

MEETING:	PLANNING COMMITTEE
DATE:	29 AUGUST 2012
TITLE OF REPORT:	<p>S121065/F, S121066/L and S121076/C - PROPOSED REFURBISHMENT AND EXTENSION TO PROVIDE 51 BED SPACES. DEMOLITION OF OUTBUILDINGS AT ELMHURST, VENNS LANE, HEREFORD, HEREFORDSHIRE, HR1 1DE</p> <p>For: Mr Claridge per Mr Pete Stockall, St Catherine's Court, Berkeley Place, Bristol, BS8 1BQ</p>
WEBSITE LINK:	http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=121065&NoSearch=True

Date Received: 10 April 2012

Ward: Aylestone

Grid Ref: 352096,240930

Expiry Date: 10 July 2012

Local Members: Councillor Cllr DB Wilcox and Cllr N Nenadich

1. Site Description and Proposal

- 1.1 Planning permission, listed building consent and conservation area consent is sought for demolition, alterations and extensions at Elmhurst, Venns Lane, Hereford to form a 51 bed nursing home (Use Class C2) specialising in care for the Elderly Mentally Infirm (EMI). The application site is located within an established residential area on Aylestone Hill approximately 1km north of Hereford city centre within the Aylestone Hill Conservation Area. Elmhurst is a Grade II listed building dating from the mid-19th century. The Nuffield Hospital is found to the south with Ainslie Close, a residential cul-de-sac, bounding the site to the north and east. Residential properties on Venns Lane bound the site to the west and north-west. Vehicular access is from Venns Lane. Elmhurst was closed in 2008 and remains vacant. The current lawful use of the building is as a 28 bed nursing home (formerly Local Authority operated).
- 1.2 Elmhurst itself is a pleasant Victorian Villa of rendered stone under a Welsh slate roof with rear additions, remnant walled garden and detached stable block. It is set within mature parkland notable for a number of significant, mature trees. Historically its grounds were far larger, development having encroached during the second half of the twentieth century. Ainslie Close and The Nuffield hospital are both situated on land formerly associated with Elmhurst. The current planning, listed building and conservation area consent applications propose the demolition and replacement of the existing 1970s two-storey extension, the later northern elements of Elmhurst and the stable block, and replacement with two-storey extensions to form a courtyard with the main building, which will be modified and extended by a replacement two-storey, predominantly glazed extension rear addition and glazed linking structures. It is proposed to retain the original components of Elmhurst as an office, visitor lounge and dayroom at ground floor with staff rest/bedrooms, a snoozealum and drugs/treatment room at first floor.

- 1.3 The applications are a resubmission following an earlier refused scheme, which sought permission for extensions to form a 57 bed home. The earlier scheme (S103350//L, S103351/F and S103352/C) was refused on the grounds of unacceptable loss of historic fabric, most notably the stable building; the impact of the scale, design and relationship of the extensions to the principal listed building; impacts on the levels of amenity enjoyed by occupiers of adjoining residential property; and a failure to take an integrated approach to design resulting in unattractive, under-scale and unusable outdoor areas, which would fail to complement the building's function as a therapeutic nursing home.
- 1.4 As a consequence the scheme has been amended to reduce the number of bedrooms sought – a reduction to 51, with an associated increase in the distance of the east and west wings from the respective boundaries and a redesign of the northern wing.
- 1.5 The two-storey extensions comprise a mixture of brick and untreated larch cladding under a standing seam titanium zinc roof. In an attempt to respect the scale of the Elmhurst a shallow pitch has been deliberately adopted for the west and east wings, with the north wing modified significantly following the earlier refusal to address concerns in relation to the impact upon the neighbours to the north. The full two-storey height of the east and west wings is commensurate with the eaves of the main building. The majority of the floorspace within the new extensions is dedicated to en-suite bedrooms at both ground and first floor, with associated assisted bathrooms, stores, nurses' stations and other facilities. There are a total of 23 bedrooms at ground floor and 28 at first floor, the extensions arrayed around what is described as the healing garden within the courtyard. The first floor is designed to overhang the ground floor to create a cloister. The ground floor of the northern wing is punctuated by a garden room which acts to link the internal courtyard and the garden space between the northern wing and the boundary wall.
- 1.6 The east and west wings comprise bedrooms on either side of a central corridor. The north wing has a single rank of bedrooms with corridor to the north. This removes the need for north-facing windows and is designed to address overlooking concerns in relation to 12A Ainslie Close and 14 Venns Lane. Parking spaces are located to the south-east and south-west of the building on existing areas of hardstanding.
- 1.7 For much of the eastern and part of the northern boundary a mature conifer hedge provides a screen between properties. For the majority of its length the hedge is owned and maintained by the neighbours in Ainslie Close (the exception being No.18). The north-facing, angled gable of the stable block forms part of the boundary with No.14 Venns Lane. Whilst demolition of the stable block is proposed, this wall would be retained and incorporated within the design.
- 1.8 Bound up with the proposals is the refurbishment of the listed building as per the schedule of repairs submitted with the application. The design rationale is explained in the planning statement. EMI patients require a building that offers unbroken corridor circulation space, as they "regularly seek to move in a continuous motion around the building in a safe environment." Accordingly the proposal seeks to enclose the central courtyard to provide both covered and uncovered areas that enable the requisite circulation.
- 1.9 To supplement the plan drawings the application also comprises:
 - A Design and Access Statement (JBD Architects);
 - A historic building appraisal and heritage report (CgMs May 2010);
 - A planning statement (GVA Grimley);
 - Needs assessment report: Long term care for the elderly (Pinders, 2010);

This document identifies a shortfall in the number of single en-suite nursing home bed spaces within the 8km catchment area of the site, currently standing at 407, but projected to increase to 631 by 2019 and 980 by 2029. The report contains an analysis of the local provision within catchment (8km of the application site) and across Herefordshire. It concludes that whilst demand for care may be met through other means (e.g. domiciliary care or sheltered housing), it is clear that good quality nursing home provision should be part of the on-going strategy to meet projected demand as the population grows more elderly.

- A transport statement and travel plan (GVA Grimley);

This describes the shift patterns of the workforce i.e. 4 x 12-hour shifts running from 7am to 7pm. There will never be more than 25 members of staff present at any one time and significantly fewer overnight.

- An ecological assessment and Great Crested Newt (GCN) method statement (Wildways and WRC Watson respectively);
- A tree constraints report (Jerry Ross Aboricultural consultancy); This has been updated to reflect concerns in relation to the impact of the proposed extensions on the long-term survival of the hedge.
- A schedule of repairs for the listed building.

2. Policies

2.1 National Planning Policy Framework 2012 (NPPF)

The NPPF was published in March 2012 and established a clear presumption in favour of sustainable development unless other material considerations indicate otherwise.

Paragraph 19 states that planning should operate to encourage and not act as an impediment to sustainable growth and that 'significant' weight should be placed on the need to support economic growth through the planning system. Local authorities are advised to encourage the effective re-use of land that has been previously developed and focus development in locations which are or can be made sustainable. Likewise, high quality design and a good standard of amenity for all existing and future occupants of land and buildings should be sought.

Paragraph 126 advises local authorities to recognise heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance and putting them to viable uses consistent with their conservation. Paragraph 132 asks local authorities to consider the impact of a proposed development on the significance of a designated heritage asset. The more important the asset, the greater the weight should be. Any harm or loss arising from alteration, destruction or development within the setting of a heritage asset should require clear and convincing justification. Paragraph 133 advises that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant-funding or some form of charitable or public ownership is demonstrably not profitable; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

Further information on the subject of this report is available from Mr Edward Thomas on 01432 260479

2.2 Herefordshire Unitary Development Plan 2007

S1	-	Sustainable development
S2	-	Development requirements
S7	-	Natural and historic heritage
HBA1	-	Alterations and extensions to listed buildings
HBA2	-	Demolition of listed buildings
HBA4	-	Setting of listed buildings
HBA6	-	New development within Conservation Areas
HBA8	-	Locally important buildings
CF7	-	Residential nursing and care homes
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
T6	-	Walking
T11	-	Parking provision
NC1	-	Biodiversity and development
LA5	-	Protect of trees, woodlands and hedgerows
LA6	-	Landscaping schemes

2.3 English Heritage Historic Environment Planning Practice Guide 2010

2.4 Living Well With Dementia in Herefordshire: A Joint Commissioning Plan for NHS Herefordshire and Herefordshire Council

2.5 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Councils website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

3. Planning History

3.1 DCCE2008/2222/CD: Change of use of four rooms from C2 residential institution to B1 office accommodation: Approved subject to conditions 8th August 2008

3.2 S103350/L, S103351/F and S103352/C: Proposed refurbishment and extension of Elmhurst Nursing Home to provide 57 bed spaces. Demolition of outbuildings. Refused 15th April 2011

4. Consultation Summary

Statutory Consultees

4.1 English Heritage: Objection

The site is within the Aylestone Hill Conservation Area and Elmhurst is a Grade II listed building. We consider that some development of the site could be acceptable in heritage terms and that, subject to the Council's policies, the area between the rear of the listed building and the northern boundary of the site would be the least damaging to the significance of the house set in its spacious garden.

However, we consider that the scale of the development proposed, at several times the volume of the listed building, is disproportionate to the scale of the listed building and would provide a poor backdrop to the delicately-detailed listed building. As a very minimum any new development should, in our view be set behind the line of the rear elevation of the listed building and the part-crenellated garden boundary wall to the left of the listed building should be retained.

In our view the proposal would fail to preserve or enhance the character or the appearance of the conservation area. For this reason and because of the harm that we consider would ensue to the listed building's setting, the proposal would constitute substantial harm to the significance of the heritage assets concerned within the meaning of paragraph 132 of the NPPF. It is for the Council to judge whether there are exceptional circumstances in this case but we would suggest that the historic environment considerations should form a very important part of the Council's assessment of the merits of this case.

English Heritage recommends that planning permission and listed building consent should be refused for the proposal in its present form.

- 4.2 Welsh Water: No response to the current application, but advised previously that foul and surface water discharges should drain separately, with no surface water allowed to connect to the mains sewer in order to prevent over-loading. The application confirms that surface water recovery is intended.

Internal Consultees

Conservation Manager (Historic Buildings and Conservation Areas): Objection

Elmhurst is a substantial Grade II listed C19 suburban villa. It is an accomplished design in an unusually late Gothic Revival style and was formerly set in very extensive grounds, much of which have been lost to encroachment by later development. The building acquired a utilitarian 1970s accommodation wing during its first incarnation as a care home, but notwithstanding this, the building and its immediate setting have survived relatively intact, and its high heritage value is self-evident.

The NPPF reaffirms the presumption in favour of preservation which has always underpinned the heritage protection system in the UK. The onus is upon applicants to demonstrate that there is a 'clear and convincing justification' for change and that the impacts of change have been considered and minimised.

The current application does not differ substantially from the refused 2010 scheme in terms of its position, scale and massing and the English Heritage Historic Environment Planning Practice Guide makes clear that 'it would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting'. The accommodation sought has been driven by the applicant's perception of 'viability', and whilst not inconsiderable efforts have been made to reduce its impact relative to Elmhurst's principal elevations, it nevertheless remains a very large extension which entails the demolition of the building's contemporaneous service wings and stable block. The conservation objection therefore remains the same as it did in 2010.

Traffic Manager: The number of usable parking spaces is 14, not 18 with five overspill spaces as the application states. There is also a lack of clarity around provision for delivery vehicles and parking and turning of refuse vehicles. The ambulance space is under-size and no disabled spaces are shown. Vehicular access from Venns Lane should be in the form of a vehicular crossing and the existing bus stop will need to be relocated with associated works carried out at the applicant's expense. Conditions relating to parking, access construction, bus stop relocation and Travel Plans will apply to any permission granted.

Environmental Health Manager: Has no objection, but recommends a condition to limit the hours during which construction work may take place. 07:00AM to 18:00PM Mondays to Fridays and 08:00AM to 13:00PM Saturdays. Work should not take place on Sundays, bank or public holidays.

Conservation Manager (Landscapes): The submitted landscape concept design is suitable as a concept plan for the site and supports the text in the design and access statement.

Conditions should be imposed requesting a fully detailed landscape scheme, including a plan identifying tree protection fencing and an arboricultural method statement for managing tree works on the site.

5. Representations

5.1 Hereford City Council: No objection. Support is expressed in the context of acknowledged need for this type of accommodation.

5.2 The Victorian Society: Objection. The development is grossly excessive and of no discernible architectural quality. There is no compelling justification for the demolition of the northern parts of the villa. Whilst not of the highest significance their replacement by buildings of no interest will harm the setting of the building. The stables are a rare survivor in Herefordshire. They make a strong positive contribution to the setting of the main building, unlike the replacement. The listed building would be marooned in a car park, further harming the setting.

5.3 Neighbours: Seven letters of objection have been received from near neighbours to the application site, including properties in Venns Lane and Ainslie Close. The content is summarised as follows:

- The proposals represent a significant over-development of a historically significant site;
- The scale of the extensions is overbearing in relation to the principal listed building and the neighbouring residential properties. The extensions are too close to boundaries, visible and prominent, creating an unwelcome sense of enclosure. The main habitable rooms in 12A Ainslie Close are single aspect and would look towards the north elevation of extension;
- The proposals are out of character with the listed building and the wider Conservation Area. The over-development is illustrated by the poor ratio of built development to gardens. The integrity of the main building is compromised and any remaining sense of a Villa in mature landscaped grounds would be lost.
- There is undue reliance upon the hedge to provide screening. For the majority of its length it does not belong to the applicant. Maintenance of the hedgerow on the application site may cause disease and eventual death, resulting in overlooking.
- The laundry with bedrooms above is very close to properties in Ainslie Close and would result in noise disturbance and overlooking. The position of the main car park and main entrance into the building would be likely to increase noise disturbance relative to properties on Venns Lane. In one area the extension actually forms the boundary with 14 Venns Lane.
- The intensification of use relative to the former nursing home is prejudicial to amenity in a manner contrary to Policy DR2 (4). Opportunities should be taken to improve the relationship with neighbouring properties rather than make things worse.
- Noise disturbance from alarms, televisions, patients and service vehicles on a 24 hour basis.
- Light pollution.
- Why demolish the stable building? It is rare within the city and should be retained as accommodation.

5.4 The consultation responses can be viewed on the Council's website by using the following link:-

www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx

Internet access is available at the Council's Customer Service Centres:-

www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp

6. Officer's Appraisal

- 6.1 The application seeks planning permission for the refurbishment and extension of Elmhurst nursing home to provide 51 bed spaces. The site is within the settlement boundary and within walking distance of the bus and train stations. The site is also on a bus route. In terms of being well-placed to reduce the need to travel by the private car, the site is sustainable. Moreover, the use of the site as a C2 residential institution (nursing home) is established and lawful. Officers consider that the principle of development is acceptable and agree with the English Heritage advice that development within the area to the north of Elmhurst would appear to have least impact on the significance of the original building as a house within spacious grounds.
- 6.2 The proposal involves the demolition of outbuildings, including the existing 1970s east-wing extension and a Victorian stable block, which retains internal fixtures at ground floor. Material planning considerations include the loss of historic fabric and associated impact on the character and appearance of the listed building and conservation area, weighed against other public benefits, which include job creation (the proposal would create 60 jobs) and a contribution to meeting a perceived shortfall in the provision of good quality accommodation for those need of care. The key issues are as follows:-
- 1) An assessment of the significance of the loss of historic fabric brought about by the proposals, with specific reference to the setting of the listed building and the conservation area.
 - 2) An assessment of the proposed extensions relative to the retained listed building and the character and appearance of the conservation area.
 - 3) The impact of the proposals upon the levels of residential amenity enjoyed by occupants of adjoining residential property.
 - 4) An assessment of the need for additional EMI bed space provision within the catchment and wider administrative area.
- 6.3 Determination of the applications requires an objective assessment of the development within the context of the listed building and its setting and the wider conservation area. It is also necessary to consider the impact of development upon adjoining residential property. Given the advice of the Conservation Manager and English Heritage as regards the adverse nature of the impact upon historic fabric, it is necessary to assess whether such harm or loss can be outweighed by clear and identifiable substantial public benefits as required by paragraph 133 of the NPPF and Policy HBA2 of the Unitary Development Plan.

The loss of historic fabric with specific reference to the setting of the listed building and the conservation area.

- 6.4 It is acknowledged that the application is accompanied by a Historic Building Appraisal and Heritage Report, which provides a detailed assessment of the site's evolution and a review of the elements that contribute to the significance of Elmhurst as a heritage asset. The application is also accompanied by a detailed schedule of repairs to the principal listed building to be retained. These involve necessary works of repair and overdue maintenance, with the removal of insensitive modern interventions. The proposal also entails the demolition of the utilitarian 1970s east-wing, which is acceptable. It is an unremarkable extension, the impact of which is mitigated by its location behind Elmhurst when viewed from Venns Lane and the main approach drive.
- 6.5 The stables stand to the north-west of Elmhurst, the north-facing gable standing on the boundary with No.14 Venns Lane. The stables are Victorian and constructed in brick under a slate roof.

- 6.6 Policy HBA1 requires that proposals to alter or extend a listed building should preserve the components which make up the special interest of the building, its features and its setting. HBA2 states that proposals for the demolition of all or substantially all of a listed building will only be permitted in exceptional circumstances and where all four criteria have been satisfied. HBA4 resists development which would adversely affect the setting of a listed building. The impact of the proposal will be judged in terms of scale, massing, location, detailed design and the effects of its uses and operations. HBA6 deals with development in conservation areas, and requires new development to either preserve or enhance the character or appearance of the conservation area. Principally the type and scale of uses proposed should “complement those which presently exist and help to preserve and enhance the character and vitality of the area”. When considering proposals to demolish unlisted buildings in conservation areas, the proposal either has to be accompanied by a suitable redevelopment proposal in accordance with HBA6, or the building itself can be shown to make no contribution to the character or appearance of the conservation area. In this case officers do not consider the redevelopment proposal to be acceptable in relation to HBA6 or other policies, and in these circumstances cannot accept the case for demolition of either the stable building or the elements to the rear of Elmhurst.
- 6.7 When referring to the loss of historic fabric, officers refer to the stable block and the rear elements of Elmhurst itself. The submitted Heritage Assessment concludes that the value of the stable block and the rear elements of Elmhurst are diminished by the lack of public prominence, and associated inability of the wider public to enjoy or appreciate them. The application also justifies the demolition of the stable block on the basis of viability – the retention and modification of the stable block not being economically viable given the costs of modification and the limited range of uses to which the building could be put if internal fixtures and fittings were to be retained.
- 6.8 Whilst understanding this perspective, officers consider the loss of the stable block and rear elements of Elmhurst itself to be prejudicial to the significance of the heritage asset irrespective of their degree of prominence. Moreover, the stable building has to be appreciated within its context for the contribution it makes to the setting of the listed house. The building is a rare example of a surviving stable that has not been wholly converted, demolished or otherwise separated from the building that it served and officers are unaware of any other examples in Hereford City. The rarity and retention of original floor, partitions, fixture and fittings, in your officers’ opinion, enhances the significance of the building. Notwithstanding the fact that the first floor has been converted to office accommodation, when considered in the round, officers consider the building to be an important component that contributes to the setting of the listed building and the character of the conservation area.
- 6.9 It is considered that Elmhurst and its outbuildings are a good surviving example of a high status Victorian villa, a building type which is a key component of the character of the Aylestone Hill Conservation Area. The significance of the stables is therefore high, in that it enables a better understanding of the hierarchy of uses on such sites. As discussed above, the significance of the stables as a heritage asset is further enhanced by the good level of preservation of its internal fittings. As the NPPF states, once lost, heritage assets cannot be replaced, and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification. On the first main issue officers consider the loss of the stable building and rear elements of Elmhurst to be contrary to Policies HBA1, HBA2, HBA4 and HBA6 of the Herefordshire Unitary Development Plan and contrary to guidance contained in the NPPF at paragraph 133.

An assessment of the proposed extensions relative to the retained listed building and the character and appearance of the conservation area

- 6.10 The second main issue refers to the detailed design, scale and massing of the extensions themselves, relative to the character and scale of the existing building. Policy HBA1 is clear in requiring extensions to listed buildings to be in keeping with the age, style, materials, detailing and character of the building. Extensions should also be subservient in scale and design and relate well to the existing building. The application asserts that because the extensions are to the side and rear of the main building its pre-eminence is maintained and there is a degree to which this argument is applicable. For example, although the footprint of the existing 1970s extension is equivalent to the main house, its location renders it subservient. The proposal seeks, however, to replace this east wing and provide a further two 'wings' that add significantly to the overall scale of the building. Notwithstanding their location to the rear and side of Elmhurst, it is considered that the overall mass of the proposed extensions is unacceptable. On the approach to Elmhurst the upper part of the roof to No.12A Ainslie Close is visible beyond the northern boundary. It is reasonable to assume, therefore, that a portion of the new build will be visible from the main approach and from public vantage points on Venns Lane. Officers accept that this revised proposal has made significant efforts to reduce the prominence of the new extensions relative to the principal façade of Elmhurst. Officers are also of the opinion that taking a deliberately modern approach to the architecture is appropriate and would serve to best highlight the retained element of Elmhurst as the principal focus. It remains the case, however, that each wing is comparable in size or larger in terms of footprint than the retained villa and it is considered that the extension(s) would dominate the listed building to such an extent that any residual sense of a villa set in its own grounds will be lost as a result of the scale of the extensions.
- 6.11 As such, officers conclude that the scale and massing of the extensions relative to the host building would serve to cause harm to the setting of the building and its character and appearance. By extension, the diminution of the site as a heritage asset would adversely affect the quality, character and appearance of the Aylestone Hill conservation area in a manner contrary to Policy HBA6 of the UDP.
- 6.12 For these reasons the proposal is considered contrary to Policies HBA1, HBA4, HBA6 and DR1 of the Herefordshire Unitary Development Plan in that the listed building would be subsumed and no longer dominant, the setting would be harmed, and the scheme would compromise rather than promote or reinforce the distinctive local character of the area.

The impact of the proposal upon the levels of residential amenity enjoyed by occupants of adjoining residential property.

- 6.13 The adverse impact upon the living conditions of occupiers of neighbouring dwellings was one of the reasons for refusal of the previous scheme. Specifically the design and proximity of the northern wing to the private garden associated with No.12A Ainslie Close was considered likely to result in an unacceptable overbearing impact and overlooking, whereas the proximity of the east wing to the leylandii hedge that currently provides screening was considered prejudicial to the long-term survival of the hedge. These impacts were considered contrary to Policy CF7 – Residential Nursing & Care Homes.
- 6.14 In response, the revised scheme has adopted a revised approach to the northern wing, repositioning it just over a metre further from the three metre tall boundary wall. Whereas the building was originally a traditional two-storey structure with very shallow mono-pitch roof, the design has been altered in section so that the wing will now present a long, titanium zinc covered roof slope to No.12A, without any first floor windows and a reduced eaves height. To eliminate overlooking from habitable rooms in this 'wing' the bedrooms are located to overlook the inner courtyard. In order to allow light into the first-floor corridor, provision is made for high-level clerestory glazing. The highest point of the north wing is now 1.2m taller than the refused scheme, but this high point is 4 metres further from the common boundary. Officers have visited No.12A, 14, 18 and 20 Ainslie Close and have stood in the private gardens associated with these dwellings. It is noticeable from No.12A (which has a south-facing aspect) that the leylandii hedge extends across only part of the southern boundary with the

effect that there is a comparatively open aspect towards the stable block (SW) above the 3 metre brick boundary wall. The roof of the stable block is clearly visible. The redesigned north wing would continue to fill this aspect, but rather than present a full two-storey height building, the revision to the design means a reduced eaves height in a position a metre further from the common boundary. Although the orientation is such that the extension would be to the south of the rear garden of No.12A, and thus have the most impact in terms of overshadowing, officers consider that on balance the revisions to the design overcome the previously stated concerns with this specific relationship.

- 6.15 Revisions have also been made to the position of the proposed replacement east-wing. Along this boundary the leylandii hedgerow is, at present, a largely effective visual barrier, separating gardens from the application site and preventing inter-visibility from ground level. However, there are incidents of failure. Several specimens have become diseased or wind-blown opening up views into the site. The current proposals include measures to protect the hedgerow from damage during construction (this was not the case previously) and it would be reasonable to impose a condition requiring construction details within the root protection area of the hedge.
- 6.16 Whilst still projecting closer to property in Ainslie Close than existing at the north-eastern end, it is coincidental with the existing footprint elsewhere and some 750mm lower than the existing in terms of its height. In order to address overlooking concerns, all but one of the bedroom windows are designed as projecting bay windows, which through the use of translucent glazing are designed to allow light penetration but prevent an outlook towards the neighbouring properties. In assessing the relationship between the proposed east wing and property in Ainslie Close, officers are conscious of the existing lawful use of the building and the position, size, orientation and number of windows within the existing east extension, which also has an external fire escape attached to the north-facing gable, alongside a first floor personnel door and window, whilst the number of first floor bedroom windows remains constant. Given the measures to prevent an outlook from the bedroom windows towards the neighbours, the intended protection of the leylandii hedge during construction, and the omission of the external fire escape stairs and first floor windows in the north-facing elevation, officers conclude that the proposed replacement east wing would have a neutral and potentially beneficial impact on the living conditions of those nearest neighbours.
- 6.17 The proposed west wing is a further two-storey building aligned broadly north/south. This wing incorporates the north-facing gable wall of the stable block, which forms the common boundary with the curtilage to No.14 Venns Lane. Along this boundary, but within the grounds of No.14, there is a mature stand of coniferous trees. Bedroom windows on the west-facing elevation are again in the form of projecting bays. The curtilage of No.12A Venns Lane, a bungalow, is to the west at a distance of 13 metres. It is the north-west corner of this wing that is in comparatively close proximity to the boundary with No.14 Venns Lane. At its nearest the new element (as opposed to the retained gable wall of the stable) would be 2.5m from the boundary. In this position the extension is 20 metres from the rear of No.14 itself and screened by the mature evergreen planting, the root systems of which are likely to extend into the garden of No.14 as opposed to into the application site. There are no windows proposed to the north-facing elevation of the west-wing at either ground or first floor. Officers are conscious of the increased scale and massing of the proposed buildings relative to the two neighbours adjoining the north-west and western boundaries, but consider the impact of the development not so severe as to warrant refusal.
- 6.18 Neighbours have raised concerns with the impact of the more intensive use of the site for EMI care in terms of noise from distressed patients on a 24-hour-a-day basis. The Environmental Health Manager has not objected, but recommends a condition to limit the hours of construction. The residential care-home use itself is not inherently noisy in the same way that some industrial processes are, and officers are mindful of the lawful use of the site. It is concluded that the use is not incompatible with the established residential character of the area.

- 6.19 Concern has also been raised with the proposed location of the refuse store, which is shown in a position immediately south of the east-wing, in close proximity to the boundary hedge with residential property on the opposite side. Officers consider that the refuse store is not well placed and would recommend the imposition of a condition to require agreement of an alternative position further from neighbours.
- 6.20 Overall, officers conclude that whilst the proposed extensions are clearly significant in their scale and at points closely related to the boundaries with adjoining residential property, the amended proposals have addressed the specific concerns expressed previously in respect of the overlooking of the private garden space to No.12A Ainslie Close and the retention of the evergreen hedgerow along the eastern boundary. Insofar as the impact upon level of adjoining amenity is concerned, the proposals are considered to comply with the requirements of Policy DR2(4), Policy CF7 and the National Planning Policy Framework

The need for additional EMI bed space provision within the catchment area

- 6.21 Officers are of the opinion that the issue of need for additional EMI bed space can be considered a material consideration to which weight can be attached. The age demographic in Hereford suggests an ageing population and that according to national statistics a significant proportion of over-85s will require an element of care (16%). As dementia is more prevalent in over-85s, it is reasonable to assume that the number of people in need of specific residential care will also increase.
- 6.22 In support of the application a needs assessment report has been commissioned into the long-term care for the elderly. The report highlights the likely increased demand for residential care for dementia sufferers. It is estimated that 750,000 people in the United Kingdom suffer from a form of dementia. Of this, 730,000 are aged over 65, which is 7.5% of all over 65 year olds in the UK. If this 7.5% figure is applied to population forecasts within the Catchment Area of the application site (i.e. within a 5-mile radius), it is suggested that the number of people suffering from dementia will increase from 1,123 in 2009 to 1,822 in 2029.
- 6.23 The report also refers to inadequacies with the quality of nursing home provision within the administrative area (Herefordshire). The report concludes that of 1,639 bed spaces across all nursing homes in Herefordshire, fractionally over half were single rooms with en-suite facilities (2009). It is estimated that 407 extra bedrooms would be required to meet the existing shortfall and that due to the cost of converting existing rooms within existing homes (which are almost exclusively buildings converted from other uses), this need is unlikely to be met in the short-term.
- 6.24 The Joint Commissioning Plan 'Living Well with Dementia in Herefordshire' (NHS Herefordshire and Herefordshire Council 2010) recognises that there is an ageing population in Herefordshire. It predicts that the number of people living with dementia in Herefordshire will increase by 92% by 2030 to 5,572.
- 6.25 The Plan, written in response to the National Dementia Strategy 2009, envisages a future increase in the provision of community based care. Whilst recognising the need for high quality residential care where appropriate, the report identifies an over reliance on residential and nursing home care within Herefordshire. Comments received from the Integrated Commissioning Directorate confirm that in the face of a review of commissioning, the immediate requirement for EMI bed-space is already met.
- 6.26 Although need is a material consideration, officers consider that the duty to protect the listed building and preserve or enhance the character or appearance of the conservation area must be afforded significant weight. Given the Council's strategy for dementia care, which envisages increased community support strategies and domiciliary care the need for the development cannot be afforded such weight and does not override concerns regarding the loss of historic fabric and associated impact upon the setting of the listed building and the character of the Aylestone Hill Conservation Area.

Conclusions

- 6.27 The principle of development is acceptable. The lawful use of the building is as a C2 nursing home and the proposal falls within the same use class. The site is sustainable and the number of car parking spaces would be appropriate to the use. The weight that should be attached to the issue of need does not out weight the identified harm to the listed building.
- 6.28 Officers disagree with the application documents regarding the significance of the elements of the heritage asset to be demolished and the appropriateness of the extensions relative to the listed building. Whilst noting the considerable efforts that have been made by the applicant to reconcile these differences, officers maintain the view that the current proposal represents over-development relative to the listed building to such an extent that the extension could not be regarded as subservient to the listed building. This is contrary to saved Policy HBA1 of the Unitary Development Plan. The scale of the extension is also out of keeping with the existing villa, whereas the associated loss of the stables is unacceptable and contrary to saved Policies HBA2, HBA4, HBA6, HBA7, HBA8 and DR1 of the Herefordshire Unitary Development Plan.

RECOMMENDATION

That planning permission and listed building consent be refused for the following reasons:

- 1. The proposed demolition of the stable block and extensions to the rear of the listed building is considered unacceptable. The stable block in particular is an extremely rare example of its type in the locality and is an integral part of the listed building's setting. The local planning authority considers that the rarity value, contribution to the setting of the listed building and the wider character of the conservation area presents a compelling case for the building's retention as a significant heritage asset. The loss of this significant historic fabric is considered contrary to guidance contained in the National Planning Policy Framework and saved policies HBA1, HBA2, HBA4, HBA6, HBA8 and DR1 of the Herefordshire Unitary Development Plan.**
- 2. The proposed extensions are not considered subservient in scale or design and do not relate well to the existing building. The scale and massing of the extensions would have a significant detrimental impact on the character, appearance and setting of the listed building and would fail to preserve or enhance the character or appearance of the conservation area. The application is therefore considered contrary to guidance contained in the National Planning Policy Framework and policies HBA1, HBA4, HBA6 and DR1 of the Herefordshire Unitary Development Plan.**

That conservation area consent be refused for the following reason:

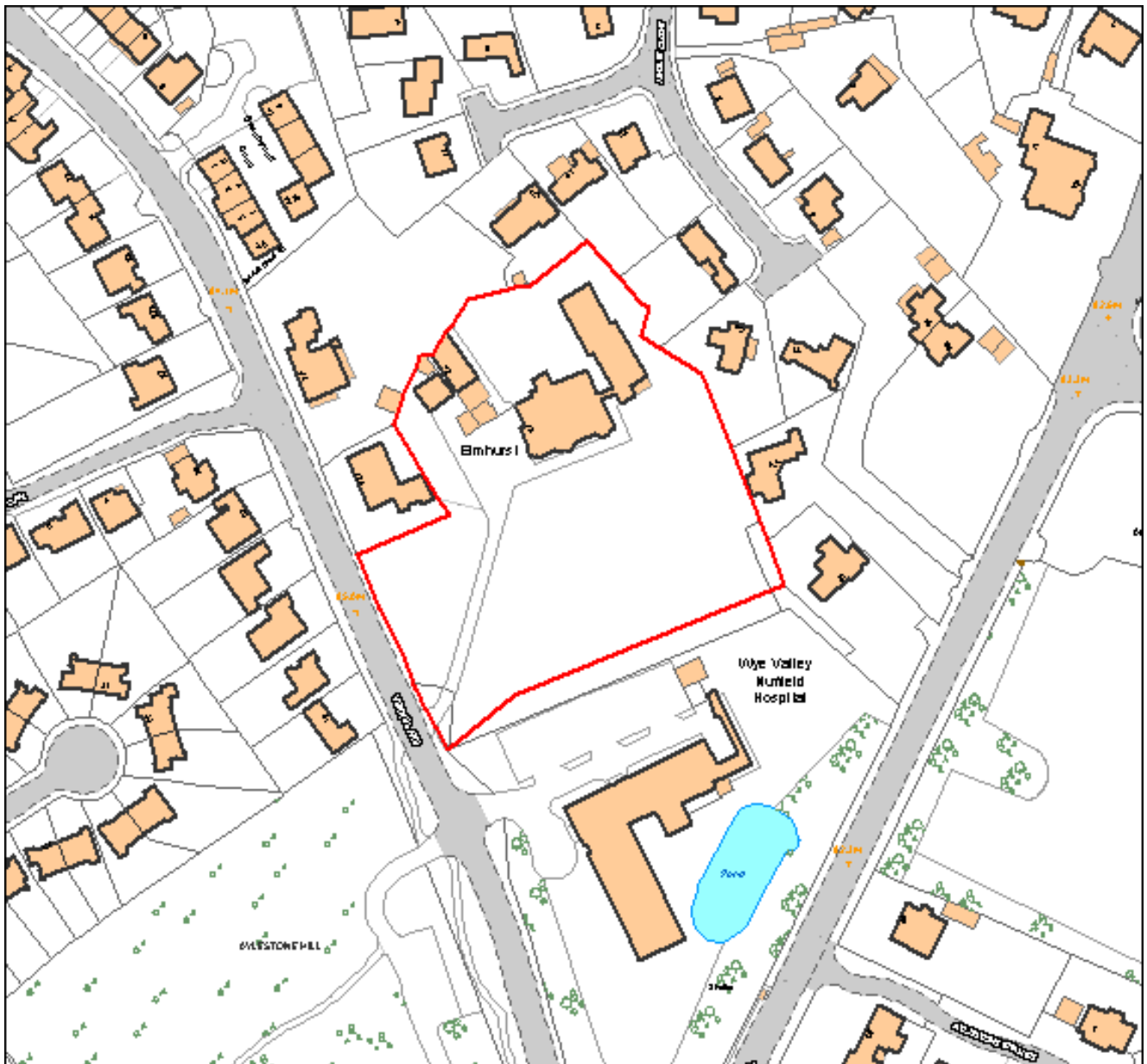
- 1. The proposed demolition of the stable block and extensions to the rear of the listed building is considered unacceptable. The stable block in particular is an extremely rare example of its type in the locality and is an integral part of the listed building's setting. The local planning authority considers that the rarity value, contribution to the setting of the listed building and the wider character of the conservation area presents a compelling case for the building's retention as a significant heritage asset. The loss of this significant historic fabric is considered contrary to guidance contained in the National Planning Policy Framework and saved policies HBA1, HBA2, HBA4, HBA6, HBA8 and DR1 of the Herefordshire Unitary Development Plan.**

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: S/121065/F

SITE ADDRESS : ELMHURST, VENNS LANE, HEREFORD, HEREFORDSHIRE, HR1 1DE

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

Further information on the subject of this report is available from Mr Edward Thomas on 01432 260479