

Application Number: DM/2026/00024

Proposal: Change of use of the existing building from office use (Use Class B1) to a day nursery (Use Class D1). The proposal involves internal alterations only, with no external alterations. The nursery would operate primarily on weekdays, with occasional weekend use of the building for classes not involving day care. There would be no evening or late-night use, and activity would be limited to drop-off and pick-up at the start and end of sessions.

There are no existing on-site vehicle parking or cycle parking spaces associated with the building. The proposal does not include the provision of on-site parking or cycle spaces. Staff will use nearby public parking facilities, and parent drop-off and pick-up will be short-stay and managed to minimise impact on surrounding streets.

Address: The Old Chapel, Twyn Square, Usk, NP15 1BH

Applicant: Miss Wiktoria Debska

Plans: Floor Plans - Existing Usk Chapel Layout Existing - , Location Plan Location Plan - , Other Noise Impact Assessment (NIA) dated 18/6/26 - Version 5,

RECOMMENDATION: Approve

Case Officer: Kate Bingham
Date Valid: 09.01.2026

This application is presented to Planning Committee as five or more objections have been received.

1.0 APPLICATION DETAILS

1.1 Site Description

This application relates to the ground floor of a former Chapel occupying a prominent position on the corner of Tywn Square in the town of Usk. The ground floor has previously been used as an art gallery and an office. There are residential flats above.

The site is within the Usk Conservation Area and also within the Nutrient Sensitive catchment Area of the River Usk Special Area of Conservation (SAC).

1.2 Proposal Description

It is proposed to convert the ground floor of an existing vacant chapel in the centre of Usk to a children's nursery.

The proposed nursery can accommodate up to approximately 24 children at any one time. Staffing levels are expected to be around 4-6 staff members on site, depending on age groups and session arrangements, in line with Care Inspectorate Wales (CIW) requirements.

The operation of the proposed use would be managed internally through supervised arrival and collection procedures, staffing and safeguarding policies, without physical alteration to shared areas.

The nursery proposed in this application would be run following the Montessori method. This is a child-led educational philosophy, focusing on independence, hands-on learning, and mixed-age

classrooms. Children are encouraged to choose their own activities and learn at their own pace, guided rather than instructed by teachers. However, this application simply considers a change of use from office (Use Class B1) to nursery (Use Class D1).

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DC/2007/01020	Retention of fascia signs	Refused	12.12.2007
DC/2007/01025	Change of use from A2 to A1 retail (no ground floor display window).	Approved	12.12.2007
DC/2008/00594	Business name sign.	Approved	10.09.2008

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S5 LDP Community and Recreation Facilities
S12 LDP Efficient Resource Use and Flood Risk
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design

Development Management Policies

CRF1 LDP Retention of Existing Community Facilities
RET2 LDP Central Shopping Areas
EP1 LDP Amenity and Environmental Protection
EP5 LDP Foul Sewage Disposal
HE1 LDP Development in Conservation Areas
HE2 LDP Alterations to Unlisted Buildings in Conservation Areas
DES1 LDP General Design Considerations
NE1 LDP Nature Conservation and Development

Conservation Area Appraisal

Usk Conservation Area Appraisal.

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving

decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 12

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Usk Town Council - At the UTC Planning Meeting on 14th January 2026 the application was reviewed and the council voted not to support the application based on the information on the planning portal.

We are worried about the increase of traffic at pick up and drop off, together with the additional parking required for staff. Parking problems in Twyn Square are already acute.

We also believe there is a lack of outside space at the venue for the children to utilise.

We are aware there has been a recent accident involving a 7 year old impaling herself on the spikes outside this property which we hope will be addressed when considering this application.

Welsh Water - No objection.

The application appears to rely on existing sewer connections and no new connections are to be made with the public sewerage system. Additionally, it is presumed based on the information submitted that there would be no increase in foul flows entering the public sewerage network. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

MCC Highways - The Highway Authority have no highway grounds to object to the application. It is recommended that the applicant acknowledges the above in terms of the law surrounding drop-off and collections by vehicle and ensures that all parents/carers utilise the public car parks and arrive and depart the site with children on foot.

MCC Environmental Health - No objections subject to conditions.

Having reviewed the latest Noise Impact Assessment (NIA) Version 5, dated 18 June 2026, which includes a proposed sound insulation scheme between the separating floors, the following comments are made:

Compared to previous correspondence and earlier versions of the NIA, it is noted that the proposal includes the introduction of 100 mm Rockwool insulation with a minimum density of 80 kg/m³.

This proposal indicates an increase in the sound reduction index (Rw) of approximately 20 dB, from the existing separating floor performance of 51 dB to a proposed 71 dB.

Further correspondence between the applicant and their acoustic consultant advises that the existing floor is predicted to achieve an airborne sound insulation performance of 44 DnT,w + Ctr (dB), and that with the addition of the proposed Rockwool insulation, performance is predicted to improve to 64 DnT,w + Ctr.

This represents a significant improvement in sound insulation between the proposed nursery and the flats above. However, it is acknowledged that, at times, some level of noise associated with nursery activities may still be perceptible within the flats, even with the proposed mitigation measures in place.

If you are minded to grant planning permission, I recommend the following conditions are attached to protect the local amenity from unacceptable risk / harm from noise.

Condition 1:

Prior to the commencement of use, sound insulation testing shall be carried out in accordance with Approved Document E of the Building Regulations (or equivalent).

The separating floors shall achieve a minimum airborne sound insulation performance of 64 DnT,w + Ctr (dB).

Upon completion of the testing, a report and certification confirming that the required performance standard has been achieved shall be submitted to and approved in writing by the Local Planning Authority.

The development shall not be used until the report has been approved, and the separating floors shall be retained thereafter in accordance with the approved details.

Condition 2:

Prior to the commencement of use, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Noise Management Plan shall detail measures to control and mitigate noise arising from the use of the premises, including internal and external activities, arrivals and departures.

The approved Noise Management Plan shall be implemented in full prior to the first use and shall thereafter be retained and adhered to for the duration of the use.

The Noise Management Plan shall be reviewed and, where necessary, updated in the event of complaints of noise disturbance from nearby properties or at the request of the Local Authority, with any revisions to be submitted to and approved in writing by the Local Planning Authority.

Condition 3:

The premises shall only operate between the hours of 08:00 and 18:00 Monday to Friday, and at no time on Saturdays, Sundays or Bank Holidays.

Previous comments:

Further to my comment's date 23rd April 2026 where it was stated that "it is acknowledged that at times noise from children is likely to be audible outside the proposed premises and within the flats above and neighbouring properties, particularly when windows are open."

We have since been advised that there has been some limited nursery/home educational use at the proposed development (ground floor) and that noise is clearly audible within the flats even when windows are closed. I therefore took the opportunity to install the section's sound monitoring equipment within the residential accommodation directly above the premises (first floor), in a habitable room, with windows closed for the duration of the monitoring.

There are two other flats located either side of the flat where the sound equipment was installed, both spanning the first and second floors, and a further flat to the rear which spans the ground,

first and second floors. In total, four flats adjoin the ground floor premises proposed for nursery/home educational use.

During the recordings, at times noise from a single child and an adult was audible, while at other times noise from several children and adults was identified.

The dominant noise observed throughout the recordings was mostly muffled speech and background murmuring, typically below 30 dB LAeq and frequently within the low 20 dB range. In most instances, words were not identifiable, demonstrating some sound attenuation through the separating structure.

Short-duration noise events were intermittently identified, including:

- o Children calling out, shouting, singing or vocalising during play. At times, words, counting and sounds associated with a nursery and educational setting are clearly audible
- o Laughter, cheering, screams and excited vocal sounds from play
- o Adult verbal interaction and control, sometimes also clearly audible
- o Impact-type sounds such as tapping and knocking sounds

Periods of structured activity involving music and play were also regularly heard, including:

- o Playback of music and possible children's programmes, songs clearly audible at times i.e. "The Lion Sleeps Tonight" and "BINGO".
- o The use of instruments i.e. the piano played for longer durations, again intermittent with attempts to play the same melody over and over again before moving onto something else. Then on other occasions it appeared random keys were just being played. A stringed instrument was also strummed on one of the days of the recordings.

During these periods, noise levels temporarily increase in audibility during musical crescendos, heightened play activity and talking/singing over music.

The recordings found the increase in children (e.g. 2-3) resulted in increased frequency of vocal noise and play noise.

Noise during the monitoring period was intermittent, and predominantly speech-based and the acoustic character is subdued and muffled, with limited clarity of speech, along with musical instruments and recorded music being played.

The overall noise environment remained intermittent rather than continuous, which is as expected in a nursery environment. The monitoring reflects low occupancy conditions which is more similar to a household setting. Whereas the proposed change of use would allow for up to 24 children with the use ranging from a proposed nursery operation to a home education programme for up to approximately 10 children. Based on observed patterns, it is reasonable to expect if the proposal goes ahead there will be:

- o Increased frequency and duration of noise events
- o Greater incidence of overlapping vocalisations and group activity
- o More regular music, play, and behavioural interactions

This is likely to result in an overall noise transmission from the nursery and home education operations to the above and adjoining flats.

The NIA (V4, dated 21st April 2026) has stipulated a sound reduction of 51dB, albeit was modelled. Therefore, I suggest if planners are mindful to grant planning permission considering Environmental Health will not be able to resolve complaints of this nature under Statutory Nuisance, you may wish to condition the sound proofing to be improved, in addition to the previous conditions recommended.

Prior to first occupation, a scheme of sound insulation works to the floor/ceiling structure between the flats above shall be implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained thereafter in perpetuity.

The NIA has stipulated a sound reduction of 51 dB, however as previously raised, this figure was based on modelling. Therefore, should the Local Planning Authority be minded to grant planning permission, and given that Environmental Health would not be able to resolve complaints of this nature under the Statutory Nuisance, it is recommended that the soundproofing be improved in addition to the previously recommended conditions.

Prior to first occupation, a scheme of sound insulation works to the floor/ceiling structure between the ground floor premises and the flats above shall be implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained thereafter in perpetuity.

Or alternatively, you may wish for the applicant to present such a scheme for consideration prior to decision.

Initial Comments: Objection.

I have reviewed the Noise Impact Assessment (NIA), project reference 22014 V4, dated 21st April 2026.

Should this proposal proceed, it is acknowledged that at times noise from children is likely to be audible outside the proposed premises and within the flats above and neighbouring properties, particularly when windows are open. The development would also introduce a new noise generating use into a predominantly residential setting.

The submitted assessment concludes that the proposal would meet the relevant internal and external noise standards during the proposed hours of operation. However, it should be noted that these standards are based on 16 hour daytime averages (07:00-23:00), whereas the proposed nursery operating hours are Monday to Friday 08:00-18:00. As such, there are six hours within the assessment period when the nursery would not be operating, which reduces the calculated average noise levels. Noise from children is inherently highly intermittent and character specific, and reliance on average noise levels alone does not fully represent the potential perceptibility or impact of such noise.

As previously raised in my previous comments, the assessment of noise transmission between the proposed nursery and the adjoining flat and flats above has been undertaken through modelling only. No site specific testing has been carried out, and the modelling assumes ideal construction with no gaps, service penetrations (e.g. pipework), or ceiling voids. Given the age and nature of the building, this is unlikely to fully reflect real world conditions, and sound insulation performance may therefore be lower than predicted.

Although the NIA makes reference to music being played in the nursery at a maximum of 80dBA, this does not seem appropriate to allow such loud music to be played in a nursery setting albeit more a health and safety concern, as this has the potential to damage children's hearing. Therefore, background music sound levels should be considered instead. The NIA also makes reference to when music is played, it is assumed that windows will be shut, this should be included in a Noise Management Plan and if the windows are to be kept closed, consideration should be made to overheating in the summer months too.

Notwithstanding the above concerns, as the proposal has been modelled to meet the relevant guideline standards, I am not in a position to substantiate a specific level of noise impact that would justify an objection on noise grounds alone. However, if the Local Planning Authority is minded to grant permission, it should be noted that this service would not be in a position to investigate or resolve complaints relating to noise generated by children's play, where such noise is considered typical and expected within the context of a nursery use.

In order to minimise potential impacts on nearby residential premises, I recommend that consideration is given to attaching the following conditions:

1. Restriction of operating hours to those proposed in the application, Monday to Friday between 08:00 and 18:00, to limit the impact to the neighbouring dwellings.

2. Compliance with a Noise Management Plan (NMP), to be agreed in writing with the Local Planning Authority at least 28 days prior to commencement of operations. The NMP should be reviewed in the event of any change in activities that may result in altered noise levels, and following substantiated complaints.

MCC Biodiversity - No objections. Recommended a condition relating to lighting, along with an informative for bats and nesting birds.

MCC Building Control - No in-principle objection to the proposed use from a Building Regulations perspective.

A Building Regulations application will be required should planning permission be granted. The development will need to be designed and detailed by a suitably qualified professional to demonstrate compliance.

Key Considerations

The following matters will require further assessment and are likely to necessitate upgrade works:

Fire safety (primary consideration):

Means of escape, fire alarm/detection systems, emergency lighting, and fire-resisting construction.

Access and use:

Suitable access and accessible WC provision where reasonably practicable.

Sanitary provision:

Adequate facilities appropriate to childcare use.

Ventilation:

Adequate ventilation to occupied spaces.

Conclusion

The building is likely capable of being adapted, subject to appropriate design and moderate compliance works, particularly in relation to fire safety.

Early engagement with Building Control is recommended, and a competent designer should be appointed to develop proposals and support a future Building Regulations application.

SEWBRc Search Results - No significant ecological record identified.

5.2 Neighbour Notification

Seventeen representations received objecting to the development. These have been divided into broad headings for ease of reference:

Principle of Development

- With Usk already having two nurseries, I see no need for a third in a small community.
- A third nursery would have a big impact on the already established settings in this area.
- The proposal is of a scale and character wholly different to its previous low key office use, entirely inappropriate to sharing with flats and neighbouring dwellings in very close proximity.
- I am in favour of local business moving into the square but do not believe this is a suitable business for this location.
- I do not think that the old chapel is suitable for a nursery there is no outside space for the children to play.
- There are currently two very good nurseries in the town who have had excellent ESTYN inspections in the past 18 months, childcare in the town is very well catered for.
- It has been stated that the nearest alternative Montessori provision to Usk is located in Cardiff/Bristol. A Montessori school, catering for children aged 2 to 19, has operated in Monmouthshire for at least 22 years.

Highway Safety

- The square in Usk does not have sufficient parking or drop off zones to accommodate the necessary drop offs and pick-ups needed for a nursery school.

- The entrance is on the corner of the square and is already an issue with illegal non-enforced parking.
- Cars coming from Monmouth road arrive at speed when turning left into a blind corner.
- There are two existing bus stops in the square serving school and service buses and the site stands at the very busy junction of the square/A472 with extremely limited visibility to its western side.
- The proposal would result in unacceptably increased hazard and inconvenience to all road users.
- The early school times are a particularly busy time with numerous parents dropping off children for the school buses. The issue is the parents that stay with their children in the car waiting for the bus to arrive. As they park in any accessible space it leads to a complete lack of parking or drop off spaces in the square.
- Given the age group of children in this application, they will need to be taken out of a child seat etc, within a busy square with the doors open. I consider the potential of this to be dangerous.
- They also indicated having somebody available to take children out of cars. Any person stopping outside the church on the bend, is putting themselves at danger.
- Reliance on parking compliance by parents is difficult to enforce and the cumulative impact of multiple handovers would likely increase congestion and affect highway safety.
- Concerned about the width of the pavement between the school and the proposed nursery.
- If the proposed nursery is using offsite outdoor facilities will there be additional coach/buses/cars to transport children from point a - point b which could add to the parking worries already expressed.
- No enforceable traffic management plan has been submitted to demonstrate how safe drop off, collection would be achieved.
- There are no car park spaces associated with the Old Chapel, where will the staff park?
- Being a town involved in agriculture there are frequent use of farm vehicles, tractors, earth moving equipment (ploughs) etc., who use the area at all times of day and night and year.
- This is not just an objection to the planning it is very much a safety issue for the parents and children being picked up and dropped off.
- As the saying goes, 'this is an accident waiting to happen' if this planning application is approved.
- In practice, it is inevitable that parents will stop as close to the setting as possible on the public highway, creating congestion and unsafe conditions that the setting will be unable to control, regardless of internal policies.

Residential Amenity

- The flats upstairs from the proposed nursery would have issues with noise pollution from early until late six days per week.
- For shift workers or the elderly / those based at home, this would have a significant impact on quality of life.
- The potential for unacceptable noise, disturbance and conflict is clear.
- The applicant is advertising the space for parties and baby massage on the weekends which would undoubtedly affect the residents' quality of life and right to peace.
- I refute the statement that forty people previously worked in the office - a handful worked in the office, and the rest of the staff worked off site, installing solar panels.
- I know from being a past resident, how general noise travels throughout the walls and floors of the building. The change of use to a day nursery will increase the level of consistent noise which will adversely impact the quality of life of the current residents.
- The unit is directly below and adjacent to four flats. Residents are at home during the day and know how sound transmits through the ceiling/walls.
- The previous business office operated Mon-Fri. A day nursery for 1-2-year-olds with activity sessions plus weekend commercial birthday parties will change the character, frequency and duration of noise previously experienced, affecting residential amenity.
- Internal acoustic management/noise monitoring measures are untested, and their effectiveness would not be known until after the change of use is granted. Potentially, leaving residents to live with inadequate measures, with limited recourse.

- This materially alters the long-established character and function of the shared areas for occupants.
- Noise created by up to 24 children from 0800 to 1800 Mon to Fri and possibly weekends is going to change the quality of life for the flat owners. We have the fundamental right to peace and quiet within our homes, a nursery with parties, music, singing etc will bring high levels of noise which I believe will be unacceptable.
- Existing office use is compatible with residential occupation with predictable noise and movement. A day nursery represents a materially different use resulting in a significant intensification of activity.
- A nursery would introduce frequent, unpredictable noise associated with children's play, group activities and outdoor movement.
- As retired residents at home during the day we know how easily noise transmits between floors, windows and walls, due to the construction of the building. This would result in an unacceptable loss of residential amenity.
- The building's age and construction means the acoustic separation between the ground floor commercial unit and the apartments above and adjacent is limited.
- The current permitted use of the ground floor unit is a business office, an environment characterised by adult voices and general office activity which operated Monday to Friday 9am - 5.30pm, and never at weekends.
- The proposed use is materially different: a homeschooling provision and nursery, which by its nature involves young children, amplified music, active play, and the kind of vocalisations that are characteristic of early years and older child settings.
- I have personally observed and recorded whilst sat in a room, directly above the unit, with the windows closed. Noise has been logged on multiple dates across March and April, spanning morning and afternoon sessions. It includes impact noise (clicking/vibrations through the floor), amplified music, as well as children playing a piano/keyboard and instruments, children screaming, crying and shouting, adult voices talking - all clearly audible with the windows closed.
- The Noise Impact Assessment submitted with the application does not, in my view, reflect the lived experience of residents.
- I would like to ask that the Committee are confident that acoustic standards have been met within a building of this age/construction, given that modern mixed-use buildings with educational/nursery settings are designed with adequate acoustic separation from initial design and construction.
- If minded to approve, suggest conditions for the applicant to install acoustic insulation and soundproofing, removal of, or inspection of any suspended equipment to ensure that it is adequately secured in the dividing ceiling/floor and a restriction on operating hours to weekday daytime only i.e. Monday to Friday, 09:00-18.00, with no use on evenings, weekends, or bank holidays.

Safeguarding

- The entrance / shared space of the building proposed is shared with the entrance to the flats. There would be inevitable mixing of children and people coming and going to the flats. I see no provision to manage this.
- Low level railings are dangerous to children.
- The flats present a problem because as a parent I would be most concerned with unchecked adults having access to my child.
- CCTV put in place would also invade the privacy of the residents along with problems of data handling and consent.
- Significant concerns that the development fails to meet core expectations set out within the National Minimum Standards for Regulated Childcare, Foundation Phase principles, and wider Welsh early years guidance relating to space, safeguarding, wellbeing, and safe access.
- The proposed internal floor area appears insufficient for the broad age range the setting intends to accommodate.
- The proposal does not demonstrate adequate provision of age-appropriate toilets and hygiene facilities in line with the National Minimum Standards.

Operational Requirements

- The applicant's mitigation strategy amounts to vague statements of intent with no detail.
- Food preparation for numbers of guests/staff has odour and ventilation implications for neighbours.
- The applicant's social media, advertises home cooked meals, snacks and party food. All of which suggests the applicant will be operating a business which needs to be registered with the food standards agency and may require additional ventilation and planning to change the kitchen into one suitable for this use.
- The proposal should meet statutory disability access requirements.
- The applicant neither owns nor controls land outside the building.
- I am concerned the waste bins for this business will be located in the square, as there are a number of steps down from the property. If in front of the church, this is going to be an eyesore within the square.

Twenty-seven representations received in support. These have been divided into broad headings for ease of reference:

Principle of Development

- The presence of other nurseries nearby does not remove the need for additional choice or capacity.
- With sensible management and appropriate conditions, there is no clear evidence that this proposal would create unacceptable impacts.
- Montessori education is not just another nursery, it is an approach based on deep respect for the child, their individuality, natural curiosity, and personal pace of development.
- A Montessori nursery and learning centre is a real added value for the local area,
- It is considered that comparisons with large rural Montessori schools are not representative of the proposed development, and that the impacts of the proposal should be assessed based on the specific details submitted with the application.
- No development will ever suit everyone. But planning is about being fair and realistic, not about stopping anything new from happening.
- Blocking initiatives like this means blocking growth, innovation, and modern education, which are so greatly needed today.
- The more choice you have for child care the better.
- The proposal is sensitive and appropriate, involving no external alterations and only internal refurbishment, thereby preserving the character and appearance of this attractive building.
- The provision of early years childcare will have a positive and lasting impact on local families and the wider community.
- Fantastic idea to support local parents by offering an additional childcare option. It will help meet the high demand for ad hoc childcare sessions and encourage a more social, community focused lifestyle.
- This is a really good employment use and there will be many people applying for the jobs.
- Contributes positively to the town's family infrastructure.
- The change of use makes efficient use of an existing building and supports local childcare options.
- Preserves the character and appearance of the building and the surrounding area while allowing it to serve a valuable community function.
- Specialist-aware early years provision is limited.
- Little local support available for neurodivergent children in the area, and many families currently have to travel as far as Cardiff to access suitable provision.
- Bringing a family-focused, community service into the square adds life during the day and supports the long-term sustainability of local businesses.
- This is exactly the kind of development small towns like Usk need.
- This proposal stands out to us as something that would genuinely add value and make the town even more appealing to prospective home buyers.
- From a community standpoint - a nursery brings with it a sense of energy. The presence of young children and families contributes to a warm, welcoming vibe and encourages lively streets which ultimately add long-term value to the town.

- Nursery would support nearby businesses through increased daily footfall.
- The renovation of the chapel itself ensures that a much loved building continues to serve a meaningful purpose rather than falling into disrepair

Highway Safety

- There is a large public car park within approximately five minutes' walk of the Chapel, in addition to parking available within Twyn Square itself, further parking beyond the square, and on surrounding local streets. These facilities have historically supported commercial uses of the building, including office use with long-stay staff parking.
- This building has always been part of a busy town centre. It has never been separate from traffic, daily movement, and working life. People have lived alongside it for years knowing that.
- This is a long-established town-centre building that has supported regular daily use for many years, despite having no dedicated parking. Ongoing vehicle movements and daytime activity are already part of the character of the area.
- In similar central locations, nurseries routinely operate safe and orderly drop-off and collection arrangements through clear guidance and staff supervision. This is standard practice and works effectively when properly managed.
- There are no evening activities planned, only occasional weekend use, and daily activity will be limited to child drop off and pick-up time.
- Office use typically generates significant daily commuter movements and long-stay parking in surrounding streets where there is no on-site provision.

Residential Amenity

- The proposed use demonstrates careful consideration for the surrounding community.
- Our children are our future and initiatives such as this play a vital role in supporting their well-being and development.
- The building has previously operated as a fully functioning office with regular daily activity, including staff, visitors, meetings, deliveries, and associated movement. The proposed use does not represent an unprecedented change in how intensively the building would be used.
- The proposed opening hours seem sensible.
- Issues such as noise, ventilation, food preparation, and general disturbance are already covered by existing Environmental Health, Ofsted, and Building Regulations requirements. These provide clear standards and controls, and any necessary mitigation can be secured through normal planning conditions.
- With proper oversight and sensible conditions, there is no clear reason why this use could not operate responsibly alongside neighbouring homes.

Safeguarding

- It will be regulated, inspected, and held to standards. If problems arise, there are systems in place to deal with them.
- High-quality childcare provision does not depend on having large private outdoor space.
- I would personally feel much safer using a properly run nursery with staff, safeguarding, and controlled access than the current situation where children and parents are already moving around the square without any structure or supervision.
- The fact that surrounding land is not under the applicant's control does not prevent sensible management of impacts.

5.3 Other Representations

Comments from the building's owner providing background to the building's use:

This building has been standing for over 200 years in one form or another. I became the owner in the 1980s after it had been converted to residential and after the use of the Church (a place of worship and a large congregation) had ceased. When we bought the Chapel and the Freehold of the flats upstairs we used the property as our main offices and had up to ten people working there, all who travelled by car. We had no issues with parking and the amenities for parking today are

much greater than was afforded back in those days. We also had a large number of visitors to the site as they were involved in building what is now known as the Principality Stadium. It has been an Art Training Business, a Junk Shop and more latterly Michael Waymans offices where he had up to forty staff coming and going. Sadly he left as he outgrew the premises and the building has stood empty for 16 months.

I was impressed with the new tenant Wiktoria Debska who has a very good plan to operate a specialist day care centre offering a different learning method. It is called Montessori. I understand she is looking to accommodate and licensed up to 24 children and is wishing to employ a manager and six staff. This is an employment use that will have reliable trained staff at its core and will keep noise to a minimum. I know that Wiktoria is looking to introduce sound deadening materials to the ceiling and other improvements.

5.4 Local Member Representations

Cllr Kear - I wish to call in the above application for the Planning Committee to look closely at the following concerns expressed to me about:

- Amenity. Noise from the proposed children's nursery affecting the residential flats above and behind the property / area.
- Shared access space. Given DBS requirements for a nursery - what considerations have been given to the inevitability of residents going about their usual access to their properties and mixing with children? How does this fit with Care Inspectorate Wales requirements for DBS checking as well?
- Highways. Twyn Square is dominated by traffic and has double yellow lines next to and along the Square. There is a continuing problem with illegal parking and lack of enforcement. The Square is historically busy due to school pick-ups / drop-offs. The practicality and reasonableness of parental drop-offs needs to be assessed in greater details. Concerns surround safety around with the inevitable increase in vehicles. Already we are seeing workmen illegally parking on the pavement outside as per the photograph attached.
- Safety of the railings. A recent accident occurs where a child was impaled on the railings
- My understanding the building as a whole is not listed but "blue status" Please can you confirm?
- I'm advised internal work has commenced. Please advise if appropriate permissions / building control is required.
- Fire regulations / exit for the nursery. The application appears silent on this matter on how this risk is being assessed / evaluated / addressed.

Please note all representations can be read in full on the Council's website:

<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.0 EVALUATION

6.1 Principle of Development

6.1.2 The application site is within the town centre of Usk. The area is also designated under LDP Policy RET2 as a Central Shopping Area. Within these areas, proposals which will safeguard the vitality, attractiveness and viability of the defined CSAs will be permitted. The nursery will serve the local area and bring people into the town centre, thereby safeguarding the vitality of the defined CSA in accordance with LDP Policy RET2. Strategic Policy S5 of the LDP is also supportive of the proposed development. It provides that development proposals that provide community facilities will be permitted within town and village development boundaries subject to detailed planning considerations.

6.1.3 On the basis of the above, the proposed change of use from an office to a nursery is considered to be acceptable in principle. However, this is subject to detailed planning considerations which are discussed below.

6.2 Good Design/Place Making

6.2.1 The site is within close proximity to multiple Listed Buildings as well as Usk Castle which is a Scheduled Ancient Monument. However, as no external changes to the Old Chapel are proposed, the change of use will have no impact on the setting of any of these protected structures or on the character and appearance of the Usk Conservation Area.

6.3 Impact on Amenity (including Noise)

6.3.1 Use of the building as a nursery as opposed to an office will inevitably have a different impact on local residential amenity which needs to be carefully considered. One of the main concerns raised to the proposal is an increase in noise. It is proposed that the nursery would operate primarily on weekdays, with occasional weekend use for classes not involving day care. There would be no evening or late-night use, and activity would be limited to drop-off and pick-up at the start and end of sessions.

6.3.2 The Council's Environmental Health Officer (EHO) requested a Noise Impact Assessment (NIA). After much negotiation, Version 5 of the NIA has now been accepted by the EHO as meeting the relevant standards required.

6.3.3 The latest version of the NIA, also now proposes the introduction of 100mm of Rockwool insulation. This will increase the sound reduction by approximately 20dB, from the existing separating floor performance of 51dB to a proposed 71dB. Further correspondence between the applicant and their acoustic consultant also advises that airborne sound insulation performance with the addition of the proposed Rockwool insulation will also improve.

6.3.4 The above represents a significant improvement in sound insulation between the proposed nursery and the flats above to a point where the Council's EHO's are content to remove their previous objections, albeit, it is acknowledged that, at times, some level of noise associated with nursery activities may still be perceptible within the flats, even with the proposed mitigation measures in place. It should be noted that that the removal of the objection is on the basis that the sound insulation is installed as described, a Noise Management Plan is submitted and approved, and opening hours are restricted to 8 – 6pm Monday to Friday with no opening on weekends or bank holidays. These measures can be secured via conditions should Members be minded to approve the application.

6.3.5 The proposal does not include any outdoor play space on site, and no external areas are proposed to be fenced, altered or used by children. Outdoor learning would take place off-site at appropriate locations under supervision and in line with safeguarding procedures. As such, there would be no outdoor noise or activity associated with the building itself.

6.3.6 On balance (and subject to the conditions suggested), it is considered that it would be unreasonable to refuse the application based on impact of noise on neighbouring residential occupiers.

6.3.7 Shared access around the building exists as a right of way for residents and visitors. The proposed change of use does not alter these arrangements, introduce new access points, or restrict existing rights.

6.3.8 In conclusion, it is considered that the proposed development would not significantly adversely affect local residential amenity and therefore there would be no conflict with LDP policies DES1 or EP1.

6.4 Transport

6.4.1 Whilst Usk does not have any rail links, being a small town, it is relatively well served by bus and benefits from a wide variety of facilities and services within walking distance from the site. As such it is considered to be a relatively sustainable location for a nursery.

6.4.2 In terms of access and parking, Twyn Square and the A472 is subject to a 20mph speed limit and a traffic regulation order prohibiting on-street parking by way of double yellow lines throughout

Twyn Square and the A472. Due to the site's location, within the heart of the town centre, which consists of a mix of commercial and residential properties, there is no available off-street parking provision.

6.4.3 The building has historically operated under commercial use and whilst no parking provision is available for the building the commercial use has been supported by public car parking facilities within the town centre. The previous office had the potential to accommodate approximately forty staff members on site daily, which required long-stay parking throughout the working day. The proposed use shifts parking demand from long-stay occupation to short-duration drop-off and collection movements, with no all-day parking requirement for parents and a significantly reduced number of on-site staff. This represents a change in parking pattern rather than an increase in sustained parking intensity when compared to the former lawful use.

6.4.4 A Transport Statement (TS) has been submitted in support of the application which states that the nursery intends to operate Monday to Friday between the hours of 8am and 6pm with a maximum capacity of 24 children which are to be supported by a site manager and up to 6no. staff. It is stated in the business model that attendance will be pre-booked and controlled involving drop-off and pick-up movements. In addition to the nursery provision, it is proposed that 14 children will attend shorter sessions between 9am and 3pm.

6.4.5 The TS has taken into consideration the drop-off and pick-up management of children from the building and states that arrival and departures will be actively managed to ensure a safe and efficient operation. Staff will supervise handovers at the entrance where children will be transferred directly between staff and parents/carers so there will be no waiting or congregating outside the building.

6.4.6 There are no existing on-site vehicle parking or cycle parking spaces associated with the building and the proposal does not include the provision of on-site parking or cycle spaces. Car parking for staff will operate in the same manner as the site's previous commercial use i.e. usage of existing public car parks within Usk town centre. In terms of car parking provision for parents at drop-off and pick-up times the TS makes reference to short stays which reflect the handover model and states that through staff supervision during peak periods, child movement will be controlled and children will exit vehicles only on the footway side. Furthermore, it states that handovers will be managed to ensure there is no overlap with public bus services which operate in Usk at the existing bus stop directly outside the building on Twyn Square.

6.4.7 Having being consulted on the planning application, the Highway Authority have stated that drop-offs and collections from Twyn Square and the adjacent A472 are not possible, even for short stays, due to the fact that they are strictly controlled by existing traffic regulation orders 'prohibition of waiting at any time'. Therefore, any short stays associated with drop-off or collection of children by vehicle would be a contravention of the Traffic Management Act 2004.

6.4.8. It is acknowledged that Usk is a busy town centre and is subject to a high volume of traffic on the local highway network and therefore in the circumstance that the local highway network was not controlled by any parking restrictions there would be concerns that outside drop-off and collections associated with the nursery may lead to congestion on the highway network and prohibit the safe passing and repassing of traffic. However, due to the fact the local highway network is controlled by existing traffic regulation orders which prohibit waiting at any time there is no availability for parents/carers to park on-street during drop-off and collection times. Therefore, all vehicle users associated with the nursery, staff and parents/carers, are expected to utilise the existing public car parking facilities within Usk town centre and arrive and depart the building on foot in the same way as other commercial properties in Usk.

6.4.9 In light of the above it is considered that it would be unreasonable to refuse the application on highway safety grounds and the provisions of LDP Policy MV1 have been met.

6.5 Biodiversity

6.5.1 No external changes are proposed as part of the change of use and therefore there is no need for an ecological surveys such as for bats, to support the application.

6.5.2 The River Usk SAC and River Usk (Lower Usk) SSSI are located approximately 285m west of the site. The River Usk Special Area of Conservation and River Usk Site of Special Scientific Interest are designated for their important river habitats and associated species, including Atlantic salmon, lamprey species, twaite shad, bullhead and otter, as well as characteristic aquatic vegetation and diverse invertebrate communities. Given the limited scale of the proposed works and distance from the site the development is not considered likely to result in impacts on the SAC. A sensitive approach to external lighting is recommended should additional lighting be required.

6.5.3 As the proposal involves internal alterations only, with no external works and do not involve alterations to any loft spaces or roof voids, it is reasonable to conclude that there is no likely risk to protected species, and bat surveys are not considered necessary. Should any new external lighting be required, it must be sensitively designed in accordance with Bats and Artificial Lighting in the UK (ILP, 2023).

6.5.4 PPW 12 sets out that the planning system has a key role to play in helping to reverse the decline in biodiversity and increase the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. It is clear that planning system should ensure that overall there is a net benefit for biodiversity and ecosystem resilience, resulting in enhanced wellbeing. Net benefit for biodiversity is typically sought for change of use applications; however, in this instance the proposal involves internal alterations only, with no external works or changes to the building structure. As such, it is considered disproportionate to require biodiversity enhancement measures in this case.

6.5.5 Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site, the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new nutrient standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of nutrient within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.

6.5.6 This application has been screened in accordance with Natural Resources Wales' advice for planning applications within the river Special Areas of Conservation (SACs) catchments (v4 issued 28th June 2024). It is considered that this development is unlikely to increase nutrient inputs because the development is intended to provide services, facilities, commercial sites, or places of employment (e.g., community buildings, schools etc.) for a local population already served by residential connections to existing public or private sewers discharging within the SAC river catchment.

6.6 Green Infrastructure

6.6.1 Chapter 6 of Planning Policy Wales (PPW) 12 highlights that a Green Infrastructure (GI) statement should be submitted with all planning applications and will be proportionate to the scale and nature of the development. The statement which will need to be informed by a GI assessment of the site will describe how green infrastructure will be incorporated into the proposal and how the step wise approach to protecting biodiversity, habitats and GI onsite will be managed.

6.6.2 In this case no external changes are proposed to the building or land surrounding it and therefore no further information in relation to green infrastructure is required to support this application.

6.7 Flooding

6.7.1 The site is not within any designated flood plain.

6.8 Response to the Representations of Third Parties and/or Town Council

6.8.1 There have been a range of comments received in relation to child safeguarding. The safety of children including approval of age ranges, staffing ratios and access arrangements are matters for the Care Inspectorate Wales. These elements are managed separately through the CIW registration process and do not fall within the scope of planning control.

6.8.2 Commercial waste will be managed through a formal waste management arrangement with scheduled collections, ensuring bins are securely stored and collections are controlled to avoid visual impact or disruption to the square.

6.8.3 Some representations raise concerns relating to nappy changing, hygiene, waste management, safeguarding and general operational practices. These matters are regulated by Care Inspectorate Wales (CIW) and associated statutory frameworks and are not material planning considerations.

6.8.4 No commercial food preparation is proposed within the premises. Any comments relating to catering activities are therefore not relevant to the application as submitted.

6.8.5 Internal layouts and facilities have been designed to meet regulatory requirements, and the setting will operate in accordance with Equality Act guidance as applicable to early years provision. No external ramp or structural changes are proposed as part of this application.

6.8.6 It is noted that the Council's Building Inspector has advised that the building is likely capable of being adapted, subject to appropriate design and moderate compliance works, particularly in relation to fire safety.

6.9 Well-Being of Future Generations (Wales) Act 2015

6.9.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.10 Conclusion

6.10.1 The change of use of the ground floor of the former chapel from an office (B1) to a children's nursery (D1) is acceptable in principle at this location.

6.10.2 Parking is strictly controlled by existing traffic regulation orders 'prohibition of waiting at any time'. Therefore, any short stays associated with drop-off or collection of children by vehicle would be a contravention of the Traffic Management Act 2004.

6.10.3 Subject to the noise mitigation measures suggested (and secured via condition), adverse impact on the neighbouring residential properties will be minimised.

6.10.4 No external changes to the building are proposed as part of this application. The change of use will therefore have no impact on visual amenity or the character and appearance of the Usk Conservation Area.

6.10.5 Adverse impacts on the River Usk SAC as a result of the development have been screened out in accordance with NRW guidance.

7.0 RECOMMENDATION: APPROVE

Conditions:

1 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

2 Within two months of the date of this permission a report and certification confirming that the required sound insulation performance standard (set out below) has been achieved, shall have been submitted for the written approval of the local planning authority.

The sound insulation testing shall be carried out in accordance with Approved Document E of the Building Regulations (or equivalent) to demonstrate that the separating floors shall achieve a minimum airborne sound insulation performance of 64 DnT,w + Ctr (dB).

REASON: In the interests of local residential amenity in accordance with LDP Policy EP1.

3 Within two months of the date of this permission, a Noise Management Plan shall have been submitted for the written approval of the local planning authority.

The Noise Management Plan shall detail measures to control and mitigate noise arising from the use of the premises, including internal and external activities, arrivals and departures.

The development shall proceed strictly in accordance with the approved Noise Management Plan.

The Noise Management Plan shall be reviewed and, where necessary, updated in the event of complaints of noise disturbance from nearby properties or at the request of the Local Authority, with any revisions to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of local residential amenity in accordance with LDP Policy EP1.

4 The premises shall not be used for the approved purposes outside the following times:

08:00 - 18:00 Monday to Friday and at no time on Saturdays, Sundays or Bank Holidays.

REASON: In the interests of amenity and to ensure compliance with LDP Policy EP1.

5 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed on the buildings or in the curtilage until an appropriate lighting plan which includes low level PIR lighting, provides detail of lighting type, positioning and specification, and ensures that roosting and foraging/commuting habitat for bats is protected from light spill, has been agreed in writing with the Local Planning Authority.

REASON: To safeguard roosting and foraging/commuting habitat of Species of Conservation Concern in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), Section 6 of the Environment Act (Wales) 2016 and LDP policies EP3 and NE1.

INFORMATIVES

1 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

2 All birds are protected by the Wildlife and Countryside Act 1981. The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most birds is between March and September.

3 Please note that Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately. Natural Resources Wales (NRW) (0300 065 3000).