

Officer Report

Application Number:	P/FUL/2022/03360		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Former Priory Hospital, Fairfield Bungalows, Blandford Forum, Dorset, DT11 7HX		
Proposal:	Convert former special needs residential care home into 16 No. flats and carry out associated external alterations, including construction of terraces and balconies. Erect cycle store.		
Applicant name:	Culverdene Properties Ltd. & Crestland Homes Ltd.		
Case Officer:	R Temple		
Ward Member(s):	Cllr Lacey-Clarke & Cllr Byron Quayle		
Publicity expiry date:	23 August 2022	Officer site visit date:	21/06/2022
Decision due date:	14 September 2022	Ext(s) of time:	15/05/2023

1.0 The application is being heard at planning committee as it was sent through the scheme of delegation after an objection from a ward Councillor was retained against officer recommendation.

2.0 Summary of recommendation:

Grant permission subject to conditions.

3.0 Reason for the recommendation:

- Lack of five-year land supply in the former North Dorset District area which is also failing to meet its Housing Delivery Test
- The National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The location is considered to be sustainable, and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.
- Viability report submission held to be sound thus the development will provide no affordable housing or planning contributions as this would render it

Officer Report

unviable. The cost of retrofitting a secure residential institution of this type to C3 use to building regulation compliance is significant.

- Sustainability benefits as development is in a highly sustainable location, re-use & adapting the site for to residential in favour of demolishing the structures & re-building, includes carbon emissions savings, electric vehicle charging points and on-site bicycle storage to encourage sustainable transport by residents and visitors.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Within the settlement boundary so acceptable in principle.
Scale, design, impact on character and appearance	Very few changes externally to building so limited impact.
Impact on amenity	No change to windows facing residential properties. No change in scale so no additional impact in terms of overbearing impact, overshadowing or visual intrusion.
Economic benefits and viability	Job creation during construction, custom to local shops and facilities. Council tax income and new homes bonus. The cost of retrofitting a secure residential institution of this type to C3 use to building regulation compliance is significant. Rendering even a 100% free market residential development of 16 dwellings unviable.
Access and Parking	16 spaces and 2 disabled spaces is considered acceptable for the 16 units with cycle storage also provided. Considered to be enough parking for the development and the existing access is held to be safe. No Highways Officer objection.
Impact on Trees	The location of the cycle store has been moved to protect the root protection zone of the nearest mature tree. An acceptable tree protection and arboricultural report has been submitted and its requirements will be conditioned.
Impact on public rights of way	The development will not increase the size of the building. Thus, will have no physical impact on the public right of way to the rear of the site. Although there will be additional use of the footway by future residents.

Officer Report

5.0 Description of Site

The site contains a large two-storey building with shared garden to rear (east) which back onto a public right of way. Parking is to the east of the site which includes 16 spaces plus 2 disabled spaces.

The site slopes from east to west and there are trees to the front of the building on the open green space.

The site is within an established residential area characterised mainly by houses and a day centre building; a right of way runs to the rear of the application site.

6.0 Description of Development

Conversion of a former special needs care home to 16 apartments (11 two bed and 5 one bed) with the installation of balconies to the rear. Shared garden to rear and open greenspace to front with cycle parking building to south side and waste storage building to front. 18 parking spaces to front including 2 disabled bays.

7.0 Relevant Planning History

2/2010/0586/PLNG Two storey 16 bed residential care home for people with complex needs. Granted 03/08/2010

2/2018/0153/FUL Install 3-metre-high metal security fencing with access gate. Granted 27/04/2018.

8.0 List of Constraints

Blandford St Mary and Bryanston Conservation Area

North Dorset Local Plan Part 1 (2011-2031); Adopted; Inside the Settlement Boundary; Policy 2 and 16;

Neighbourhood Plan - Made; Name: Blandford + NP; Status Adopted 22/06/2021;

Risk of Surface Water Flooding Extent 1 in 100

Risk of Surface Water Flooding Extent 1 in 1000

Areas Susceptible to Groundwater Flooding; Clearwater; $\geq 50\%$ $<75\%$;

Areas Susceptible to Groundwater Flooding; Clearwater; $< 25\%$;

Dorset Council Land (Freehold): Land remaining from sale of Phoenix House, Churchill Road, Blandford Forum

Site of Special Scientific Interest (SSSI) impact risk zone;

Officer Report

Within the Blandford St Mary and Bryanston Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Right of Way located to the rear (east) of the site “Old Railway Walk”

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

1. Blandford Forum Town Council- objects to the application due to the lack of both affordable housing and parking allocated to the site, with concerns over the safety of that junction when entering the site with the increase in trips that the development will result in.

Upon re-consultation on 24/04/2023 the Council withdrew their objections but added an additional objection with the following:

“...object to the change of use of 16 self-contained flats (to be sold at market value) to re-enablement units as it raises questions of the possibility of increased transport in the area and the loss of section 106 money which is urgently needed to support other infrastructure facilities in Blandford.”

A further and final comment from the Town Council stated their support for the application following considerations of the amendments and additional submission from the applicant.

2. Cllr. Quayle (Ward Councillor)- objects to the application due to the lack of both affordable housing and parking for this site. Concerns over the safety with the expected number of vehicles expected to use this access at the junction.

Objection on highways safety grounds maintained at scheme of delegation consultation stage.

3. Blandford Civic Society- Good to see a potential new use for this particular white elephant, which has had a succession of uses since it was built for Dorset County Council, but when it was in use by the Priory Hospital with few patients but many staff, there were considerable issues over neighbour amenity – overlooking from windows, noise from the car park, shortage of parking spaces and highway safety of the access road junction with Heddington Drive. The lack of objection from the highway authority is noted, but can we be assured that as 16 individually occupied flats with 27 bedrooms there will not be similar problems exacerbated by the addition of balconies at the rear. Will the 20 bicycles have direct access to the Trailway to avoid having to share the narrow access road along with the inevitable

Officer Report

car users, and will only 18 parking spaces really be sufficient? Many of the cheaper flats whose purchase price 12 months ago are quoted are, we think, age restricted, and so reduced the average price, but have high management fees – has this been taken into account in the viability test for affordable housing?

4. Housing Enabling Team- This application proposes the conversion of a former residential care home into one- and two-bedroom market homes. Policy seeks the provision of 30% affordable housing within Blandford Forum, on sites of ten or more dwellings. The AHVR which accompanies this application states that “in view of the low level of profit and landowner return, no affordable housing can be provided. Instead, the application proposes sixteen small, open market flats, for which there is a need in Blandford Forum.”

There is a high need for affordable housing across the Dorset Council area and the Housing Enabling Team would support this development if it were to bring forward a policy compliant level of affordable housing and therefore expect the Financial Viability Appraisal to be independently assessed.

5. Landscape- No comment

6. Rights of Way Officer- no objection to the proposed development, but would be very grateful for a financial contribution to be made for tree works adjoining the development because one of the first things new residents complain about is trees and we do not have the budget to deal with all requests.

7. Highways- no objection subject to conditions

8. Urban Design- No comment

9. Tree Officer- no objection to the proposal subject to the tree report being made a condition of any planning consent.

A domestic landscaping scheme and post planting maintenance for the period of 5 years following completion of the development should also be conditioned to further enhance the site.

10. Wessex Water- No objection subject to informatives.

Representations received

One letter of objection received objecting on the grounds of overlooking, highways safety and noise levels.

10.0 Relevant Policies

Development Plan

North Dorset Local Plan (NDLP) Part 1 (2016)

Policy 1 Presumption in Favour of Sustainable Development

Officer Report

Policy 2	Core Spatial Strategy
Policy 4	The Natural Environment
Policy 6	Housing Distribution
Policy 7	Delivering Homes
Policy 8	Affordable Housing
Policy 13	Grey Infrastructure
Policy 14	Social Infrastructure
Policy 15	Green Infrastructure
Policy 16	Blandford
Policy 23	Parking
Policy 24	Design
Policy 25	Amenity

Blandford + Neighbourhood Plan (2011-2033)

B1 Blandford Forum and Blandford St Mary Settlement Boundaries

The original version of the Blandford + Neighbourhood plan was made (adopted) on the 22 June 2021. The plan is currently being reviewed and further details regarding the review can be found below.

Material considerations

Blandford + Neighbourhood Plan Review

As the relevant local planning authority, Dorset Council is required to consult on the modified plan before the examination of the Plan review takes place. The consultation is running from Friday 14 April 2023 until the end of Friday 26 May 2023.

At this early stage in the Neighbourhood Plan process the policies upon consultation cannot be given weight.

National Planning Policy Framework

- 2. Achieving sustainable development
- 4. Decision making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

11.0 Human rights

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.

Officer Report

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.

12.0 Public Sector Equalities Duty

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.

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 Public Sector Equalities Duty.

The access of the proposed development has been designed for buggies and wheelchairs and the building (constructed in 2012) is designed to be accessible for all users.

The Head of Commissioning (at Dorset Council) was consulted as part of this application as this application would see a loss of a facility for a group with protected characteristics, in this instance children with severe mental health issues. In terms of the loss the following is considered to allow the loss as acceptable and that due consideration has been given by the Council for this protected characteristic :-

- The Priory facility has been closed for some time
- It dealt with a wider catchment than just Dorset Council’s administrative area
- The Council cannot identify a quantifiable gap, or a like for like replacement because services and the market for services are changing frequently
- There is unlikely to be a buyer for the site that would wish to purchase it and revert it to the former use. There was an Opportunity to do this when “Caretech” were involved with the site.

There is therefore no strong case for refusing a change of use on the basis of protected characteristics as such persons would not be adversely impacted.

13.0 Financial benefits

What	Amount / value
Increase in Council tax	Council tax for 16 dwellings
New Homes Bonus	Not known

Officer Report

14.0 Climate Implications

A condition will be included to ensure Electric Vehicle charging points are included in the car park. The development will also be expected to meet building regulations which includes meeting sustainability targets.

The development proposes the re-use of an existing building for private market flats. This carries its own sustainability benefits by reusing an existing structure as opposed to demolition and re-building new flats.

15.0 Planning Assessment

Principle

Policy 2 (Core Spatial Strategy) of NDLP requires development to be located in accordance with the spatial strategy which directs development to the 4 main towns, which includes Blandford Forum (and larger villages). The town is recognised as one of the most sustainable locations, where homes, and facilities are easily accessible. The application is for the conversion of an existing building within the defined development boundary of Blandford Forum. As such the principle of development for housing is considered acceptable, meeting the requirements of policies 1 and 2 and the site is in a sustainable location near to facilities and amenities.

Scale, design, impact on character and appearance

The scale, design and character of the building will not change because of the conversion but appearance will vary slightly given the proposed balconies to the rear. However, these are a modest alteration and only effect on side of the building. They are considered to be in character with the existing structure and will not alter its appearance significantly. Overall, the development is considered to be acceptable visually.

Impact on amenity

The impact on residential amenity will be mostly the same as the existing. The changes to the front (east) of the building are very limited and this elevation faces the neighbouring dwelling of The Beeches.

To the rear the newly proposed balconies will look over the shared amenity space of the site, the railway and the recreation ground. It is not considered that there will be any significant change to residential amenity.

The proposed dwellings are considered to meet internal space requirements of the Government's Technical housing standards – nationally described space standard. Thus, well sized internal living accommodation will be provided.

Officer Report

Economic benefits and viability

The development would result in the addition of 16 flats and make an important contribution to housing supply. It would also result in an increase in Council tax payments, custom for local shops and a new homes bonus payment for the Council.

Developments of over 9 units are required to contribute towards affordable housing either through onsite contributions by providing units or via financial contributions. As the former North Dorset Local Plan area does not have a CIL charging scheme, development over 9 units are also required to make contributions in the form of financial planning obligations towards community infrastructure.

Paragraph 58 of the NPPF states that *'Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.'*

National Planning Policy Guidance (PPG) Paragraph: 007 Reference ID: 10-007-20190509 explains with regard to changes in site circumstances that *'Such circumstances could include, for example where development is proposed on unallocated sites of a wholly different type to those used in viability assessment that informed the plan; where further information on infrastructure or site costs is required; where particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older people); or where a recession or similar significant economic changes have occurred since the plan was brought into force.'*

NPPF para 58 refers to up-to-date policies – now that the North Dorset Local Plan is more than 5-years old it is considered it's policies are not up-to-date in terms of viability. In addition, the "Whole Plan Viability Study" is 8 years old, thus the economic circumstances have changed.

In this instance the scheme would have to have provided 30% affordable housing, 4.8 dwellings, and £172,637 of planning contributions (when all are totalled).

A viability assessment was submitted as the applicant recognised that there has been events that have altered the costs in the construction market since the adopted of the NDLP in 2016. These events are the economic recession during the COVID 19 pandemic and the impacts of the UK leaving the European Union (in terms of the single market. And resultant inflation. These have led to an increase in building materials, services and labour for construction.

Officer Report

A significant factor in the development being unviable is the cost to convert the existing secure residential institution to residential dwellings is over £1million. This was owing to the building being built to specific standards to qualify as a secure residential institution. These standards are then resource intense to physically revert to C3 dwelling use as has been demonstrated in the viability statement and analysis by the District Valuer. See table below from the District Valuer Viability Review Report:

Officer Report

Non-Technical Summary of Inputs for 100% open market scheme

100% market scheme Inputs	Agent	DVS Viability Review	Agreed (Y/N)
Assessment Date	17 May 2022	20 September 2022	-
Site Area:	3,600m ² , 0.36 Ha	3,600m ² , 0.36 Ha	Y
Gross Internal Area:	1,107m ² , 0.11 Ha	1,107m ² , 0.11 Ha	
Development Period	24 months	17 months	N
Gross Development Value	£2,690,000	£3,475,000	N
Comprising:			
Market Housing GDV blended value rate	£2,690,000	£3,475,000	N
Affordable Housing GDV	n/a	n/a	
Other GDV	n/a	n/a	
S.106 Total	-	£172,637	N
Total Development Cost (excludes policy; land and fees; profit)	£1,648,323	£1,653,504	N
Comprising:			
Construction Cost Total and £/m²	£1,648,323 £1,419/m ²	£1,653,504 £1,494/m ²	N
Externals Total	£0	£0	Y
Abnormal Cost Total	£0	£0	Y
Professional Fees %	7%	7%	Y
Contingency %	-	3%	N
Finance Interest and Sum	5% debit: 1.5% credit	6% debit: 2% credit	N
Other Fees			
Marketing Fees	-	0.5%	N
Sales / Agency Fees	1.25%	1.5%	N
Legal Fees	0.5%	£650/unit	N
Land Acquiring Costs	SDLT + 1.93%	SDLT +1.75%	N
Profit Target %	15%	17.50%	N
Benchmark Land Value	£384,336	£990,000	N
EUV	Not provided	£900,000	N
Premium	n/a	£90,000 (10% of EUV)	N
Purchase Price	Not stated	£1,050,000	-

Officer Report

Alternative Use Value	n/a	n/a	-
Residual Land Value	£384,336	£657,324	N
Viability Conclusion Full Policy Scheme	Not viable	Not viable	Y
Deliverable Scheme	100% open market scheme	No	N

A viability assessment was submitted with the application which has been reviewed and agreed by the District Valuer (DV). The development would not be viable were it subject to any affordable housing requirements and/or planning contributions. As such the officer accepts the findings of the viability assessment and DV's report and no affordable housing or contributions could be provided by the proposal.

Access and Parking

The access to the site will not change from existing, 18 parking spaces are proposed including 2 disabled spaces and a cycle store. There has been no objection from the Council's Transport Development Liaison Manager (Highways) subject to conditions covering completion of the cycle parking store prior to occupation and a pre-commencement condition for a construction method statement.

There has been public objection on the grounds of lack of parking and highway safety from the access junction where the access meets Fairfield Bungalows. 18 spaces and cycle parking are considered to be sufficient for the 16 unit development and should conditions be complied with there is not considered to be a highways danger in terms of use of the access from Fairfield Bungalows turning in to the site.

Impact on trees

There are 7no mature trees to the front of the building covered by Tree Preservation Orders. Only one tree (to the very south of the site) will be affected by the development as this will be near to the location of the cycle shed. Following the submission of a tree report the location of the cycle shed was moved westward to remove it from the root protection area (RPA) of the tree. The tree officer has no objections to the development subject to a condition ensuring the recommendations for tree protection in the tree report are followed.

Impact on public rights of way

There will be no impact on the trial way to the rear (west) of the site as the building will not be increasing in size.

The impacts from the increased use of the public right of way and other highways is considered to be acceptable from the future residents of the proposed residential units.

Ecology

The application is complemented with a signed certificate of approval from the

Officer Report

Council's Natural Environment Team (NET). The requirements and enhancement requirements for biodiversity contained in this approved Biodiversity plan (BP) will be conditioned to ensure their implementation. It is expected that should the BP be fully complied with then the development will lead to a biodiversity net gain.

Matters Raised in Representation

With regards to Cllr concerns/objections, they are considered to be the following:-

- Lack of on-site affordable housing provision or equivalent affordable housing contribution
- On-site parking provision
- Highways safety with regards to the junction of the access to the site, in relation to increased trips to and from the site from the proposed use as 16 residential units.

With regards to bullet point one, the applicant has provided an Affordable Housing Viability Review (AVHR) to evidence that the proposed development would not be financially viable to carry out, should affordable housing provision on-site or as contributions be required for the development to be granted permission. As this is the case, we consulted the District Valuer (DV) (a qualified third party) to analyse the review and robustly assess the evidence submitted. The DV's conclusion was that the proposed development would not be viable should it be subject to policy compliant levels of affordable housing and contributions. The planning officer has assessed the findings of the DV and agrees with them. In brief, the costs to convert the current building (Class C2 residential institution) into residential units are high given the specification the structure was built to originally. This included a requirement for it to be a secure residential institution.

With regards to points two and three; the officer consulted the Transport Development Liaison Manager (TDLM) (Dorset Council Highways) who cover both these issues. They concluded no objection to either the amount of on-site car and cycle parking. In this instance 16 regular car parking spaces are proposed and 2 disabled spaces, 18 overall. This is for 16 residential units (5 one bed and 11 two bed). In addition, 20 cycle spaces are proposed in a building to the south of the site. Given the site is in a sustainable location in terms of distance to local amenities and ease of access to the local pedestrian highway network (assisted by the North Dorset railway to the rear of the site), the level of parking provided on site is considered to be acceptable. How the on-site parking is allocated to residents has not been made clear by the applicant but is likely to be non-allocated.

The TDLM also considered highway safety and concluded that the access arrangements meet highway safety standards. However, conditions were recommended to ensure highway safety during construction phase and the use phase of the development. In addition to a condition to ensure the cycle parking is

Officer Report

constructed and made available for use prior to the occupation of the dwellings and maintained thereafter. These conditions are recommended to be included if this permission is granted.

The parking/highway concerns raised have already been assessed in the Access and Parking section above.

Public representation

The officer notes the concerns raised by residents to the north-east of the application site. They raised the concerns below:-

“I am concerned about the traffic due to the junction from Holland way.

I am also concerned about the flat windows over looking my property. Currently all the window are tinted out the side of the beeches which gives privacy to the residents. I am concerned about it over looking due to my children's bedrooms.

I am also concerned about the noise level this will create. The car park is very echoey and would request some trees be planted to create a sound barrier and privacy”

Whilst taking into account their comments;

- the first point has been addressed above and the access and traffic level created by the development is considered acceptable,
- the windows for the proposed flats will be the same as the existing windows. These are approx. 45m away from the side windows of 8 The Beeches and set down at a lower level. The Council can't control if they (Residents of the Beeches) retain the tint on their windows or not through this planning application, that is up to the occupiers of The Beeches. As such, it is not considered the development would give rise to an increase in overlooking to neighbouring dwellings or gardens compared to the existing use (when occupied). (included below is a map showing the relationship of the application building and the side elevation of 8 The Beeches. The blue line indicates the potential view of the side of 8 the Beeches from upper floor windows of Priory Hospital)

Officer Report



- with regards to the third point, the use of the car park is not considered to be significantly higher than when this property was occupied under its existing use as a residential institution so would not lead to a significant increase in noise and disturbance. A landscaping condition will be included to encourage additional planting on the site, but this is not specifically required to make the application acceptable.

Planning Balance

The development will create 16 open market dwellings, counting towards the Council's housing land supply, with no significant impact on neighbouring amenity, an acceptable impact visually and sufficient cycle & car parking. It will bring an unused site back into use providing 16 housing units towards the Council's 5 year housing land supply. Whilst regrettable that no affordable housing or planning contributions can be paid this is considered reasonable in these circumstances. The legitimacy of this is proven by the submission of a viability assessment, independently reviewed and verified by the District Valuer. Should the development have been liable to affordable housing or planning contributions (community infrastructure payments it would not be viable for the conversion to go ahead.

Therefore, whilst the proposal doesn't comply with the development plan as a whole, in terms of planning balance it is considered that a development which provides a:

- net gain of 16 dwellings, 11 of them two-bedroom which could support small families,

Officer Report

- with sustainable on-site cycle storage and electric car changing points,
- and the reuse of a redundant building and site,
- thus, there are sustainability benefits by for re-use and adapting the site for to residential in favour of demolishing the structures and re-building,
- saving in terms of carbon-emissions which would be low via this proposal compared to demolishing the building and constructing new dwellings.

As such, on balance, the application is considered to meet policy requirements and is recommended for approval.

16.0 Conclusion

The development would result in a net gain of 16 open market residential units, contributing a modest but important addition towards the Council's housing land supply. The development would have an acceptable impact on residential amenity, visual amenity and result in the reuse of a vacant building whilst providing sufficient car and cycle parking. The application is recommended for approval.