

<b>APPLICATION PROPOSAL</b>	Change of use of redundant family centre (D1) into children's residential care facility and office space (mixed C3/D1)		
<b>ADDRESS</b>	Hayeswood County First School, Cutlers Place, Colehill, Wimborne, Dorset, BH21 2HN		
<b>RECOMMENDATION</b>	– Grant, subject to condition (see Section 9 of the report for the full recommendation)		
<b>REASON FOR REFERRAL TO COMMITTEE</b>	Application made by Dorset Council		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b>	<ul style="list-style-type: none"> <li>• The principle of this use is acceptable within an urban area.</li> <li>• The proposal is not considered to harm the amenity of occupants of adjacent dwellings or school.</li> <li>• The proposal would not have an adverse impact on road safety</li> <li>• Access and on-site parking provision is acceptable</li> <li>• There are no other material considerations which would warrant refusal of this application.</li> </ul>		
<b>INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL</b>			
<u>The following are considered to be material to the application:</u>			
Contributions to be secured through CIL: £0 rated (conversion of existing floor space)			
<b>APPLICANT</b>	Dorset Council	<b>AGENT</b>	Dorset Council
<b>WARD</b>	Colehill East	<b>PARISH/ TOWN COUNCIL</b>	Colehill
<b>PUBLICITY EXPIRY DATE</b>	13 <sup>th</sup> November 2020	<b>OFFICER SITE VISIT DATE</b>	November 2020
<b>DECISION DUE DATE</b>	7 <sup>th</sup> December 2020	<b>EXT. OF TIME</b>	N/A

<b>RELEVANT PLANNING HISTORY</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
3/04/1711/CPO	Conversion of the redundant caretaker's bungalow into family support unit for social services department. Change of use from Class C3 to D1.	Approved	10/02/2005
3/09/0949/CPO	Rear extension (to provide additional office space) to Children's Centre	Approved	12/10/2009

## **MAIN REPORT**

### **1.0 DESCRIPTION OF SITE AND SURROUNDINGS**

- 1.01 The application site measures 0.12ha in size and is occupied by a detached bungalow with enclosed garden area and a separate parking area (site also known as 10 Cutlers Place).
- 1.02 The 'Family Centre' building, is located between the main building of Hayeswood County First School and No 88 Middlehill Road. Access to the site is from the main school entrance on Cutlers Place.
- 1.03 The application site is located within the main urban area of Colehill. There is an area Tree Preservation Order (TPO) which covers the entire front section of the school site and includes the site access, and another smaller TPO which sits just off-site to the rear and abuts the north - western most part of the application site.
- 1.04 The site is elevated above the main school building and has an enclosed garden. It contains no significant features apart from a number of mature trees which are located on the peripheries of the site and within adjacent properties.
- 1.05 The character of the area is residential, composed of low ridge bungalows and chalets. Land levels gently fall from east to west, with the dwellings on the eastern side of Cutlers Place set lower than the road and those on the western side are slightly elevated.

### **2.0 PROPOSAL**

- 2.01 This is a full planning application for:

*'Change of use of a redundant family centre into children's residential care facility and office space'*

- 2.02 This planning application proposes the change of use of the premises from a D1 (Non-residential institution) use, to a mixed use comprising residential C3(b) (up to 6 people living together as a single household and receiving care) with some D1 (office space) retained.
- 2.03 The residential element is intended to provide permanent care for looked after children. The bungalow would be occupied by one child at a time, for a period determined by their care plan but may vary from several months to a period of two to three years, possibly more. One bedroom would be used for the child and the other for the sleeping member of staff.
- 2.04 The proposed floor plan shows that an existing office area to the east of the bungalow will be retained with the other two offices becoming bedrooms. The office space will be set up flexibly to provide occasional staff sleeping

accommodation but its primary use is as a staff office. The existing bathroom, kitchen, lounge and storage areas are shown to be retained.

- 2.05 There are no external changes to the bungalow, the existing access, or parking as part of the application.
- 2.06 There is a team of 9 staff who would be working from the bungalow, with two or three members of staff usually present at any one time and working on shifts which run from 11am until 11.30am the next day. There would be a fortnightly meeting held here in which most of the team would be expected to be attend. Shift start/finish times and meeting would be organised to avoid clashing with the school start and finish times.
- 2.07 The office space would be retained in order for the staff on shift to have a useable office space and provide the option to use the bungalow as an outreach centre in the future. This would involve two or three members of the existing team with occasional visits from parents, friends and social workers during normal office hours and only when the bungalow is not occupied residentially.

### 3.0 SUMMARY OF INFORMATION

	Existing	Proposed
<b>Use</b>	D1	Mixed C3/D1 *
<b>No of offices</b>	4	1
<b>No of bedrooms</b>	0	2/3
<b>Parking Spaces</b>	4	4

\*[Officer note: The Town and Country Use Classes Order was amended in September this year (D1 Non-residential institutions now fall under use classes E (e-f) and F1). The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 stipulate that for any applications submitted prior to 1<sup>st</sup> September 2020, the Use Classes in effect when the application was submitted should be used to determine the application]. This application was submitted (in April 2020) prior to the Use Class amendment and will therefore refer to D1 use.

### 4.0 RELEVANT PLANNING CONSTRAINTS

- Main Urban Area – Wimborne and Colehill
- Open Space/Recreation- Hayeswood County First School
- Tree Preservation Orders adjacent to the site - TPO Ref: CO/15 and CO/52 Group Refs A1, A3 and G3
- Heathland 5km Consultation Area

## **5.0 POLICY AND OTHER CONSIDERATIONS**

### **5.01 Development Plan:**

#### **Christchurch and East Dorset Core Strategy (Part 1) 2014 (CS)**

The following policies are of relevance in this case:

Policy HE2 - Design of New Development  
Policy KS12 - Parking Provision  
Policy ME2 - Protection of the Dorset Heathland

### **5.02 Supplementary Planning Guidance**

Dorset Heathlands Planning Framework SPD 2020-2025

### **5.03 Government Guidance**

The National Planning Policy Framework (NPPF) 2019  
National Planning Policy Guidance (NPPG)

## **6.0 LOCAL REPRESENTATIONS**

6.01 In addition to letters to neighbouring properties, a site notice was posted outside the site on the 20 October 2020 with an expiry date for consultation 24 days after from the date of the notice.

6.02 No letters of representation have been received regarding the proposed change of use.

## **7.0 CONSULTATIONS**

The following responses were received from consultees in relation to the initially submitted and revised design.

7.01 DC Highways (Comments received 06/11/2020)

No objection

7.02 Colehill Parish Council (comments received 10/11/2020)

Support the application

7.03 Trees and Landscaping (comments received 06/11/2020)

No objection

7.04 Natural England (comments requested by 06/11/2020)

No comments received by consultation date

## 8.0 APPRAISAL

8.01 The main planning considerations for this application are:

- The principle of development
- Impact on the character of the area
- Impact on the amenity of neighbouring properties
- Impact on protected trees
- Impact on highways and parking
- Impact on Dorset heathlands

8.02 These points and other material considerations are discussed under the headings below.

### Principle of development

8.03 The guidance contained in the National Planning Policy Framework (NPPF) and the National Planning Policy Guidance is material considerations in the determination of this application.

8.04 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area; except, where material considerations indicate otherwise.

8.05 The site is situated within the main urban area of Colehill as identified in CS Policy KS2. This policy sets out the district's settlement hierarchy stating that the location, scale and distribution of development should conform to the settlement hierarchy.

8.06 The proposed change of use of the bungalow to a mixed use, introducing C3 residential use and retaining the existing D1 non-residential institutional use, is considered acceptable in principle within the urban area, subject to compliance with other policies and considerations as discussed below.

### Impact on the Character of the Area

8.07 The proposed change of use is not anticipated to have a significant impact on the character of the area as no external changes are required. The site is not clearly visible from the road, and no alterations to the existing access or parking arrangement are proposed.

8.08 The character of the area adjacent to the school is exclusively residential, and the bungalow itself is of residential appearance and there will be no alterations to the exterior of the building. For these reasons the change of use to a mixed

use incorporating C3 residential use is not considered to be detrimental to the existing character and appearance of the area.

- 8.09 Taking the above matters into account, it is considered that the proposal would not have a detrimental impact upon the character of the area and would accord with policies HE2 of the CS.

#### Impact on Amenity

- 8.10 As previously mentioned, the area surrounding the school is residential. The proposal seeks reintroduce an element of residential use at the bungalow alongside the retained office use.
- 8.11 The nearest neighbour is No 88 Middlehill Road, located approx. 10.5m to the north, with an intervening boundary fence. This distance between the properties remains unaltered. The separation distance is unchanged, is considered appropriate within the urban area and not unusual in the context.
- 8.12 The proposal includes the change of use of two existing offices to two bedrooms, which will facilitate the occupation of the building by one child with two (occasionally three) members of staff acting as their carer at any one time.
- 8.13 The staff shift pattern is 11.00am until 11.30am the following day, which means the significant number of vehicle movements and any noise associated with the coming and going of staff will not occur during unsociable hours, and is not significantly different from the previous use as a family centre where a potentially larger number of visitors would be coming and going throughout the day.
- 8.14 The occupation of the bungalow by a maximum of four people is not considered unreasonable or substantially different from the potential ordinary residential occupation of a C3a) dwelling house.
- 8.15 The previous D1 family centre use would have limited the use of the garden area to operational hours but potentially the use could have been more intensive. The proposed residential use would not be limited to office hours but would be compatible with the surrounding land uses which are either related to the school or to existing residential properties. It is therefore not anticipated that the change of use, based on this existing physical relationship, will result in demonstrable harm to the neighbour's amenity in terms of noise and disturbance.
- 8.16 The bungalow would only be used as an outreach centre in the future if residential occupancy was not required and it is envisaged that this would involve two or three members of the existing team with occasional visits from parents, friends and social workers during normal office hours. This is not

considered to result in a substantial change in impact on amenity from the previous use or proposed C3 element and would limit disturbance to operational hours.

- 8.17 There is not considered to be any harm to privacy or changes in overlooking due to the change of use as there are no physical changes to the bungalow proposed.
- 8.18 Taking the above factors into account, any impact on neighbouring amenity as a result of the change of use, will be minimal, given the residential setting and would not warrant refusal. The proposed is therefore considered to accord with policy HE2 of the CS.

#### Impact on Protected Trees

- 8.19 The Tree Officer has no concerns regarding the proposed change of use in relation to the impact on the nearby trees which are protected by TPOs. The proposal is therefore considered acceptable in terms of the impact on protected tree and accords with policy HE2 of the CS.

#### Highway Safety and Parking

- 8.20 The site has four existing car parking spaces (including one disabled space) and no change is proposed.
- 8.21 The maximum residential occupation proposed is one child and three members of staff, and so the on-site car parking is adequate for these purposes.
- 8.22 The application site currently operates as an outreach centre with four parking spaces. The proposed residential use of the property as a three-bedroom house would reduce the D1 element of the use to the equivalent of office accommodation used by the staff during their shifts and for meetings. Four car parking spaces exceeds the Council's parking guideline for a three-bedroom house which might similarly anticipate visitors. The parking provision is considered to provide appropriately for the dwelling and retained non-residential institutional use. Where additional parking is required by visitors, or during the fortnightly team meetings, there are opportunities on nearby streets. During periods where the C3 residential use is not required and so the D1 use predominates, then the impacts of the use would be anticipated to be as existing. No objections from neighbours have been received in relation to the existing parking arrangement. As the outreach centre currently operates with four parking spaces a requirement for more would not be reasonable.
- 8.23 The Highways Officer has raised no objection to the proposal. With sufficient parking for the proposed use and no highway safety considerations, the

proposal is considered to be in accordance with policies KS11 and KS12 of the core strategy.

#### Proximity to SSSI Heathland

- 8.25 The site is situated approximately 3km from the Slop Bog SSSI and Ferndown Common SSSI and approx. 4km from the Corfe and Barrow Hills SSSI.
- 8.26 The proposal for a net increase in 1 residential unit, in combination with other plans and projects and in the absence of avoidance and mitigation measures, is likely to have a significant effect on the site.
- 8.27 It has therefore been necessary for the Council, as the appropriate authority, to undertake an appropriate assessment of the implications for the protected site, in view of the site's conservation objectives.
- 8.28 The appropriate assessment (separate to this document) has concluded that the mitigation measures set out in the Dorset Heathlands 2020-2025 SPD (January 2020) can prevent adverse impacts on the integrity of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM). In relation to this development the Council will fund HIP and SAMM provisions via the Community Infrastructure Levy (CIL) from all development where there is a net increase in dwellings. The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries.
- 8.29 The Council, as the appropriate assessor, is satisfied that the mitigation set out in the SPD will be secured so that the development will not result in harm to the integrity of protected habitat sites.
- 8.30 The proposal is therefore considered to be in accordance with policy ME2 of the Local Plan.

## **9.0 HUMAN RIGHTS**

9.01 Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

9.02 This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.



## **10.0 PUBLIC SECTOR EQUALITIES DUTY**

10.1 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

10.2 Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

## **11.0 CLIMATE IMPLICATIONS**

11.1 The proposal will help to continue the use of the bungalow as a viable facility to serve vulnerable children and families in the local community. The proposal is not considered to have a significant impact on climate change.

## **12.0 HEALTH AND WELLBEING**

12.1 In accordance with the Council’s responsibility for promoting health and wellbeing and the reduction of health inequalities across the county, the potential impact of the proposal on general health and wellbeing has been considered.

12.2 The application site is surrounded by dwellings and a first school. The amenity of occupiers of the proposed dwelling and neighbours and any third party representations have been taken into account as part of the planning appraisal which has found that the development is acceptable in planning terms subject to conditions. In considering this application regard has been given to the future wellbeing and health of the local population within the scope of the material planning considerations applicable to this application and the realms of planning legislation.

## **13.0 CONCLUSION**

13.01 Taking all of the above matters into account, officers consider that the proposal will not have a harmful impact, all material planning considerations have been addressed and the proposal is fully supported.

13.02 The application is therefore recommended for approval.

**Recommendation: Grant subject to the following conditions-**

**Conditions/Reasons:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

P01-C - Location and Block Plan  
Existing Floor Plan  
Proposed Floor Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

**Background Documents:**

Case Officer: Katie Lomax

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website below:

<https://eastplanning.dorsetcouncil.gov.uk/plandisp.aspx?recno=114040>

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.