



**Report of the Chief Planning Officer**

**PLANS PANEL WEST**

**Date: 23rd June 2010**

**Subject: APPLICATION 10/04924/FU – REPLACEMENT PART 2/3/4 STOREY CARE HOME, WITH 34 SELF CONTAINED FLATS, 39 DEMENTIA/RESPITE/NURSING CARE ROOMS, CHAPEL, LOUNGES, DINING AREA, ACTIVITY ROOMS AND FUNCTION ROOM, WITH CAR PARKING AND LANDSCAPING AT FORMER ST JOSEPHS CONVALESCENT HOME, OUTWOOD LANE, HORSFORTH, LEEDS 18.**

**APPLICANT**

Institute of our Lady of Mercy

**DATE VALID**

1<sup>st</sup> November 2010

**TARGET DATE**

31<sup>st</sup> January 2011

**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 proposed eastern element (dementia block) represents poor design in terms of footprint, scale, massing and elevational treatment, by failing to adequately relate to the rest of the building and its immediate context to the detriment of the visual amenity of the area. The proposal thereby conflicts with adopted Leeds UDP (2006) policies N12, N13 and H20A as well as PPS1 paras 13, 19, 34-36 and the Horsforth Design Statement.
2. The proposal would be harmful to the draft Horsforth Cragg Hill and Woodside Conservation Area through overdevelopment of the site in terms of overall design, footprint, scale, massing and height. These elements would not preserve or enhance the character and appearance of the draft Conservation Area identified in the Draft Conservation Area Appraisal and Management Plan. The proposal thereby conflicts with adopted Leeds UDP (2006) policies GP5, N19, PPS5 and the draft Conservation Area Appraisal and Management Plan.

## **1.0 INTRODUCTION:**

1.1 The application comprises a proposal for a significant new building in Horsforth. This report follows the refusal of a previous application ref 09/03666/FU by Panel on 18<sup>th</sup> June 2010.

## **2.0 PROPOSAL:**

- 2.1 The proposal follows the demolition of the existing St. Josephs Care Home and comprises a replacement with a new part two/three/four storey care home comprising 34 self contained flats and 39 dementia/respite/nursing care 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, particularly on Outwood Lane. The three/four storey elements face Outwood Lane and New Road Side to the north and south, whilst three storey elevations face west and two/three/four storey elevations face east.
- 2.3 The palette of materials comprise dry-stone walling, rough cut stone and Ashlar stone; reflecting some of the natural materials found in the locality. The roof is proposed to be a standing seam construction. The main elevation to Outwood Lane comprises primarily dry-stone at ground floor level with Ashlar stone above, and dry stone for the chapel.
- 2.4 The proposed car park provides for 29 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.
- 2.6 A draft S106 offers:
- a) Public Transport Contribution (£20,353.00)
  - b) Bus Infrastructure Contribution towards a new bus shelter inc seating, lighting and real-time info (£10,000.00)
  - c) Off-site parking contribution (tbc)
  - d) Travel Plan monitoring fee (£2,500.00)

## **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 3.5 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 two/two and a half storeys and the 1970's infill was two 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. A large stone wall forms the boundary to the west, north and east with a stone wall/fence to the south on New Road Side.

3.2 The site surroundings are primarily of domestic character and scale i.e. terraced, semi-detached and detached dwellings. To the west lies 2 Outwood Lane, a two storey Victorian house and Sandywood Court, a post-war three storey block of flats with a pitched roof. To the north lie two storey Victorian terraces on Outwood Lane. To the east lies a post-war semi-detached “chalet” property at 8A/8B Outwood Lane and a two and a half storey Victorian villa at 10 Outwood Lane. To the south lie a number of large Victorian properties on the south side of New Road Side.

#### **4.0 RELEVANT PLANNING HISTORY:**

4.1 A previous full planning application was submitted in 2009 (ref 09/03666/FU) for a similar proposal comprising a replacement, part three/four/five storey care home, with 39 self contained flats, care rooms, chapel, lounges, dining area, activity rooms and function room, with car parking and landscaping. The application was refused at Panel in line with the officer recommendation 18<sup>th</sup> June 2010 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).

#### **5.0 HISTORY OF NEGOTIATIONS:**

5.1 The agent agreed post refusal of 09/03666/FU that it would be sensible to meet officers and members as part of formal pre-application discussion to assess the reasons for refusal on the previous application and discuss a potential resubmission. The agent was made aware of the Council’s formal pre-application charter. However prior to an initial informal meeting on 8<sup>th</sup> September 2010 the applicant presented a fully worked up proposal and subsequently declined the offer of formal pre-application discussions with officers and members.

5.2 Having declined to enter into formal pre-application discussions the agent confirmed that they had been instructed by their client to submit a full planning application which was submitted on 22<sup>nd</sup> October 2010.

5.3 On expiry of the consultation period a meeting was held with the applicant on 20<sup>th</sup> January 2011. Various outstanding information and Section 106 requirements were outlined. It was noted that an officer view could not be made until the design consultation had been received. Following receipt of the Design Consultation on 25<sup>th</sup> January 2011 a further meeting was held on 7<sup>th</sup> March with the Design officer and the applicant. It was noted that there remained design issues with the proposal and it was noted that the Conservation officer had not yet responded to the submitted Conservation Statement. The Conservation officer’s consultation response was received on the 10<sup>th</sup> March objecting on conservation grounds.

5.4 On 24<sup>th</sup> May 2011 a letter was received from the agent voicing concern that there has been no significant progress on the application and requesting an early

determination at Panel. Officers wrote to the agent on 31<sup>st</sup> May confirming that in the light of the continued design and conservation concerns and the lack of receipt of revised plans, that the application would be taken to the next available Panel with a recommendation for refusal.

## **6.0 PUBLIC/LOCAL RESPONSE:**

6.1 Site notices were posted on 19th November 2010. One representation of support has been received on the basis that the:

- contemporary scheme sits on site not unlike previous building,
- materials offer variety and freshness,
- existing use needs to take forward,
- existing residential development e.g. dormers are a blight, not this development.

6.2 Three representations of partial support/objection has been received that whilst the principle is strongly supported, but the minor modifications do not satisfactorily address original objections in that mass is out of character and parking inadequate. Overdevelopment, overbearing, overdominant. The Planning and Transport Statements are not accepted as large contemporary design is unnecessary, no evidence that modern development referred to is accepted a locally attractive addition. Staff, residents and visitors will not shift to public transport, only one bus route, distance to train station.

6.3 A total of 76 objections have been received from 74 objectors (as at 9th June 2011). Whilst nobody has objected to the principle of a care home on the site, objections have been made on the following grounds:

- Victorian buildings should have been retained,
- developers have allowed original buildings to fall into disrepair as an excuse for demolition,
- a care "village" of 73 residents is not a replacement for a care "home" for 27 residents,
- development huge, overbearing and shoe-horned into the site, monolithic block, more appropriate to city centre or ring road,
- footprint twice the existing, takes up much more of the site,
- size, scale, height mass unacceptable, little regard to policy GP5 or N13,
- scheme sticks out like a sore thumb, more like an office block, industrial, large hospital,
- design too modern,
- no basis for the design, fish only visible from above, will look more like Berlin Wall,
- roof pitch out of character with surroundings,
- materials do not reflect the architecture of Outwood Lane or Horsforth,
- Four/five storey no regard to local character (mainly two and three storey Victorian/Edwardian buildings), will dwarf local houses and be at odds with the local area, should be at least one storey less,
- building of this footprint should be no more than two to three storeys,
- five storeys near main road unacceptable,
- long distance views from Outwood Lane and Wood Lane over valley to Newlay Conservation Area obscured,
- overbearing effect on adjoining properties, public footpath and Sandywood Court,
- loss of daylight/sunlight for kitchen/bedroom at 30 Sandywood Court,
- will dwarf bungalows to side of ginnel,
- out of character contrary to UDP policy N12, N13 and GP5,
- loss of majority of green space on the site,

- traffic generation, full highway impact assessment needs to be carried out,
- reduction in on-site car spaces compared to original St. Joseph's,
- need underground car park of one or two levels,
- Outwood Lane property affected by traffic generation from Brodwell Grange and BUPA developments with parking along the whole of Outwood Lane,
- Outwood Lane/Oliver Hill cannot cope with traffic, parking on both sides of the road and now single lane, nasty bends and narrow places,
- specialist staff will have to resort to on street parking,
- Pennington Court is an unsuitable comparison,
- increased traffic dangerous to children and elderly residents,
- Outwood Lane already a rat run, should have speed limit of 20mph,
- use of train station unrealistic for staff/visitors and cyclists,
- not a care home but a nursing home which has higher staffing levels (at least 60 not 24) therefore inadequate parking,
- unrealistic that no residents will have cars,
- road cannot accommodate large construction and commercial servicing vehicles,
- inadequate parking facilities onsite, no disabled parking,
- St Gemma's hospice has 160 car spaces for 32 beds, Sue Ryder, Wheatfields has 40 spaces for 18 beds, 29 spaces for 34 beds therefore inadequate,
- parking does not provide for shift changeover and residents with cars, will double amount of parking needed,
- service vehicles may be blocked from Oliver Hill,
- loss of TPO trees,
- impact on wildlife,
- devalue existing houses,
- applicant accepts impending Conservation Area is a material consideration,
- loss of sunlight, daylight and overlooking for neighbours,
- to support application would need major improvements to Horsforth transport, major support of education infrastructure, zero carbon and low car per household ratio,
- appears to be no provision for emergency vehicles or taxis,
- 24 hour working means light/noise pollution and disruption for residents,
- reducing 39-34 flats inadequate,
- building the same, or similar to the previous one which was rejected,
- application forms, supporting submissions (especially Application Forms, Planning Statement, Arboricultural Survey and Bat survey) inaccurate, out of date and misleading,
- proposal fails to take on board comments made by residents at the consultation meeting,
- public consultation was undertaken on the last day for public representations.

6.4 The Cragg Hill and Woodside Resident's Group have objected that the footprint has only reduced 3% and mass by 5%, the reasons for refusal have not been addressed, the design has nothing to do with character, there has been inadequate consultation, the proposal is not a replacement care home as it is larger, the Conservation Area should be taken into account, analysis of traffic needs a proper assessment and that the building does not meet policies N12 and N13.

6.5 Councillor Cleasby and Townsley have objected as ward members on the grounds of overdevelopment, highways issues and additional vehicle movements with on-street parking and road safety issues, design out of keeping which will dominate the streetscene and that the Conservation Area is imminent.

6.6 Horsforth Town Council objects that issues set out in reasons for refusal have not been addressed and issues remain that development is overdominant, design is

unsympathetic to surroundings, the façade is out of character, planned parking is inadequate and that 24 hour working will increase impact.

- 6.7 Newlay Conservation Area Society and Horsforth Civic Society object on basis that although room numbers have fallen the building looks pretty much the same as that refused. The massing remains dominant. The fish straddles whole site with a massive structure. Overlooking is unresolved. No reasonable solutions have been found to the parking problem pushing parking onto local streets. The design is a “hotch-potch” of materials. The proposal is overbearing, dominates streetscape and is unsympathetic near the Newlay Conservation Area and proposed Cragg Hill Conservation Area. There has been an insufficient response by developer to the original consultation, original objections and reasons for refusal.
- 6.8 Leeds Civic Trust object that the scheme pays no regard to the wider historic context and is completely out of scale with it’s location. Small reduction in rooms does not reduce mass of building, occupies too much of former gardens and result in loss of trees. Horizontal emphasis is at odds with character of Outwood Lane. Development should retain the original gardens, with a more varied roof line and broken for to reflect character of area.

## 7.0 CONSULTATIONS RESPONSES:

### **Statutory:**

Yorkshire Water: No objection, subject to conditions.

### **Non-statutory:**

Design: Objection. Design revisions required as follows:

- Engagement with local community should be part of good design process
  - Still some concern re footprint, especially at eastern edge.
  - Scale and massing of eastern edge poorer response to simple edge treatments of buildings in the area.
  - Gable treatment at east end of top floor provides abrupt end detail, design needs modulation and consistency.
  - Render material best avoided on front elevation.
  - Overall use of stone on front welcomed, but Ashlar not appropriate. Standing seam roof - need more information.
  - Boundary treatment to Outwood Lane appears to be acceptable.
  - Long sweep of curved block sits comfortably; may be appropriate to consider further modulation, reduction or break up on basis of conservation issues.
- Management and maintenance will be important.

Conservation: Objection. Proposed Conservation Area well advanced. Number of concerns about the proposals namely:

- Width and height of the building block will block long distance views.
- Building likely to be visible on the horizon.
- Building will occupy full width of site at odds with villas on south side of Outwood Lane.
- Mass very large, not domestic scale or comparable to other buildings in the proposed Conservation Area.
- Horizontal proportions challenge the vertical, domestically scaled elevations of the adjoining buildings.
- Building striking but not simple.

Concludes that although a bold and innovative design, it would not preserve or enhance the proposed Conservation Area.

Contamination: No objection, subject to conditions.

Architectural Liaison Officer: No objection; suggestions made re access control, receipt of mail, landing/stairwell and use of defensive shrubbery.

METRO: No objection, subject to provision of cantilever shelter for existing bus stop (£10,000).

Landscape: No objection, subject to conditions. Greater landscaped space than previous application and provision of large canopy trees will help filter views of building. Concern at level changes impact on trees in north-west corner. Strategy for useable/therapeutic outdoor space admirable but need larger trees. Tree report out of date, favours phases removal of declining trees. Hard landscaping approach not clear. Notwithstanding large footprint preserves wider landscape setting with potential for long term positive management 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.

Travelwise: Objection; Should be secured by S106, modes split target must not be changed, targets should be set for percentage of visitors arriving by car, monitoring needs to cover visitor travel, plan required for shower provision, smart cars unclear, should advise on further measures if targets not met, base map needs changing, storage for mobility scooters to be designed in, real time info in reception, car share spaces to be marked on plan.

Transport Policy: Proposal will have a significant travel impact therefore a financial contribution of £20,353 required in accordance with the Public Transport SPD.

Highways: No objection in principle subject to following issues being resolved:

1. During staff changes insufficient off-street parking. Car parking strategy required.
2. Layout in TA/Travel Plan and main layout need to match.
3. Lack of mobility scooter parking.
4. Unsuitable bin storage facilities and ramps more than 1:20.
5. Service area too small to accommodate large vehicle manoeuvres.
6. City car club cars not feasible.

If permission given conditions recommended. S106 required to include:

1. Cantilever Bus stop.
2. Site pool cars for staff/residents.
3. Travel Plan attached.
4. Travel Plan monitoring fee £2,500.
5. Public Transport SPD contribution £20,352.
6. All residents over 60 years old.
7. No flats to be sold privately.
8. If overspill parking observed in 5 years traffic calming measures to be funded.

Mains Drainage: No objection, subject to conditions.

Nature Conservation Officer: No objection subject to condition.

Refuse Collection: No objections.

Access Officer: Generally fine, request info re tactile paving and seating.

## **8.0 PLANNING POLICIES:**

### **Adopted Leeds UDP Review (2006)**

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.

N19: All new buildings in conservation areas to preserve or enhance character, detailed design to relate to adjoining buildings, materials to be sympathetic to adjoining buildings, careful attention to design and quality of landscape/boundary treatment.

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

### **Regional Spatial Strategy : Yorkshire and the Humber (2008)**

8.2 A recent high court decision following a challenge to the Secretary of State's purported abolition of RSS leaves RSS as part of the development plan. However, the Secretary of State's intention to abolish RSS may be taken into account as a material planning consideration. Therefore the amount of weight to be given to RSS is a matter for the decision maker. Relevant policies include:

YH4: Regional cities to be the prime focus for housing.

YH7: First priority to re-use of previously developed land and existing developed areas within town and cities, second infill in cities, third extension to towns and cities. LPA's to make best use of existing transport infrastructure, take into account capacity constraints and comply with public transport accessibility.

LCR1: Focus most development in Leeds and Bradford.

T1: Personal travel reduction and modal shift - discourage inappropriate car use and encourage public transport and accessibility to non-car modes.

### **Local Development Framework (LDF)**



8.3 Initial consultations on Issues and Allocations were carried out in October 2007 followed by consultation on the Preferred Approach in October/December 2009. The formal publication of the Core Strategy however, will not take place until Autumn 2011, with a Public Inquiry in 2012. The Strategic Sites DPD is not due for publication until 2012. In the context that the LDF is at an early stage, it is considered that it carries little weight in planning decisions at this time.

**PPS1 “Delivering Sustainable Development” 2005**

8.4 PPS1 para 18/19 states that planning should seek to “improve” and “enhance” the local environment and 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). Para 27 states that planning authorities should improve access to jobs, health, education, shops, leisure and community facilities and open space by foot, cycle or car to reduce reliance on car. Para 27 also states that planning authorities should promote the more efficient use of land through higher density development and bring vacant and underused land back into beneficial use. Development should respond to it’s local context and create or reinforce local distinctiveness (para 36).

**PPS5 “Planning for the Historic Environment” 2010**

8.5 PPS5 defines heritage assets as including places:

“...positively identified as having a degree of significance meriting consideration in planning decisions....They include designated heritage assets...and assets identified by the local planning authority during the process of decision-making....”

8.6 Policy HE7:1/2 then states that local planning authorities should assess the degree of significance of heritage assets affected and the impact of a proposal on that significance. Policy HE7.5 states:

“Local Planning Authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.”

**PPG13 “Transport” 2006**

8.7 Para 4 states key objectives as promoting more sustainable transport choices, promoting accessibility to jobs, shopping, leisure and other service by public transport and reducing need to travel by car. Paras 76 and 79 state the importance of promoting walking and cycling as a prime means of access. Para 91 states that the acceptability of a Travel Plan will depend on the extent to which it materially affects the acceptability of development.

**Adopted SPD “Public Transport Improvements and Developer Contributions” 2008**

8.8 Para 4.3.16. confirms that in locations where public transport accessibility is not acceptable, the developer is expected to establish and fund the measures required to make the site accessible.

**Draft SPD “Travel Plans” 2007**

8.9 Para 4.23 confirms that any applications comprising more than 50 dwellings will require a Travel Plan. Table 2 lists essential components of any Travel Plan.

### **Adopted SPD “Horsforth Design Statement” 2010**

- 8.10 Two of the key aims are to “appraise the particular local character of the area” and assisting Leeds City Council “in ensuring that future development responds to and respects that character.”
- 8.11 The Statement refers to existing Conservation Areas and the approval in principle of the proposed Conservation Area at Cragg Hill and Woodside.
- 8.12 The site is identified within the Area 4 “Cragg Hill and Woodside” character area which is described as predominantly residential, with a mixture of buildings, materials and styles. Outwood Lane is described as:

“... a collection of attractive stone detached and semi-detached villa houses linked by mature woodland and bounded by a stone wall on its southern side, so retaining a semi-rural character. At the Woodside end this includes the Methodist Church and Sunday School. However the business premises at the junction of Outwood Lane and Low Lane are out of scale, and detract from character of the area.”

### **Draft Horsforth and Cragg Hill and Woodside Conservation Area Appraisal and Management Plan**

- 8.13 A proposal to designate a Conservation Area for Cragg Hill and Woodside was subject to public consultation (May to July 2010). Representations were considered and reported to Executive Board on 13<sup>th</sup> January 2011 where the recommendation was to designate the Conservation Area. However designation has been delayed by further submissions regarding one site known as Danoptra, which lies at the northern end of the proposed Conservation Area. An item is due to go back to Executive Board on 22<sup>nd</sup> June 2011 seeking to agree the designation after which the decision would be ratified.
- 8.14 The Conservation Area Appraisal acknowledges that the Conservation Area has a varied building stock resulting from slow, piecemeal development over three centuries. Under the summary of issues (P1) it is noted that a key issue is risk of inappropriate infill development and that new development should take reference from “existing” positive buildings. In the Character Analysis section architectural character is identified as generally simple design, two-storey domestic property and pitched roofs. Page 8 identifies key long distance views including from this site over the valley.
- 8.15 The site lies within character area 3 which has 2 main types of development:
1. Detached Villa Development (inc. two storey eaves height, loose grain built form).
  2. Terrace Rows (inc. two storey eaves height, back of pavement location).
- 8.16 The Character Analysis section (P17) states that key characteristics throughout the Conservation Area include domestic two storey architecture, buildings orientated to face the street, many located on the back of pavements. Key ways to retain character include:
- keep the domestic scale and massing within the area,
  - new build properties to be normally two storeys.
- 8.17 In resisting inappropriate infill P20 states:

“Often the infill does not take into account the scale, massing and proportion of structures in the area....The failure to ensure that these characteristics are upheld can result in developments that will have a detrimental effect on the character and appearance of the Conservation Area.”

## **9.0 MAIN ISSUES**

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

## **10.0 APPRAISAL**

### **1. Principle of Development**

- 10.1 The previous use of the site was for St Joseph’s Care Home. Although the buildings were demolished last year, it is clear that the landowner has not intended to pursue an alternative use. A letter from the applicant dated 25<sup>th</sup> November 2009 in relation to the previous application stated:

“...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.”

Therefore the use has not been abandoned and remains the lawful use of the site.

- 10.2 St. Joseph’s comprises a brownfield site which lies in the main urban area. It is officers view that the principle of development is acceptable and a replacement care home would allow for the provision of accommodation for elderly residents, with a range of care needs, in modern, purpose built accommodation. As such the principle of the use is considered acceptable.

### **2. Replacement of existing buildings**

- 10.3 A number of residents have objected to the demolition of the original St Joseph’s, in particular the Victorian villas that comprised the oldest parts of the site. At the time of demolition the local planning authority had no control over demolition of non-residential buildings that were not listed, or in a Conservation Area. As part of pre-application discussions, planning officers sought to retain the original Victorian elements (in particular the main building) which the applicant was unwilling to consider. Planning officers had noted that should an application be pursued that proposed the demolition of all the Victorian elements, the resultant proposal should be of sufficient merit to outweigh their loss.

### **3. Design**

#### **Layout/Scale/Massing/Elevations**

- 10.4 The overall design ethos/architectural style of this application remains the same as the previous application and only minor amendments have been made. The Design

officer has commented that there is still “some way to go with the design process” and has commented that the design of the eastern end (dementia unit) and gable treatment at the east end of the top floor are abrupt and require modulation. Although the long sweep of the curved block “appears to sit comfortably on this site” he comments that it may be appropriate to also consider further modulation of this element based on conservation issues.

- 10.5 As part of the previous full planning application (ref 09/03666/FU) both planning officers and design officers were concerned that minor revisions to the scheme had not gone far enough and a letter dated 5<sup>th</sup> November 2009 was sent to the agent requesting changes to the footprint, layout and massing. The applicant confirmed that they did not consider any of these changes necessary, although they were willing to consider amending certain materials. Accordingly officers advised Panel that the extent of the footprint, scale/massing and height resulted in a building that was out of character with the area and surrounding development and hence represented overdevelopment of the site. The application was refused at Panel in line with the officer recommendation 18<sup>th</sup> June 2010 with reasons for refusal number one stating:

“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”.

- 10.6 As regards the current application the applicant has sought to overcome this reason for refusal. The applicants describe their amendments as:

- reduction of footprint by 2m overall,
- additional areas for motorcycle, ambulance and secure parking,
- movement of building within site to reduce perceived height and impact on Outwood Lane,
- prominence of the Chapel increased,
- reduction in extent of third floor by 3m at both ends,
- boundary wall lowered and cut back in limited locations,
- flat roof introduced to link main building and dementia unit,
- removal of fin entrance and replacement with glazed element,
- replace metal cladding on front elevation with glazing,
- reduce scale of dementia unit from 3/4 storeys to 2/3,
- dementia unit facing Outwood Lane to be rough hewn stone not ashlar,
- chapel to be dry stone not rough cut stone.

- 10.7 Whilst these minor amendments largely follow the advice given, the Design Officer now comments that there is:

”still some concern around the footprint of the proposal - especially at it’s eastern end where 2-3 storey elements are positioned adjacent to this boundary. The scale and massing at this edge has a poorer response to the simple, positive edge treatments of the buildings in this area. This aspect to the overall scheme (east and west edges) has been a concern throughout discussions on this project.”

Apart from this issue, the remainder of the design concerns identified by the Design Officer are not considered sufficient to refuse the application.

- 10.8 It is planning officers view that in seeking to overcome the previous reason for refusal on overlooking and loss of privacy to 8A Outwood Lane and 1 Oliver Hill additional issues have resulted. The eastern end of the building (Dementia Unit) is overly complex in form, with poor elevational treatment in relation to the rest of the scheme and positive local context (it does not represent integrated design). This is a poor element of townscape and fails to achieve the objectives of adopted Leeds UDP policy N12 and N13 and the objectives of good design in PPS1. As such the footprint, scale, massing and elevational treatment of this specific element are still not considered acceptable,

#### **Materials**

- 10.9 The mix of traditional materials with extensive natural stone walling is generally supported although the design officer has objected to certain elements such as the use of render and extent of Ashlar stone on the front elevations. The applicant has indicated an intention to submit amended elevations prior to Panel to resolve this concern. Members will be updated at Panel.

#### **4. Conservation**

- 10.10 The design approach to this site was first considered in January 2006 when the applicant was advised to incorporate the Victorian elements. An initial site visit was held on 24<sup>th</sup> October 2007 followed by further pre-application discussions. At that time it was considered that St. Joseph's was a large site and could accommodate a reasonably large building. An innovative design could be considered as long as it used traditional materials. The previous application was then submitted in 2009 (ref 09/03666/FU).

- 10.11 However there has been material change of circumstances between the original discussion in 2006 and submission of the current application in November 2010, including the consultation process for the Horsforth Cragg Hill and Woodside Conservation Area, within which this would be a major prominent development site. In this context it is considered that the design ethos needs to be revised to take into account the proposed Conservation Area which is now far advanced and close to designation.

- 10.12 The applicant has submitted a Conservation Statement arguing that their proposal remains acceptable if the Conservation Area is designated and that a more fundamental re-assessment is not necessary. However conservation officers and planning officers have considered the scheme in relation to the draft Conservation Appraisal and do not agree with that assessment, considering that the proposal would not preserve or enhance the character and appearance of the Conservation Area as identified in that appraisal. Particular concerns are that the proposal would:

- represent inappropriate infill,
- conflict with predominant character of domestic two storey scale and massing,
- hinder long distance views.

- 10.13 It is therefore concluded that the current proposal would not preserve or enhance the character and appearance of the draft Conservation Area and hence would be detrimental to the draft Conservation Area.

- 10.14 The applicant's supporting documentation acknowledges that the draft Conservation Area is a material consideration, which is agreed. In determining this application, Panel must decide what weight to place on conservation issues given that the Conservation Area is not yet statutory. It is planning officers view that although

having less weight than a statutory Conservation Area, it has a reasonable degree of weight given the advanced stage, and as such is an important consideration.

## **5. Highways**

- 10.15 Highways have no objection in principal subject to the resolution of the following matters:
1. During staff changes insufficient off-street parking.
  2. Car parking strategy required.
  3. Layout in TA/Travel Plan and main layout need to match.
  4. Lack of mobility scooter parking.
  5. Unsuitable bin storage facilities and ramps more than 1:20.
  6. Service area too small to accommodate large vehicle manoeuvres.
  7. City car club cars not feasible.
- 10.16 Highways have concluded 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.
- 10.17 The concerns listed above could be resolved by conditions/S106 and the applicant has indicated an intention to submit a revised layout prior to Panel to resolve the layout concerns. Members will be updated at Panel.
- 10.18 Whilst there are therefore deficiencies in both the current layout and Travel Plan, it is considered that these could be resolved by condition or further negotiation and hence a highways reason for refusal is not warranted.

## **6. Landscape**

- 10.19 The Landscape Officer considers that the provision of greater landscaped space than the previous application and provision of large canopy trees will help filter views of the building. Notwithstanding the large footprint, the proposal preserves the wider landscape setting with potential for a longer term positive management strategy approach. It is planning officers view that landscape officers remaining concerns could be controlled by condition.

## **7. Residential Amenity**

- 10.20 The proposed west elevation is min 15m from properties at Sandywood Court and does not directly face any primary elevation or windows. 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. Nos 30 Sandywood Court has objected to the impact on this kitchen window. It is considered that whilst there will be a material impact on this window, in the context that is at third floor level, 15m away and that the proposed property is to the east, that loss of daylight/sunlight will be minimal and not sufficient to warrant refusal.
- 10.21 The proposed east elevation as part of previous application (09/03666/FU) was only 16m from 8A Outwood Lane and 15m from 1 Oliver Hill. A large three/four storey gable end included a large number of windows at all floors. This would have resulted in overlooking of gardens to those properties and would have been overdominant and overbearing; accordingly the application was refused.

10.22 The current application has been revised so that the east elevation is now 18m from 8A Outwood Lane and 14m from 1 Oliver Hill. The large three/four storey gable end has now been reduced to two/three storeys with substantially reduced number of windows. As such it is concluded that the revisions are sufficient to overcome the overlooking/loss of privacy objection; albeit causing different issues.

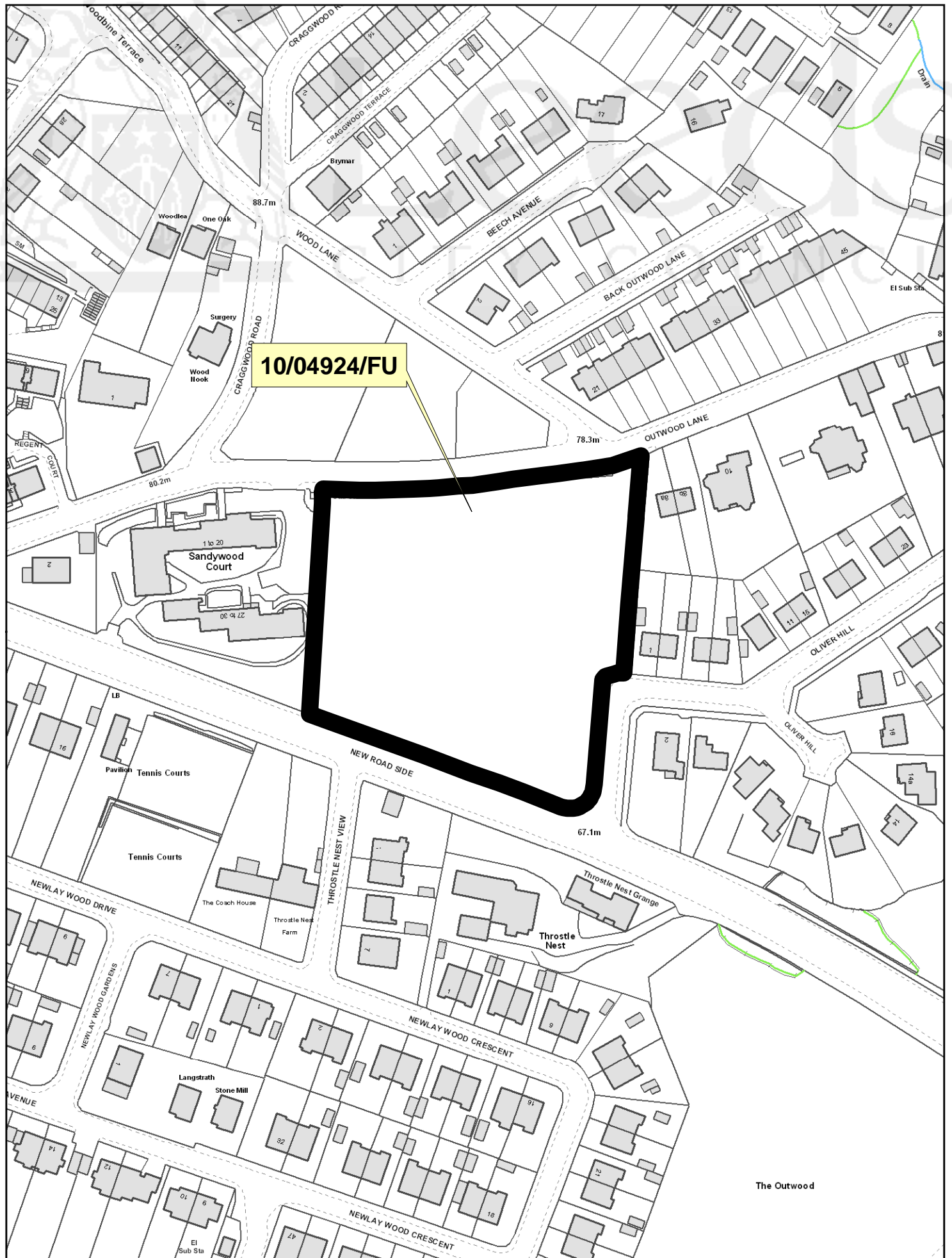
## **11.0 CONCLUSION**

11.1 It is considered that the design ethos of the previous proposal was appropriate at the time of the original pre-application discussions in 2006/7. However, the refusal of the previous planning application, adoption of the Horsforth Design Statement and impending Conservation Area are matters that require a more fundamental re-assessment than provided with this proposal.

11.2 It is considered that although the application proposal does seek to respond to the previous reasons for refusal, that it does not do so adequately and that the design of the dementia unit is inappropriate. The proposal does not preserve or enhance the character and appearance of the draft Horsforth Cragg Hill and Woodside Conservation Area. Accordingly the recommendation is for refusal.

### **Background Papers:**

Previous application file ref 09/03666/FU, Draft Cragg Hill and Woodside Conservation Area Appraisal and adopted SPD Horsforth Design Statement.



# WEST PLANS PANEL