

# Agenda Item 27.

Application Number	Expiry Date	Parish	Ward
231869	03/10/2023	Maiden Erlegh	Maiden Erlegh;

<b>Applicant</b>	Wokingham Borough Council
<b>Site Address</b>	Maiden Erlegh School, Silverdale Road, Earley, Wokingham, RG6 7HS
<b>Proposal</b>	Full application for the proposed change of use of building to educational use, including internal and external alterations (part retrospective).
<b>Type</b>	Full
<b>Officer</b>	Baldeep Pulahi
<b>Reason for determination by committee</b>	Applicant is Wokingham Borough Council

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 13 September 2023
<b>REPORT PREPARED BY</b>	Assistant Director – Place and Growth
<b>RECOMMENDATION</b>	<b>APPROVAL subject to conditions and informatives</b>

## SUMMARY

The Borough has a pressing and established need for a Special Educational Needs (SEN) school to serve both Wokingham and Reading borough residents, which is set out in detail within Executive reports of 31 January 2019 and 24 September 2020. The Council has a statutory duty to provide appropriate education for children with special educational needs.

The existing building for which this application relates is located within the existing school grounds and would assist meeting the identified pressing need for additional SEN provision within the Borough.

The proposed internal and external alterations are considered to be acceptable on character grounds. There are also no significant impacts to nearby residents or the operation of Maiden Erlegh School. Therefore, the application is recommended for approval, subject to the conditions listed.

## RELEVANT PLANNING HISTORY

Application No.	Description	Decision & Date
TEMP/1995/61176	Change of use of bungalow to reception and office (temporary for two years)	Approved 20/05/1995
F/1996/63928	Single storey extension for classroom extension	Approved 04/07/1996
F/1997/65553	Two storey extension to PE Room	Approved 20/06/1997
F/2000/0600	Pitched roof to the humanities building	Approved 06/04/2000
F/2001/5052	Single storey extension for use as arts area	Approved

		15/12/2001
F/2002/7643	Single storey extension for use as arts area	Approved 19/12/2002
F/2003/0832	School extension and pitched roof	Approved 18/02/2004
O/2003/0871	Redevelopment of School Campus	Approved 15/12/2004
F/2004/1729	Two storey extension to sixth form building	Approved 07/07/2004
F/2004/3018	Garage and six bay store	Approved 10/11/2004
F/2005/4403	Sixth form block and sports facilities	Approved 30/08/2005
F/2005/6088	Science and general teaching classrooms	Approved 07/03/2006
F/2015/0915	Infill extension and the re-modelling of existing reception area and office	Approved 22/06/2015

<b>DEVELOPMENT INFORMATION</b>	
Site Area	463.90 m2
Existing Use	F2 Community Use
Proposed Use	F1 Education Use
Number of jobs created	6 – 1 teacher and 5 teaching assistants
Existing parking spaces	120
Proposed parking spaces	120 (no change)
<b>CONSTRAINTS</b>	Major Development Location Contaminated Land Consultation Zone Bat Roost Habitat Suitability Great Crested Newt Consultation Zone Nuclear Consultation Zone SSSI Impact Risk Zones JCEB Mineral Safeguarding Areas

<b>CONSULTATION RESPONSES</b>	
WBC Environmental Health	No objection
WBC Highways	No objection
WBC Health and Wellbeing	No comments received at time of writing
WBC Education (School Place Planning)	No comments received at time of writing

<b>REPRESENTATIONS</b>	
Earley Town Council	<ul style="list-style-type: none"> <li>Comments due 7 September 2023 (to be appended to supplementary agenda)</li> </ul>
Ward Member(s)	<ul style="list-style-type: none"> <li>No comments received at time of writing of the report</li> </ul>

Neighbours	<p><u>One neighbour comment received at the time of writing and is listed below:</u></p> <ul style="list-style-type: none"> <li>• Support the intention to upgrade the Silverdale Community Centre to a new SEN unit for Maiden Erlegh School however installation of new gas boiler does meet not material planning considerations.</li> <li>• The Council instead should install ground sourced heat pump which has the potential to eliminate greenhouse gas emissions.</li> <li>• This change would be in line with the Council's development of "a local plan that specifies net zero construction and infrastructure".</li> </ul>
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<p><b>PLANNING POLICY</b></p> <p><b>National Planning Policy Framework</b>  <b>National Design Guide</b>  <b>National Planning Practice Guidance</b></p> <p><b>Core Strategy (CS)</b></p> <p>CP1 – Sustainable Development  CP2 – Inclusive Communities  CP3 – General Principles for Development  CP6 – Managing Travel Demand  CP9 – Scale and Location of Development Proposals</p> <p><b>MDD Local Plan (MDD)</b></p> <p>CC01 – Presumption in Favour of Sustainable Development  CC02 – Development Limits  CC06 – Noise  CC07 – Parking  CC09 – Development and Flood Risk  CC10 – Sustainable Drainage  TB21 – Landscape Character</p> <p><b>Joint Minerals and Waste Plan (JMWP)</b></p> <p>DM1 - Sustainable Development  DM2 - Climate Change – Mitigation and Adaptation  DM3 - Protection of Habitats and Species  DM9 - Protecting Health, Safety and Amenity  DM10 - Flood Risk  DM15 - Site History</p> <p><b>Other</b></p> <p>Borough Design Guide Supplementary Planning Document  CIL Guidance + 123 List</p>
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## **PLANNING ISSUES**

### **Site Description**

1. The application relates to an existing building formerly used as nursery located within the grounds of Maiden Erlegh School. The building is surrounded by existing school buildings and playing fields. The pre-school has moved location and previously accommodated between 24 - 32 children (1 staff member to 6-8 children. The building is therefore redundant.

### **Proposal Description**

2. The proposal seeks planning permission (part retrospective) for the proposed change of use of an existing building (Use class F2) to educational use (Use class F1), including internal and external alterations. The submitted Planning Statement states '*The existing building although a community centre was used as a nursery for years and therefore arguably the space, or at least a portion of the space, was used for educational purposes*'.
3. The proposed alteration works includes the reconfiguration of the external walls to reduce the overall area of the external window/doors and the installation of two new windows and front door. The existing felt roofing system will be replaced with a new insulated single ply membrane with the walls, insulation both between and externally to the timber structure. The building will have a silicone render coating finish.
4. The proposed internal layout of the building will comprise classrooms, communal areas, store rooms, staff rooms, therapy room, sensory room, clock room/locker room and WC's.
5. The applicant has confirmed the proposed SEN classroom will be used as part of Maiden Erlegh School and not as a separate entity.
6. The previous pre-school (nursery) operating from the building has ceased and moved onto a new location, therefore it is acceptable to take on pupil at the application site as admissions. The pre-school pupil number could have accommodated approximately 24-32 children, on a ratio of a maximum 1 staff member to maximum 8 kids. In this case, the classroom is to accommodate up to 25 pupils which is a neutral increase when compared to the pre-school pupil numbers.
7. The applicant has confirmed the staff ratio to be 1 teacher and 5 teaching assistants.

### **Principle of Development**

8. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan (MDD) Policy CC01 states that planning applications that accord with the policies in the

Development Plan for Wokingham Borough will be approved without delay unless material considerations indicate otherwise.

9. The site is located within the major development location of Earley within defined settlement boundary and as such, the residential development would be acceptable providing that it complies with the principles stated in the Core Strategy.

10. The Borough has a pressing and established need for a Special Educational Needs (SEN) school to serve both Wokingham and Reading borough, which is set out in detail within Executive reports of 31 January 2019 and 24 September 2020. The Council has a statutory duty to provide appropriate education for children with special educational needs. These reports clearly demonstrate a requirement for a SEN provision to meet these statutory needs, both in terms of insufficient existing local capacity and the associated costs with facilitating out of borough provision.

11. The applicant has submitted a SEN Supporting Statement which outlines the following:

- Lack of specialist local provision to meet increasing need.
- Appropriate provision is required locally.
- The council currently commissions a disproportionate amount of high-cost placements in the independent sector which has contributed to the significant financial deficit experienced in the local system.
- It has been identified that a new 25 place SEND resource base is to be commissioned for pupils.

12. The Maiden Erlegh Trust have identified the Silverdale Centre (application site building) as the proposed venue for the pupils to benefit from a dedicated resource space, therapy room, sensory room, and specialist SEN classrooms. The benefits of this would include:

- Increased specialist provision available within the local area for pupils living within the Borough (25 additional places).
- Reduction in the number of pupils that need to travel outside of Wokingham area to access specialist SEND provision.
- Benefits for the wider school community (including pupils and staff) who will be able to access the resource and specialist staff as required.
- Increased local employment opportunities for staff working with pupils with SEND
- Building will still provide a benefit to local community.

13. In addition, Policy CP2 of the Core Strategy states new development should contribute to the provision of sustainable and inclusive communities (including the provision of community facilities) to meet long term needs. Planning permission will be granted for proposals that address the requirements of:  
(b) Children, young people, and families including the co-ordination of services to meet their needs.

14. In this case, the proposal would meet the requirements of children who require specialist services to meet their additional needs and thus complies with the aims of Core Strategy Policy CP2.

### **Loss of F2 Community Use**

15. Paragraph 93 of the National Planning Policy Framework places an emphasis on the need to provide the social, recreational, and cultural facilities and services the community needs. It states that Planning decisions should 'A) Plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses, and places of worship) and other local services to enhance the sustainability of communities and residential environments'
16. The proposed change of use from F2 to F1 would result in the loss of a local community use (Community Centre) thus conflicting with part j) of the CP3 of the Core Strategy which states that planning permission will be granted on schemes that *'do not lead to a loss of community or recreational facilities/land or infrastructure unless suitable alternative provision is available.'*
17. In this case the building has been vacated by the previous nursery use which has relocated, would not result in the loss of any existing occupier, and would only realistically be occupied by a community use compatible on an existing school campus. The proposal would meet the requirements of children who require specialist services to meet their additional needs for education purposes without having to send children outside of the Borough. Whilst it is acknowledged to be a minor policy conflict, this outweighs the loss of the community centre use and thus the principle of the change of use is acceptable in planning policy terms.
18. Given the building's location on an existing school campus, it is considered reasonable and necessary to restrict the use of the building for the delivery of Special Educational Needs (SEN) only. This is secured by planning Condition 3.

### **Sustainability of location**

19. Policies CP1 and CP6 of the Core Strategy require that development be sustainable, in terms of enhancing the quality of the environment and achieving zero carbon developments with a reduction in the need for travel and the promotion of sustainable transport.
20. In this case, the site is located within a Major Development Location and is in close proximity to facilities, services, and public transport. From a sustainability perspective, it is within a suitable location and is acceptable in terms of the principles stated in the Core Strategy.

### **Character of the Area**

21. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials, and

character to the area in which it is located and must be of high-quality design without detriment to the amenities of adjoining land uses and occupiers.

22. The alteration works to the existing building includes the reconfiguration of the external walls to reduce the overall area of the external window/doors and the installation of two new windows and front door. The existing felt roofing system will be replaced with a new insulated single ply membrane with the walls, insulation both between and externally to the timber structure. The building will have a silicone render coating finish.
23. The submitted drawings show details of the external materials which includes Upvc windows with steel frame bracing, metal grills to be powder coated in a grey colour finish, aluminium capping to parapet wall. The use of materials are acceptable and will be secured by a planning condition.
24. The existing building including the proposed external alterations would not appear at odds with regards to its design in relation to other buildings located within the school grounds and is appropriate for its intended use and appearance to its surroundings.
25. It is acknowledged due to its location within the existing school grounds, the existing building has restricted views from the public realm.
26. Overall, the external alterations to the existing building will have a minimal visual impact when considered in the context of its immediate surroundings within the school site, as well as the surrounding area. As such, the proposal would not result in a detrimental impact upon the character of the surrounding area, and therefore would accord with policies CP1 and CP3 of the Core Strategy.

### **Neighbour Amenity**

27. Policy CP3 of the Core Strategy aims to protect neighbouring amenity.
28. The existing building maintains sufficient separation distances to the nearby residential properties, with there being at least 30 metres to the property along Sevenoaks Road and in excess of 100 metres to the properties along Avalon Road and the Crescent. Therefore, no impact on residential amenity is envisaged on grounds of overlooking, overbearingness or loss of light or privacy.
29. The applicant has confirmed the building is to be in use during school hours, furthermore no objections are raised by the Council's Environmental Health Officer on noise grounds.

### **Highway Access and Parking Provision**

30. Policy CC07 and Appendix 2 of the MDD Local Plan stipulates minimum off street parking standards, including provision for charging facilities.
31. The Council's Highways Officer has commented that previous use of the building consisted of a community centre and children's day nursery and that the

cessation of this use could reduce external vehicle movements to/from the school site and reduce parking demand.

32. The proposed change of use to a SEN unit associated with the school will not have a significant impact on the local highway network. Additionally the proposal would not have an impact on access or level of parking, therefore no objections are raised by the Council's Highways Officer.

### **Flooding and Drainage**

33. Section 10 of the NPPF, Policy CP1 of the Core Strategy and Policies CC09 and CC10 of the MDD requires flooding protection, sustainable drainage methods and the minimisation of surface water flow.

34. The application site is located within Flood Zone 1 and is suitable for development. The site is at a low risk from surface water flooding. As the building is an existing structure, no concerns are raised on flood risk or surface water run-off.

### **Landscape and Trees**

35. Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks, promote linkages between public open space and the countryside, retain existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the landscape character.

36. Due to the nature of the proposal, there would be no impact upon the existing trees and landscaping.

### **Sustainable Design and Climate Change**

37. Wokingham Borough Council has declared a Climate Emergency and prepared a Climate Emergency Action Plan (CEAP, third progress report, 2022) which guides the Council's actions in response to climate emergency. In December 2022, WBC has also published a Climate Change Interim Policy Position Statement (CCIPPS) which defines the Council's position relating to climate change as applicable to the planning process.

38. Policy CC04 of the MDD Local Plan covers sustainable design and construction and Policy CC05 of the MDD encourages renewable energy and decentralised energy networks. R21 of the Sustainable Design and Construction SPD requires that new development contribute to environmental sustainability and the mitigation of climate change.

39. It is acknowledged the proposal would include the installation of a new gas boiler over a renewable source of energy, however the energy performance of a building is controlled by Building Regulations and planning applications cannot be refused on this ground unless policies explicitly require that.

40. The applicant has submitted a Building Control Certificate for the *Refurbishment of existing Silverdale community centre to create SEN unit for school* under ref:



23/0770/COMFP. At the time of writing, a decision is pending on the Building Control Certificate.

### **Conclusion**

41. The proposed change of use from a community use (Class F2) to an educational use (F1) is considered acceptable in principle, as the proposal would make a positive contribution to help meet an identified pressing need for additional SEN provision within the Borough. Whilst the proposal includes the installation of a new gas boiler, this environmental shortcoming does not outweigh the social benefits of the scheme. As such, the proposal would accord with national and local planning policies and is therefore recommended for approval.

### **The Public Sector Equality Duty (Equality Act 2010)**

*In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, or belief.*

*The building is intended to provide support and resources for children with additional needs and this is acknowledged in the consideration of the application.*

*There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues, and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.*

## APPENDIX 1 - Conditions and Informatives

APPROVAL subject to the following conditions and informatives:

### 1. Approved Details

This permission is in respect of the submitted application plans and drawings numbered:

Location Plan, General Arrangement Drawing -BR01 J, Proposed Elevations – BR10 C, Existing GA, and Site Block Plans – E-02 and Planning Statement received on 02/08/2023.

Existing Elevations – E-01 Rev A and Childrens Services Supporting Statement received on 08/08/2023.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

*Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.*

### 2. Materials

The materials to be used in the development are to be in accordance with those specified on the approval drawings and submitted application form.

*Reason: To ensure the appearance of the development is satisfactory. Relevant policy Core Strategy policies CP1 and CP3*

### 3. Restriction of Change of Use

The premises shall be used only for the delivery of Special Educational Needs (SEN) and for no other purpose, including any other purpose in Class F1 of the Schedule to the Town and Country Planning [Use Classes] Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order [with or without modification].

*Reason: In granting this permission the local planning authority has had regard to the special circumstances of this case, being the delivery of Special Educational Needs, and wishes to have the opportunity of exercising control over any subsequent alternative use in the interests of the amenities of the area. Relevant policy: Core Strategy policies CP1 & CP3.*

## Informatives.

1. The applicant is reminded that should there be any change from the approved drawings during the build of the development this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990.

2. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.

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