

**Report of the Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>19/00503/FUL</b>
<b>LOCATION:</b>	<b>DURBAN HOUSE HERITAGE CENTRE, MANSFIELD ROAD, EASTWOOD, NG16 3DZ</b>
<b>PROPOSAL:</b>	<b>CHANGE OF USE FROM SPA AND BEAUTY SALON TO SCHOOL (CLASS D1)</b>

The application is brought to the Committee as the Council is the owner of the site.

1 Executive Summary

- 1.1 The application seeks permission to change the use of Durban House to a school (Class D1). No external alterations are proposed as part of this application. The building has most recently been used as a spa and beauty salon following the granting of planning permission in 2016. The building has been vacant since September 2018.
- 1.2 The supporting information with the application states that the building would be used by Jubilee House Christian School, a small independent school. Approximately 80 students and 10 staff would access the site on a week day.
- 1.3 The benefits of the development would be bringing a vacant building back into use and national planning policy is clear that a positive approach must be taken to widening choice in education and great weight given to the need for schools to alter and expand. The development will result in some additional disturbance and traffic compared to the current vacant building but it is considered that this would not be significant compared to previous uses of the building and would be clearly outweighed by the benefits of the scheme.
- 1.4 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

## APPENDIX 1

1 Details of the Application

- 1.1 The application seeks permission to change the use of the building and site from a spa and beauty salon to a school (Class D1). No external changes are proposed and the application relates solely to the change of use. The supporting information with the application states that the building would be used by Jubilee House Christian School, a small independent school. Approximately 80 students and 10 staff would access the site on a week day. The vehicle access point would be from Greenhills Road and the main pedestrian access would be from Mansfield Road. There would be a playground area along the southern and eastern parts of the site. It is proposed that the school will be open for pupils during the week between 9:15 and 15:30.

2 Site and surroundings

- 2.1 The site is located within the built up area of Eastwood on the corner of Mansfield Road and Greenhills Road and lies a short walk from the town centre to the south-east.
- 2.2 The site measures approximately 0.39 hectares in area and contains a building which sits off centre within the site with its main façade and entrance facing Mansfield Road. The building is a large, hipped roof, detached property built in 1896 and contains a first floor, ground floor and partial lower floor, which takes advantage of the changing ground levels.
- 2.3 Prior to closure the building was used as a day spa and beauty salon. Prior to this use, the building was used as both a D H Lawrence heritage centre and as a training centre and included a museum, art gallery, gift shop, training/conference facility, bistro and was a licensed civil wedding venue.
- 2.4 It is surrounded on two sides by Greenhills Park, with residential development across Greenhills Road and Mansfield Road opposite the site. Immediately to the east there is also an Army Cadet Centre. The site slopes down from the southern boundary towards Greenhills Road. The western and northern boundaries have a stone wall with pillars and black iron gates to the entrance/exits. The southern and eastern boundaries with the park consist of black iron railings. Hall Park Academy lies to the south west of the site.
- 2.5 There are a number of mature trees and landscaping areas within the site which provide some screening of the building and a green setting.

3 Relevant Planning History

- 3.1 Planning permission was granted in 1996 (96/00408/REG3) to change the use of the building to a heritage and training centre with cafeteria.

3.2 Planning permission was granted in 2016 (16/00720/FUL) to change the use of the building from a heritage centre to a day spa, beauty salon and tea room.

4 Relevant Policies and Guidance

4.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A – Presumption in Favour of Sustainable Development
- Policy 10 – Design and Enhancing Local Identity
- Policy 12 – Local Services and Healthy Lifestyles
- Policy 14 - Managing Travel Demand
- Policy 16 - Green Infrastructure, Parks and Open Spaces

4.2 **Saved Policies of the Broxtowe Local Plan (2004):**

4.2.1 The Part 2 Local Plan is currently under preparation. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved.

- Policy T11 – Guidance for Parking Provision
- Policy RC2 – Community and Education Facilities.

4.3 **Part 2 Local Plan (Draft)**

4.3.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has been examined, with the Inspector's report imminently expected. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policy 17. Whilst this is not the Inspector's final report, and the examination into the local plan has not been concluded, it does mean that this policy can now be afforded moderate weight.

- Policy 17: Place-making, Design and Amenity

4.4 **National Planning Policy Framework (NPPF) 2019:**

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 8 – Promoting healthy and safe communities.
- Section 9 – Promoting sustainable transport.
- Section 11 – Making effective use of land.

5 Consultations

5.1 The **Council's Estates Officer** has no objection.

5.2 Nottinghamshire County Council as **Highways Authority** requested additional information regarding the access and parking arrangements. Following the submission of additional information, the Highways Authority has no objection subject to the parking, turning and servicing areas being surfaced in a bound

material. As this is already the case, it is considered not necessary to include a condition. They also highlight that a Traffic Regulation Order (TRO) will be required for "School Keep Clear" markings fronting the site.

- 5.3 14 properties were consulted and a site notice was displayed. Four responses have been received. One response states no objection, one states support for the proposal provided the Mansfield Road access is not used due to concerns regarding highway safety and two state concerns that the building is not suitable to be used as a school, that there would not be sufficient playground space and the road is too busy to have drop off points, will cause parking issues for existing residents and it will be dangerous for pedestrians. They also refer to the building having damp which may result in health issues.

## 6 Assessment

- 6.1 The main issues for consideration relate to whether the principle of the change of use is acceptable, whether it would result in an unacceptable loss of amenity to any residential properties in close vicinity to the site and if suitable parking and access arrangements can be provided.

### 6.2 **Principle**

- 6.2.1 The building has been vacant since September 2019 but has most recently been used as a spa and beauty salon. Prior to this, the building was used as a heritage centre in association with D H Lawrence but this was closed in April 2016.

- 6.2.2 The proposed use is a school and the supporting information included with the application states that the site would be used by Jubilee House Christian School, a small independent school which currently also has a school in Newthorpe.

- 6.2.3 The NPPF states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities and that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and should give great weight to development that will widen choice in education. It is considered that the change of use of the site into a school should therefore be viewed as an appropriate use in principle as it would provide additional education provision. There is also space around the building to be used as outdoor space and it is considered that the building is suitable for adaption into a school taking into consideration the previous uses of the building. It will also secure a long term use of the building which has now been vacant for over a year. It is considered that there would be no justification for protecting the current beauty salon use of the building. With regards to damp in the building, this is not a consideration for this application and could be resolved through internal works.

- 6.2.4 Policy 12 of the Core Strategy states that new community facilities, which includes those used for education, should be located within town centres wherever appropriate or in locations accessible by a range of sustainable transport modes. The site is within walking distance of Eastwood town centre and accessible from bus services along Mansfield Road and Nottingham Road. There will also be parking facilities and a 'drop-off' space within the site to reduce the

potential impact of on-street parking. The applicant has also submitted additional information showing that the vehicle access would be from Greenhills Road and the pedestrian access would primarily be from Mansfield Road. The Highways Authority has raised no objection to the proposed arrangements.

6.2.5 There are no external alterations proposed to the building at this time and any future changes would need to be subject to a separate planning application.

**6.3 Amenity**

6.3.1 Greenhills Park lies to the south and east of the site and provides a significant buffer to the residential properties beyond. To the north and west there are residential properties separated from the site by Greenhills Road and Mansfield Road. There may be some noise from the school, particularly during break time periods, but this would be during the day and would be at a level which would be associated with such a use which is common use within residential areas. There may also be a small level of disturbance during the start and end of school but this would be only for a short period and again would only be at a level expected from a school use. Whilst there was a condition controlling the hours of operation for the previous use, it is considered that this would not be necessary for a school which will operate during the day.

**7 Planning Balance**

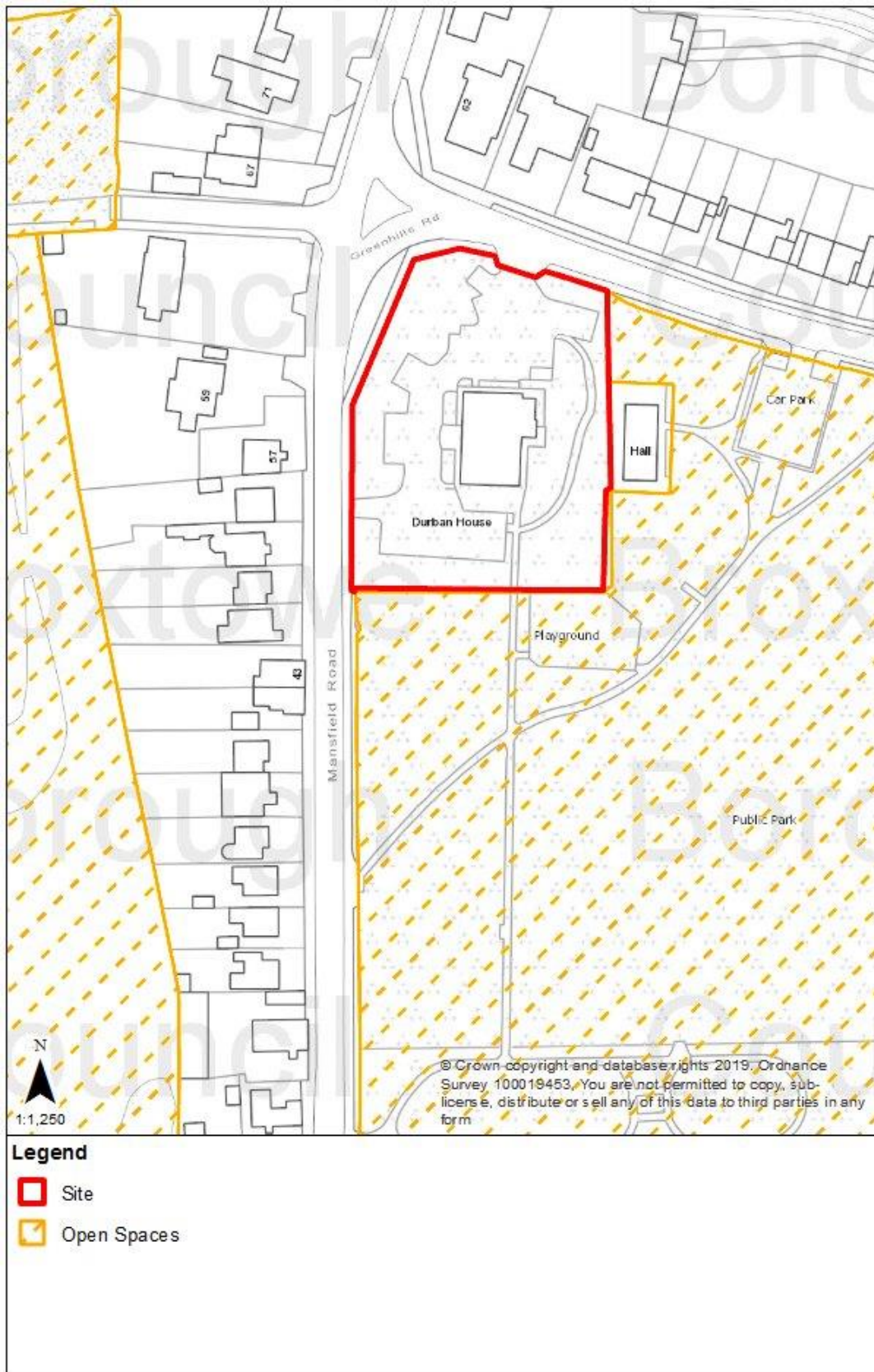
7.1 The benefits of the development would be bringing a vacant building back into use and national planning policy is clear that a positive approach should be taken to widening choice in education and should give great weight to the need for schools to alter and expand. The development will result in some additional disturbance and traffic compared to the current vacant use but it is considered that this would not be significant compared to previous uses of the building and would be clearly outweighed by the benefits of the scheme.

**8 Conclusion**

8.1 It is considered that the principle of the change of use to a school would be acceptable. The site is within an accessible location, close to Eastwood town centre, and would bring a vacant building back into use.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</b>	
<b>1.</b>	<b>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</b>  <b><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></b>

2.	<p>The development hereby permitted shall be carried out in accordance with the Site Location Plan and Block Plan received by the Local Planning Authority on 6 August 2019, the proposed Basement, Ground Floor and First Floor Layout Plans received by the Local Planning Authority on 13 August 2019 and the Site Layout Plan received by the Local Planning Authority on 11 September 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
	<p><b>NOTES TO APPLICANT</b></p>
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the eight week determination timescale.</p>
2.	<p>The planning permission relates only to the change of use. Any external alterations to the building or to the site may require separate planning permission.</p>
3.	<p>The proposal makes it necessary to provide “School Keep Clear” markings fronting the site. This will require a Traffic Regulation Order. You are required to contact the County Council’s Customer Services team to liaise with Highway Improvement team to arrange for these works to be carried out on telephone 0300 500 80 80.</p>





Photographs

Front elevation



North side elevation



South side elevation



Access on Greenhills Road



Mansfield Road

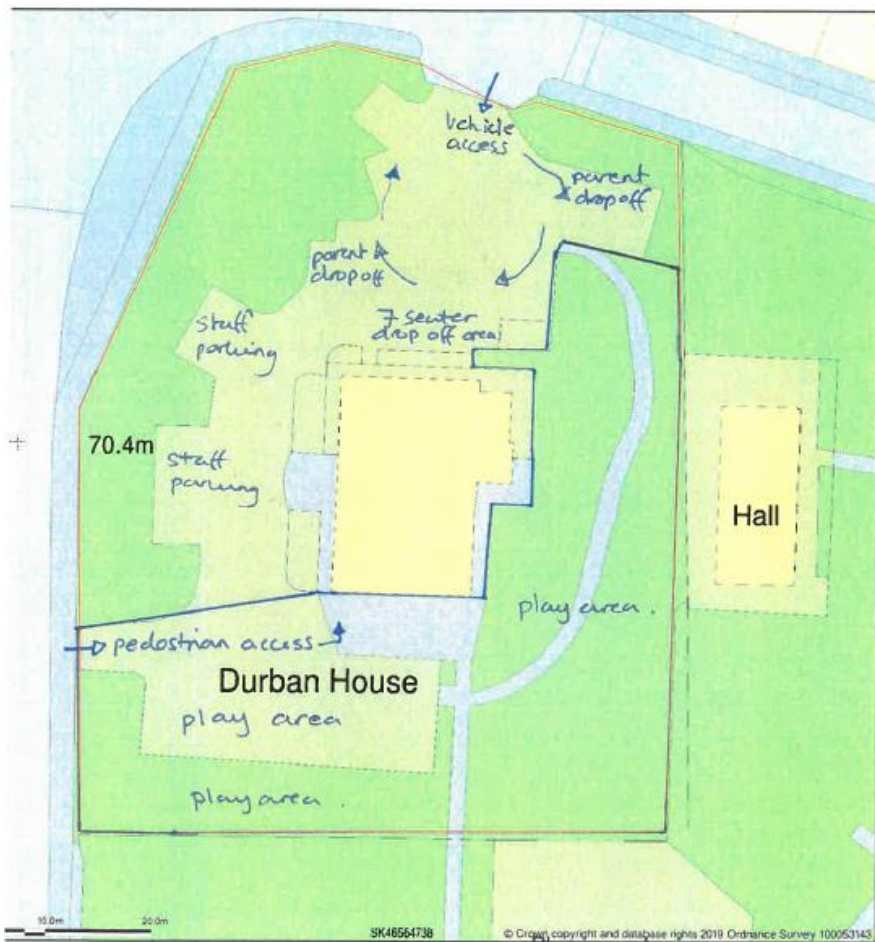
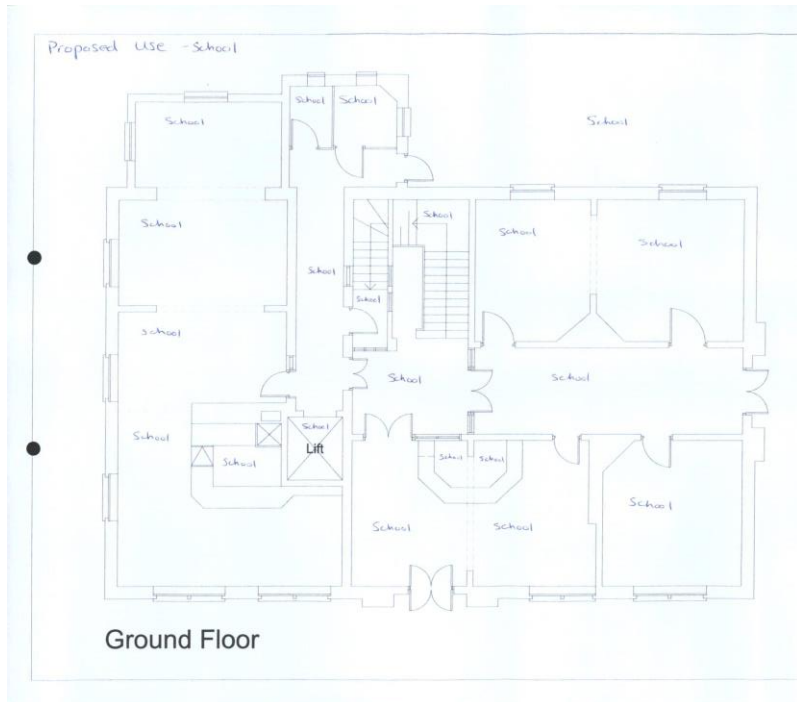


Access from Mansfield Road





**Plans (not to scale)**



area bounded by: 446515.96, 347342.4, 446905.96, 347432.4 (at a scale of 1:500). OSGridRef: SK46564738. The representation of a road, track or path is no evidence of a right of way or of features as lines is no evidence of a property boundary.

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