. Beyond to the North is The Chiltern College, a nursing/childcare training college.

2. PROPOSAL

- 2.1 A broadly similar application (ref. 161168) was considered by your meeting on 9 September 2016 where the Committee resolved to grant planning permission, however, due to the applicant's failure to complete (sign) the s106 agreement, the

application was eventually refused in January 2017. The relevant reports are appended to this committee report.

- 2.2 The proposal is to permit the retrospective change of use of the site from its present mixed/dual residential and physiotherapy clinic use to a D1 educational use and extend part of the accommodation to form a school dining hall. The residential element shall be retained as an ancillary dwelling unit. The educational use is proposed specifically as an extension to the adjacent Caversham Preparatory School and indeed, the 'retrospective' part of the description refers to the fact that although no planning permission has been granted, the owner/operator of the Prep School has been using 1 Derby Road as part of the Prep School since taking ownership in late 2016/early 2017. The 14a-16 Peppard Road site has itself only comparatively recently been granted retrospective planning permission for a school (reference 151663/FUL as amended by 160522/VARIAT) and officers are still considering applications to satisfy those planning conditions. One of the restrictive conditions of that permission is that the maximum capacity of the school shall be 100 pupils on site at any one time, primarily for the purpose of controlling noise and disturbance. This number is not proposed to increase across the enlarged site, were permission to be granted.
- 2.3 The inclusion of the application site as part of the Prep School is in order to allow the school to offer a number of functions which have until now occurred in the nearby Chiltern College or the current school premises at 14a and 16 Peppard Road. However, this has meant that classrooms have to 'double-up' to undertake these activities. The use of the application site would allow the school to undertake these activities separately.
- 2.4 There would be only two external alterations to the property:
- A single storey extension to allow the enlargement of what was the original living/dining-room to the residential part of the residential/physiotherapy unit, to create a school dining hall (this work has not been undertaken, although the present room is already in use as a small dining hall); and
 - The creation of a new pedestrian entrance in the northern curtilage of the building to allow pupils to move between the existing school site and the application site without having to go out onto the pavement on Peppard Road. This alteration was undertaken about a year ago and of itself may not have required planning permission.
- 2.5 Internally, the majority of the minor modifications required were undertaken approximately a year ago, to reduce the original dwelling area to produce the ancillary dwelling. This has created a two-bedroom dwelling which until now has also included an upstairs office/storage area. Since approximately December 2016, this dwelling has been occupied as a dwelling by a relative of the applicant, who is also a teacher at the school and her family. In doing so, the present side garage/parking area and courtyard garden have been retained as part of the amenity area to the dwelling; and although some area would be lost in the courtyard to the dining hall extension, this is not to the main usable area for the dwelling. There would continue to be no kitchen for the school, as the meals would continue to be prepared off-site at St. Anne's School.
- 2.6 No internal alterations are proposed/shown for the existing annexe area and this would be used for the following school functions:

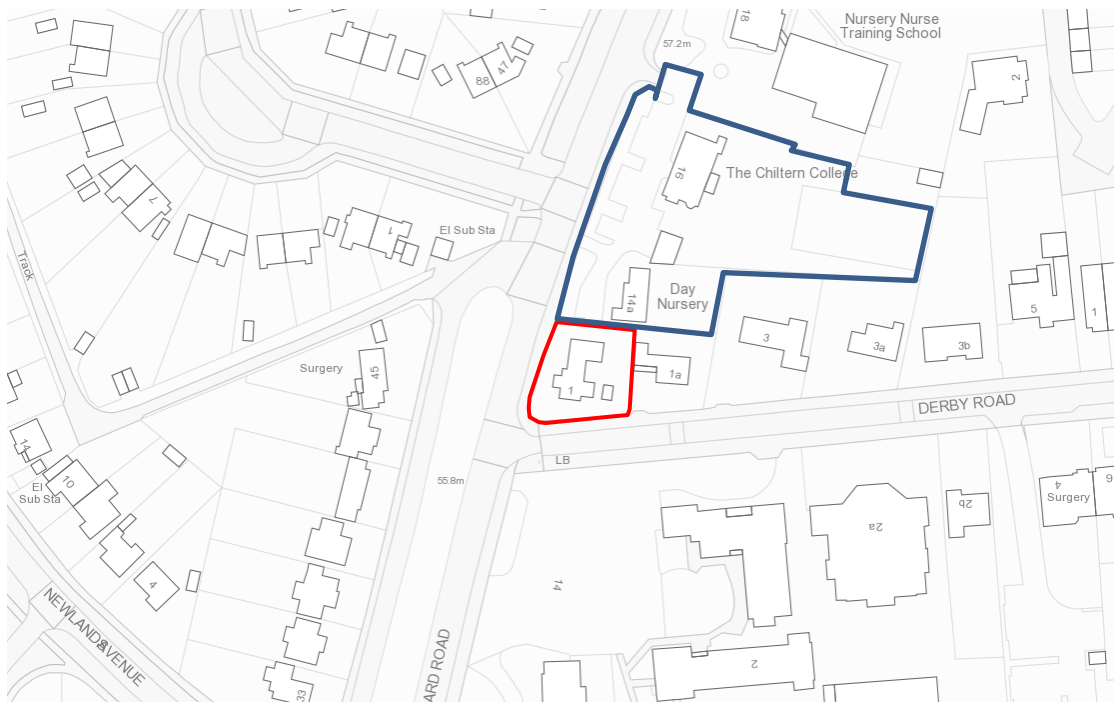
There are four separate ground floor rooms to be used for the following purposes:

- A small music room, suitable for 1:1 tuition only
- A small library
- A further small room for 1:1 drama instruction
- A small room for the dining room servery
- The first floor area of the annexe would be/is being used as a computer and design studio and in contrast to the earlier application, the space over the retained dwelling and the new connecting roof area is indicated for art uses, although this area will have limited headroom.

2.7 Most of the external courtyard garden would be retained, although the privacy of this would now be slightly compromised by the movement of pupils between the buildings and the use of the adjacent dining area at lunchtimes.

2.8 Unlike previous applications which attempted (unsuccessfully) to alter the conditions of the 1994 permission in order to try and change the use to something else - including the planning appeal - this application is in full, for the change of use. The application has been submitted with the following supporting information:

- Planning statement, which includes offering various conditions to support the acceptability of the use
- Application form
- Site plan/block plan
- A sketch plan showing the proposed use of the accommodation
- CIL form



Location Plan (not to scale). The remainder of the Prep School site, to which the School enjoys a lease, is shown edged blue.



Aerial photo looking east, showing the application site in the bottom-right. The white building is 14a Peppard Road and the building further to the left is 16 Peppard Road, both are the principal buildings of Caversham Prep. School. The buildings at the far left are part of Chiltern College.

The CIL Liability for this change of use and extension to form D1 Educational Use is zero as there is no charge for additional school floorspace under the Council's adopted CIL Charging Schedule.

3 PLANNING HISTORY

3.1 The application site has a long planning history:

80/TP/1215	Extension of lounge/ dining/ kitchen/ garage	REFUSED 30/1/81
81/TP/178	Extension to existing bungalow and garage	PERMISSION 31/3/81
90/0965/FD	Single storey extension and internal alterations to rear of existing garage to form granny annexe	PERMISSION 24/10/90
94/0466/FD	Change of use from residential to physiotherapy clinic and residential	PERMISSION 28/7/94
94/1000/FD	Extension to garage wall prior to conversion of garage/annexe to clinic	PERMISSION 31/1/95
98/0849/FD	New garage	PERMISSION 20/11/98
03/00014/FUL	First floor extension to provide additional record storage and admin room	PERMISSION 5/3/03
10/00992/VARIAT: (100042/VARIAT)	Change of use from residential to physiotherapy clinic and residential without complying with condition 6 of planning permission 94/00488/FD - to remove named users from operating clinic.	PERMISSION 29/7/10

151262/VARIAT	Removal of condition 4 (physiotherapy clinic use operated, managed or carried out only by person(s) residing in residential part) and variation of condition 5 (Class D1 clinic/consulting room use only) of permission 10/00992/VARIAT to allow wider uses (all medical and health services, education and any necessary office space) at the Class D1 use part of the premises.	WITHDRAWN 5/10/2015
152208/VARIAR	Removal of condition 4 (physiotherapy clinic use operated, managed or carried out only by person(s) residing in residential part) and variation of condition 5 (Class D1 clinic/consulting room use only) of permission 10/00992/VARIAT to allow wider uses (all medical and health services, education and any necessary office space) at the Class D1 use part of the premises. (resubmission of 151262).	REFUSED 24/5/16. APPEAL ALLOWED 27/4/17. See notes below regarding what allowing this appeal means in use terms, but importantly, it did NOT allow a D1 Educational use).
161168/FUL	Change of use from physiotherapy clinic and residential to day school, ancillary to existing school at 14A-16 Peppard Road.	REFUSED 6/1/17 (for failure to complete s106 agreement).

Discussion in relation to history

- 3.2 From the last two entries above, around this time last year, officers refused planning permission for the change of use of the premises, due to a continued failure to sign the s106 legal agreement, with some six months having elapsed since the Committee's Resolution to grant planning permission.
- 3.3 Concurrently, officers were also considering an appeal by the by then former owners of the property, against the Council's decision to refuse permission to alter various conditions which pertained to the extant/authorised mixed use of the site. Although that appeal was subsequently allowed, the Inspector's decision was clear that in removing two conditions, this in no way allowed any diversion away from the lawful use of the site, which remained in a mixed residential/physiotherapy use. The outcome of this is that the premises have since been operating in unauthorised educational use without planning permission for approximately one year, which is a situation which the owner has been advised by your officers is not acceptable and cannot continue. The owner/operator has been encouraged to submit this planning application in order to regularise the planning use and to bring the operation of the site under planning control.

Relevant history to the application site in terms of Caversham Preparatory School (14a and 16 Peppard Road, formerly known as Chiltern College School)

151663/FUL	Retrospective change of use to a school for 4-11 year-olds (D1 use) and associated alterations to parking/circulation area.	PERMISSION 12/2/16
160522/VARIAT	Application for removal or variation of a	PERMISSION 6/5/2016.

	condition following grant of planning permission. (151663)	
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3.4 Permission 160522 amended various timescales associated with the conditions of permission 151663. Officers are engaged with the owner/operator to secure compliance with various conditions at the present time.

4. CONSULTATIONS

(i) Statutory:

None.

(ii) Non-statutory:

4.1 The Council's Transport Strategy Team does not object, but offers conditions.

4.2 The RBC Environmental Protection Team has confirmed that its response is essentially the same as that set out in respect of the previous planning application (161168/FUL). Their main concern is noise generation affecting the neighbouring residents. Music lessons are likely to be the highest risk for noise generation. The applicant states that the lessons will be held in an internal room, away from the shared party wall and that it will be sound-proofed. There is no information provided to show details of the proposed sound proofing and how that will ensure that adverse noise impact on neighbouring dwellings will be prevented, so concern is maintained and details should be provided.

4.3 The application, if permitted will provide staff car parking meaning that drop-off spaces will be provided away from Derby Road, therefore EP is of the opinion that there will be a reduction in noise disturbance from vehicles on Derby Road. The reduction in vehicle movements means that there is no predicted increase in air pollutants.

4.4 Continues to advise the need to approve details of any kitchen extraction equipment, including a plant noise assessment.

Neighbour consultation:

4.5 Letters were sent to the following addresses:

Derby Road: 1a, 3
 Peppard Road: 14a, 43, 45
 Queen Anne's School
 1 Balmore Drive

A site notice was also displayed.

4.11 At the time of writing, three letters of objection have been received, raising the following concerns:

- Object to the removal of the personal condition placed on the original physio/residential use. *Officer comment: this is not relevant to the application currently under consideration, which must be assessed on its individual planning merits.*

- The consequence has been the intensification and expansion of the building's footprint and the present application would continue this. *Officer Comment: the 2010 application did not increase the footprint of the building.*
- Concern for intensification of noise levels within the site, especially in relation to the party wall which adjoins property to the east.
- Concern for intensification of drainage. *Officer Comment: objectors are referring to an increase in hard surfacing which has already occurred through earlier proposals, but is not significantly affected by this current planning application.*
- There is intensification of deliveries by lorries/vans and by the use of mobile catering trolleys.
- Does not agree with the Planning Statement which considers that the application, 'does not represent an expansion of the school'.
- The pedestrian gate between the main school and the application site is already a cause of noise disturbance and this will only intensify with the application proposal.
- Neighbours are suffering disturbance with the wheeling of metal food trolleys up and down Derby Road from the side entrance gate of Queen Anne's School's side entrance gate three times a day, which is a breach of planning conditions.
- A school is unsuited to Derby Road, as access is already from Peppard Road.

One letter of support has been received, which advises that the excellent facilities at the school will be enhanced by the new hall which will allow for assemblies. Live very close to the site and any congestion nuisance was worse for the clinic than the unauthorised school use which has occurred.

4.13 The Mander Court Residents' Association has responded and considers that permission should be refused because:

- Most residents believe that permission should not be granted for the School to take over ownership of the property and certainly not be granted permission to extend the existing home. *Officer comment: the Local Planning Authority cannot control property ownership in the usual course of deciding on a planning application which has been submitted.*
- The situation of this property is not suitable for additional traffic and pedestrians and since the physiotherapy clinic has closed, deliveries and visitors are being made, hold-ups are created with traffic having to queue along Peppard Road until deliveries are completed and lorries or vans moved.
- Permission was granted by the Council such that should the physiotherapy clinic use cease, the property would revert to a residential home, this decision has not been rescinded, so planning permission should not be granted to the school. *Officer comment: the requirement to cease a use does not preclude the consideration and potential approval of a subsequent planning application.*

5. RELEVANT POLICY AND GUIDANCE

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.

5.2 The following national and local planning policy and guidance is relevant to this application:

5.3 National

National Planning Policy Framework (NPPF):
Section 4 - Promoting Sustainable Transport
Section 8 - Promoting healthy communities

National Planning Practice Guidance

5.4 Reading Borough Local Development Framework: Core Strategy (2008, as amended 2015)

CS1 (Sustainable Construction and Design)
CS4 (Accessibility and the Intensity of Development)
CS5 (Inclusive Access)
CS7 (Design and the Public Realm)
CS17 (Protecting the Existing Housing Stock)
CS20 (Implementation of the Reading Transport Strategy)
CS22 (Transport Assessments)
CS23 (Sustainable Travel and Travel Plans)
CS24 (Car/Cycle Parking)
CS31 (Additional and Existing Community Facilities)
CS34 (Pollution and Water Resources)
CS38 (Trees, Hedges and Woodlands)

5.5 Reading Borough Local Development Framework - Sites and Detailed Policies Document (2012, as amended 2015)

SD1 (Presumption in Favour of Sustainable Development)
DM4 (Safeguarding Amenity)
DM12 (Access, Traffic and Highway-Related Matters)

5.6 Supplementary Planning Documents

Revised Parking Standards and Design (2011)

6. APPRAISAL

6.1 The main issues to consider in this planning application are:

- (i) Principle of the change of use
- (ii) Noise and disturbance to neighbouring residential properties
- (iii) The extension
- (iv) Traffic and transport issues

- (i) Principle of the change of use

6.2 The site received planning permission in June 1994 (Planning Application ref. 94/0488/FD) for the change of use of part of a dwelling to a physiotherapy clinic comprising of 3 No. treatment rooms. A subsequent application was submitted in 2010 under application 10/00992/VARIAT to remove the named users from operating the clinic. In approving, a personal condition (Condition 4) was substituted in the planning permission stating that the clinic shall not be operated, managed or carried out other than by a person or persons who reside in the residential part of the premises.

- 6.3 Officers consider that the extant dual/mixed use has been operated satisfactorily and this is in part due to the nature of the use and the necessary conditions regulating the use. That use has now ceased, although it remains the lawful use of the site.
- 6.4 Whilst educational uses are community-type uses and therefore normally supported by policies SD1 and CS1, they can be unacceptable neighbours, particularly in suburban residential areas, as here. Although the local area contains a number of uses - including educational uses - the prevailing character is one of large family dwellings. An unrestricted D1 use of this site is therefore likely to cause significant concerns in terms of noise and traffic disturbance. These issues have been discussed in earlier planning applications on this site and have led to the withdrawal and refusal of planning permission. In the case of the recent appeal decision, the Inspector declined to alter the type of appeal from a s73 (variation of condition) appeal to the consideration of the overall change of use, as such had not been the subject of consultation or assessment. Therefore, no judgment was made on its suitability at that time.
- 6.5 The question is therefore to what extent any non-conforming/non-residential use can be accommodated in this area which will not cause an unacceptable detriment to amenity and not conflict with policies CS34 and DM4.
- 6.6 The application proposal seeks to extend the use of the adjacent prep. school in order to provide additional school facilities and not to increase the pupil capacity of the school. The accommodation sought for school accommodation amounts to approximately 130 sq.m. and largely involves the present extended annexe area to the current lodge building, but also the original living/dining room to the residential unit and this room is also now proposed to be extended to form the School's dining hall. The attic in the annexe would be used for an art/design/technology studio and the former physio consulting rooms on the ground floor would be used for various 1:1 activities with pupils, the food servery and a small library.
- 6.7 The applicant previously agreed several controlling conditions for the use of the site, such as maintaining the same school hours, to be only connected to the main school site and for the 100 pupil capacity restriction to also apply. These are in general an acceptable approach; but on their own, officers consider them to be insufficient in order to adequately control the activities of the school.
- 6.8 The proposal would retain the majority of the present residential dwelling as a staff flat with two bedrooms. Although this is a much smaller dwelling than previously, it nevertheless provides a suitable family unit and allows the on-site presence of staff for security purposes and to accommodate teaching staff. There is therefore no conflict with Policy CS17 (Retention of the Existing Housing Stock), as there is no loss of a family dwelling unit. However, the residential use should be linked to the D1 school use and officers recommend that were permission to be issued, a S.106 legal agreement is required, as set out in the Recommendation box above. It was in part the failure to secure this control which led to the refusal of the earlier application. The current proposal includes a further reduction in the dwelling's area, which was previously a small first floor office. The current application proposes to use this area for part of the art studio for the school. This change does not significantly affect the usability of the dwelling.

- 6.9 In general, the accommodation appears to lend itself well to the proposed use and relatively few modifications will be required. It should also be noted that although planning permission was not eventually issued, the Committee nonetheless took the decision in September 2016 that a very similar application to this was supportable.
- 6.10 Subject to the discussion below regarding disturbance and transport, officers consider that the proposal is potentially suitable in terms of policies CS17, CS34 and DM4.
- (ii) Noise and disturbance to neighbouring residential properties
- 6.11 As noted above, this is a predominantly residential area and a suitable level of residential amenity must be retained. The Council's Environmental Protection Team considers that a noise assessment is required before determination. This was not requested in the previous application proposal and EP are otherwise content to agree to their previous advice of recommending controlling conditions.
- 6.12 The applicant has been asked about how the building is being used and specifically about numbers of children and hours of use. Of importance is how the dining hall, as to be extended, is to be/is being used. The previous application was concerned for school club activities in this area, although this facility is the obvious location for these activities, providing they are suitably controlled.
- 6.13 The applicant advises that the hall use will of course vary as is the case in all school halls over the course of the day and the course of the year. School Clubs are from 15:30 to 16:30 week days and the hall will be used for these, typically a club has up to 25 children.
- Lunch is 11:45 to 13:15 with two sittings of 48 pupils, always supervised
 - Tea in the hall is 16:30 to 17:00 for those children who stay for after school club until 18:00 (up to 25 stay to 18:00)
 - Pupil movements to and from the main school site to the hall is always supervised.
- 6.14 The above levels of activity are in the hall and away from the boundary with the nearest affected property. Further, the extension of the hall will contain noise and also shield pupil activity during the pupil transitions between school buildings. Given the relatively low-level use and the controls on pupil numbers and traffic movements (see section below), the impact on general residential amenity is, on balance, considered to be acceptable. Officers are however, cognisant of the relatively small size of the site and the issue of intensity of use which could cumulatively (within the site at 1 Derby Road) cause noise disturbance and agree that the applicant's offer of hours and pupil number controls used for the prep school need to apply to this site as well. Additional conditions are recommended to put an overall limit on pupils at the site (55: which will allow for lunchtime peaks) and that there shall be no use of the outside areas as either playground or as teaching areas and a control over boundary noise levels, to be advised (see below).
- 6.15 The property which is potentially most likely to be affected is 1a Derby Road, which adjoins to the east with a party wall. Officers are also aware that there is a resident within this property (near to the boundary) who is particularly sensitive to noise disturbance as they are at home most of the time; however, this fact cannot

be an over-riding planning consideration, although an acceptable level of residential amenity must be maintained to this property. For this application, the applicant has produced historic Building Regulation plans which show the construction of the party wall to attempt to demonstrate a suitable level of sound protection, but officers are not convinced by this information alone.

- 6.16 Officers have discussed the potential impacts with RBC Environmental Protection. They consider that the proposed music room is of most concern in noise terms and sound transmission into the neighbouring adjoining dwelling in particular. The music room is shown on the plan to be located in a room which does not adjoin 1a Derby Road, therefore, provided that music lessons only take place in the room identified and adequate soundproofing is installed, there should be no noise concern from the neighbouring property and to secure this, a suitably-worded condition will be required to maintain an appropriate noise level at the nearest noise-sensitive receptor (adjacent property) with a level to be advised by RBC Environmental Protection prior to your meeting.
- 6.17 On the current proposed sketch layout plans, the only use that is in a room adjoining the neighbour's property is the Drama room, but given that sessions are likely to be 1:1, the EP team is not overly concerned. However, the plans are unclear about what may occur in the current reception area which was for the physiotherapy use. A condition is therefore recommended that the uses are as set out in the sketch plan. The use of this area is probably primarily to receive the wheeled food trolley deliveries. No kitchen is proposed at present, but were that situation to change, then conditions shall require full details to be considered.
- 6.18 The applicant has confirmed that the attic space in the annexe which was formerly used as records storage for the physiotherapy use, would be used as a computer, design and art studio for around 18 children at a time. This room has a mix of rooflights and small windows and due to the steep skelings which reach the floor, the useable floor area would be somewhat smaller than shown on the plans and pupils would be distant from the edge of the room in most cases. The attic nature of the room over a single storey also means that lateral sound transmission through the party wall to 1a is unlikely. As a precaution, the rear-facing window (which is near to the boundary with No. 1a) should be fixed shut at all times. Officers are however, concerned that this room may need cooling (if used as an IT room, for instance) and a condition is recommended for no external plant to be installed, unless details have first been submitted and approved. As no kitchen is proposed and no details have been provided, a condition is also recommended that no venting systems are installed.
- 6.19 Two other areas of potential concern for residential nuisance are the pedestrian gate and the wheeling of trolleys. The construction of the extension should help to attenuate any disturbance from the gate which may be occurring. The wheeled trolleys are more difficult to control, as although they are preferable to vans/lorries, they can rattle along the road, causing disturbance. Controlling this may be possible on the roadway by the residents as Derby Road is a private road, nonetheless, officers are currently recommending that conditioning a strategy for controlling the noise, including potentially the use of rubberised wheels, is secured in order to quieten the deliveries.
- 6.13 The EP Team at the time of the previous application in 2016 has however, provided a useful overall comment on the change of use: *"The school use is a big change*

from the former use for physiotherapy and some sound may well be noticed by the neighbours as you would normally hear neighbours in an adjoining property, but it is unlikely to be at nuisance levels". Whilst this is helpful, officers consider that the various conditions recommended are necessary to ensure that the impact on the character of the area - and 1a in particular - is a long way from a nuisance level, although the perception of the use is likely to be inevitable.

- 6.14 In terms of disturbance and harm to amenity, officers acknowledge that a level of disturbance may occur if this use is not carefully managed. The use of the site also allows the school to operate in premises which are less constrained, thereby allowing activities to be better managed and spread out and this could reduce incidences of neighbour disturbance. However, with the conditions recommended, officers are prepared to advise that residential amenity would be able to be maintained and policies CS34 and DM4 complied with.

(iii) The Extension

- 6.15 The principal difference between this planning application and 161168/FUL in design terms is that the applicant now wishes to include an extension to the school dining hall. This would extend the present dining room 3.6m northwards and 8.5m in westward length, effectively 'squaring up' the building within the courtyard. This part of the courtyard has until now been bisected by a dividing wall. A new pitched roof would be used and the roof ridge would be slightly lower than the rest of the property. In terms of impact on the streetscene, the proposal is single storey only and set back and in design terms, would complement the existing building. An area of the courtyard would be lost, but in terms of the retained dwelling, this area was around the corner of the building, away from the unit and the dwelling is nonetheless a 'caretaker' type situation on site, where the privacy of the amenity space is already going to be compromised by the comings and goings of children between the dining hall and the main school buildings. The additional floor area involved (internally) is 24 sq.m. and by condition, the space would not allow an increase in pupils, but would provide a more spacious school dining hall. No additional concerns are considered to arise in terms of Policy DM4 (neighbour disturbance) over and above the discussion in the section above and the extension is considered to be suitable in terms of Policy CS7 (design) and DM10 (amenity space provision).

(iv) Traffic and transport issues

- 6.15 A number of residents are concerned for increases in traffic movements, safety and parking concerns as a result of the use. However, the Highway Authority remains content that the use involves a reduction in traffic movements and there is no policy conflict identified. The use of the parking area at the site will be limited to teaching staff and the ancillary dwelling only. This arrangement would benefit the school, where potential traffic conflicts between school drop-offs and staff are removed, by separating these. Whilst the staff movements are at peak times on the road network, the Highway Authority acknowledges that the number of movements will be low and overall, this is expected to be less intensive than the present lawful use of the site. With conditions on servicing/drop offs and parking, no conflict is identified with policies CS4, CS20, CS24 or DM12. Cycle parking and other servicing will continue to operate from Peppard Road. The school has already undertaken the car parking upgrades required by the retrospective planning permission for the school which was granted in February 2016. Officers

advise that the separation of the drop-offs/deliveries and the staff parking seems to be working satisfactorily.

Other matters

Sustainability

- 6.16 As there is only minor additional built accommodation and only very minor internal alterations required to facilitate the change of use, officers advise that a condition to secure energy improvements is not appropriate in this case and the proposal complies with Policy CS1. The new extended area would need to comply with the latest thermal efficiency requirements in Part L of the current Building Regulations.

Disabled persons' access

- 6.17 As with the retrospective school permission, there are aspects of the building which are not ideal for disabled people, especially the awkward stairs to the first floor area. An access study should set out how the applicant intends to accommodate persons (whether staff, visitors or pupils) who have special access needs, in order to comply with Policy CS5. These matters are likely to have to be attended to under the Building Regulations in any event.

Design/Landscaping

- 6.18 There are limited external alterations to the building, meaning some of the present internal courtyard will be lost, but this has no effect on the public nature of any landscaping. Some objectors consider that the site should be returned to its former use (a house only) and object to the loss of soft landscaped areas which has occurred. Whilst there is a limited opportunity to introduce some soft landscaping to the edges of the property, this would not be appropriate to require via condition as there is only a limited area of additional development. Officers are content that there is no conflict with Policies CS7 and CS38.

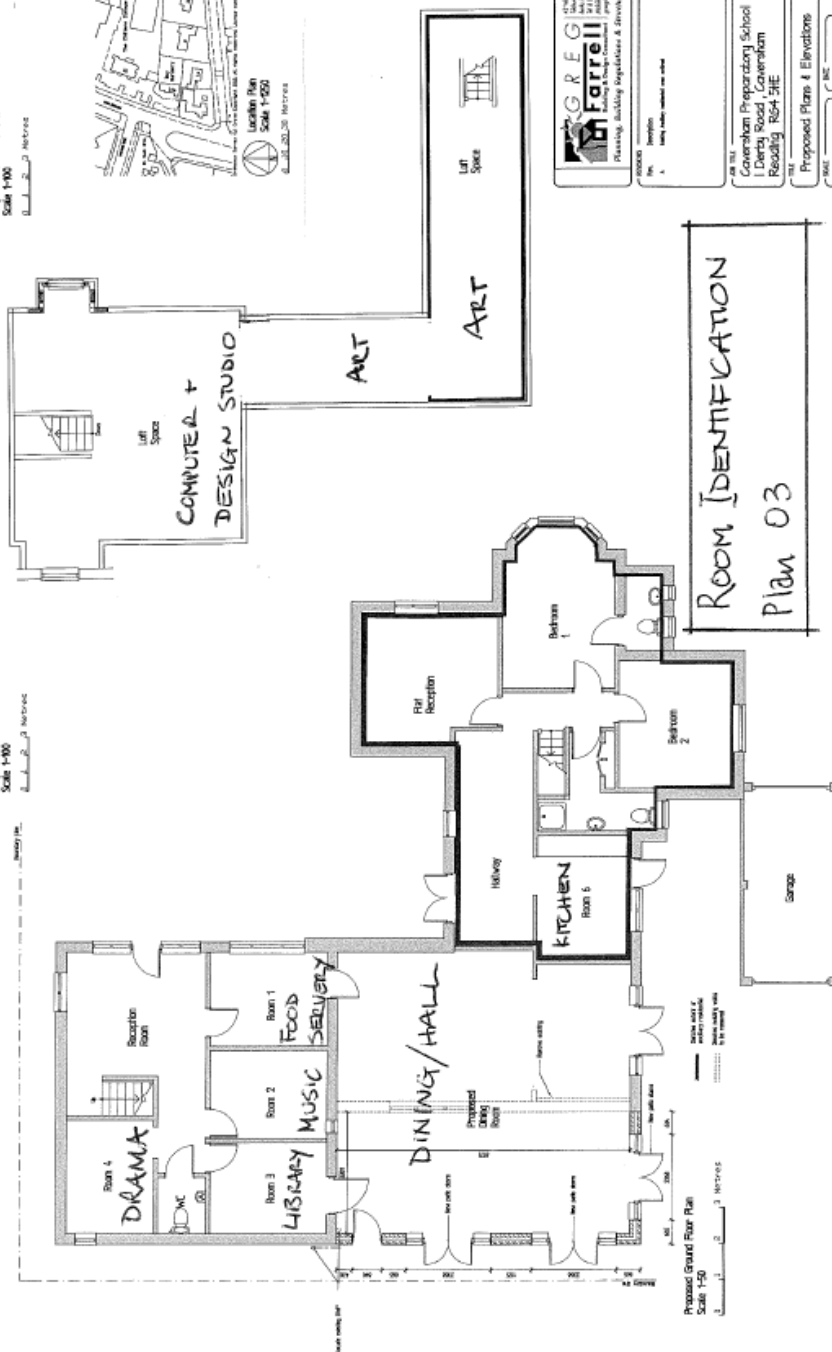
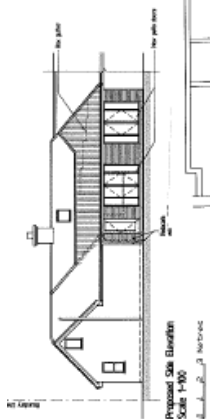
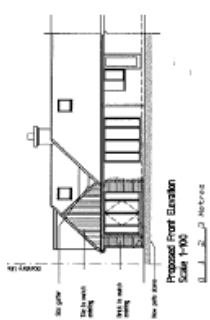
7. CONCLUSION

- 7.1 The lawful mixed use, as confirmed by the planning appeal, has been a suitable low-level use, where the residential character and amenities of the area have been maintained. The proposed use, which has now been operating in an uncontrolled manner, is a D1 non-conforming use and clearly has the ability to cause an increase in disturbance, if not subject to very careful control. Although the use has been operating on site for the last year or so, this has been without the benefit of planning permission and officers advise that this unregulated use cannot be allowed to continue. Given the planning history of this site, including an incomplete compliance with planning conditions, officers are recommending that permission is only to be granted with a s106 legal agreement.
- 7.2 In transport terms and notwithstanding the concerns which have been received, officers are satisfied that the use of the access at Derby Road will not intensify and clearly, the ability of the adjacent school site to accommodate all servicing, deliveries and drop-offs is a significant mitigating factor. Whilst some residents are concerned for the increase in deliveries in Derby Road, the overall split of traffic between the Peppard Road and Derby Road accesses is considered to be

appropriate to the function of the school and acceptable in terms of the functioning of the local road network.

- 7.3 On the matter of maintaining residential amenity, the issues are more finely balanced and as with application 161168, officers have felt it necessary to include a range of conditions within the Recommendation box above. The use of, say, an adjoining wall to 1a Derby Road being used by a classroom for 15 children or even five for a music lesson could easily result in an unacceptable relationship. A commercial kitchen within the current physio reception area would need to be fully assessed. The conditions must ensure that this is not allowed to happen in order to comply with Policy DM4, to protect the occupants of 1a from unreasonable noise/other disturbance.
- 7.4 Overall, and taking the above considerations into account, officers are prepared to recommend that this permission be GRANTED, with the range of conditions proposed and the S.106 agreement.

Case Officer: Richard Eatough



COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES READING BOROUGH COUNCIL PLANNING APPLICATIONS COMMITTEE: 7 SEPTEMBER 2016	ITEM NO.
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Ward: Thames

App No.: 161168/FUL

Address: 1 Derby Road, Caversham

Proposal: Change of use from physiotherapy clinic and residential to day school, ancillary to existing school at 14A-16 Peppard Road.

Applicant: Innova Schools Limited

Date received: 6/7/2016

Minor Application 8 week target decision date: 23/9/2016 (PPA date)

RECOMMENDATION:

Subject to receipt of satisfactory plans showing a scaled layout of the school and residential uses, and definitive function of all rooms/areas, delegate to the Head of Planning, Development and Regulatory Services (HPDRS) to GRANT planning permission subject to a S.106 legal agreement to secure:

- (3) Restrict the site to D1 school only and only in connection with the adjacent site known as Caversham Preparatory School and for no other purpose.
- (4) Ensure that the residential dwelling shall not be occupied other than by a person solely or mainly employed or last employed by the School (or a widow or widower of such a person or any resident dependents).

If the S.106 legal agreement is not completed by 23 September 2016, delegate to officers to refuse planning permission (unless the HPDRS agrees to any later extension).

Conditions to include:

- 20. TL1 Standard three year time limit
- 21. Approved plans
- 22. Parking areas to be retained for school staff and occupiers of the residential dwelling only
- 23. Garage retained for parking for dwelling only
- 24. All servicing and deliveries and/or drop off/pick up of children associated with Caversham Preparatory School shall be undertaken at 14a and 16 Peppard Road. No servicing and deliveries and/or drop off/pick up of children associated with Caversham Preparatory School, including the ancillary school use hereby permitted, shall take place from the Derby Road access, as shown on the approved plans. Access to be used for staff and access and visitors to the residential use only.
- 25. No installation of any kitchen extraction equipment
- 26. No installation of a/c, cooling or associated plant unless details submitted and approved
- 27. The application site, in conjunction with the Caversham Preparatory School site, shall not accommodate greater than 100 pupils at any one time
- 28. Maximum of 55 children on the premises at any one time
- 29. Use of rooms as shown on use plan and no classroom use to be located adjoining

- the adjacent property at 1a Derby Road
30. Music room only to be in room identified on layout plan (away from boundary with 1a Derby Road)
 31. No first use of music room as shown on approved plan until details of soundproofing have been submitted, approved and installed. Soundproofing to be maintained thereafter.
 32. Hours as per planning permission 151663:
 - (a) 0800-1830 Mondays to Fridays (with outside break-times as follows: a maximum of 15 minutes between the hours of 0800 and 1200 and a maximum of one hour between the hours of 1200 and 1400)
 - (b) Not at all on Saturdays*, Sundays or Bank/Public Holidays
 *with the exception of up to five Saturdays during the months of September - July for activities that are ancillary and subservient to the primary school use. Reason: in order for the Local Planning Authority to control the intensity
 33. No external play area(s)
 34. Non-opening rear window in first floor rear room (art/design/technology studio)
 35. Submission of disabled persons' access statement

Informatives:

- Positive and proactive requirement
- Terms and conditions
- A S.106 agreement applies to this planning permission
- Separate approval under the Building Regulations required

4 INTRODUCTION

- 4.4 The application site is approximately 530 sq.m. and consists of a largely single-storey building at the western end of Derby Road (a private Road) at its junction with Peppard Road in Caversham. Historically, the building appears to be Victorian and was believed to be the gatehouse to Caversham Park. The main part of the building maintains its 'lodge' appearance, with single-storey tiled roof, ornate bargeboards and stone window surrounds. The building has been extended in a generally sympathetic style.
- 4.5 The area is predominantly residential along Derby Road and Peppard Road in this area, although to the south of the site are the grounds of Queen Anne's School and to the north of the site (at 14a-16 Peppard Road) is the Caversham Preparatory School.

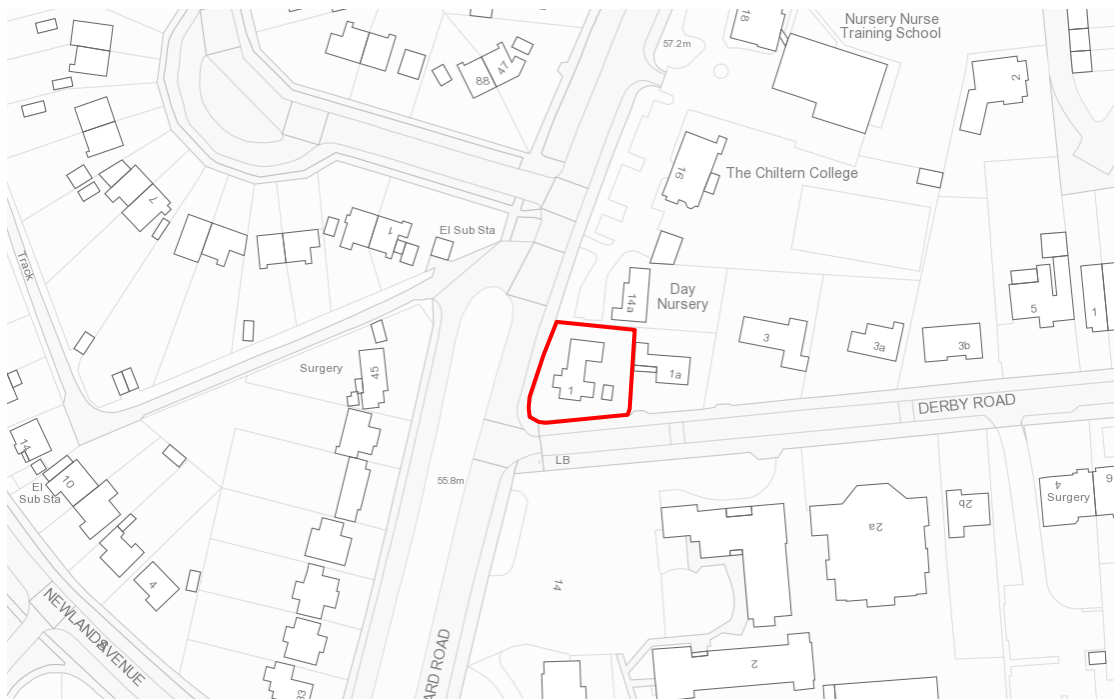
5 PROPOSAL

- 2.1 The proposal is to change the use of the site from its present mixed/dual residential and physiotherapy clinic use to a D1 educational use. This educational use is proposed specifically as an extension to the adjacent Caversham Preparatory School. That site, itself has only recently been granted retrospective planning permission for a school (permission 151663) and officers are still considering applications to satisfy the planning conditions. One of the restrictive conditions of that permission is that the maximum capacity of the school shall be 100 pupils on site at any one time, primarily for the purpose of controlling noise and disturbance. This number is not proposed to increase across the enlarged site, were permission to be granted.

- 2.2 The inclusion of the application site as part of the prep school would allow the school to offer a number of functions which currently occur in the nearby Chiltern Nursing College or the current school premises at 14a and 16 Peppard Road. However, this often means that classrooms have to 'double-up' to undertake these activities. The use of the application site would allow the school to undertake these activities separately.
- 2.3 There would be no external alterations to the property, save for the creation of a new pedestrian entrance in the northern curtilage of the building. This would allow pupils to move between the existing school site and the application site without having to go out onto the pavement on Peppard Road.
- 2.4 Internally, minor modifications are likely to be required to reduce the present dwelling area to produce the ancillary caretaker's dwelling. This would be a two-bedroom dwelling which also includes an upstairs office/storage area. It would retain the present side garage/parking area and courtyard garden. The present living room and the dining area of the house would be used as the school dining room for the consumption of hot meals (there would be no kitchen, as the meals would continue to be prepared off-site). No connection to the remainder of the proposed D1 area is shown - the area within the annexe - and indeed, there is a large fireplace and chimney breast in this location.
- 2.5 No internal alterations are currently proposed for the existing annexe area and this would be used for the following school functions:
- A small music room, suitable for 1:1 tuition only
 - A small room for tuition of children with Special Educational Needs (SEN). 1:1 only
 - A further small room for 1:1 speech and drama instruction
 - A small storeroom for catering trolley/etc.
 - The first floor area of the annexe would be used as an art, design and technology studio. This area would also be used at lunchtimes for children who take packed lunches
- 2.6 The external courtyard garden would be retained, although the privacy of this would now be slightly compromised by the movement of pupils between the buildings and the use of the adjacent dining area at lunchtimes.
- 2.7 Unlike previous applications which attempted (unsuccessfully) to alter the conditions of the 1994 permission in order to try and change the use to something else - including the pending planning appeal which is in progress - this application is in full, for the change of use. The application has been submitted with the following supporting information:
- Planning statement, which includes offering various conditions to support the acceptability of the use
 - Application form
 - Site plan/block plan
 - A sketch plan showing the proposed use of the accommodation



View of the application site from Derby Road



Location Plan (not to scale)

6 PLANNING HISTORY

3.1 The application site has a long planning history:

1 Derby Road

80/TP/1215: Extension of lounge/dining/kitchen/garage REFUSED 30/1/81

81/TP/178: Extension to existing bungalow and garage PERMISSION 31/3/81

90/0965/FD: Single storey extension and internal alterations to rear of existing garage to form granny annexe PERMISSION 24/10/90

94/0466/FD: Change of use from residential to physiotherapy clinic and residential PERMISSION 28/7/94

94/1000/FD: Extension to garage wall prior to conversion of garage/annexe to clinic PERMISSION 31/1/95

98/0849/FD: New garage PERMISSION 20/11/98

03/00014/FUL: First floor extension to provide additional record storage and admin room PERMISSION 5/3/03

10/00992/VARIAT: (100042) Change of use from residential to physiotherapy clinic and residential without complying with condition 6 of planning permission 94/00488/FD - to remove named users from operating clinic. PERMISSION 29/7/10

151262/VARIAT Removal of condition 4 (physiotherapy clinic use operated, managed or carried out only by person(s) residing in residential part) and variation of condition 5 (Class D1 clinic/consulting room use only) of permission 10/00992/VARIAT to allow wider uses (all medical and health services, education and any necessary office space) at the Class D1 use part of the premises. WITHDRAWN 5/10/2015

152208 Removal of condition 4 (physiotherapy clinic use operated, managed or carried out only by person(s) residing in residential part) and variation of condition 5 (Class D1 clinic/consulting room use only) of permission 10/00992/VARIAT to allow wider uses (all medical and health services, education and any necessary office space) at the Class D1 use part of the premises. (resubmission of 151262). REFUSED 24/5/16 APPEAL IN PROGRESS.

Caversham Preparatory School (14a and 16 Peppard Road, formerly the Chiltern College School)

151663 Retrospective change of use to a school for 4-11 year-olds (D1 use) and associated alterations to parking/circulation area. PERMISSION 12/2/16.

4. CONSULTATIONS

(iii) Statutory:

None.

(iv) Non-statutory:

4.1 The Council's Transport Strategy Team comments as follows:

4.2 The site has been subject to two previous planning applications where the Highway Authority raised concerns for the traffic impact of an unfettered D1 use. It was considered that the parking layout and provision did not comply with the Council's adopted Parking Standards to allow an unrestricted D1 use.

4.3 The current application is for the change of use from a physiotherapy clinic and residential to day school, ancillary to Caversham Preparatory School at 14A-16 Peppard Road. The proposed school use is to provide facilities for children and staff at the existing school to replace the accommodation to be lost inform the use of Chiltern College. The school does not propose to increase the number of pupils beyond the 100 permitted by condition no. 4 on the 2016 permission.

4.4 The submitted parking plan illustrates that the site can provide up to six parking spaces, four spaces on the forecourt (numbered 1-4) and two spaces to the west of the building of which one space is provided within a single garage. Residential accommodation will be retained within the building for staff, therefore, parking spaces numbered 5 and 6 should be reserved for staff residing in the residential

accommodation. The remaining spaces (numbered 1-4) will be reserved for staff only. The additional staff spaces will increase the availability of drop-off parking spaces for parents at the principal school buildings accessed from Peppard Road. All drop-off and collection of pupils will remain within the existing school grounds i.e. not at the application site. The applicants have confirmed that they have no objection to conditions, to secure:-

- i. Parking areas to be used by staff only;
 - ii. Use to be restricted to day school;
 - iii. Any residential use to be ancillary to principal D1 use and occupied by staff;
 - iv. Total number of parking spaces on site not to exceed six
 - v. No pupil drop-off or collection from the site or from Derby Road;
- 4.5 The Transport Statement supporting the 2015 planning application to vary conditions 4 and 5 estimated a potential for 72 traffic movements in a 12 hour period for the existing lawful physiotherapy use when operating at its maximum capacity. The current proposal reduces the number of parking spaces on site to six. Assuming a worst case scenario, with all six members of staff leaving the site and returning during the working day (i.e four two-way trips) this would only generate 24 movements per day although in practice this is more likely to be ten movements (i.e. one in and one out for each vehicle). If it is assumed the live-in member of staff also made a two-way trip each day, the very worst scenario would give 26 movements.
- 4.6 Given that the current proposal is likely reduce the number of vehicular trips when compared to the existing lawful physiotherapy use, there are no objections to the proposal on traffic grounds. Conditions are recommended.
- 4.7 The RBC Environmental Protection Team's main concern is noise generation affecting the neighbouring residents. Music lessons are likely to be the highest risk for noise generation. The applicant states that the lessons will be held in an internal room, away from the shared party wall and that it will be sound-proofed. There is no information provided to show details of the proposed sound proofing and how that will ensure that adverse noise impact on neighbouring dwellings will be prevented.
- 4.8 The application if permitted will provide staff car parking meaning that drop-off spaces will be provided away from Derby Road, therefore I am of the opinion that there will be a reduction noise disturbance from vehicles on Derby Road. The reduction in vehicle movements means that there is no predicted increase in air pollutants.
- 4.9 We would need to approve details of any kitchen extraction equipment, including a plant noise assessment.

Neighbour consultation:

- 4.10 Letters were sent to the following addresses:

Derby Road: 1a, 3
Peppard Road: 14a, 43, 45
Queen Anne's School
1 Balmore Drive

A site notice was also displayed.

4.11 12 letters of objection have been received, raising the following concerns:

- Does not believe the building is suitable for the conversion
- Physiotherapy treatments are inherently quiet in nature. In contrast, the annex of a primary school will involve children arriving in groups, teachers will be issuing instructions and making themselves heard so it will be inherently noisy at times, causing disturbance to neighbours
- Concern for increased disturbance, particularly on the nearest affected property (1a Derby Road)
- Concerned that there would be a classroom or assembly area on the other side of the party wall with 1a Derby Road, causing noise disturbance. This is likely to be used for drama or music.
- Increased intensity of use will change the character of the area and set a precedent for further uses
- The car park has been extended out into Derby Road, impeding wheelchair access along the road. *Officer comment: the area in front of the application site is part of the Derby Road highway, which is a private road. This area in front of the property appears to have been gravelled for additional parking, whereas originally, it may have been a grass verge. Any issues with the works to this land must be undertaken as a Civil matter between the owners of the road, which is likely to include the individual dwellings on Derby Road. This is not considered to be material planning consideration to this planning application*
- Planning permission was given for a small clinic to be run from the house at No.1. Considers that only either the physiotherapy use should continue or the property should revert to residential use
- There will be traffic generation from staff arriving and leaving and parents dropping off children. This will be at peak times, as opposed to throughout the day, as with the present physiotherapy use
- Considers there to be insufficient on-site parking for the proposed use
- Derby Road is used as a cut-through. Parents will use the end of Derby Road for pick-up/drop off at this restricted entrance
- Concern for highway and pedestrian safety, given proximity to the one-way gates on Derby Road and lack of pavements on Derby Road and poor visibility due to the entrance piers
- The proposal will result in increased car parking on Derby Road
- A similar application (152208) was refused previously for sound and practical reasons, nothing has changed and the traffic problem has got worse so this application should also be refused
- The applicant has mentioned the pedestrian link to the School to the north, but this is not shown on any plans.
- Concern for a creeping intensity of development in the area. Not acceptable for the school to need to operate with a large sound barrier. *Officer comment: the acoustic control measure relates to the adjacent school site. This current planning application needs to be considered on its individual planning merits.*
- Failure to display the site notice for the requisite period. *Officer comment: a replacement site notice was sent to the applicant.*

4.12 Two letters of support have been received from the present occupiers of the site. They point out that schools are always struggling for sufficient space and facilities for their pupils and feel this will therefore benefit the community. The school has an excellent Ofsted report and this will further benefit the school's requirements.

Traffic will be greatly reduced on Derby Road and no external alterations will be made to the building.

4.13 The Mander Court Residents' Association has responded and considers that permission should be refused because:

- The proposed use of the site was understood to revert to residential on cessation of the physiotherapy use
- The location of the site at the restricted access to Derby Road is unsuitable for anything other than residential use
- Derby Road is increasingly used as a rat-run and this will only increase as a result of the proposal

8. RELEVANT POLICY AND GUIDANCE

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.

5.2 The following national and local planning policy and guidance is relevant to this application:

5.3 National

National Planning Policy Framework (NPPF):
Section 4 - Promoting Sustainable Transport
Section 8 - Promoting healthy communities

National Planning Practice Guidance

5.4 Reading Borough Local Development Framework: Core Strategy (2008, as amended 2015)

CS1 (Sustainable Construction and Design)
CS4 (Accessibility and the Intensity of Development)
CS5 (Inclusive Access)
CS7 (Design and the Public Realm)
CS17 (Protecting the Existing Housing Stock)
CS20 (Implementation of the Reading Transport Strategy)
CS22 (Transport Assessments)
CS23 (Sustainable Travel and Travel Plans)
CS24 (Car/Cycle Parking)
CS31 (Additional and Existing Community Facilities)
CS34 (Pollution and Water Resources)
CS38 (Trees, Hedges and Woodlands)

5.5 Reading Borough Local Development Framework - Sites and Detailed Policies Document (2012, as amended 2015)

SD1 (Presumption in Favour of Sustainable Development)
DM4 (Safeguarding Amenities)
DM12 (Access, Traffic and Highway-Related Matters)

5.6 Supplementary Planning Documents

Revised Parking and Design Standards (2011)

9. APPRAISAL

6.1 The main issues to consider in this planning application are:

- (v) Principle of the change of use
- (vi) Noise and disturbance to neighbouring residential properties
- (vii) Traffic and transport issues

(v) Principle of the change of use

9.2 The site received planning permission in June 1994 (Planning Application No 94/0488/FD) for the change of use of part of a dwelling to a physiotherapy clinic comprising of 3 No. treatment rooms. A subsequent application was submitted in 2010 under application 10/00992/VARIAT to remove the named users from operating the clinic. On this basis, a personal condition (Condition 4) was included in the planning permission stating that the clinic shall not be operated, managed or carried out other than by a person or persons who reside in the residential part of the premises.

9.3 Officers consider that the present dual/mixed use has been operated satisfactorily and this is in part due to the nature of the use and the necessary conditions regulating the use.

9.4 Whilst educational uses are community-type uses and therefore normally supported by policies SD1 and CS1, they can be unacceptable neighbours, particularly in suburban residential areas, as here. Although the local area contains a number of uses - including educational uses - the prevailing character is one of large family dwellings. An unrestricted D1 use of this site is therefore likely to cause significant concerns in terms of noise and traffic disturbance. These issues have been discussed in earlier planning applications on this site and have led to the withdrawal and refusal of planning permission. The question is therefore to what extent any non-conforming/non-residential use can be accommodated in this area which will not cause an unacceptable detriment to amenity and not conflict with policies CS34 and DM4.

9.5 The application proposal seeks to extend the use of the adjacent prep. school in order to provide additional school facilities and not to increase the pupil capacity of the school. The accommodation sought for school accommodation amounts to approximately 100 sq.m. and largely involves the present extended annexe area to the current lodge building. The currently living/dining room to the house will be used as the school's dining room. The attic in the annexe would be used for an art/design/technology studio and the former physio consulting rooms on the ground floor would be used for various 1:1 activities with pupils.

9.6 The applicant has offered several controlling conditions for the use of the site, such as maintaining the same school hours, to be only connected to the main school site and for the 100 pupil capacity restriction to also apply. These are in general an acceptable approach; but on their own, officers consider them to be insufficient.

9.7 The proposal would retain the majority of the present residential dwelling as a staff flat with two bedrooms. A definitive layout for this accommodation has been sought from the applicant and will need to be supplied in the Update Report, in order to confirm that a suitable layout is delivered. This will allow the on-site

presence of staff for security purposes and this is likely to be one of the teaching staff. There is therefore no conflict with Policy CS17 (Retention of the Existing Housing Stock), as there is no loss of a family dwelling unit. There will be a slight reduction in residential amenity to this unit, with children filing into the adjacent dining-room at lunchtime. But this is only once a day and is to be expected with this caretaker-type residential unit. However, the residential use should be linked to the D1 school use and officers recommend that were permission to be issued, a S.106 legal agreement is required, as set out in the Recommendation box above.

- 9.8 In general, the accommodation appears to lend itself well to the proposed use and relatively few modifications will be required. Subject to the discussion below regarding disturbance and transport, officers consider that the proposal is potentially suitable in terms of policies CS17, CS34 and DM4.

(vi) Noise and disturbance to neighbouring residential properties

- 9.9 As noted above, this is a predominantly residential area and a suitable level of residential amenity must be retained. Given the relatively low-level use and the controls on pupil numbers and traffic movements (see section below), the impact on general residential amenity is, on balance, considered to be acceptable. Officers are however, cognisant of the relatively small size of the site and the issue of intensity of use which could cumulatively (within the site at 1 Derby Road) cause noise disturbance and agree that the applicant's offer of hours and number controls used for the prep school need to apply to this site as well. Additional conditions are recommended to put an overall limit on pupils at the site (55: which will allow for lunchtime peaks) and that there shall be no use of the outside areas as either playground or as teaching areas.
- 9.10 The property which is most likely to be affected is No. 1 Derby Road, which adjoins to the east with a party wall. Objectors also note that there is a resident within this property (near to the boundary) who is particularly sensitive to noise disturbance; however, this fact cannot be an over-riding planning consideration, although an acceptable level of residential amenity must be maintained to this property.
- 9.11 Officers have discussed the potential impacts with RBC Environmental Protection. They consider that the proposed music room is of most concern in noise terms and sound transmission into the neighbouring adjoining dwelling in particular. The music room is shown on the plan to be located in a room which does not adjoin 1a Derby Road, therefore, provided that music lessons only take place in the room identified and adequate soundproofing is installed, there should be no noise concern from the neighbouring property, provided that the door is closed during instruction. These matters are proposed to be controlled via conditions.
- 9.12 On the current proposed sketch layout plans, the only use that is in a room adjoining the neighbour's property is the SEN room, but given that sessions are likely to be 1:1, the EP team is not overly concerned. However, the plans are unclear about what may occur in the current reception area which was for the physiotherapy use. A condition is therefore recommended that the uses are as set out in the sketch plan, but in any event, this plan is poor and officers have requested a revised plan to show clearly and to scale, the definitive use of the building, as there must be no ambiguity if residential amenity is to be maintained.

- 9.13 The applicant has confirmed that the attic space in the annexe which was formerly used as records storage for the physiotherapy use, would be used as an arts/design/technology studio for up to 18 children at a time. This room has a mix of rooflights and small windows and due to the steep skelings which reach the floor, the useable floor area would be somewhat smaller than shown on the plans and pupils would be distant from the edge of the room in most cases. The attic nature of the room over a single storey also means that lateral sound transmission through the party wall to 1a is unlikely. As a precaution, the rear-facing window (which is near to the boundary with No. 1a) should be fixed shut at all times. Officers are however, concerned that this room may need cooling (if used as an IT room, for instance) and a condition is recommended for no external plant to be installed, unless details have first been submitted and approved. As no kitchen is proposed and no details have been provided, a condition is also recommended that no venting systems are installed.
- 6.13 The EP Team has, however, provided a useful overall comment on the change of use: “The school use is a big change from the former use for physiotherapy and some sound may well be noticed by the neighbours as you would normally hear neighbours in an adjoining property, but it is unlikely to be at nuisance levels”. Whilst this is helpful, officers consider that the various conditions recommended are necessary to ensure that the impact on the character of the area - and 1a in particular - is a long way from a nuisance level, although the perception of the use is likely to be inevitable.
- 6.14 In terms of disturbance and harm to amenity, officers acknowledge that a level of disturbance may occur if this use is not carefully managed. On balance, however, and with the conditions recommended, officers are prepared to advise that residential amenity would be able to be maintained and policies CS34 and DM4 complied with.

(vii) Traffic and transport issues

- 6.15 A number of residents are concerned for increases in traffic movements, safety and parking concerns as a result of the use. However, the Highway Authority is content that the use involves a reduction in traffic movements and there is no policy conflict identified. The use of the parking area at the site will be limited to teaching staff and the ancillary dwelling only. This arrangement would benefit the school, where potential traffic conflicts between school drop-offs and staff are removed, by separating these. Whilst the staff movements are at peak times on the road network, the Highway Authority acknowledges that the number of movements will be low and overall, this is expected to be less intensive than the present lawful use of the site. With conditions on servicing/drop offs and parking, no conflict is identified with policies CS4, CS20, CS24 or DM12. Cycle parking and other servicing will continue to operate from Peppard Road. The school has already undertaken the car parking upgrades required by the retrospective planning permission for the school which was granted in February 2016.

Other matters

Sustainability

- 6.16 As there is no additional built accommodation and only very minor internal alterations required to facilitate the change of use, officers advise that a condition to secure energy improvements is not appropriate in this case and the proposal complies with Policy CS1.

Disabled persons' access

- 6.17 As with the retrospective school permission, there are aspects of the building which are not ideal for disabled people, especially the awkward stairs to the first floor area. An access study should set out how the applicant intends to accommodate persons (whether staff, visitors or pupils) who have special access needs, in order to comply with Policy CS5. These matters are likely to have to be attended to under the Building Regulations in any event.

Design/Landscaping

- 6.18 No external alterations to the building are proposed. Some objectors consider that the site should be returned to its former use (a house only) and in doing so, the garden should be reinstated. Whilst there is a limited opportunity to introduce some soft landscaping to the edges of the property, this would not be appropriate to require via condition as there is no additional development to need to mitigate. Officers are content that Policies CS7 and CS38 are complied with.

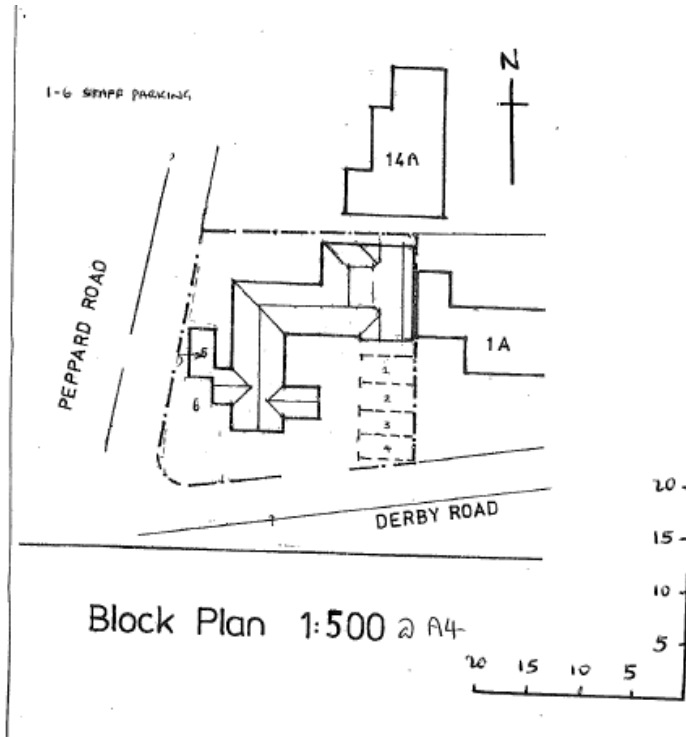
10. CONCLUSION

- 7.1 The lawful mixed use is considered to have been a suitable low-level use, where the residential character and amenities of the area have been maintained. The proposed use is a D1 non-conforming use and clearly has the ability to cause an increase in disturbance, if not subject to very careful control.
- 7.2 In transport terms and notwithstanding the concerns which have been received, officers are satisfied that the use of the access at Derby Road will not intensify and clearly, the ability of the adjacent school site to accommodate all servicing, deliveries and drop-offs is a significant mitigating factor.
- 7.3 On the matter of maintaining residential amenities, the issues are more finely balanced. The sketch plan offered by the applicant for the use of the rooms is incomplete and not clear; hence officers have felt it necessary to include a range of conditions within the Recommendation box above. The use of, say, an adjoining wall to 1a Derby Road being used by a classroom for 15 children or even five for a music lesson could easily result in an unacceptable relationship. The conditions must ensure that this is not allowed to happen in order to comply with Policy DM4, to ensure that noise amenity is adequately safeguarded for the occupants of 1a.
- 7.4 Overall, and taking the above considerations into account, officers are prepared to recommend that this permission be GRANTED, with the range of conditions proposed and the S.106 agreement.

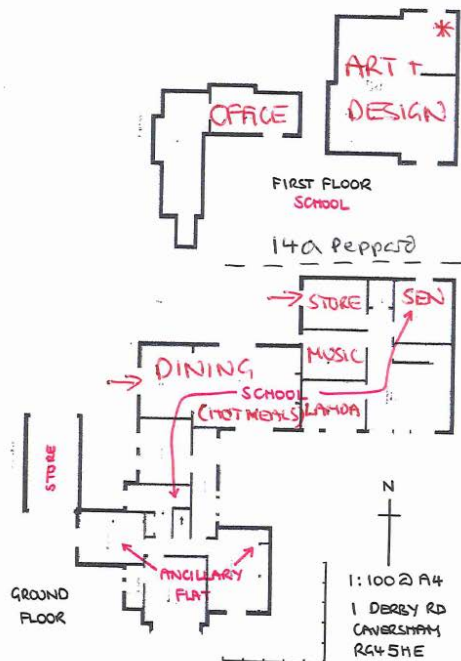
Case Officer: Richard Eatough

Plans:

Location plan, 1:500 Block plan, Sketch use plan



ART/DESIGN - up to 2. staff
and 18 pupils
OFFICE - 2. staff



LAMDA = 1:1
speech + drama
instruction
SEN = Special
Educational Needs
1:1 staff: pupil
* ALSO use by
Lunch-box pupils
for dining
→ door entry

1a Derby

MUSIC: 1:1 staff
and pupil.

DINING 3 staff 45
infants 12 - 12.30 pm
3 staff 45
juniors 12.30 - 1 pm

UPDATE REPORT:

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES READING BOROUGH COUNCIL PLANNING APPLICATIONS COMMITTEE: 7 September 2016	ITEM NO. 11
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Ward: Thames
 App No.: 161168
 Address: 1 Derby Road, Caversham
 Proposal: Change of use from physiotherapy clinic and residential to day school, ancillary to use of 14A-16 Peppard Road.

RECOMMENDATION AMENDED TO:

Delegate to the Head of Planning, Development and Regulatory Services (HPDRS) to GRANT planning permission subject to a S.106 legal agreement to secure:

- (5) Restrict the site to D1 school only and only in connection with the adjacent site known as Caversham Preparatory School and for no other purpose.
- (6) Ensure that the residential dwelling shall not be occupied other than by a person solely or mainly employed or last employed by the School (or a widow or widower of such a person or any resident dependents).

If the S.106 legal agreement is not completed by 23 September 2016, delegate to officers to refuse planning permission (unless the HPDRS agrees to any later extension).

Changes to conditions as follows:

2, 10, 11, 12, 15: Approved plans to reference new updated layout plans received 7 September 2016.

13: adjust to omit outside break-times (which are not applicable to this application site)

Additional conditions:

- Submission of location of pedestrian connection between application site and 16/14a Peppard Road.
- No after school clubs or other clubs of any sort shall be held in the proposed dining room as identified on approved layout plan received 7th September 2016

1. ADDITIONAL PLANS

1.1 The report on the main Agenda recommends the grant of permission (with a legal agreement) subject to the submission of satisfactory plans. The applicant has now supplied clearer plans and these are attached to this Update Report.

1.2 Regarding the school use, the plans now clearly identify the rooms as they are now numbered, and the function of each is indicated. For clarity, the are:

Dining room of house: School dining room

Room 1: Lamda (1:1 drama tuition)
Room 2: Music (1:1 music tuition)
Room 3: Store
Room 4: Special Educational Needs (SEN) (1:1)
Ground floor open area: 'Reception Room'
First floor: 'Art and DT (Design and Technology)'

- 1.3 Paragraph 6.7 of the main report also seeks confirmation of the extent and layout of the staff dwelling and this is now clearly shown with the division between the school and the dwelling and a two bedroom unit with a living/dining room (labelled, 'flat reception room') on the easterly projecting wing of the dwelling. Given the immediate relationship with the school use which surrounds it, this dwelling would not be acceptable for accommodation unconnected to the school, hence the requirement in the suggested Section 106 clause not to dispose of the unit separately from the school use.
- 1.4 The plans are clear, but are not scalable. However, usually on change of use applications, scalable layouts are not required and in this case, officers feel that there is sufficient information to be able to enforce the use of the spaces and are content that a suitable floorspace and layout is afforded to the dwelling. On balance, officers recommend that the layout is acceptable and with adjustments to the conditions (see Recommendation above), this is now acceptable.
2. UPDATE ON DISTURBANCE TO NEIGHBOURING DWELLING AND ADDITIONAL OBJECTIONS RECEIVED
- 2.1 One additional letter of objection has been received since the publication of the main Agenda but no new issues have been raised. However, a further objection has been received from a previous objector which does raise additional objections/concerns, which are as follows:
- Concerned for the overall hours of use of the application site. It is possible, even probable that the dining room will be used for breakfast clubs and for after-school activities. Requests that any activities there start after 9am at the earliest.
 - Highly likely that some parents will drop off and collect children in Derby Road, causing disturbance and danger. Request that there should be no direct access from Derby Road into the school, which would discourage parents and children from accessing the school from Derby Road.
 - The noise from the various activities would be apparent to the adjoining neighbouring property (1a Derby Road) as there is no soundproofing proposed. Does not consider that with ventilation requirements during hot weather, the use can be run without unacceptable disturbance to the adjoining neighbour.
 - There should be no deliveries to the school (and particularly to the dining room) via Derby Road. Also concerned for the disposal of waste and the storage of food, as there is already a rat problem in Derby Road.

- 2.2 In response to these points, officers comment as follows.
- 2.3 Confirmation on the before and after school hours use of the application site has been sought from the applicant who has confirmed that the application site is not to be used for before and after school clubs, nor is it to be used for holiday clubs.
- 2.4 Officers are however, aware of an inconsistency in the main report, where Condition 13 inadvertently refers to outside break-times, when Condition 14 precludes outside play areas. Condition 13 should be adjusted accordingly.
- 2.5 Disturbance through drop-offs and pick-ups is covered in the main report (and Condition 5), but the request not to have direct access between 1 Derby Road and the remainder of the school requires assessment. The prohibition of the school operator from moving pupils and staff between adjoining sites in their ownership/control is considered to be unreasonable and it would also expose children to unnecessary and unacceptable highway danger. However, the comings and goings may be apparent to the neighbour and it would be reasonable for the applicant to confirm the exact location of the connection between the two sites, which is not shown. An additional condition to require this is recommended.
- 2.6 Regarding soundproofing, the main report generally covers these concerns and the updated plans provide additional comfort on the identification and use of the various rooms and spaces. Furthermore, whilst the neighbouring property technically adjoins the application site, the party wall to the neighbouring property abuts 1a's carport, garage and utility rooms, therefore none are habitable rooms to that property and lateral sound transmission is not considered to be likely to be at a level where an unacceptable level of neighbour disturbance will occur. This is supplemented by Conditions 10 and 11 of the main report which keep noise-generating rooms away from the party wall/common boundary. The distance from the proposed school dining room windows to 1a's windows are some 15 or more metres window to window (straight line distance) with intervening structures in between (ie. both buildings themselves).
- 2.7 The objector is concerned for deliveries, waste disposal and storage. Recommended Condition 5 already adequately covers these associated vehicle movements. Waste storage and collection on Derby Road is only for the dwelling only, therefore an existing situation. Food waste is also likely to be minimal with no food preparation on the premises. It is anticipated that school hot food deliveries will be received at Peppard Road and then moved through to the courtyard area and into the dining-room, thereby avoiding Derby Road.

3. CONCLUSION

- 3.1 Officers consider that there is now a suitable level of information available to be able to recommend this application favourably and with the updated conditions and the legal agreement, the proposal is considered to accord with the Council's policies concerned with traffic and disturbance, notably policies CS34, DM4 and DM12.

Case Officer: Richard Eatough



Total area: approx. 236.4 sq. metres (2544.2 sq. feet)
This floorplan is not to scale. They are for guidance only and accuracy is not guaranteed. Plans produced by Proventur (UK).
Plans produced using PlanUp.

