



Report of the Chief Planning Officer -

SOUTH AND WEST PLANS PANEL

Date: 17th September 2015

Subject: Application number 15/03255/FU – Change of use and alterations of dwelling house (C3) to residential institution (C2) at 12 Outwood Lane, Horsforth, LS18 4JA.

APPLICANT

Cambian Group PLC

DATE VALID

16th June 2015

TARGET DATE

18th September 2015

Electoral Wards Affected:

Horsforth

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATIONS

DEFER and DELEGATE approval to the Chief Planning Officer subject to the conditions specified and the completion of a Legal Agreement to include the following obligation:-

An off-site highways contribution of £10,000 towards any necessary waiting restrictions which may be required should overspill parking from the site be found to be occurring on the adjacent highway network.

1. 3 year time limit on full permission.
2. Development in accordance with the approved plans
3. There shall be a maximum of 10 bedspaces for residents
4. Stonework to match existing.
5. Full details of bin storage to be submitted.
6. Full details of bike storage to be submitted.
7. Vehicular areas to be laid out, surfaced and drained.
8. Protection of trees, hedges / shrubs during construction.
9. Preservation of retained trees, hedges / shrubs.
10. Full details of the proposed ha-ha to be submitted.
11. Submission of landscape scheme and management plan.
12. Implementation of landscaping scheme.

13. Lighting scheme to be submitted.

1.0 INTRODUCTION:

1.1 This application is brought to Plans Panel in response to a request from Councillor Townsley due to insufficient parking, particularly at staff turnaround times, and lack of amenities in the area.

2.0 PROPOSAL:

2.1 The proposal is for the change of use of the C3 dwelling located at 12 Outwood Lane, Horsforth to a residential institution, use class C2. The intention is to use the property as a care home for adults with learning difficulties.

2.2 The existing building will be retained largely as existing, with the exception of changes to the triple garage (with games room over) and the gym/workshop. The gym/workshop will be converted to a manager's office and staff sleeping area and the garage with games room over will be converted to 2 en-suite bedrooms with adjacent kitchen and living areas. The only change to the external appearance of the building is therefore the replacement of the garage doors with windows and new masonry infill around these, which will be stonework to match the existing building. The only alterations within the main dwelling are the creation of 4 en-suite bathrooms within existing bedrooms. These are purely internal alterations and will have no impact on the external appearance of the building (other than additional soil and vent pipes to serve these elements).

2.3 In order to provide additional parking within the site (13 spaces in total) the existing area of hard standing will be extended to the front of the site. A covered bin and cycle store will also be provided to the front.

2.4 The fence along the rear boundary of the site is relatively low and it is proposed, rather than increase the height of this existing fence, to construct a ha-ha with planting on it along the full length of this boundary.

2.5 The proposal will create a 10 bedroom care facility and will provide a home for adults with learning disabilities and associated complexities. It is stated that Cambian will provide care and rehabilitation to support individuals to fulfil their potential and achieve self-determination and independence. The aim is to provide community care in as much like a home environment as possible. Residents will be encouraged to access the community and identify suitable activities e.g. college courses, work placements, leisure activities.

2.6 The proposal will create 28 additional jobs. 12 staff will work 8am to 3pm and another 12 will work 3pm to 10pm. There will be 4 staff during the night and a maximum of 12 staff on the premises at any one time.

3.0 SITE AND SURROUNDINGS:

3.1 The application site lies within an established residential area on the southern side of Outwood Lane and contains a large 3 storey, 8 bedrooms dwelling, with 5 bathrooms and 4 reception rooms. It has an attached triple garage (with games room over) and gym/workshop and is constructed of stone with a slate roof. There is a large area of hard standing to the front of the site with space for at least 6 cars. The remainder of the site is lawned. There is a high stone wall and metal gates along the site frontage.

3.2 The property is situated on a generally level site but is significantly elevated above the properties to the rear on Oliver Hill. It lies within the Horsforth Cragg Hill and Woodside Conservation Area.

3.3 The site is within walking distance of bus stops on New Road Side and also the New Road Side District Centre.

4.0 RELEVANT PLANNING HISTORY:

4.1 H27/58/79/ - Change of use of house to nursing home – approved 08-MAY-79.

4.2 H27/295/79/ - Change of use and alterations, to form boiler room, stores, bathrooms, staffroom, laundry room, matron's bedroom – approved 15-OCT-79.

4.3 H27/204/80/ - Outline application to erect extension to form 3 wards, toilets and bathrooms, to nursing home – refused 22-SEP-80.

4.4 H27/3/81/ - Alterations, including new windows, and 2 storey extension, to form 18 bedrooms, 2 bathrooms and 2 shower rooms – refused 24-AUG-81.

4.5 H27/251/88/ - Alterations, to form bedroom and extension, to form sunlounge, to rear of nursing home – approved 13-FEB-89.

4.6 27/197/94/FU - Three storey side extension to nursing home – approved 02-MAR-95.

4.7 27/60/97/FU - Change of use of nursing home to house in multiple occupancy – approved 05-AUG-97.

4.8 27/11/99/FU - Change of use of nursing home to day nursery – refused 21-MAY-99.

4.9 27/62/02/FU - Change of use of nursing home to dwelling house – approved 07-MAY-02.

4.10 27/8/04/FU - Change of use involving 2 three storey side extensions of house to 11 flats and of detached garage to one flat – refused 07-APR-04.

4.11 07/02622/FU - Two storey and single storey front extension to form triple garage with games room over workshop, and utility room and single storey front extension to form swimming pool – approved 13-JUL-07.

4.12 10/03525/FU - 1.6m high boundary wall over retaining wall to rear – withdrawn 21-DEC-11.

5.0 HISTORY OF NEGOTIATIONS:

5.1 Since the submission of the application the applicant has revised the drawings to omit a 1.8m high close boarded fence that was to enclose the rear garden and instead proposes the creation of a planted ha-ha along the rear boundary.

5.2 A transport statement has also been submitted and the number of parking spaces increased from 10 to 13.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was initially advertised by neighbour notifications dates 18 June 2015, a site notice posted on 3 July 2015 and in the Wharfe Valley Times on 9 July 2015. In response to this consultation 20 letters of representations have been received from 18 households, as well as one letter from Cragg Hill and Woodside Residents Group. These all object to or raise concerns with regard to the proposal. The main planning points raised are summarised as follows.

- Insufficient parking will result in parking on Outwood Lane, creating highway safety problems.
- It is unrealistic that most staff will cycle or use public transport.
- Any increase to the height of the boundary with properties on Oliver Hill is not acceptable.
- The site is in the conservation area and has a peaceful and wholly residential character. This proposal will adversely affect this character.
- It is not appropriate to remove a residential property from much needed housing stock.
- The property and garden are too small for such a proposal.
- It will overlook neighbouring properties.
- Increase in noise disturbance e.g. from residents, use of garden, vehicles.
- Use as a day nursery was rejected on grounds of noise, character and amenity. This current proposal will have a much greater impact.

6.2 In addition to the above planning considerations, many of the local residents who have commented on the application have raised concerns about the nature of the use and future occupiers, commenting that such a use will be detrimental to the existing community and is not acceptable in a residential area. They are concerned that the proposal will make the area unsafe to live and for children to play.

6.3 Following the submission of a revised plan to show the omission of the rear fence, the introduction of a ha-ha and an increase to 13 parking spaces, along with a Transport Statement, all original neighbours and contributors were re-consulted. 10 letters of representation (from 7 households) have been received in response to this. Again, all of these object to the proposal and the planning comments made are summarised as follows.

- Insufficient parking will have a detrimental impact on highway safety.
- The level of proposed cycling to work and public transport use is unrealistic.
- The vehicle movements in the Transport Statement are set arbitrarily low, as are the expectations of staff use, given the size and intensity of the proposal.
- Figures in the Transport Statement don't reflect what will happen at this site.
- Residents going out into the community will further increase the vehicle movements to and from the site.
- No nearby facilities suitable for such residents.
- Less intensive developments have previously been rejected at the site.
- Overlooking of properties on Oliver Hill.
- Noise and light pollution from the car park.
- It will be harmful to the conservation area.
- It is an over intensive use and will alter the character to a commercial car park.
- The proposal does not show the need for enhanced security by CCTV and high intensity lighting. This will be intrusive to neighbours.

6.4 In addition to the above planning considerations, many of these contributors also raise concerns about the nature of the use and future occupiers and question

whether it is appropriate to have such a vulnerable group of patients in such close proximity to children and the elderly. It has also been questioned why Cambian state that they don't expect patients to receive many visitors and whether or not family and friends are actively discouraged from visiting?

- 6.5 All 3 Ward Members were briefed on the original submission and all 3 had concerns regarding the proposed use and parking and requested additional information in relation to the operation of the company, where else they have been operating, whether the level of car parking is adequate, what is the proximity to public transport and town centre and leisure use.
- 6.6 Following the submission of additional information Ward Members remain concerned and Councillor Townsley has formally requested that the application be reported to Panel for the reasons set out at paragraph 1.1 above.

7.0 CONSULTATION RESPONSES:

Statutory Consultations

- 7.1 **HIGHWAYS:** As originally submitted, Highways advised that that could not support the proposal and that revised plans and further information were required. This related to clarification of how staff change overs will be managed, the need for an ambulance waiting area, provision of a disabled space, revisions to the parking layout, visitor spaces bin storage and cycle parking. As a result of these comments, a Transport Statement was submitted.
- 7.2 With regard to the Transport Statement, Highways advised that it makes assumptions about the amount of car parking that would be necessary to ensure that the site operates safely and efficiently without having a detrimental impact on the adjacent highway network, suggesting 9 spaces (one less than offered originally). Highways were not convinced that 9 spaces would be sufficient for the intended use as it had not been adequately explained how the shift changeover would happen. The concern was that all of the spaces on-site would be occupied by staff so when the shift changeover occurs there would be no space for those arriving at work to park, leading to vehicles parking on the highway to the detriment of highway safety.
- 7.3 Following clarification of the changeover process and given travel to work surveys indicate that 60% of people drive to work in Leeds, Highways advised that in this instance this would equate to 7 members of staff driving to the site per shift. If 7 are parked and another 7 arrive at changeover times then in its simplest terms this would require up to 14 parking spaces to allow the changeover to occur. On balance this level of parking would also be sufficient to enable the site to operate safely and that outside of shift changeover times there should be sufficient space to cater for staff, visitors and visiting professionals, without harm to highway safety.
- 7.4 A revised plan has therefore been submitted which shows 13 parking spaces in the front part of the site. Highways have advised that, on balance, this is acceptable but that a £10,000 contribution will be required towards any necessary waiting restrictions which may be required should overspill parking from the site be found to be occurring on the adjacent highway network.

Non Statutory Consultations

- 7.5 None due to the nature of the application.

8.0 PLANNING POLICIES:

National Policy

8.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and contains policies on a range of issues including housing, sustainable development, green belt, conservation, the local economy and design.

8.2 In respect of design it states that "good design is indivisible from good planning" and Local Authorities are encouraged to refuse "development of poor design", and that which "fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted".

Local Policy

8.3 Planning proposals must be made in accordance with the development plan unless material considerations indicate otherwise.

8.4 The Development Plan comprises of the Core Strategy, saved policies of the UDP (2006) and the Natural Resources and Waste Local Plan.

8.5 The Core Strategy (CS) was adopted by the Council on 12 October 2014. Relevant CS Policies:

- P10 relates to design and requires new development for buildings and spaces, and alterations to existing, to be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function.
- P11 relates to conservation and requires proposals to conserve and enhance the historic environment.
- T2 requires new development to be located in accessible locations that are adequately served by existing or programmed highways, by public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility.

8.6 Relevant Saved Leeds Unitary Development Plan (Review) 2006 Policies:

- GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- BD6 requires all alterations and extensions to respect the scale, form, detailing and materials of the original building.
- N19 requires development to preserve or enhance conservation areas.

8.7 Supplementary Planning Guidance/ Documents

- Street Design Guide
- Horsforth Cragg Hill and Woodside Conservation Area Appraisal and Management Plan.

9.0 MAIN ISSUES

- Principal of development
- Visual amenity
- Residential amenity
- Highway considerations

10.0 APPRAISAL

Principle of development

- 10.1 The application is concerned with the change of use of a dwelling house (C3) to a residential institution (C2), upon an unallocated site. C2 uses are residential uses which include residential care homes, hospitals, nursing homes, boarding schools, colleges and training centres. In this case it is intended to operate the premises as a care home for adults with learning difficulties.
- 10.2 There are no policies within the Leeds UDP concerned with such changes of use. The property lies within an established residential area but is within walking distance of public transport links and the New Road Side Town Centre. As such, the use of the premises for such a residential purpose is therefore considered acceptable in principle, subject to other material planning considerations.

Visual amenity

- 10.3 The host dwelling is not listed but it is within a Conservation Area. Conservation areas are areas of 'special architectural or historic interest, the character of which it is desirable to preserve or enhance'. As such any proposals for development need to preserve or enhance the character and appearance of such areas. The application property is identified as a positive building within the Horsforth Cragg Hill and Woodside Conservation Area Appraisal and Management Plan.
- 10.4 The only changes to the external appearance of the building are the replacement of the garage doors with windows, and new masonry infill around these, to enable the conversion of the garage to habitable accommodation and the addition of 4 soil and vent pipes to serve the 4 additional en-suite bathrooms to be created within the main house. The stone work and design of the windows will match those existing and the soil and vent pipes are very minor features. As such these elements of the proposal will be sympathetic to the host dwelling and the character and appearance of the conservation area will be preserved.
- 10.5 In order to provide additional parking within the site the existing area of hard standing will be extended to the front of the site. There is a high stone boundary wall along much of the site frontage and the area of intended hard standing will be located largely behind this, therefore limiting any visual impact. It should be noted that such a hard standing can be provided without the need for planning permission (provided it is permeable). On balance, it is therefore considered that the additional hard standing would not be visually intrusive and its provision would preserve the character and appearance of the conservation area.
- 10.6 With regard to the area of hard standing it should also be noted that there is a valid planning permission for the construction of a large swimming pool extension in this area. This was approved in July 2007 as part of the application which included the utility room, workshop and triple garage with games room over. Whilst the swimming pool was not built at the time, given the planning permission was partly implemented when the garage etc. were constructed, the swimming pool could still be built. It is considered that the provision of additional hard standing at this location would be much less intrusive to the conservation area than the swimming pool.
- 10.7 It is also proposed to provide a covered bin and cycle store to the front of the site. Full details of these have yet to be submitted and conditions are recommended to ensure that full details are provided and agreed prior to the commencement of development. However, these structures will be located behind the existing

boundary wall and will therefore have very little, if any, impact on visual amenity. The character and appearance of the conservation area will be preserved in this respect.

- 10.9 A 1.8m high fence will be erected between the new hard standing / car parking and the rear garden. This will be approximately 20m from the roadside boundary and as such will have little impact on the visual amenity of the locality and conservation area. It should also be noted that such a fence can be erected as permitted development.
- 10.10 The application proposes to construct a ha-ha with planting on it along the full length of the rear boundary. This will not be visible from outside of the site given the proposals for a 1.8m high fence as detailed at paragraph 10.9 above. For this reason and given the nature of this element of the proposal it will have no significant or adverse impact on visual amenity and will therefore preserve the character and appearance of the conservation area.
- 10.11 A number of comments have been made with regard to the character of the conservation area being a tranquil, residential area. In this respect it should be noted that the proposed use is a residential use and tranquillity is not a quantifiable matter. It should also be noted that conservation areas are not created with the intention of preventing development but to ensure proposals are sympathetic and do not cause destruction of key features that are essential to fully appreciate historical and architectural context.

Residential amenity

- 10.12 The proposal is to use a C3 dwelling as a C2 care home for adults with learning difficulties. There are currently 8 bedrooms within the property and it is intended to increase this to 10 (through the conversion of the garage and games room) to enable care for 10 adults with a maximum of 12 staff on site at any time. Given the nature of the existing building (e.g. detached property set within a generous plot) and that no changes, other than the conversion of the garage, are proposed to it, it is considered that there will not be any significant additional or harmful impact on the living conditions of neighbouring properties.
- 10.13 Concern has been expressed about the potential for overlooking of neighbouring properties, especially those on Oliver Hill which are set below the level of the application site by approximately 3m. The concern is that the proposal will overlook these properties, especially their rear bedroom windows. However, the building is an existing building and there are no changes to it with regard windows, other than 3 new windows in place of the existing garage doors, all of which will look onto the car parking area to the front of the site. As such there will be no greater potential for overlooking than currently exists. Furthermore, whilst views towards these neighbouring bedroom windows are possible from the application site, it must be remembered that these neighbouring windows face directly towards the application site and therefore overlook it. This is a historic situation that has existed since the properties on Oliver Hill were constructed. In respect of overlooking / privacy, it is therefore considered that the proposal will not have any greater impact than exists already.
- 10.14 Concerns have also been expressed that the proposal will result in increased noise and disturbance to neighbouring properties from future residents and vehicular movements and also in light pollution. It is considered that there should be limited impact from residents given the number proposed and the detached nature of the

dwelling. Similarly, vehicular movements should not be unduly harmful given these will take place primarily in the daytime, with changeovers at 8am, 3pm and 10pm. These are not considered to be antisocial hours. With regard to external lighting Cambian has advised that they are likely to provide a light at the front of the property so that staff can access their vehicles safely. This will be typical of security lighting commonly used on domestic dwellings. It will not be a flood light that is left on permanently. In order to ensure that any lighting does not adversely affect neighbouring properties a condition requiring the submission and approval of a lighting scheme is recommended.

- 10.15 A number of the objections to the proposal relate to the living conditions of the occupiers. The method of treatment of the people within the property is not a matter for Planning. Planning would not look at how people live within a C3 dwelling and it is no different for a C2 proposal. In this respect it is not for Planning to forensically analyse how the business is operated but to look at the bigger picture, e.g. the suitability of location and parking, impact on neighbouring amenity. Matters such as the suitability of the premises and the detailed operation of the service are regulated by the Care Quality Commission.

Highway considerations

- 10.16 The proposal will create a 10 bed care facility for adults with learning disabilities and will create 28 additional jobs. 12 staff will work 8am to 3pm, another 12 will work 3pm to 10pm and there will be 4 staff on site during the night. There will be a maximum of 12 staff on the premises at any one time. 13 parking spaces, including 1 disabled space, will be provided within the site, as will cycle parking (Cambian run a cycle to work scheme).

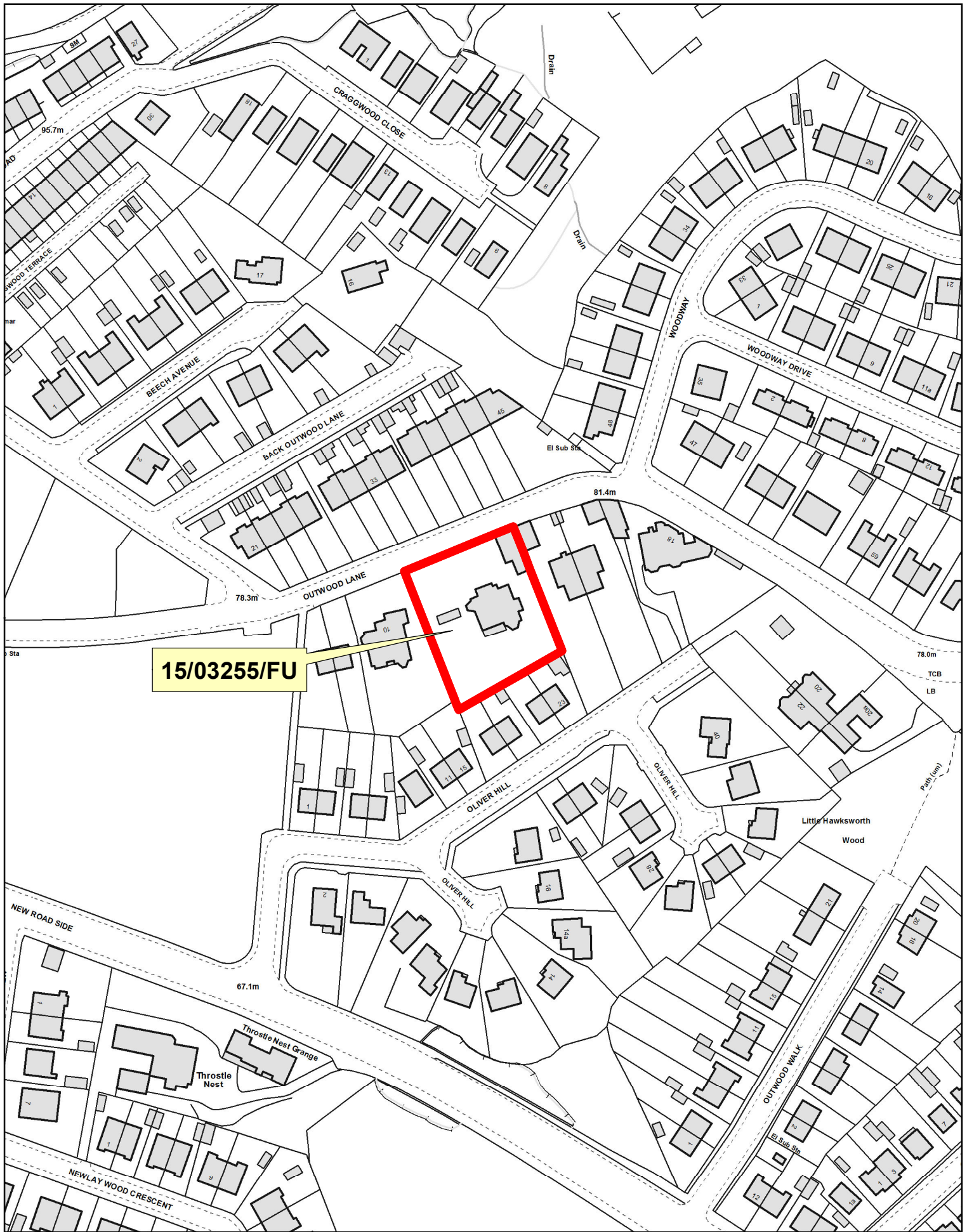
Given these staff figures, the nature of the operation and the proximity to public transport links and the nearby district centre, the level of proposed parking is considered acceptable and it is not considered that the proposal would be detrimental to highway safety.

11 CONCLUSION

- 11.1 To conclude, it is considered that the proposal represents a residential use within an established residential area that is close to existing public transport links and community and leisure facilities. It will therefore be in keeping with the established character and given, its limited scale, the detached nature of the property, and the scale and location of the parking area proposed, it will not be harmful to visual amenity (including the character of the conservation area), neighbouring living conditions or highway safety. As such the proposal is considered to comply with the relevant development plan policies referred to in the planning policies section above and the application is therefore recommended for approval, subject to conditions.

Background Papers

- Application file: 15/03255/FU
- Certificate B served on Carl Martin Sharman and Eileen Christine Watt of 12 Outwood Lane, Horsforth, LS18 4JA



15/03255/FU

SOUTH AND WEST PLANS PANEL

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SCALE : 1/1500

