

# Regulatory Committee

**Dorset County Council**



Date of Meeting	21 March 2019
Officer	Service Director for Environment, Infrastructure and Economy
Subject of Report	To consider planning application 6/2019/0056 for temporary relocatable housing scheme comprising 6 no. detached 1 bed units and a terrace of 11 no. 1 bed units and 1 no. 2 bed unit for overnight carers with associated landscaping and car parking at former Wareham Middle School, Worgret Road, Wareham, Dorset, BH20 4PH.
Executive Summary	Temporary planning permission is sought by Dorset County Council's Adults and Communities Directorate for the provision of modular housing to provide urgent, short-medium term, accommodation for vulnerable adults. These members of the community can live independently but are either housed in unsuitable accommodation or at risk from homelessness.
Impact Assessment:	<p>Equalities Impact Assessment: The report concerns the determination of an application for planning permission that has equality implications for the provision of temporary housing for vulnerable adults with protected age (adults and older adults) and disability characteristics (older adults with a mental health condition and/or physical disability; adults who are learning disabled and/or physically disabled).</p> <p>Dorset County Council's Adults and Communities Directorate (the applicant) undertook an Equalities Impact Assessment (EqIA) to understand the potential impact of the proposal on the equality of a range of protected characteristics. The EqIA concluded that the proposal would have a positive impact on those vulnerable adults with protected characteristics listed above. In assessing the planning application the Local Planning Authority is satisfied that the EqIA has considered and assessed the relevant characteristics and, in</p>

	<p>consequence, that the application complies with the provisions of the Equality Act 2010.</p> <p>Use of Evidence: The recommendation has been made after consideration of the application and supporting documents, the development plan, government policy and guidance, representations and all other material planning considerations as detailed in the main body of the report.</p> <p>Budget/Risk Assessment: This planning application is made by Dorset County Council's Adults and Communities Directorate, and Dorset County Council has committed a budget to the delivery of this project. The outcome of the application could therefore have budget implications for Dorset County Council in its capacity of project sponsor. However, in its role as the Local Planning Authority, Dorset County Council must determine the application solely on its planning merits.</p>
Recommendation	Planning permission be approved subject to the conditions set out in paragraph 8.2 of the Report.
Appendices	<ol style="list-style-type: none"> <li>1. Location plan</li> <li>2. Site plan</li> <li>3. Elevations (appendices 3a-3c)</li> <li>4. Floor plan (appendices 4a-4c)</li> </ol>
Background Papers	Planning Application File 6/2019/0056.
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## 1. Background

- 1.1 The application is made by the County Council's Adults and Communities Directorate ("the applicant").
- 1.2 The application site ("the site") was formerly occupied by Wareham Middle School. The school was demolished as part of the remodelling of the educational provision to create a new two-tier education system and is currently derelict. Consent for the local education authority to dispose of the school site was granted in 2013.
- 1.3 A meeting of Dorset County Council's (DCC) Cabinet, on 7 March 2018, approved the allocation of £1,500,000 of capital budget to purchase 18 modular housing units. Modular housing was considered by the Cabinet to provide much needed and timely short-medium term housing capacity for

vulnerable adults, which would enhance the life experience of those who are housed in unsuitable accommodation or facing homelessness. The provision of modular housing would also enable the applicant to reduce the cost of service provision in the future.

- 1.4 A public consultation exercise was carried out jointly with representatives from Purbeck District Council (PDC) and the applicant on 18 October 2018 at Wareham Town Museum. The consultation included a presentation of the future masterplan for the permanent development of the site. The masterplan proposed the relocation of existing healthcare facilities on Stretch Road and the provision of an integrated healthcare and social care hub. This would potentially include permanent housing for vulnerable adults.
- 1.5 The applicant reports in the Design and Access Statement submitted in support of this application that there was a “large” attendance by the public at the consultation and that feedback was “mostly supportive”. The main concerns highlighted were:
  - the maintenance and operation of the site
  - the impact locally on parking and traffic congestion
  - short term housing becoming a long-term solution at the expense of permanent build
  - temporary housing should only be for residents of Purbeck with a local need
  - loss of public playing fields

## **2. Site Description**

- 2.1 The 0.4-hectare (ha) site is located on the western edge of the central settlement boundary in Wareham, with a single point of access off Worgret Road (B3070). The site is surrounded by playing fields and low density residential housing and infrastructure.
- 2.2 The site comprises predominantly derelict land, with areas of tarmac, an internal area of disturbed grassland that is delineated by informal paths and hedges, groups of trees and standalone trees. There are three structures on the site, two of which are currently being used as a children’s pre-school nursery and an unlined metal shed just to the west of the proposal area.
- 2.3 The existing access road serves a car park to the south east of the site. This car park is generally used morning and evening at school drop off and pick up times. Parents and children accessing the adjacent school and nursery are the main users of the existing road and footpath that runs along the southern boundary of the site. This boundary is separated from Worgret Road by several standalone trees, a line of mature cypresses and a ragged hedgerow.
- 2.4 The site lies within an area of land referred to as ‘Land at Worgret Road’, allocated in the adopted Purbeck Local Plan for a settlement extension to

Wareham and within the area identified in Policy I6 of the draft Purbeck Local Plan 2018 – 2034 for the development of an integrated health and social care hub. Land to the west of the site, beyond the playing fields, was developed extensively in 2015 for residential housing.

- 2.5 The buildings of Wareham St Mary Primary School are located about 60 metres to the north-north-east of the application site and its sports field extends to the west at about 30 metres from the application site.
- 2.6 Prime Time Kids Club is based in a building located 75 metres to the east-north-east of the application site. This is a breakfast, after school and holiday club for children aged from three to twelve years old which operates from 7:30am to 6pm.
- 2.7 Focus Nursery School lies adjacent to the proposed vehicular access to the application site, about 70 metres to the east of the nearest proposed residential unit. The nursery school provides facilities for children from 18 months to six years old and utilises outside space to the east of the school building.
- 2.8 There are no designated nature conservation sites within or immediately adjacent to the site boundaries. There are several trees along the western section of the southern boundary of the site that are covered by a Tree Preservation Order and two unknown memorial trees, one within the centre of the site and another to the east of the Focus Nursery School. The sports pitches associated with the former middle school, which are adjacent north and west of site, have “protected playing fields” status in accordance with Policy CEN: Central Purbeck of the Local Plan.
- 2.9 The location and extent of the planning application site (edged red) is illustrated at Appendix 1 of this report. A site plan is illustrated in Appendix 2.

### **3. The Proposal**

- 3.1 The proposed relocatable housing (“the proposal”) would provide temporary, short-medium term accommodation (up to 3 years) for vulnerable adults who are either living in unsuitable accommodation or at risk of homelessness.
- 3.2 The design and arrangement of the proposal would be low density and consist of 18 individual dwellings (units) of 2 modular housing types. The units would be located around a single courtyard, with the provision of shared amenity space and car parking. The proposal would be erected on an area of existing hardstanding that was previously used as a school playground. There would be no excavation required as the units would be erected on small pad foundations. A new foul water drainage pipe would be constructed and connected to an existing outlet pipe, which would drain foul water to an existing sewer connection.
- 3.3 Six one-bedroom, single story and detached dwellings would be located along the eastern, southern and western boundaries of the site, which are intended to provide fully accessible living spaces, with individual rear gardens. The front elevation of these dwellings would comprise highly durable timber

cladding (Siberian Larch) on the entrance door façade and dark metal cladding elsewhere.

- 3.4 These units would measure 50 square metres (m<sup>2</sup>) internal gross floorspace. These units have been specifically designed to accommodate residents with reduced mobility and/or in need of care. These units would exceed the national technical standards described for the minimum space for a one-bedroom dwelling<sup>1</sup>.
- 3.5 The second type of modular housing would consist of 11 one-bedroom units and 1 two-bedroom unit (to provide accommodation for over-night carers) arranged over two storeys, in a terrace (side-by-side) formation. The eight ground floor units would have a level access front door, opening to a living space and bedrooms located at the rear. The four, first floor units would also have their own front doors but would be accessed using two staircases at either end of the two-storey terrace. These units would measure 25 m<sup>2</sup> internal gross floorspace and would be smaller than national technical standards described for the minimum space for a one-bedroom dwelling.
- 3.6 The external design of these units would be in harmony with the detached units, replicating the timber cladding for the front façade and dark metal cladding elsewhere. All trims and cills would be dark grey metal to match and the timber cladding would colour silvery grey over time. Rainwater would be discharged to external hoppers and downpipes to soakaway.
- 3.7 The existing tarmac access road, off Worgret Road, would be improved and extended to serve the new housing and car parking. A total of 15 car parking spaces are proposed, 4 of which would be fully accessible to disabled users within proximity of the ground floor units. Car parking spaces would be below normal parking standards of one space for each housing unit. There is provision for pedestrian footpaths throughout the site and dropped kerbs, adjacent to the units for those with reduced mobility.
- 3.8 Landscaping would include the maintenance of existing trees and shrubs that border the south and west of the site. Additional shrubs and raised planters are proposed to provide screening from the carparking area and to integrate external amenity space. The site would be enclosed by a wooden fence and existing and enhanced landscaping. The proposal would not include any felling or removal of existing trees or shrubs.
- 3.9 Elevations and floorplans are illustrated at Appendices 3 and 4 of this report.

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<sup>1</sup> Through its review of housing standards, the Government took measures in 2015 to standardise the type of specific requirements that can be placed upon the contribution of homes by local authorities through the planning system. This meant that a range of previous local enhanced standards for energy efficiency, space and design quality were removed and replaced by a number of standardised "Housing Optional Technical Standards". Enhancements to the building regulations implemented through planning, The Optional Technical Standards include provision for water efficiency, space standards and accessible homes: <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

#### **4. Consultations and Representations**

4.1 The application was advertised in the local press and by site notice.

4.2 **County Council Ward Member**

No response received.

4.3 **Purbeck District Council (Planning)**

No objection in principle to the proposal but recommends that the temporary planning permission is time limited so not to undermine the planned permanent development of the site detailed in the emerging Local Plan or the emerging Wareham Neighbourhood Plan.

Purbeck District Council's Senior Housing Officer supports the proposal due to the demand for and lack of this type of housing.

A planning condition is recommended securing the approval and implementation of a biodiversity mitigation and enhancement plan (BEMP).

4.4 **Purbeck District Council (Environmental Health)**

No comment received.

4.5 **Wareham Town Council**

No comment received.

4.6 **DCC Highway Liaison Engineer (County Highway Authority)**

No objection subject to condition relating to the construction of the highway improvement works necessary to provide adequate turning and parking, prior to the occupation or utilisation of the units.

4.7 **Environment Agency**

No comment received.

4.8 **DCC Flood Risk Management Team**

No comment received.

4.9 **DCC Senior Landscape Officer**

No objection but notes that if the developer wishes to include planting, particularly if the planting is long term and fits in with future planning, this would be a benefit.

4.10 **DCC Arboricultural Manager**

No objection but notes that should any hedgerows be removed then this would need to be undertaken before bird nesting season starts (end of February).

4.11 **DCC Sustainable Travel Officer**

No comment received.

4.12 **DCC Natural Environment Team**

No objection subject to a condition requiring the implementation of a biodiversity mitigation and enhancement plan (BEMP).

4.13 **Wessex Water**

No comment received.

#### 4.14 **Other Representations**

A total of 29 third party representations have been received raising a range of concerns and objections to proposed development that have been summarised below:

- The suitability of residents' needs should be carefully considered to ensure that noise exposure levels from the nearby playground, playing fields, car parking, communal bin storage and footpaths do not conflict with and comprise their residential amenity.
- The proposed design and outlook are of poor quality and should meet the design standards for permanent design and build housing in the local area.
- The size of some units is well below the nationally described space standards and there is inadequate private amenity space.
- There would be no communal facilities for residents that would allow them to meet and interact to help prevent social isolation.
- The temporary nature of the housing would be unsettling and cause anxiety for vulnerable adults who often need continuity of care to feel secure.
- The proposed housing would not meet the complex needs of those adults with learning disabilities and could be detrimental to their health and wellbeing. The County Council is therefore in breach of its Public Sector Equalities Duty as people with a "protected characteristic" would be disadvantaged by being housed in sub-standard accommodation.
- Long-term development plans for design and build permanent housing on the site are currently being delayed and temporary, modular housing is being pursued instead.
- Lack of guarantee that the temporary three-year period would not be extended, and the existence of the modular housing used to delay permanent design and build housing on the site.
- The housing would not serve a local need but a County-wide need to provide housing to vulnerable adults with a learning disability and would therefore disadvantage local homeless families in need of temporary housing.
- Fear of future residents based on perceived child safeguarding issues and safety risk to all in the adjacent residential development.

### **5. Planning Policy Framework**

- 5.1 Applications for planning permissions must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the Purbeck Local Plan Part 1 adopted by Purbeck District Council in 2012 ("the local plan").
- 5.2 The term '*material considerations*' is wide ranging, but includes national, emerging and supplementary planning policy documents. Material to all applications is the revised National Planning Policy Framework, most recently updated in February 2019 ("the NPPF"), which sets out the Government's planning policies for England and the Government's online Planning Practice Guidance. The most relevant policies and provisions are listed below.

### 5.3 The Development Plan

*Purbeck Local Plan: Part 1 adopted by Purbeck District Council in 2012*

- Policy CEN: Central Purbeck
- Policy CF: Community Facilities and Services
- Policy D: Design
- Policy LD: General Location of Development
- Policy LHH: Landscape, Historic Environment and Heritage
- Policy HS: Housing Supply
- Policy BIO: Biodiversity and Geodiversity

### 5.4 Emerging development plan policy

*Purbeck Local Plan 2018 – 2034 Submission January 2019*

- Draft Policy I6: Wareham integrated health and social care
- Draft Policy E12: Design
- Draft Policy H10: Part M of the Building Regulations
- Draft Policy H1: Local housing requirement
- Draft Policy E10: Biodiversity and geodiversity

*Wareham Neighbourhood Plan Submission Draft 9 October 2018*

- Draft Policy GS2: Proposed Health Hub
- Draft Policy H1: Housing requirements
- Draft Policy LD1: Design of new development

5.5 Both the emerging Purbeck local plan and Wareham neighbourhood plan have been submitted for Examination. There are no unresolved material objections to the policies cited and are therefore considered to be the most-up-to-date policy position of Purbeck District Council and Wareham Town Council.

### 5.6 Relevant other material considerations

*National Planning Policy Framework*

- Achieving sustainable development – chapter 2.
- Decision-taking – Chapter 4.
- Delivering a sufficient supply of homes – Chapter 5
- Planning conditions and obligations – paragraphs 54-57.
- Promoting healthy and safe communities – Chapter 8.
- Making effective use of land – Chapter 11.
- Achieving well-designed places – Chapter 12.
- Conserving and enhancing the natural environment – Chapter 15.

*Equality Act 2010*

- Section 149 – the public-sector equality duty

*Dorset County Council's Building the Right Assets - an Adult Social Care Accommodation Needs Assessment 2018-2028.*



## 6. Planning Assessment

- 6.1 Having regard to the provisions of the development plan, the information submitted in support of the application, consultee responses and the representations received, the main planning considerations relate to:
- (i) The in-principle acceptability of housing vulnerable adults in temporary and modular accommodation at the site proposed.
  - (ii) The quality of amenity and its effect on future occupants.
  - (iii) The visual and ecological impact of the proposed housing and its effect on the receiving environment.

### Policy Context

*The in-principle acceptability of housing vulnerable adults in temporary and modular accommodation at the site proposed.*

- 6.2 Policies HS: *Housing supply* and LD: *General location of development* identify Wareham as one of the most sustainable locations in Purbeck to direct new development for housing. The local plan acknowledges that meeting the need for affordable housing provision is of high priority. The housing delivery target used in the local plan indicates that 2,500 new homes need to be developed, between 2006 and 2027, with much of those being located in Wareham (Policy H1).
- 6.3 Draft Policy H1: *Local housing requirement* of the emerging Purbeck Local Plan states that over the plan period of 2018 to 2034, at least 2,688 homes will be required to enable the District to meet its identified housing need, equivalent to 168 homes per year. This draft policy is referred to in the emerging Wareham Neighbourhood Plan (“the neighbourhood plan”) where it states that the level of growth over the next fifteen years (2018 – 2034) required to meet housing capacity for the neighbourhood plan area is approximately 300 new dwellings, which on average would be 20 each year (draft Policy H1: *Housing requirement*). Both emerging plans have been submitted for Examination and are therefore at an advanced stage in their preparation, so the policies contained within them can be afforded significant weight. Both plans recognise that there is a significant shortage of affordable housing in Purbeck to meet the needs of different groups, particularly those with specialist care requirements to live independently. There is no specific policy in the local plan or emerging local plan regarding the mix of dwellings, but the most recent Strategic Housing Market Assessment is used as evidence in the neighbourhood plan to support draft Policy H2: *Housing mix*. This draft policy acknowledges that there is an oversupply of larger housing in Wareham and that there should be a specific emphasis in developing more 1-2 bedroom dwellings that take account of mobility and care needs.
- 6.4 Whilst the local community recognises the need for more housing capacity, representations were received questioning the financial reasoning for investing in temporary housing and expressing concern that this would delay the permanent redevelopment of the site. It was further suggested that the principle of temporary housing should be allocated to “local families”, who are prioritised by the Local Housing Register as being most in need.

- 6.5 The applicant, as a social care provider for vulnerable adults, identified in its Adult Social Care Asset Strategy, which was published in 2018, an urgent need to provide short-medium term housing for their vulnerable adult clients that could not be met by general needs housing provision. This is due to the very limited supply of available housing stock, allocated through the Housing Register by the District, much of which is not appropriate for vulnerable adults with social care needs. The findings of this strategy accord with local plan policy which acknowledges not just a shortage of general housing but a shortage of specialist housing that is suitable to meet the needs of those who need care to live independently.
- 6.6 The applicant has undertaken an Options Assessment whereby a range of different housing provision models were compared to meet the identified housing need. This assessment included traditional design and build, purchase and refurbishment and modular housing. The conclusion of this assessment was that modular housing had significant benefits over build or purchase for specifically short-medium term need. First, modular housing could be on site within 3-6 months, whereas the other longer-term options could take between 9 and 36 months. Secondly it offers flexibility, whereas build or purchase could only be developed once the future occupant's identity were known. Thirdly, modular housing is considerably cheaper per unit than a house in multiple occupancy or single occupancy.
- 6.7 The applicant believes that vulnerable adults' opportunities for independence and quality of life are being significantly compromised, as is the opportunity for carers to access suitable respite. This is due to inappropriate housing which can prolong or lead to institutionalism and homelessness. Thus, the need for suitable housing for vulnerable adults is immediate. The applicant states that long term suitable housing would always be preferable but that it is not in sufficient supply. The applicant therefore needs this temporary solution to bridge the gap until permanent accommodation becomes available and/or to provide respite housing capacity.
- 6.8 The site is currently derelict and has remained unused since Wareham Middle School was demolished in 2013. Policy CEN: *Central Purbeck* of the local plan includes the site within an area that is allocated to provide the focus for service provision. Draft Policy I6: Wareham integrated health and social care of the emerging local plan more specifically identifies the site as being allocated for the relocation of the health care facilities on Streche Road, as well as providing an integrated health and social care hub ("the hub"), which would include "in care" housing (also known as: assisted living housing, sheltered housing or extra care housing – simply, housing with care). Draft Policy GS2: *Proposed Health Hub* of the emerging Wareham Neighbourhood Plan is in accordance Draft Policy I6.
- 6.9 The supporting text to this policy references the applicant's Care Asset Strategy as the basis for identifying the District's needs for adult social care housing. The text then goes on to state that much of the requirements for adult social care housing would be delivered as part the hub. The use of the site by the applicant for temporary modular housing, which can be moved when the hub is advanced further, is also clearly referenced.
- 6.10 The District Council has not objected to the proposal and its senior housing officer has expressed support for the provision of modular housing as a way of meeting the demand for short-medium term accommodation for vulnerable

adults. A planning condition is recommended limiting the development to three years, by when the units will have been relocated from site for the provision of permanent housing phase of the hub. The development of the hub would be in phases as funding becomes available.

- 6.11 The applicant has confirmed when the temporary housing is relocated, residents would move to permanent accommodation, either in the permanent housing developed on site or to other suitable permanent accommodation, prior to the temporary units being moved to another location.
- 6.12 The NPPF explicitly states the need for planning to support the Government's key objective of significantly increasing the supply of new housing. To deliver this, the NPPF places great importance on '*...a sufficient amount and variety of land being brought forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay*'.
- 6.13 The NPPF is unequivocal in the need for a significant increase in the provision of new homes that provide capacity for a wide range of housing needs. National planning policy therefore gives '*substantial weight*' for the development of suitable brownfield land for housing; '*great weight*' for the development of windfall sites, within existing settlements, for housing and an expectation that decision-makers support the development of underutilised land for housing, especially to meet housing needs where land supply is constrained.
- 6.14 Objection and concern has been made regarding the potential detrimental impact of housing that is only temporary on the health and wellbeing of vulnerable adults, whose complex needs often require continuity of care. One representation argued that DCC would be in breach of its "*Public Sector Equalities Duty*" as people with a "*protected characteristic*" would be disadvantaged by being housed in "*sub-standard accommodation*". This opinion about the standard of the proposed housing related not just to its temporary nature, but also to its location and design which will be addressed later in the report.
- 6.15 The applicant has confirmed that the vulnerable adults that would be offered temporary accommodation at the site would be:
- i. adults with a learning disability
  - ii. adults with a physical disability
  - iii. older adults over 65 years old with a mental health diagnosis and/or a physical disability.
- 6.16 All members of the community have protection from discrimination under the Equality Act ("The Act"), typically because of characteristics relating to age or sex. However, in this instance, the vulnerable adults who would be given the choice of housing at the site would be further protected from discrimination because of their mental or physical disability. DCC, in its capacity both as applicant and local planning authority, has a legal duty to ensure that the proposed housing has due regard to the following requirements of the Act:
- (a) *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*

- (b) *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
  - (c) *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*
- 6.17 The proposal is a social-care led initiative that is responding directly to the inequality of opportunity for vulnerable adults to live independently because of the lack of availability of suitable housing. Inappropriate housing or homelessness can increase harassment and victimisation of vulnerable adults, whilst also damaging good relations between them and other members of the community or their families.
- 6.18 The applicant has undertaken an Equalities Impact Assessment (EqIA) which has concluded that the proposal would have a “*positive*” impact on those vulnerable adults with the identified protected characteristics listed in paragraph 6.15.
- 6.19 The EqIA concluded that the proposal would promote independent living as it would benefit from being located in an existing settlement with 24-hour on-site care should it be needed. It would increase the additional accommodation and service provision available in Wareham, thus ensuring that vulnerable adults would be able to remain living and active in their local communities longer. The flexibility of modular housing is sufficient to provide medium term housing capacity (up to 3 years) or shorter respite opportunities to give carers a break. The EqIA is considered to be robust and can be used to inform the local planning authority to assess the impact of the proposal on the prospective resident vulnerable adults.
- 6.20 Although temporary, the proposal is intended to create a consistent and supportive environment for working age and older vulnerable adults as they age and/or whose support needs can change – this should mean that in the long-term they would have to move/relocate less, especially as the permanent plans for the site are developed.
- 6.21 The proposal is a social care led scheme and as such, the allocation of units would be dependent on a specialist panel assessment. The assessment would help ensure the suitability of future occupants to live independently, successfully and in this location. Any assessment of suitability would include, amongst a range of criteria, the safeguarding of children at the local nursery, schools and after-school clubs. It is not therefore considered that the proposal would be incompatible with the existing uses in the surrounding area.
- 6.22 Any assessment of suitability would also include the safeguarding of the vulnerable adult, who after being assessed and offered housing could choose not to accept the offer.

### *Conclusion*

- 6.23 The in-principle acceptability of developing temporary modular housing, at the proposed site, in Wareham to meet an urgent housing capacity need for vulnerable adults who need care, accords with local plan policies CEN, CF, D, LD and HS and draft policies I6, E12, H10, H1 and H2 of the emerging local plan and draft Policies GS2, H1 and H2 of the emerging neighbourhood plan. The proposal would create capacity within Purbeck, where there is an acute

shortage of suitable accommodation for vulnerable adults and thereby satisfy an identified immediate and mid-term housing need.

- 6.24 Nationally policy supports flexibility in local authorities responding to demand for land, the reuse of brownfield sites and the use of innovative approaches to the construction of sustainable housing, which includes modular housing. The proposal would unlock the use of site that has been derelict for a number of years until such time that it would be developed for permanent housing. This interim use is in accordance with site specific local and neighbourhood planning policy.
- 6.25 The applicant has had due regard to its public liabilities under the Equality Act and considers that providing short-medium term housing in modular units would not discriminate. Moreover, the EqIA has demonstrated that the proposal would have potential positive impacts on those vulnerable adults who were assessed as being suitable to live independently, as part of a supportive care package, in this location. The increase in short-medium term housing capacity would provide greater stability to those housed in unsuitable accommodation or homeless, thereby increasing equality of independence and choice in being able to remain in their local community. I am satisfied that equalities considerations have been appropriately addressed for the purposes of this planning application.
- 6.26 The location of the proposal is within the central settlement boundary of Wareham, with good access to local facilities and services. As a social care led scheme, only those assessed as suitable would be offered housing at the site and it is therefore considered that any future occupants would pose no greater risk to the local community than anyone else. Twenty-four hours on site support staff would further aid the settlement and integration of those future members of the local community.
- 6.27 Having regard to the above, the in-principle acceptability of the proposal is in accordance with the policies of the local development plan, emerging policies of the local and neighbour development plans and other relevant material considerations.

#### Environmental and amenity impacts and their effects

- 6.28 Policy D: *Design* of the local plan and Draft Policy E12: *Design* of the emerging local plan similarly require high quality and sustainable design, specifying the following criteria:
- a. positively integrates with their surroundings;
  - b. reflects the diverse but localised traditions of building materials found across the District;
  - c. limits the opportunities for crime and anti-social behaviour;
  - d. where appropriate supports and promotes sustainable modes of transportation;
  - e. avoids and mitigates any harmful impacts from overshadowing, overlooking, noise and any other adverse impacts including light pollution from artificial light on local amenity;
  - f. supports biodiversity through sensitive landscaping and in-built features;
  - g. minimises energy consumption, including where possible inclusion of renewable energy;

- h. supports the efficient use of land taking account of capacity in existing infrastructure and services, access to sustainable means of transport, the local area's prevailing character and the requirement to deliver high quality buildings and places; and
  - i. provides buildings which are accessible to all.
- 6.29 Whilst design is subjective, it is accepted that modular housing would use non-traditional construction methods and building materials that have not been used elsewhere in the surrounding area and does not therefore reflect localised traditions as specified in Policy D: *Design* of the local plan, Policy E12: *Design* (b) of the emerging local plan and draft policy LD1: *Design of new development* of the emerging neighbourhood plan. Nevertheless, this does not mean that the proposal is poor quality, incompatible or unsustainable.
- 6.30 The NPPF states that good design is a key aspect of sustainable development, creating better places to live and work and helping to make development acceptable to communities. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area, the way it functions, considering local design standards.
- 6.31 The site is currently derelict and does not positively contribute to the character of the surrounding area because of this. The proposal would unlock a temporary use of brownfield land for an urgent use, until the site is permanently developed as part of a wider masterplan. The units would be constructed off site in a specialist factory, where quality control is easier to monitor than on a traditional building site. This would ensure a standardised product that would meet environmental performance standards, based on excellent insulation, high-performance glazing, solar panels and responsibly sourced timber cladding.
- 6.32 The NPPF recognises that decision-makers need to be flexible in considering the changing demand for land and champions innovation in the delivery of new and good quality housing quickly. Government is currently providing funding through the Home Building Fund for the provision of modular housing throughout the country as one model for delivering affordable housing in areas of tight land supply and where demand is high.
- 6.33 Nationally recommended space standards for housing are generally used to provide consistency in the delivery of new dwellings. The national standard described for a one-bedroom dwelling is measured at 39 m<sup>2</sup> internal floor area and built-in storage. Such standards are for assessment purposes only when designing new homes and seeking planning approval if a local authority has adopted the space standard in its local plan. The emerging local plan considers that the application of national space standards for residential dwellings would be too prescriptive for a district with such varied townscapes as Purbeck. National and local planning policy therefore makes provision for considering housing that does not meet nationally recommended space standards.
- 6.34 Nevertheless, six of the proposed units would measure 50 m<sup>2</sup> which would meet and exceed this optional standard. The remaining one-bedroom units would measure 25m<sup>2</sup>, but this is still significantly bigger than the minimum bedsit size standards for Dorset – which is 13m<sup>2</sup> if it includes the kitchen. The

proposal is supported by PDC's senior housing officer who acknowledges the urgent need and significant demand for suitable housing for vulnerable adults.

- 6.35 The site is not considered to be remote as it is located within the existing settlement boundary of 'Central Purbeck' and in proximity to the town centre. Moreover, it is also close to health and leisure services and has good public transport links, which are all essential to ensuring that vulnerable adults are given equality of opportunity to integrate into their local communities.
- 6.36 Although the housing would be enclosed by an appropriate sized wooden boundary fence, to provide privacy and decrease opportunities for nuisance from anti-social behaviour, this would not be of an unusual design or an uncommon feature in a residential area. It is intended that the fence would be "slated" to allow sunlight through and views of the surrounding greenspace. A planning condition has been recommended requiring the submission and approval of details of the design of the proposed fence, prior to the dwellings being occupied.
- 6.37 In discussing the provision of internal and external shared amenity space with the applicant, the proposal has been amended to increase the provision of external shared amenity space. Six of the units would also benefit from having their own individual gardens. DCC's landscape officer has raised no objection to the visual impact from the proposal but has noted that the benefits of the additional landscaping proposed. A condition has been recommended requiring the submission and approval of a detailed landscaping scheme that would secure this increase in amenity space, promoting health and wellbeing and to integrate the proposal into the surrounding landscape.
- 6.38 In response to the lack of shared internal amenity space, the applicant has advised that the design of housing for vulnerable adults is currently moving away from shared living space as feedback from stakeholders has established that these spaces are often underused and not popular with residents.
- 6.39 To ensure the provision of homes are capable of meeting the needs of residents, both now and in the future, Draft Policy H10: *Part M of the Building Regulations* of the emerging local plan stipulates that 10% of all new homes, on proposed sites with over 10 units or 0.5 ha in size, must meet the Building Regulation requirement M4(2): 'Category 2 - accessible and adaptable homes'. Six of the proposed 18 units would be fully accessible to all users, including those in wheelchairs, from the ground floor and would therefore meet this policy requirement. The proposal contains provision within the site for fully accessible footpaths and dropped kerbs at house access points for those with reduced mobility. Car parking spaces would be provided at a level below the one space per unit ratio, specified in the emerging local plan because future residents are generally not expected to drive. Car parking spaces are provided therefore predominately for visiting family, friends and support staff.
- 6.40 Although modular housing does not use traditional construction methods or building materials, which does not accord with a criteria of local design policy, the other material considerations discussed are sufficient to outweigh this minor departure.

*The impact on protected species and effect on biodiversity and landscape*

- 6.41 Policy BIO: *Biodiversity and geodiversity* of the local plan and draft policy E10: *Biodiversity and geodiversity* of the emerging local plan aim to protect, maintain and enhance the condition of all types of nature conservation sites, habitats and species within their ecological networks and sets out criteria that should be addressed when development is proposed. This accords with the requirements of Chapter 15 of the NPPF to conserve and enhance the natural environment.
- 6.42 The application has been supported by an Arboriculture Impact Assessment and a Habitat and Protected Species Assessment, which has informed a Biodiversity Mitigation and Enhancement Plan (BEMP).
- 6.43 The proposal would not involve the removal of any existing tree or hedgerow, but the Arboriculture Impact Assessment did require the proposal to be modified to move the proposal further to the east. The reason for this was to provide suitable protection for the roots of protected trees that form part of the south-west boundary.
- 6.44 The timing of the application does not allow for a targeted reptile survey, therefore the BEMP identifies a series of precautionary mitigation measures in the form of Reasonable Avoidance Measures to protect potential reptile habitat identified within the boundary of the site. Natural England, although providing no comment, has agreed with the findings and recommendations of the BEMP. The BEMP requires that a targeted reptile survey be undertaken within the optimum periods during the year following the construction of the proposal. A planning condition has been recommended requiring that the requirements of the BEMP are fully implemented. The proposal accords with national and local planning policy.

*The impact of noise and the effect on residential amenity*

- 6.45 Policy D: *Design* of the local plan and draft policy D10: *Design* of the emerging local plan requires that new development avoids and mitigates any harmful impacts from noise to residential amenity. This accords with the principles of the NPPF which aims to develop places with a high-standard of amenity.
- 6.46 There is concern that the local nursery and school could be a source of noise nuisance. It is difficult to predict if future occupants would find the noise from the school a nuisance; the sound of children playing is not always considered to be problematic. Conversely, some people may find the audible presence of children makes them feel less isolated and part of the local community. The site is allocated in the emerging local plan for a mixed use which would develop housing for vulnerable adults permanently in this location. However, in discussing this issue of noise further with the applicant it was stressed that those vulnerable adults who were assessed as potential suitable residents would be asked about how they felt living in proximity to a school and nursery. It should also be noted that any increase in noise exposure levels would be restricted to set playtimes and would not occur during evenings or weekends; those who were assessed as having a low tolerance for noise would not be considered suitable for housing at the site. The proposed wooden fence around the site and existing landscaping would provide some noise attenuation benefits. It is not therefore considered that there would be an



adverse effect to residential amenity caused by noise from for the nursery or school. The standard of residential amenity would accord with national and local planning policy.

### Conclusion

- 6.47 The proposal is a social-care led scheme to provide housing capacity to meet an immediate need for suitable, short-medium accommodation for vulnerable adults that is not being met by the available housing. The under provision and need for suitable and affordable housing to meet capacity for different groups within the community, particularly those who require care to maintain their independence is a priority of local and emerging local and neighbourhood planning policy (Policy HS: Housing Supply of the local plan, draft policies H10: *Part M of the Building Regulations* and H1: *Local housing requirement* of the emerging local plan and draft policy H1: *Housing requirements* of the emerging neighbourhood plan). The applicant has assessed modular housing and the use of a derelict DCC owned site as a cost-effective and efficient way in which to provide suitable housing quickly to meet this need.
- 6.48 The site is allocated in the emerging local plan for future redevelopment as an integrated health and social care hub, and this hub would include permanent masonry-built housing for vulnerable adults (Policies CEN: Central Purbeck of the local plan, draft policy I6: *Wareham integrated health and social care* of the emerging local plan and draft policy GS2: *Protected health hub* of the emerging neighbourhood plan). The supporting text to Policy I6 references the interim use of part of the site by the applicant for modular housing.
- 6.49 The use of modular construction methods would enable housing capacity to be flexibly relocated, once permanent housing is provided. Purbeck District Council and local and neighbourhood planning policy are supportive of unlocking a temporary use of brownfield land for an urgent use, until of the site is permanently developed as part of a wider masterplan (Policy CEN, draft policy I6 and draft policy GS2). The NPPF recognises that decision-makers need to be flexible in considering the changing demand for land and champions innovation in the delivery of new and good quality housing quickly.
- 6.50 There has been a small but notable amount of public objection to the scheme broadly relating to the suitability of the proposal for vulnerable adults and the quality of the design. However, from my planning assessment of the application I am satisfied that these concerns have been properly considered as part of the planning application and that there is a clear and demonstrable benefit arising from the provision of these units.
- 6.51 DCC has had due regard to its public liabilities under the Equality Act and an EqIA undertaken has demonstrated that the proposal would have potential positive impacts on those vulnerable adults who were assessed as being suitable to live independently, as part of a supportive care package, in this location. The increase in short-medium term housing capacity would provide greater stability to those housed in unsuitable accommodation or homeless, thereby increasing equality of independence and choice in being able to remain in their local community.
- 6.52 The proposed site has been derelict since 2013, after Wareham Middle School was demolished and so has not contributed positively to the surrounding character of the local area for a number of years. It is accepted

that the aesthetics of modular housing are not traditional to the construction methods and building materials that have been used in the surrounding area. Emerging local and neighbourhood plan design policy specifies a need for development to reflect local building styles. Nevertheless, the proposal is of a good design and the size, appearance and layout of the proposed housing would not harm the character and value of any surrounding landscapes or settlements and does meet acceptable environmental performance standards. It would be unreasonable to expect a proposal for temporary housing to meet the same design standards as a permanent build in these circumstances or to refuse the proposal when it accords with all other local plan policy design criteria.

- 6.53 The immediate and compelling need for temporary accommodation, specifically to meet the needs of vulnerable adults in the community, who need care to live independently and the lack of reasonable alternative options are material considerations of significant weight, which would justify making an exception to a single criterion of Policy D: *Design* of the local plan, criterion (b) of draft policy LD1: *Design* of the emerging local plan and draft policy E12: *Design of new development* of the emerging neighbourhood plan .
- 6.54 The proposal has not been objected to by any statutory consultee and notwithstanding the individual representations of objection received, the proposal does represent sustainable development that would have a positive impact on the equality of future residents, and conditional planning permission is therefore recommended.

## **7. Human Rights Implications**

- 7.1 The provisions of the Human Rights Act and principles contained in the Convention of Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols of particular relevance are:
- (i) Article 8 - Right to respect for private and family life; and
  - (ii) The First Protocol, Article 1 - Protection of Property.
- 7.2 Having considered the impact of the development, as set out in the assessment above as well as the rights intended residents of the housing and the general interest, the opinion is that any effect on human rights does not outweigh the granting of the permission in accordance with adopted and prescribed planning principles.

## **8. Recommendation**

- 8.1 Grant planning permission subject to the conditions set out in paragraph 8.2 below.

### **8.2 SCHEDULE OF CONDITIONS**

1. Time limit - Commencement of Development

The development permitted by this consent shall commence before the expiration of 3 years from the date of this permission.

Reason In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

## 2. Duration of the development permitted

The development hereby approved shall cease and the site shall be cleared of all buildings and structures on or before 31 December 2022.

### Reason

To enable the site to be developed for a permanent use having regard to: Policies CEN: Central Purbeck, CF: Community Facilities and Services, D: Design, LD: General location of development, LHH: Landscape, Historic Environment and Heritage and HS: Housing supply of the Purbeck Local Plan: Part 1 (adopted in 2012) and Draft Policies I6: Wareham integrated health and social care, E12: Design, H10: Part M of the Building Regulations, H1: Local housing requirement and H2: Housing mix of the emerging Purbeck Local Plan 2018 – 2034 (submitted for Examination in January 2019) and Draft Policies GS2: Proposed Health Hub, H1: Housing requirements and H2: Housing Mix of the emerging Wareham Neighbourhood Plan Submission Draft 9 October 2018 (submitted for Examination in January 2019).

## 3. Development in Accordance with Approved Plans

Unless otherwise required by the conditions of this permission or approved in writing by the local planning authority, the development hereby permitted shall be carried out in strict accordance with the approved plans and drawings comprising:

- Drawing No. 2056-ESS-C3-XX-SI-SR-A-703 Stage C3, titled: Proposed site plan, date: November 2018 (received 06/03/19).
- Drawing No. 2056-ESS-XX-ZZ-DR-W-300 Rev: P6, titled: Elevations.
- Drawing No. 2056-ESS-XX-00-DR-W-100 Rev: P6, titled: Ground floor, dated: 11/7/18.
- Drawing No. 2056-ESS-XX-00-DR-W-101 Rev: P6, titled: First floor plan, dated: 11/7/18
- Drawing No. 2056-ESS-XX-00-DR-W-101 Rev: P5, titled: Elevations, dated: 11/7/18
- Drawing No. 2056-ESS-XX-00-DR-W-310 Rev: P5, titled: Elevations, dated: 11/7/18
- Drawing No. 2056-ESS-XX-00-DR-W-110 Rev: P5, titled: Ground floor plan, dated: 11/7/18
- Drawing No. 107-18-0-800: Rev G, titled: Drainage layout, no date.

and in accordance with the details set out in Biodiversity Enhancement and Mitigation Plan, prepared by Dorset County Council's Natural Environment Team, dated 4 March 2019; Design and Access Statement, prepared by: Extraspace Solutions, dated: 16 January 2019. Dorset County Council Arboricultural Method Statement, no date submitted in support of the application.

#### Reason

For the avoidance of doubt and to control the approved development in the interests of amenity, the environment and the permanent development of the site having regard to Policies CEN, CF, D, LD, LHH and HS of the Purbeck Local Plan: Part 1 (adopted in 2012) and Draft Policies I6, E12, H10, H1 and H2 of the emerging Purbeck Local Plan 2018 – 2034 (submitted for Examination in January 2019) and Draft Policies GS2, H1 and H2 of the emerging Wareham Neighbourhood Plan Submission Draft 9 October 2018 (submitted for Examination in January 2019).

#### 4. Notification of Implementation

The applicant shall notify the Local Planning Authority in writing within one month of the implementation of this planning permission.

#### Reason

To assist the local planning authority in monitoring the approved development having regard to Policies CEN, CF, D, LD, LHH and HS of the Purbeck Local Plan: Part 1 (adopted in 2012) and Draft Policies I6, E12, H10, H1 and H2 of the emerging Purbeck Local Plan 2018 – 2034 (submitted for Examination in January 2019) and Draft Policies GS2, H1 and H2 of the emerging Wareham Neighbourhood Plan Submission Draft 9 October 2018 (submitted for Examination in January 2019).

#### 5. Landscaping scheme

Prior to the temporary buildings approved being utilised or occupied, a scheme of landscape proposals shall be submitted to and approved in writing by the Local Planning Authority, which shall include full plans and specifications for all hard and soft landscape works, including boundary treatment features and all existing trees and hedgerows on the land, with measures for their continued protection during the course of the development. All planting, seeding and/or turfing comprised in the approved details of landscaping shall be carried out as soon as is possible or in the first planting and seeding seasons (whichever is suitable) following the occupation of the temporary building(s), and any trees, shrubs, hedges or plants which die, are removed, or become seriously damaged or diseased shall be replaced as soon as is possible or in the next planting season (whichever is suitable) with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping comprised in the approved details of landscaping shall be carried out before the completion or first occupation of the development, whichever is the sooner. Hard landscaping should include provision for residents to meet, sit and socialise.

All approved schemes and details shall be implemented in full.

#### Reason

To enhance the health and wellbeing of residents and visually integrate the development into the surrounding area having regard to Policies CEN, CF, D, LD, LHH and HS of the Purbeck Local Plan: Part 1 (adopted in 2012) and Draft Policies I6, E12, H10, H1 and H2 of the emerging Purbeck Local Plan 2018 – 2034 (submitted for Examination in January 2019) and Draft Policies

GS2, H1 and H2 of the emerging Wareham Neighbourhood Plan Submission Draft 9 October 2018 (submitted for Examination in January 2019).

6. Parking and highway layout

Prior to the utilisation or occupation of the approved temporary housing, the revised and approved car parking will have been fully constructed. Thereafter, all parking areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason

For the avoidance of doubt and to ensure highway and pedestrian safety having regard to Policies CEN, CF, D, LD, LHH and HS of the Purbeck Local Plan: Part 1 (adopted in 2012) and Draft Policies I6, E12, H10, H1 and H2 of the emerging Purbeck Local Plan 2018 – 2034 (submitted for Examination in January 2019) and Draft Policies GS2, H1 and H2 of the emerging Wareham Neighbourhood Plan Submission Draft 9 October 2018 (submitted for Examination in January 2019).