

**(1) I object to planning application reference 08/06123/CA (Partial Demolition) on the following grounds:****Historic**

- The Summercross is located on a strategic ancient route, with important historic connections, running down Wharfedale and beyond. It is also situated at the end of the more recent Otley-Tadcaster turnpike.
- The historic importance of the site and the building, is reflected in the prominence of the Summercross Cottages (now incorporated into the pub) on old maps of Otley.
- The origin of the name Summercross may (or may not) be linked to a nearby historically important ford across the river Wharfe. The Summercross is unique as a pub name and clearly has historic significance.

**Conservation Area**

- The Summercross and its grounds lie within the official Otley Conservation Area. The Conservation Area appraisal recognises the Summercross, its position and its surroundings as "forming a fixed and positive eastern boundary to the Conservation Area". The Conservation Area appraisal plan formally recognises the Summercross as an "important building", the trees in the garden as "significant trees" and the high boundary wall behind the pub as an "important wall". All the trees within the garden are protected by the Conservation Area status. A yew (T1) and a sycamore (T2) also have specific tree preservation orders while a large pear tree (T6) and a smaller apple tree (T7) are historically important (see later).
- The Summercross, with its important garden and trees, combines with the adjacent park and trees plus the tree-lined boundary of the cemetery opposite to provide an important strong visual break in (and a natural focus for) the housing along the Pool Road.
- The application drawings show the demolition of the flat roofed westward extension to the original pub building and a section of the historic "warming wall" (see later), to create a large double gated opening, plus the felling of all the trees in the garden except the explicitly protected yew and sycamore.
- This demolition and the related development would substantially degrade the character of the eastern side of the Conservation Area. The overall size of the care home (planning reference 08/06122/FU) would dominate the site while the mass and height of the building would dominate the surroundings. The existing houses in the vicinity would be dwarfed. The adjacent park would be hemmed in and its views onto the Chevin blocked. Additionally, the existing "open break" in the ribbon of housing down Pool Road would be significantly truncated.
- Other relevant concerns will be raised when responding to the case home application.
- In line with planning policy N18A, the demolitions should be refused because of the officially acknowledged contribution of the Summercross and its garden to the Otley Conservation Area.

**The Summercross Orchard**

- The fruit trees and the high south facing "warming wall" are remnants of the Summercross Orchard which extended for some 5 acres and dates back at least to 1851. The pear tree is a "Winter Windsor", a variety that was first recorded in the 17th century and is extremely rare in the North. The apple tree is possibly Peasgood's Nonsuch but experts have been unable to identify it positively - it may be a 'lost' cultivar. In spite of the "few fruit" claim for the apple tree (T7) in the applicant's arboriculture survey, both trees fruited very heavily this year.
- Photographic evidence in Otley museum shows that there was an entrance into the orchard at the end of the remaining length of warming wall, and that beyond the entrance the high warming wall appears to continue down the side East Busk Lane (possibly for a total length of 250 m).
- The Summercross garden is the best remaining physical evidence of the lost orchards of Otley which must once have been of considerable economic significance to the town. The 1851 map suggest that these orchards totalled some 160,000 square yards (33 acres) in area. This represents some 43 square yards of orchard for each person then living in Otley.

**The Summercross in the Community**

- The Summercross is the only public facility that serves the substantial and relatively isolated community that lies in a ribbon along the Pool Road. It has been a focus for the community for 140 years, it predates most of the housing in the locality and is key to maintaining a vibrant and sustainable local community.
- As a consequence of frequently changing and remote ownership and disinterested management, the pub had been in decline for a number of years. Following another change of ownership it was briefly closed at the start of 2006. However, it subsequently re-opened with a committed new landlord who very successfully developed the business by re-establishing the former pivotal role of the Summercross within the local community. The landlord, with a profitable and growing trade, tried to exercise his option to renew the lease but was effectively forced out by procrastination and two further changes of ownership.
- To justify the closure of the pub in a previous unsuccessful planning application, Chartford Homes (the owner of the site) incorrectly claimed in a letter to the local MP that trade was declining and the landlord did not wish to renew the lease. They also claimed that areas like the bar, cellars and particularly the kitchens were "in a poor state of repair" and "certainly not fit for the preparation of food for the general public". These assertions are not true. The kitchen are in good condition the pub having been refurbished about ten years ago, the equipment was only three years old and the pub had the necessary Leeds City Council environmental health certificates for the preparation of food. The Summercross was awarded the prestigious Casque Mark accreditation for the quality of its beer keeping, the Black Sheep Flagsheep award for the high standard of its beers and the coveted Leeds CAMRA "most improved pub of the season" award.
- Before the forced closure, the Summercross was a viable and buoyant business that served the local community. It has a good location, a sizable car park, a magnificent beer garden and is not competing for trade with the Otley town centre pubs. It could and should re-open as a successful pub serving the community.

**The above comments should be read in conjunction with my related and overlapping comments on planning application reference 08/06122/FU.**

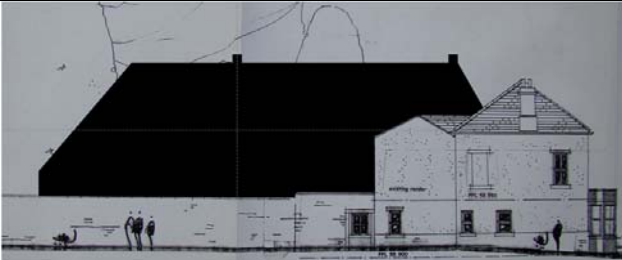
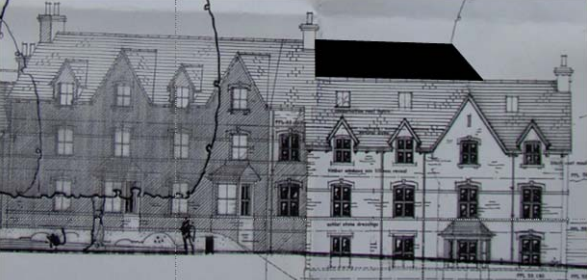

**(2) I object to planning application reference 08/06122/FU (Care Home) on the following grounds:**

**Conservation Area**

- Since the pub was closed and the site fenced off, the owners have not maintained the pub building (e.g. stone flags missing off the roof since January 2008) or the trees in the garden (e.g. bark wounds recorded on the 22 October 08 applicant's arboriculture survey which do not appear on the 4 October 07 survey, presumably a result of the site investigation in January 2008).
- The application drawings show the retaining wall by Ings Lane being rebuilt on the existing wall foundations plus the extension of that wall by parking bay 13 and the removal of a section of that wall with a significant associated reduction in ground level opposite parking bay 7. The retaining wall lies within the root protection area of the TPO protected trees in the adjacent park as identified in the arboriculture survey (but not plotted on the application drawings). The applicant's arboriculture survey states that "within the tree protection area there should be a presumption against excavation, construction or changes in ground level unless consideration is given to the effects on the tree(s) to be retained and the efficacy of any construction techniques designed to reduced adverse effects on the trees". Similarly the historic pear tree (T6) and apple tree (T7) are to be removed despite the conservation area protection and their assessment in the arboriculture survey.
- The complex proposed roof geometry includes two very large area of flat roof. These contradict the intended vernacular of the design and will highlight the bulk of the building when seen (for example) from the Chevin.
- Disturbingly, none of the application drawings specifies a ridge level for the roofs on the proposed care home development. Scaling off the elevations suggests the following levels:
  - Summercross roof = approx 65.6m
  - New two story roof = approx 64.4m
  - New three story roof = approx 66.3m
  - New set down three story roof = approx 64.5m

The applicants claim to have reduced the highest roof level by 0.5m may be true but is difficult to confirm when n levels are given.

- Still more disturbingly, the application drawings are selective (in the views they show) and very misleading (as they omit areas of roof that will be visible) thus under representing the impact of the development on the skyline. For example:

	<p><b>The North East Elevation from East Busk Lane only shows the existing building.</b></p> <p>The impact of the new building from this quarter is not represented anywhere in the application drawings.</p>
	<p><b>The West Elevation conveniently omits a large section of higher flat roof from the skyline.</b></p>
	<p><b>The South East Elevation conveniently omits a smaller section of higher flat roof plus a chimney stack from the skyline.</b></p> <p>Detail of SE Elevation shown.</p>

- Other important comments have been made under this heading in relation to planning application reference 08/06123/CA. Additionally, planning policy N19 states that "the string and scale of the buildings" should be "in harmony with adjoining buildings" which they are not.

**Traffic, parking and road safety**

- The design of the road network and the terraced housing in the immediate vicinity predates the car. East Busk Lane is a no through road that in recent years has experienced three substantial housing developments plus other lesser developments and business developments further down the lane. The net increase in traffic volumes on East Busk Lane has been very marked, with road safety now being a considerable concern. The junction of East Busk Lane with the Pool Road is inherently dangerous, traffic habitually

speed on that road while the bend to the east means that sight lines are poor for emerging traffic. Danefield Terrace is very narrow road with a difficult junction with Ings Lane which is a narrow single track unadopted road that emerges into East Busk Lane adjacent to the junction with Pool Road (adding to the road safety concerns).

- Danefield Terrace and East Busk Lane both have major parking problems due to the number of terraced dwellings without off-street parking. The new housing developments have very considerably added to the problem due to their high car per dwelling ratios, their limited off street parking and the reduction in available on-street parking. The area round the Summercross is the (only) place for displaced residents of Elm Terrace and Danefield Terrace to park and is very frequently used for this purpose. Additionally, during events such as rugby matches at Cross Green, overflow parking floods into the area from Pool Road when the whole area can literally be parked solid. This also adds further to the road safety concerns at the pool road junction.
- The application anticipates a staff of 60 working 24x7 with a typical daytime staff of 18 plus visiting professionals (dentists, nursing staff, doctors) on a daily basis. In addition a 50 bed care home will inevitably generate a significant volume of delivery/collection traffic thus the proposed parking provision of 20 places will be barely adequate without considering the parking needs of visitors to the residents (family, friends and social).
- The situation is made worse by the incoherent provision of on-site car parking on the proposed development. This reflects the developer's difficulty in providing sufficient parking on what is a significantly overdeveloped site and a lack of local knowledge. There are 5 spaces to the front of the home accessible off East Busk Lane and a further 6 spaces to the front accessible off Ings Lane (it is not clear how good the manoeuvring space will be for these spaces). Vehicles arriving at the front will be unable to see if there are any parking spaces at the other two parking locations: three adjacent to Somerville Terrace accessed down East Busk Lane (these are denoted allocated staff parking spaces) and a further 6 accessed down the very narrow single track (unadopted) Ings Lane. The turn into these 6 spaces from Ings Lane may be difficult and, if they are full, vehicles will probably have no option other than to turn down Danefield Terrace (which is frequently parked solid down one side). The inevitable result is that if the front spaces appear full, many visitors will probably try to park on East Busk Lane rather than driving around trying to find a (possibly) empty parking space.
- However, the development already implies that further capacity parking will be lost on East Busk Lane in order to access parking spaces 1 to 5 (and the latter space can only be accessed from East Busk Lane), refuse collection will involve parking on East Busk Lane and it is unclear from the application how other deliveries and collections from the complex will take place. Aside from the evident increase in traffic, the development will significantly exacerbate an already difficult situation and probably lead to car parking "wars".
- The applicant's transport statement uses the TRICS database and the "health/nursing homes" land use category to predict the average trip rate (from 07.00 to 19.00) to be 100 vehicles per day 2-way. They also use the "hotel, food and drink/pub and restaurant" to estimate the corresponding figure for the Summercross (from 11.00 to 23.00) to be 113 and thus conclude that the development will not materially effect the volume of traffic. This assessment ignores the fact that the Summercross was a community pub that served little food and most customers would arrive on foot.
- If built, the care home proposal will result in car parking chaos and increased road safety problems.

#### **Drainage, Flooding and Other Matters**

- Currently there is no drainage of the paved pub carpark, rainwater tend to find its way onto Ings Lane and thence into the park. A similar configuration is proposed although the paved area will be significantly reduced and permeable pavements are indicated for the actual parking bays. The hard landscaping of the garden includes a substantial area of paving and paths but with no indication of drainage.
- The proposed lower ground floor has a FFL of 53.180 with an external ground level and path at 53.030, a level which varies between (approximately) 1m to 2m below the surrounding ground level - with the main garden behind rising further towards East Busk Lane. Given that Ings Lane is at about 54.0 and floods periodically in heavy rain, there is a real concern about how the area to be excavated to 53.030 will be drained, particularly when the ground is saturated and the surface water starts to migrate across the garden towards this sump.
- Additionally, the proposed development has a drained roof area that is several times the roof area of the Summercross. With 50 residents plus an average of say 15 staff, the total volume of waste water and sewerage is also likely to substantially exceed that from the pub.
- The letter from Yorkshire Water dated 19 October 2007 confirms that the sewer network does not have the capacity to accept any additional discharge of surface water from the site and that a storage tank or other means of attenuation will be required to control the rate of discharge. This implies that a substantial storage capacity will be required to attenuate the discharge from the additional roof area and the hard landscaping. This storage may be very difficult to locate other than below the area that is to be excavated to 53.030 (requiring even deeper excavations).
- Compared with other care homes, the area assigned as a residents lounge appears to be small for 50 residents.
- The underlying problem with the planning application is that the site is significantly over developed.

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