



Appeal Decision

Hearing (Virtual) held on 23 March 2021

Site Visit made on 23 March 2021

by Martin Small BA(Hons) BPI DipCM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th April 2021

Appeal Ref: APP/D1265/W/20/3257096

5-7a Edmondsham Road, Verwood, BH31 7PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Fayrewood Property Limited against the decision of Dorset Council.
 - The application Ref 3/19/2271/OUT, dated 23 October 2019, was refused by notice dated 6 July 2020.
 - The development proposed is demolish the existing buildings and erect a dementia care home with new vehicular access and parking provision (revised scheme).
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Fayrewood Property Limited against Dorset Council. This is the subject of a separate Decision.

Procedural Matters

3. The application was submitted in outline form with only landscaping reserved for future approval. I have determined the appeal on this basis.
4. The appeal proposal was one of two outline applications for a part 3/part 4 storey 38 bedroom dementia care home submitted together following the refusal of a previous application in 2019¹. One of the two subsequent applications was refused in February 2020², following which the other application was amended in an attempt to address the Council's concerns.
5. The number of bedrooms was reduced from 38 to 29 by removing those that had been within the basement. The 2-storey element was set back further on the northern side and the amenity space and parking arrangements were reconfigured. Additional information in relation to drainage and biodiversity was also submitted.
6. The Council accepted the amendments and additional information, undertaking some further consultation, with the exception of Natural England. The Council determined the application on the basis of the revised proposal and I have determined the appeal on the same basis.

¹ 3/19/0341/OUT

² 3/19/2163/OUT

Main Issues

7. The main issues are:

- i) the effect of the proposal on the character and appearance of the area;
- ii) whether the proposal would provide satisfactory living and working conditions for future residents and staff.

Reasons

Character and appearance

The site and area

- 8. Edmondsham Road leads off Station Road, the main road through Verwood. The end of the former has been closed to vehicular traffic but with pedestrian access retained. Edmondsham Road is a mature residential area, with properties set back from the road of mixed ages and design in predominantly generous plots of varying shapes and sizes. The properties mainly comprise bungalows and 2-storey dwellings although Fayrewood Court, on the corner of Edmondsham Road and Station Road, is a 3-storey apartment block. Another 3-storey building with the top floor within the roof space is located on Station Road to the south of the site.
- 9. Edmondsham Road has a distinctive character, with the predominant hedges to the frontages and numerous trees giving the road an attractive verdant appearance. With no through traffic and residential rather than commercial properties, the road has a different, quieter, character to Station Road. When entering Edmondsham Road from Station Road, built form on the west side of the road is not immediately apparent due to the existing vegetation. Parking for the properties along the road is primarily set back behind roadside boundaries. The difference in character is therefore readily apparent when passing from one road to the other, as contended by the Council at the Hearing.
- 10. The appeal site is large with a bungalow and a range of single-storey buildings in the north-east corner and lawns to their south and west. The site is bounded by an evergreen hedge to the south, west and partly to the east boundaries and a wooden fence to the boundary with No 9 Edmondsham Road (No 9), a 2-storey dwelling immediately to the north of the site. There are substantial trees to the southern boundary which are protected as a group by a Tree Preservation Order. These trees and the hedge to the roadside boundary contribute significantly to the character and appearance of the site and area and the effect of the existing buildings is limited by their restricted height.

Design

- 11. The accommodation and facilities within the proposed home would be provided on 4 floors including a basement and single, 2 and 3 storey elements. The 3 storey element would be to the south and west of the building, which would step down to 2 and single-storey elements to the north. The extent of the overall footprint would result in the northern wing being very close to the site boundary, resulting in a cramped appearance.
- 12. The 3 storey element of the proposed care home would extend almost the full depth of the building. The extensive and unrelieved ridge line of this element,

together with the crown roofs of the 2-storey and single-storey elements, and its extensive frontage width, would result in a building of substantial bulk and monolithic appearance. At the Hearing the Council affirmed that it did not specifically object to the height of the proposed home but was concerned at the significant proportion of the building being at 3 storeys. The Council also clarified that it had cited 'form' in its reason for refusal as another way of expressing the mass and bulk of the building.

13. The proposed building would be to the north-west of Fayrewood Court and on the opposite side of Edmondsham Road. Whilst Fayrewood Court is separated from other properties on the east side of Edmondsham Road by Moorlands Road, the proposal would be adjacent to No 9 and principally be seen in the context of this property and the other more modest domestic-scale properties on Edmondsham Road.
14. When viewed from the front the 3 storey element would be in the centre of the site, but the full width of the building would dominate the street scene in harmful contrast to No 9 and the properties to the north. The proposed building would be prominent when approaching the site from either Station Road to the south-east or Edmondsham Road to the north-east with the full extent of the 3-storey element readily apparent from either direction. Furthermore, the northern elevation of the building would present a convoluted arrangement of roof heights and forms.
15. The mass and bulk of the building would thus be dominant and out of proportion to No 9 and other dwellings to the north. Accordingly, it would fail to integrate satisfactorily with existing development on Edmondsham Road.

Layout

16. Dorset Council's required parking provision for a residential care home is 1 space per 4 beds and 1 per 2 full-time staff. With 29 beds and an anticipated 20 staff, the number of spaces required is therefore 17.25 spaces. The proposal would provide 19 spaces, principally in a car park to the south of the site, including 9 spaces in a stacker system for the 3 spaces between the proposed building and the bin store with each stack accommodating 3 cars. Three further spaces would be provided on the frontage in the north-east corner of the site.
17. As a result of the need to maintain open areas around the protected trees, which are to be retained, and the size of the proposed building, the main car park would be very close to the proposed building, wrapping around the southern wing. Overall, 8 of the 13 surface parking spaces would be adjacent to the building, resulting in a cramped appearance. Whilst landscaping is a reserved matter, the layout as shown on the submitted plan indicates that there would be little room between the building and these spaces for planting to soften the appearance of the building and car park.
18. The car park layout is awkward. Two of the spaces are immediately adjacent to the entrance to the site and have limited visibility beyond the building to the other side, resulting in potential conflict between vehicles exiting these spaces and other vehicles leaving or entering the site. Access to and egress from the space by the bin store would be hampered by a vehicle parked in the space next to the cycle store and would conflict with staff using the store at the

changeover of shifts. For vehicles using these spaces to turn so they could exit the site in forward gear would require a convoluted manoeuvre.

19. The 3 parking spaces to the north-east of the site are separated from the main car park by an area for potential landscaping, which the Council considers addresses a reason for refusal of the first application for a care home on this site. Nevertheless, the openness of these 3 spaces to Edmondsham Road would be at odds with the predominant parking arrangement for properties along the road. Cars parked in these spaces would be a discordant feature in the street scene.
20. Although the proposed stacking system is an imaginative response to the site's constraints and parking requirement, the need to install such a system is a further indication of the constrained nature of the site for the size of care home proposed. Whilst some staff may choose to travel to work by public transport or use the car park to the other side of Station Road, given the awkwardness of accessing the stack adjacent to the bin store, I consider that staff might seek to park on Edmondsham Road or Moorlands Road opposite the site rather than use this stack. On-street parking on these roads is limited and additional parked cars on the areas of grass verge on Edmondsham Road could cause damage, especially in winter, which would detract from the character and appearance of the area.

Findings

21. The proposal would result in a substantial building, the footprint of which would occupy a significant portion of the site. Its bulk and mass would compete in a harmful way with the predominant form of development on Edmondsham Road. The parking requirement for a home of the size proposed is fragmented, awkwardly arranged, with the potential for practical operating problems and little room for landscaping. The balance between the extent of built form, hard-surfacing and parking would thus result in a poor layout.
22. I therefore conclude that this combination of factors means that the proposed development would result in significant harm to the character and appearance of the area. Accordingly, it would conflict in this respect with Policy HE2 of the Christchurch and East Dorset Core Strategy (Part 1) 2014 (the Core Strategy). This sets out that the design of new development must be of a high quality, with regard to a number of considerations including scale, bulk and visual impact.

Living and working conditions

23. It was confirmed at the Hearing that residents of the proposed care home would remain within the home due to their mental health. Consequently, residents would be likely to spend a significant proportion of each day within their rooms, particularly those with more advanced dementia, who may be bedridden. It is therefore especially important that these rooms provide attractive conditions for those residents.
24. The proposed care home's 29 bedrooms would be arranged over the ground, first and second floors. Ground floor rooms GF6, GF7 and GF8 would look directly onto the 3 stacker spaces and proposed car park to the south of the proposed home and room GF12 would look out onto parking spaces to the east. Although the trees to the south of the site would also be visible from room

GF8, the view beyond the car park for rooms GF6 and GF7 would be of the cycle store and bin store. For all of these rooms, parked cars would dominate the outlook, resulting in an unsatisfactory outlook for the occupants and detracting from their enjoyment of their personal space. This is a significant factor weighing against the proposal.

25. In commenting on the 38-bedroom proposal, the Dorset Social Care Team had raised concerns that the scheme did not appear to have regard to modern dementia-friendly design standards, citing corridors with no destination points at their end or points of interest along them. The Team also noted that modern practice in care homes is to design smaller clusters of bedrooms as 'household units'. The revisions to the proposal did not address these concerns.
26. At the Hearing the appellant suggested that, were permission to be granted, a condition could be imposed requiring specifications of the interior design of the care home to be submitted to and agreed with the Council. However, it appears to me these specifications would relate principally to colours, finishes and signage rather than internal layout. Nothing has been put to me with the appeal to demonstrate how the internal layout could be amended to provide all residents with a satisfactory outlook or address the concerns of the Social Care Team.
27. A staff room is proposed within the basement of the building, with no outlook and no natural light. However, time spent by staff in the staff room when on shift would be limited. Moreover, there is a green with benches and a recreation ground within easy walking distance of the proposed home where breaks could be taken in fair weather. I therefore consider that the provision of the staff room within the basement would not be unacceptably harmful to the working conditions of the staff of the proposed home.
28. The outlook from the upper floors of the proposed home would be more expansive and would provide satisfactory living conditions for residents in those bedrooms. Nevertheless, I conclude that 4 of the rooms on the ground floor would not provide adequate living conditions for their occupants due to the lack of a satisfactory outlook.
29. Although I have not been referred to any development plan policies with which the proposal would conflict in this respect, the proposal would fail to comply with the aims of paragraphs 112 e) and 127 f) of the National Planning Policy Framework (the Framework). These require planning decisions to take into account the importance of well-designed, attractive and healthy places and to create places which promote health and well-being, with a high standard of amenity for future users.

Other Matters

The PSED and the need for accommodation for those with dementia

30. The Public Sector Equality Duty (PSED), contained within section 149 of the Equality Act 2010, requires me to have due regard to the 3 aims of the Equality Duty. People suffering with dementia are protected under the Equality Act due to their disability adversely affecting their ability to carry out normal day to day activities. I therefore have a duty to consider how the proposal could meet the needs of those requiring specialist care.

31. The appellant has referred to evidence of a need for specialist accommodation for people with dementia in East Dorset³. In commenting on the 38-bedroom proposal, the Dorset Social Care Team confirmed that the need in East Dorset is for acute levels of dementia care, with not all the 9 existing homes within a 5 km radius of Verwood that offer dementia care being geared for acute need. The proposed home would help meet this need for specialist care, which is a factor in favour of the proposal.
32. However, the Social Care Team has not supported this specific proposal. In addition to their concerns as explained above, the Team notes that its understanding is that the optimum number of units in a care home is 64. The Team therefore has concerns about the long term financial sustainability of a care home of the scale proposed. Before granting permission for the proposal in the face of the conclusions I have reached above in regard to the character and appearance of the area and the adequacy of living conditions for some of the future residents, I would need to be certain that the home would be able to continue to meet the long-term needs of those with acute dementia. However, no evidence has been provided to me of the long-term viability of the proposed home.
33. Consequently, whilst meeting the need for acute levels of dementia care within wider East Dorset attracts significant weight, the lack of specific evidence or support for a care home of the size and in the location proposed means that I can only afford the proposal limited weight. This is not sufficient to justify the significant harm to the character and appearance of the area and the unsatisfactory living conditions for the future residents that I have identified.

Dorset Heathlands

34. The appeal site lies within 400 m of Stephen's Castle, which forms part of the Dorset Heathlands, an extensive and complex network of lowland heaths including multiple Sites of Special Scientific Interest (SSSIs). The heaths are designated as the Dorset Heathland Special Protection Area (SPA) and Ramsar site, the Dorset Heaths Special Area of Conservation (SAC) and the Dorset Heaths (Purbeck and Wareham) and Studland Dunes SAC because of their biodiversity interest. This interest includes the use of the SPA by Hen harrier, Merlin, European nightjar, Woodlark and Dartford Warbler and a range of habitats in the SACs including North Atlantic wet heaths, European dry heaths and dune systems.
35. It is known that the habitats and species of these sites are vulnerable to disturbance from human activities, including recreation. Stephen's Castle is easily accessible from the appeal site via Moorlands Road. However, residents with advanced dementia are most unlikely to undertake recreational activities which would cause any harm to the protected area. The Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document has acknowledged this by accepting that it is appropriate to site care homes where residents' activities are severely restricted within 400 m of the designated sites. Any care home that was permitted would also be subject to controls on occupancy, pet ownership and on-site parking.

³ Eastern Dorset 2015 Strategic Housing Market Assessment – Final Report
Dementia Services Review – Health and Social Care Needs Analysis of Service Data

36. On this basis, Natural England raised no objection to the larger scheme. The appellant submitted a completed unilateral undertaking (UU) to secure restrictions on occupancy, pet ownership and parking. Boundary treatments could be secured by a planning condition were planning permission to be granted. With these safeguards, I am satisfied that the proposal would not have an adverse effect on the integrity of the Dorset Heathlands.

Other considerations

37. The proposal would provide employment for an anticipated 20 full-time staff. This would be a modest benefit of the proposals.

Conclusion

38. I have found that the proposed development would conflict with the development plan and Framework both taken as a whole. The need to provide for those with dementia and the provision of employment opportunities are considerations that weigh in favour of the proposal. However, for the reasons given above I do not find that even taken in combination these are sufficient to indicate that a decision should be made other than in accordance with the development plan.

39. For this reason, the appeal is dismissed.

Martin Small

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Darryl Howells

Pure Town Planning

FOR THE LOCAL PLANNING AUTHORITY:

Michael Muston

Planning Services (UK) Ltd

Naomi Shinkins

Lead Project Officer – Eastern Area,
Dorset Council

INTERESTED PERSONS:

Martin Summers

Local resident

Beverley Pritchard

Local resident

DOCUMENTS SUBMITTED AT THE HEARING

1. Email from Mr Howells dated 23 March 2021 with additional conditions agreed with the Council.