



Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 18th June 2010

Subject: APPLICATION 09/03666/FU – DEMOLITION OF CARE HOME AND REPLACEMENT WITH PART 3/4/5 STOREY CARE HOME, WITH 39 SELF CONTAINED FLATS, CARE ROOMS, CHAPEL, LOUNGES, DINING AREA, ACTIVITY ROOMS AND FUNCTION ROOM, WITH CAR PARKING AND LANDSCAPING AT ST JOSEPHS CONVALESCENT HOME, OUTWOOD LANE, HORSFORTH, LEEDS 18.

APPLICANT

Institute of our Lady of Mercy

DATE VALID

21ST August 2009

TARGET DATE

20th November 2009

Electoral Wards Affected:

Horsforth

Y

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: REFUSAL FOR THE FOLLOWING REASONS:

1. The proposal comprises a footprint, scale and massing that results in overdevelopment of the site with a building that would have a detrimental impact on the streetscene; out of character with the locality and conflicts with Policies N12, N13 and H20A of the adopted Leeds UDP (2006) as well as PPS1 paras 13, 19, 34-36.
2. The proposal would have an overbearing and overdominant effect with overlooking and loss of privacy for the neighbouring gardens of 8A Outwood Lane and 1 Oliver Hill, detrimental to those properties residential amenity contrary to Policies GP5, BD6 and H20A of the adopted Leeds UDP (2006).

1.0 INTRODUCTION:

- 1.1 The application comprises a proposal for a significant new building in Horsforth. This report follows the progress report considered by Panel on 26th November 2009 and seeks determination of the application.

2.0 PROPOSAL:

- 2.1 The proposal comprises a full application for the demolition of the existing St. Josephs Care Home and replacement with a new part 3/4/5 storey care home comprising a total of 81 supported and independent rooms i.e. 21 nursing care rooms, 21 dementia/respite care rooms, 20 independent living rooms and 19 independent living rooms. In addition there are supporting lounges, dining area, activity areas, function rooms and a chapel. Ancillary parking and amenity space is also provided.
- 2.2 The proposal represents a strong contrast to the previous Victorian buildings by introducing a contemporary design that makes a strong visual statement on Outwood Lane. The three/four storey elements faces Outwood Lane whilst the four/five storey elements faces New Road Side.
- 2.3 The palette of materials comprises dry-stone walling, rough stone and ashlar stone; reflecting some of the natural materials found in the locality. The main elevation to Outwood Lane comprises primarily dry-stone at ground floor level with ashlar stone above, and rough cut stone for the chapel.
- 2.4 The proposed car park provides for 28 car parking spaces with additional provision for ambulance parking and cycle parking; behind the existing boundary wall onto Outwood Lane, the majority of which is proposed for retention.
- 2.5 An area of open amenity space (formal and informal) is located to the south of the building, in roughly the same location as the existing area of open space and retains the majority of TPO trees.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site comprises the former St. Josephs Care Home (now demolished) which operated for over 25 years and was an established feature of Horsforth. The site ceased operating c 2.5 years ago. It was formed by two original stone built Victorian houses with modern 1970's infill and a number of smaller ad hoc extensions. The original Victorian elements were 2/2.5 storeys and the 1970's infill was 2 storey with a flat roof. The site contains the former parking area (accessed off Outwood Lane) and a large lower garden area, with a significant number of trees protected by a group TPO.
- 3.2 The site surroundings are of domestic character and scale; primarily smaller detached and semi-detached 2 storey dwellings. In addition there are a number of large Victorian buildings and some larger modern 3 storey residential blocks such as Sandywood Court adjoining.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There is no planning history relevant to this application.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant first met the local planning authority (officers and members) on site for pre-application discussions in October 2007. Officers expressed a strong desire to retain the existing Victorian elements although the applicant considered that those elements could not meet current standards and therefore could not be retained. As

these elements were not listed, or within a conservation area, the local planning authority had no control over their retention and they were subsequently demolished.

- 5.2 At further pre-application meetings a design ethos for the scheme was introduced representing a contemporary approach to redevelopment of the site. Officers concluded that a contemporary design approach could be supported in principle. However it was advised that although the large site is capable of supporting a large building, the initial proposals represented overdevelopment of the site, were too close to neighbours and resulted in the loss of too many TPO trees.
- 5.3 Subsequent minor revisions reduced the footprint to reduce impact on the streetscene, neighbours and TPO trees. The applicant was advised of the need for thorough public participation with ward members and the community. A public consultation event was held on 29th January 2009, although ward members could not attend.
- 5.4 Following formal submission of the application further meetings were held with the applicant who was requested to further reduce the footprint and storey heights; confirmed in writing on 5th November 2009. The applicant replied that they considered further reductions in footprint/floorspace unnecessary, but that they would be willing to amend a number of elevations as follows:

- entrance fin wall replaced by glazed element,
- entrance recess (replace metal cladding with glazing)
- materials substitution for the dementia unit (rough hewn stone in place of ashlar) and chapel (dry stone rather than rough cut stone).

That offer was dependant on an officer recommendation of approval and hence has not been forthcoming.

- 5.5 Highways concerns and additional highways information were outstanding at the end of the pre-application process. The applicant has sought to address these during the life of the application (see highways section below).

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Site notices were posted on 1st September 2009 and 27th October 2009. Two representations of support has been received on the basis that the scheme:
- looks interesting and exciting as a plus to the area,
 - is well mannered and cleverly articulated ,
 - is cleverly located,
 - comprises quality design and materials.
- 6.2 A total of 80 objections have been received from 68 objectors (as at 3rd June 2010). Whilst nobody has objected to the principle of a care home on the site, objections have been made on the following grounds:
- Victorian buildings/and or facade should be retained,
 - developers have allowed buildings to deteriorate through lack of security,
 - development too intensive,
 - footprint much larger than existing,
 - reduction from 85-81 beds a mere token gesture,
 - form, scale and massing represents overdevelopment,

- scheme designed without sympathy to context, looks like a sixth form college/office/apartment block/spacehip,
- design more suited to city centre,
- no basis for the design as a fish out of character with area,
- proposal modernist and brutalist in style,
- utilitarian, uninspiring, incongruous,
- Ashlar inappropriate, should be rough sandstone,
- zinc roof/metal cladding inappropriate,
- overbearing monolith appearance on Outwood Lane, overwhelms domestic scale,
- unbroken, faceless back to New Road Side,
- four storey inappropriate cf existing two storey,
- overpowering in relation to adjoining 2/3 storey properties and Edwardian terraces opposite,
- 4/5 storey impact (visual/loss of light) on ground floor flat adjoining in Sandywood Court,
- devastates outlook for 8A Outwood Lane and results in loss of sunlight, house value,
- roofline at level of chimney pots overshadowing adjoining buildings,
- Horsforth overdeveloped and losing it's identity,
- out of character contrary to UDP policy N12, N13 and GP5.
- reduction of gardens/greenspace on the site,
- traffic generation, in particular in relation to other developments e.g. Kirkstall Forge
- increased traffic on dangerous bend with restricted sight lines, impact on children walking to school,
- traffic from the church could have an impact at key times,
- will result in right-turning queues from New Roadside and Oliver Hill,
- lack of footpath opposite site means pedestrians have to cross twice which is dangerous,
- already problem with residents of Oliver Hill unable to park, will become an overflow car-park,
- Outwood Lane already a rat run,
- junction with Wood Lane dangerous,
- TA disingenuous- no slack and too few spaces, report does not consider peak times, emphasise proximity of bus/cycle routes but not attractive to use, notion that staff visitors staff will arrive by train or bicycle is a nonsense,
- care home fine, but open market flats not,
- not a care home but a nursing home which has higher staffing levels therefore inadequate parking,
- road cannot accommodate large construction and commercial servicing vehicles,
- inadequate parking facilities onsite,
- parking does not provide for shift overlap,
- schedule of condition demonstrates damage not condition,
- should be a second entrance on Oliver Hill,
- should not be a second entrance on Oliver Hill,
- stream across Oliver Hill will be a winter ice hazard,
- problems of water run-off,
- existing footpath must be retained,
- loss of trees,
- no regard to character and appearance of Newlay Conservation Area,
- description as a "care village" inappropriate,
- Loss of light and overlooking to 14 Sandywood Court,
- appears to be no provision for emergency vehicles or taxis,
- proposal fails to take on board comments made by residents at the consultation meeting.

- 6.3 The Cragg Hill and Woodside Resident's Group has sent the results of a questionnaire that 160 residents responded to, objecting that the scheme is too large and inappropriate. None of the individual responses were attached so there may be some overlap with the original objection letters.
- 6.4 All three ward members have objected. Councillor Cleasby and Townsley on the grounds of overdevelopment, insufficient parking, poor design and massing. Councillor Barker has objected on the grounds of insufficient parking on site and insufficient servicing area.
- 6.5 Councillor Carter has also expressed concern on the grounds of size and impact on surrounding communities.
- 6.6 Horsforth Civic Society welcome the concept of a care home but object on the grounds that the proposal is intrusive on the Outwood Lane frontage and is out of scale with surrounding properties, with inadequate parking.
- 6.7 Horsforth Town Council accept that facilities are needed but object on the grounds that the development is overdominant and unsympathetic/out of character, planned parking inadequate.
- 6.8 Newlay Conservation Area Society object on basis that the scheme takes no account of character of the area in terms of scale, appearance, massing and layout; takes no account of 2/3 storey character, concern re fish shape, adjoining Newlay Conservation Area, on road-parking and highway safety.
- 6.9 Leeds Civic Trust object to the demolition. Proposal is out of scale and character resulting in the loss of trees. It should occupy existing footprint with a more broken roofline.
- 6.10 The local MP at the time , Paul Truswell , objected on the grounds that the Victorian buildings should be retained. The proposal is utilitarian and uninspiring. Incongruous with local environment. Four storeys inappropriate and will dominate the streetscene. Overspill traffic. Impact on Newlay Conservation Area.

7.0 CONSULTATIONS RESPONSES:

Statutory:

Yorkshire Water: No objection, subject to conditions.

Non-statutory:

Contamination: No objection, subject to conditions.

Architectural Liaison Officer: No objection, encourages building in accordance with "secured by design."

Environmental Health: No objections, subject to conditions.

METRO: No objection, request cantilever bus stop shelter.

Landscape: No objection, broad strategy approach supported as designed to provide variety of functional recreation and amenity spaces. Tree planting on New Roadside to be reviewed, more detail of shrub planting required. Boundary wall height needs careful consideration, tree protection fencing to be erected, wildlife features need incorporating, colour of roof finish important, bin store to be relocated.

Design: Initial comment - query re clarity/quality of plans, mix of materials and importance of retaining boundary wall. Subsequent response that scheme does not resolve all comments made at pre-application stage; reduction in scale and breaking up of roof height would be an improvement.

Travelwise: Objection; Travel Plan "Framework" unacceptable, full Travel Plan required. Certainty required on measures as opposed to measures that could be considered. Substantial amount of additional information required e.g. needs to cover residents as well as staff, more detail required access, cycle parking, mobility scooters, measures to reduce parking on surrounding streets, additional sources of travel information, real time bus information, targets and timeframes, named travel plan coordinator.

Following further correspondence Travelwise maintain their objection that the framework is not acceptable and outstanding issues have not all been addressed.

Highways: Final consultation response by e-mail dated 28th May 2010 as follows:

1. Access visibility splays obstructed by walls.
2. Bus stop relocation/improvements required in S106.
3. Club cars should be covered by S106.
4. Lack of level access onto Oliver Hill.
5. Disabled parking acceptable.
6. No account of shift changeover creating overspill parking.
7. 20 mph zone on Outwood Lane necessary if visibility splays cannot be achieved.
8. Need to limit to over 60's.
9. Auto-tracking still needs to take account of a 11m long refuse vehicle.
10. Pedestrian footway crossing.
11. Uncontrolled pedestrian crossing.
12. No sheltered mobility scooter parking.

Conclusion: No objection subject to a revised layout, revised Travel Plan, S106 contributions and conditions covering the above.

Mains Drainage: No objection, subject to conditions.

Nature Conservation Officer: No objection but need more information re which trees have bat roost potential and if removed, mitigation measures required.

Refuse Collection: No objections.

Transport Policy: No objection, subject to public transport contribution of £22,583 (reduced as part of negotiations) via a S106 agreement.

8.0 PLANNING POLICIES:

- 8.1 The site is identified within the main urban area as designated in the adopted Leeds UDP (2006) and no other allocations or designations affect the site. Relevant policies include:

GP5: development to resolve detailed planning considerations,
H20A: Proposals for residential institutions will only be accepted where:
-the site includes adequate amenity space,

- the proposal is compatible with amenities of neighbouring dwellings and residential character of the area,
- the proposal provides adequate parking space.

T2: new development to be served adequately from the existing or proposed highway network,

T24: parking standards,

N12: urban design principles inc. spaces between buildings, good design, buildings to be good neighbours, respect character and scale of buildings and routes that connect them, encourage visual interest.

N13: design of new buildings to be of high quality and have regard to character and appearance of surroundings; good contemporary design welcomed.

BD6: All new buildings to consider their own amenity and that of their surroundings including privacy.

- 8.2 A proposal to designate a Conservation Area for Cragg Hill and Woodside is out for public consultation (May-July 2010) and includes this site within the proposed conservation area. However this is at an early stage and accordingly carries no weight in planning terms.
- 8.3 RSS (2008) Policy Y4 introduces the sequential approach with priority to sustainable urban sites such as this. However a recent ministerial statement dated 27th May 2010 reduces the weight to be attached to RSS which is to be abolished.
- 8.4 PPS1 refers to the desire to improve the character and quality of an area (para 13 iv) and enhance the environment (para 19). Design which is inappropriate in it's context or fails to take opportunities for improving the character and quality of an area should not be accepted (para 13 v) and 34). Development should respond to it's local context and create or reinforce local distinctiveness (para 36).

9.0 MAIN ISSUES

1. Principle of Development
2. Replacement of existing buildings
3. Layout/Design
4. Highways
5. Landscape
6. Residential Amenity

10.0 APPRAISAL

1. Principle of Development

- 10.1 The principle of use of the site as a care home is acceptable as the existing lawful use of this brownfield site which lies in the main urban area. Although the buildings have been demolished there has been no intention by the applicant to abandon that use.
- 10.2 A letter from the applicant dated 25th November 2009 states:

“...this proposed development seeks to continue an historic community use on the site to the benefit of elderly and frail members of society and their healthcare needs.”

- 10.3 It is officers view that the principle of development is acceptable and a replacement care home would allow for the provision of much need accommodation for elderly residents with a range of care needs in modern, purpose built accommodation. As such the principle should be supported.

2. Replacement of existing buildings

- 10.4 The local planning authority has no control over demolition of non-residential buildings that are not listed, or in a conservation area. As such officers very reluctantly agreed to the loss of the original Victorian elements as part of pre-application discussions, but only if the resultant proposal was of sufficient merit to outweigh their loss.

3. Layout and Design

Design Ethos

- 10.5 The design approach was agreed as acceptable at pre-application stage. It is both planning and design officer's opinion that the current proposal has much to recommend it in terms of the contextual and modern design approach, using traditional stone walling materials. The building provides visual interest externally and internally through it's approach to form.

Layout/Scale/Massing

- 10.6 At pre-application stage it was agreed that given the size of the site and type of use, an innovative layout (with a contemporary design approach) could be acceptable if the scale, massing, bulk and materials of the resultant building were appropriate. The original pre-application proposal was considered to represent overdevelopment of the site with:

1. impact on the Outwood Lane streetscene,
2. impact on adjoining properties and trees,
3. unacceptable loss of TPO trees,
4. poor unresponsive materials (especially use of render).

- 10.7 A reduction in footprint was sought and the developer reduced the footprint, although not a much as requested. The final pre-app correspondence (e-mail dated 6th January 2009) confirmed that although design and landscape officers were "generally happy" a "significant number of minor points" were outstanding.

- 10.8 On submission of the application continued consideration was given to layout and design issues following further meetings with Design and Landscape officers. The Design section supports the design ethos, contemporary approach with use of traditional materials in the proposal; although matters of detail remain to be resolved. The design team have advised that further alterations are required and a letter dated 5th November 2009 was sent to the agent requesting changes to the footprint, layout and massing. The applicant confirmed that they do not consider changes to layout/footprint/scale necessary, although they were willing to consider amending certain materials. In a letter dated 26th November 2009 they state:

"The applicant intends this to be it's flagship care facility and to this extent the high design being proposed involves a very significant investment in the build quality and design finish, which is not typical of the sector."

- 10.9 Subsequent consideration of a progress report by Panel on 26th November 2009 resulted in various comments by members including:

- principle of use OK,
- building out of scale and character with surroundings,
- does not replace quality of existing buildings,
- design appropriate for a business park,
- ridge height maybe same, but larger building,
- substantially larger than original building,
- building not inviting,
- building blocky, should step down in height,
- cannot reproduce Victorian, modern take with traditional materials could be acceptable.

- 10.10 It is officers conclusion that the proposal comprises a footprint substantially larger than the former St Joseph's. The extent of the footprint, scale/massing and height result in a building that is out of character with the area and surrounding development and hence represents overdevelopment of the site. Drawing ref 109 Rev PA submitted with the application addresses the streetscene. The associated Design and Access Statement (page 18) demonstrates that the ridgeline is higher than the ridgeline on surrounding Victorian dwellings but seeks to argue that it "relates in scale to the large detached Victorian Villas." However not only is it higher than those villas, it is significantly higher than the three storey flats or 1.5 storey chalet bungalow adjoining. The building also presents two areas of large unbroken roof line to Outwood Lane.
- 10.11 Suggestions regarding reducing the footprint, extent of roofline and breaking it up to overcome these concerns have not been followed. As a consequence, through the extent of the footprint, scale/massing and height, the building would have a detrimental impact on the streetscene, out of character with the locality and the conflicts with policies N12, N13 and H20A of the adopted Leeds UDP (2006) which seek to ensure that new development is a good neighbour and respect spaces around buildings as well as design policies in PPS1.

Materials

- 10.12 The mix of traditional materials with extensive natural stone walling generally fit well. Final materials improvements were offered by letter dated 26th November 2009, but not subsequently provided.

4. Highways

- 10.13 Various highways queries were not fully responded to at pre-application stage but covered in the Transport Statement submitted with the application and subsequent correspondence.
- 10.14 Further to the receipt of further information Highways consider that sufficient parking has been provided on-site to meet UDP guidelines. Similar developments which have received permission at Panel have had similar levels of parking e.g. Victoria Care Home, 224 Kirkstall Lane Headingley, which had the same ratio of spaces to rooms. Concerns re shift overlap could be resolved by conditions/S106 requiring a combination of measures including a car park management plan, limitation to over 60's only, TRO's, 20mph limit on Outwood Lane, METRO travel cards to encourage non-car use.
- 10.15 A draft S106 agreement has been submitted during the life of the application and offers to limit the occupancy to over 55's (not over 60's as requested by highways) but does not include an obligation providing the £22,583 requested public transport

contribution. The applicant has confirmed that the sum is agreed and is prepared to amend the S106.

- 10.16 There are therefore deficiencies in both the current draft S106 and Travel Plan. However it is considered that these could be resolved by condition or further negotiation and hence a reason for refusal is not warranted.
- 10.17 A revised layout would be needed to provide adequate dimensions for cycle/motor cycle parking, bin store ramps of 1 in 20 (not 1 in 15), enhanced emergency access and mobility scooter parking to be shown. A revised site layout has been informally submitted. Although it does not comprise a formal part of the application being considered by Panel, it would resolve the highway layout concerns.

5. Landscape

- 10.18 The Landscape Officer considers that if the scale of development is accepted, the landscape strategy is appropriate, although trees along New Road Side need to be reassessed.

6. Residential Amenity

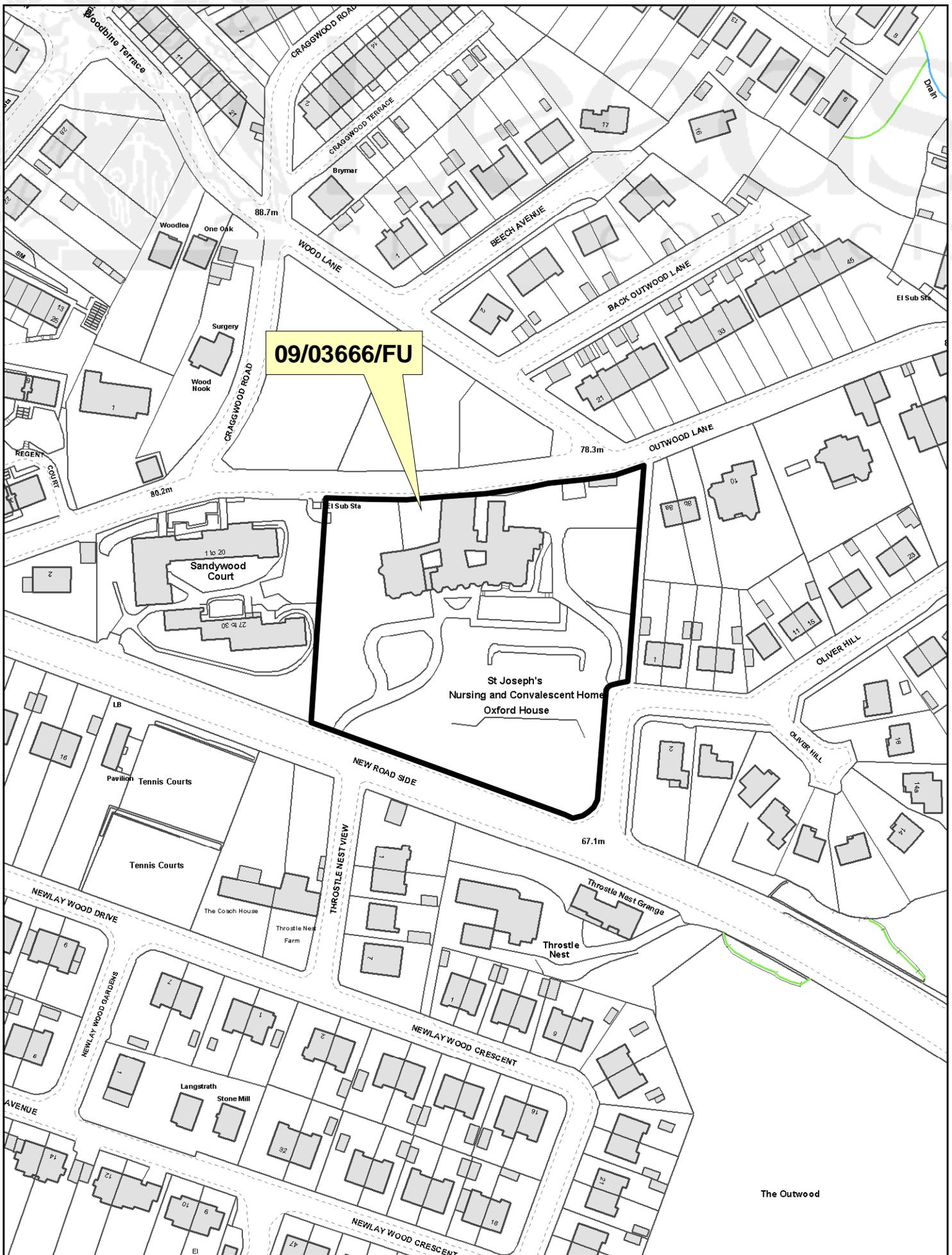
- 10.19 It is considered that the proposed west elevation is sufficient distance from properties at Sandywood Court (18m) for there to be no detrimental impact on residential amenity. The boundary is well vegetated and Sandywood Court presents a blank gable (bar one small secondary window at third floor level) towards the St Joseph's site.
- 10.20 However the proposed east elevation is only 16m from 8A Outwood Lane and 15m from 1 Oliver Hill. Views of the proposal could only be seen at obscure angles from 8A (small secondary first floor window) or 1 (chalet bungalow dormer window) and are not detrimentally affected. However the large 3/4 storey gable end would be overdominant and overbearing to residents using the garden areas to those properties. Suggestions re reducing impact of this massing have not been followed.
- 10.21 In addition the gable includes corridor, kitchen, bedroom and lounge windows that would overlook the gardens of 8A Outwood Lane and 1 Oliver Hill detrimental to their privacy and residential amenity contrary to policy GP5, BD6 and H20A of the adopted Leeds UDP 2006.
- 10.22 As such it is concluded that without revisions to the footprint and massing of this elevation, that the proposal has an unacceptable impact on residential amenity.

11.0 CONCLUSION

- 11.1 It is considered that the application proposal has merit in terms of design ethos, visual interest and use of materials. However it is considered that it represents overdevelopment of the site and would unacceptably impact on the streetscene and adjoining residential properties at 8A Outwood Lane and 1 Oliver Hill.
- 11.2 Accordingly, on balance, the recommendation is for refusal.

Background Papers:

Application file ref 09/03666/FU



09/03666/FU

**St Joseph's
Nursing and Convalescent Home
Oxford House**

WEST PLANS PANEL

Scale 1/ 1500

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