

Dorset County Council



Petitions Panel

20 December 2018

1. Background to the Petition Scheme

- 1.1 The County Council's Petitions Scheme was adopted on 29 April 2010 and came into effect on 15 June 2010. The Scheme was subsequently updated by the County Council on 21 July 2016 and 15 February 2018.
- 1.2 If a petition is supported by 50 or more signatories then it will be dealt with by a small customer focussed panel. If a petition is supported by 4,250 or more signatories it will be scheduled for a debate at the next meeting of the full County Council.

2. Petition – To stop the demolition of St. Martins House, Queen Street, Gillingham SP8 4DZ

- 2.1 The County Council received a petition organised by Cllr Val Potheary on 29 October 2018. This reads as follows:

Dorset County Council plans to demolish St Martins House in Queen Street, Gillingham SP8 4DZ, without any consultation with Gillingham residents, using a "permitted development" loophole in planning regulations. The building is listed as a Heritage Asset in the recently adopted Neighbourhood Plan document, which local residents voted 91% in favour of in the official referendum. This has been totally ignored. We, the undersigned, want Dorset County Council to promise not to demolish St Martins House.

- 2.2 As this petition contains more than 50 signatures, the Panel are invited to note and discuss this.
- 2.3 This discussion should conclude with a decision as to how to respond to the petition. This may include one or more of the following:
 - taking the action requested in the petition
 - considering the petition at a council meeting
 - holding an inquiry into the matter
 - undertaking research into the matter
 - holding a public meeting
 - holding a consultation
 - referring the petition for consideration by the council's Audit and Governance Committee
 - calling a referendum
 - writing to the petition organiser setting out the Panel's views about the request in the petition.
- 2.4 Alternatively, the Panel may determine a combination of the options above, or decide on another course of action as appropriate.

3. Context

3.1 Background

The County Council is strongly committed to helping people to live well with as much independence as possible. One of the ways we will deliver this is the Building Better Lives

which is dedicated to developing the right kind of accommodation for people with care and support needs – including older people and other vulnerable people living in the community. The work brings together a range of local partners to work with health and social care, to focus on what is important in that area.

One of the first projects carried out was an assessment of social care accommodation need across the whole county of Dorset, which considered projected population growth and existing service provision to determine the quantity and type of new accommodation-based services needed in each area of Dorset.

Extra Care Housing for older people is an important part of meeting demand. Extra Care housing offers high quality, affordable accommodation for people to live in, designed around the needs of older people and with the right support and technology available in their home. The higher levels of accessibility and security allow some older people both with and without social care needs to enjoy a better quality of life than they otherwise would in mainstream housing or in residential care services. It is an important part of the Council's strategy to enable people continue living in their own home for as long as they can.

3.2 Requirement for the site

North Dorset is identified as an area of Dorset in need of significant development of new services and social care accommodation for several reasons:

- Because of predicted increases in elderly population, further exacerbated by the significant proposed developments in Gillingham (1,800 new homes) and Shaftesbury (1,100 new homes). For people aged 65 and over, the population in Gillingham and surrounding wards is expected to increase by 47% between 2011 and 2035. For people aged 65 and over with Dementia, this percentage increase is 80.6%.
- Because of a current lack of services in the area – the closest Extra Care scheme is Trailway Court in Blandford, which is 16.4 miles away. Extra Care housing offers an alternative to traditional residential care home services, and recent analysis predicts a shortfall of 192 Care Home places in Gillingham by 2025 due to a combination of population increase and aging Care Home stock in the town.

The demand analysis we have carried out shows a need for over 450 new units of Extra Care accommodation in North Dorset over the next 10 years, which is a very challenging figure to achieve.

The St Martins site is ideally suited to the creation of a new Extra Care housing scheme, being in close walking proximity to Gillingham High Street, and local amenities such as supermarkets and GP surgeries. Availability of a development site in such an advantageous location is a rare occurrence, and the opportunity to use this site to provide 54 purpose-built affordable apartments with support for older people in a location that can maximise independence and continued engagement with town centre community life should not be passed up.

3.3 Background to the disposal of the site

In September 2015 the Cabinet of Dorset County Council (DCC) considered a report on St. Martins site at Queen Street in Gillingham. The report informed the Cabinet that the former care home was vacant and it was proposed to declare the property surplus with immediate effect. The report went on to say that work was ongoing to explore disposal options for site, which included Queen Street Bungalow and the former registrar's office building (St. Martins House). Adult Services had identified a requirement for low cost extra care housing

in the town and detailed discussions had taken place with North Dorset District Council's Affordable Housing Officer and Planning Officers to promote the most viable and cost effective scheme for the site. It explained that as detailed in the County Council's Asset Management Plan, there was an increasing need for flexible types of accommodation for older people in Dorset and so it was proposed that the site would be sold for extra care housing, which was likely to entail a disposal at an undervalue. The Cabinet ratified these proposals and approved the disposal of the site at an undervalue for the provision of extra care housing.

The County Council subsequently entered into discussions with various registered housing providers and, after a detailed assessment, in August 2016 it agreed to dispose of the site to Magna Housing (Magna) for the development of a minimum 54 unit scheme of low cost extra care housing at a cost of £500,000, which was estimated to be about half the value that it could have generated if it sold the site on the open market. Contracts were exchanged between DCC and Magna on 23rd May 2018 subject to Magna receiving an acceptable planning consent on the site for its extra care scheme.

The contract between DCC and Magna includes an obligation on DCC to demolish the buildings on the site (including St. Martins House) by 30th June 2019. If DCC does not undertake this work by that time it will be in breach of contract and will be liable to pay damages to Magna for any additional costs that it incurs as well as the cost inflation arising from delays in the construction of the extra care facility, which is estimated to cost in excess of £10m. Building cost inflation is currently running at around 5% pa, so a six-month delay would cost DCC £250,000.

In line with its contractual obligations, DCC has proceeded to obtain the necessary consents for the demolition of the buildings on site. The petition suggests that DCC has used a permitted development loophole in planning regulations to obtain consent to demolish the buildings without any consultation with Gillingham residents. However, as the buildings are neither listed, nor (at present) in a conservation area, permitted development is not a loophole but rather the only method that was available to DCC for obtaining a determination from the planning authority to demolish the buildings in advance of the planning application to construct a new extra care home. There is no provision within the pre-determination process to undertake formal consultation with local residents, but DCC did post Planning Notices on the exterior of the buildings notifying local residents of its application to demolish the buildings.

It should also be noted that DCC declared the buildings surplus to its requirements and ratified the sale of the site in September 2015, before any consideration had taken place by the Gillingham Town Council on the detail of its neighbourhood plan. Furthermore, DCC and Magna entered into the binding legal contract which required both parties to work towards the provision of an extra care scheme on the site (which included the demolition of the buildings in situ) on 23rd May 2018, prior to the adoption of the Gillingham Neighbourhood Plan. Therefore, the argument put forward in the petition that the building is listed as a Heritage Asset in the recently adopted Neighbourhood Plan document and that this has been totally ignored does not hold weight as DCC was already contractually committed to demolish the buildings prior to the neighbourhood plan being adopted.

3.4 Concerns of the petitioners and Magna's proposals to address these

It is acknowledged that St. Martins House is listed in the Gillingham Neighbourhood Plan as a 'locally important non-designated heritage asset' and the Plan states that support will be given wherever practicable to the protection and enhancement of the locally listed buildings and other local heritage assets. However, it should be noted that this is one of over 150 buildings in the town that are similarly listed and it must be recognised that the listing of these buildings is subjective.

An application was made in September 2018 to Historic England (HE) to have St. Martins House add to HE's List of Buildings of Special Architectural or Historic Interest. Historic England's decision letter is appended to this report under Appendix 1, but in summary it stated:

“St Martin's House is not recommended for listing, for the following principal reasons:

Lack of architectural interest:

** although neatly made, with some attention to detail, as a house of the last decade of the C19, its style is typical, rather than exceptional, and the design does not demonstrate the high degree of quality in architectural style which would be needed to set it apart from its many peers;*

** while the materials were made locally, in style and substance they are all very typical of their period, and houses using similar materials, mass produced, can be found in large numbers across the country, with little regional variation;*

** little information is available about the interior, but photographs indicate that there have been significant alterations, and in any case, even the survival of a complete and high-quality decorative scheme would be unlikely to outweigh the lack of exterior interest.*

Lack of historic interest:

** the association with a long-lived local building firm, and the use of the house as a showcase for its work, is clearly of local interest, but Thomas Hudson is not a significant figure nationally.*

Conclusion:

St Martin's House is a substantial building and has an interesting history, but falls short of the level of architectural and historic interest needed for a house of this date to merit listing in the national context. It is, though, of clear local interest, and this is reflected in its inclusion on the Local List.”

Acknowledging the local interest in the building, Magna wrote to the Town Clerk, Councillors and the Gillingham Local History Society setting out proposals for consultation with the Gillingham Local History Society over St Martin's House. A copy of its proposals is appended to this report under Appendix 2. These proposals offer to take down the building in such a way as to capture and preserve some of the elements of the building recognised by the History Society as being of local historic interest and set these into the modern setting. This could possibly be done through displaying some of the features such as the tiles on or in the building and having information boards describing what the builder, Thomas Hudson was seeking to achieve. Magna are confident that they can preserve the spirit and history of the old building within its new development.

3.5 Conclusion

This report has outlined the very pressing requirement for extra care housing in the north of the county. Some of this need will be met by the scheme that is being proposed by Magna housing. This scheme has been in evolution since August 2016 and a significant amount of time and money has already been invested by both DCC and Magna in getting to the point where a detailed planning application was submitted for the development of a 59 bed extra care building on the St. Martins site in October 2018. The scheme that is being proposed by Magna will necessitate the demolition of all the buildings on site, including St. Martins House.

The petition submitted to DCC wants Dorset County Council to promise not to demolish St Martins House. However, this is not possible as DCC is already contractually committed to Magna to undertake this work and it would incur costs in the order of £500,000 if it was to

renege on this contract, or to delay the works. Furthermore, it would delay provision of extra care facilities in the locality, with further unquantifiable cost implications to DCC.

St. Martins House has been vacant for the past 6 years since Adult Education and the Registrars Service moved out of the building. During that time no-one has come forward proposing any alternative use for the building, and in truth it would be uneconomic to retain as it is in poor condition and unsuitable for modern business functions, given the cellular nature of its layout. In the event that the building is retained there is no suggested alternative use for it, so it would become further dilapidated and continue to incur ever increasing holding costs.

In summary, Dorset County Council is contractually committed and it is recommended that it proceeds with demolition, whilst preserving the key features of the building, as set out in Magna's proposal to the Gillingham Local History Society.

4. Next Steps

4.1 The Panel is invited to note the receipt of this petition and decide how to respond to it.

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