

List of Appendices

6.101.12.X.DVCON

Variation of Condition no. 3 of planning permission 6.101.12.M.PA to state the premises shall only be used for a use falling within Class C2 of the Town & Country Planning (Use Classes) Order 1987

Appendix A	Goldsborough Parish Council-	27.02.2004
	-	10.03.2004
	-	27.08.2004
	-	24.11.2004
Appendix B	The Senad Group Ltd	- Pegasus School, Student Profile
		- Additional Student information
Appendix C	Walker Morris Solicitors	- The former Goldsborough Hall Nursing Home
		Staff and Vehicle movements
Appendix D	The Senad Group Ltd	- Staff and Vehicle movements

Appendix A

DEPARTMENT OF TECHNICAL SERVICES

DCPARISH
04/00626/DVCON 6.101.12.X.DVCON

Mr R J B Rhodes
Clerk To Goldsborough PC
Crossways Cottage
Church Street
Goldsborough
Knaresborough
HG5 8NW



J P FITZGERALD FCI O B FRICS
DIRECTOR OF TECHNICAL SERVICES

DEPARTMENT OF TECHNICAL SERVICES
KNAPPING MOUNT, WEST GROVE ROAD
HARROGATE HG1 2AE
Tel: (01423) 500600 Fax: (01423) 556510
Minicom: (01423) 556543
www.harrogate.gov.uk/planning

Opening Hours: MON-THU 8.30-5.00 FRI 8.30-4.30

12 February 2004

CASE OFFICER: Mrs K Williams TEL: 01423 556949

PARISH COUNCIL NOTIFICATION - PLEASE RETURN NOT LATER THAN 4 March 2004

APPLICATION TYPE: Delete or vary condition
APPLICATION NO: 6.101.12.X.DVCON 04/00626/DVCON
PROPOSAL: Variation of Condition no 3 of planning permission 6.101.12.M.PA to state the premises shall only be used for a use falling within Class C2 of The Town & Country Planning (Use Classes) Order 1987.
LOCATION: Goldsborough Hall Church Street Goldsborough Knaresborough North Yorkshire HG5 8NR
GRID REF: E 438360.000 N 456050.000
APPLICANT: BUPA Care Homes (GL) Ltd
DECISION LEVEL: Head of Planning Services/Chairman

Please **CIRCLE** A, B, C or D as appropriate. Write your comments overleaf and number each comment.

- A The Parish Council has no objections.
- B The Parish Council objects on the planning grounds set out overleaf.
- C The Parish Council does not object but wishes to make comments or seek safeguards as set out overleaf.
- D The Parish Council supports the application.

I would also like to take this opportunity to draw you attention to our E-mail consultation response service at ippu@harrogate.gov.uk. By E-mailing responses you can ensure they get to us more quickly and saves on paper and postage. If you would like to use this service, please contact Mr D Clothier, telephone 01423 556554.

Signed  Date 27/2/04
Clerk to the Parish Council

Do not send the views of individual Parish Councillors, either as a list of (possibly conflicting) points or as a batch of separate letters. The Parish Council must form a corporate view.

Goldsborough Hall: 6.101.12.X.DVCON - Variation of Condition of Use

The Parish Council believes that the planning conditions imposed in January 1983 to be right and proper. They state that "the premises shall be used for residential/nursing home and for no other purpose" and that they are there "to safeguard the rights of control by the Local Planning Authority". This shows very clearly that the authority intended specifically to safeguard this historically important Grade 2* Listed Building from any change of use in the future which might be detrimental or inappropriate. A blanket reclassification to Class C2 would expose the premises, the interior and grounds to many forms of use that could be wholly inappropriate. The Parish Council can see no justification in allowing reclassification merely to bring it in line with today's planning legislation. Clearly the purpose of this application is to be beneficial to a potential purchaser and to expedite a sale. Obviously the Parish Council wants to see Goldsborough Hall put to good use, but any plans for change of use of so important a property should be subject to individual scrutiny.



Roderick Rhodes Parish Clerk Goldsborough & Flaxby Parish Council 27/2/04

RS/DS/Goldsborough

FAO Mrs K Williams

Director of Technical Services
Harrogate Borough Council
Department of Technical Services
Knapping Mount
West Grove Road
HARROGATE HG1 2AE
North Yorkshire

10 March 2004

Peacock & Smith



Chartered Town Planners
Development Consultants

Dear Sir

SECTION 73 APPLICATION REF. 6.101.12.X.DVCON BY BUPA CARE HOMES (GL) LTD AND LISTED BUILDING CONSENT APPLICATION REF. 6.101.12.Y.LB BY THE SENAD GROUP, BOTH IN RESPECT OF GOLDSBOROUGH HALL, GOLDSBOROUGH

CONSULTATION RESPONSES ON BEHALF OF GOLDSBOROUGH & FLAXBY GROUPED PARISH COUNCIL

We have been asked to advise and act on behalf of Goldsbrough & Flaxby Grouped Parish Council with regard to the above applications, and in respect of any other applications affecting Goldsbrough Hall that are either have been or will be submitted to Harrogate District Council.

Introduction

This letter comprises the response of the Parish Council to the local planning authority's formal notification of receipt of the following applications:

- (i) Section 73 application ref. 6.101.12.X.DXCON by BUPA Care Homes (GL) Ltd which seeks the variation of Condition 3 attached to planning permission ref. 6.101.12.M.PA (restriction of the use of Goldsbrough Hall to a residential/nursing home); and
- (ii) Listed Building consent application ref. 6.101.12.Y.LB by the Senad Group, which seeks approval for various internal alterations (including the introduction of polycarbonate sheeting to protect windows; raising of chandeliers and replacement of existing wall lights), and the erection of boundary fences and gates.

Whilst these applications are self-evidently interrelated, we deal with each in turn, as follows.

Suite 2A • Joseph's Well • Hanover Walk • Leeds • LS3 1AB
Tel (0113) 243 1919 Fax (0113) 242 2198 E-Mail Planning@peacockandsmith.co.uk Web Site www.peacockandsmith.co.uk

Partners: Robert Smith Dip TP, MRTPI Peter R.B. Wood Dip TP, MRTPI Andrew S. Etchells BA (Hons), MRTPI
Associate: Cassie Holland BA (Hons), Dip TP, MRTPI

Section 73 Application ref. 6.101.12.X.DVCON

Goldsborough and Flaxby Grouped Parish Council objects to application ref. 6.101.12.X.DVCON on the following grounds.

The variation sought to Condition 3 attached to planning permission ref. 6.101.12.M.PA would permit the use of Goldsborough Hall for any and all of the uses falling within Class C2 of the Town and Country Planning (Use Classes) Order 1987, i.e. including use as a residential school, as anticipated by the proposals submitted by the Senad Group. The context for this proposal is as follows.

Planning permission for the change of use of the property from a private dwelling to a residential/nursing home was granted by Harrogate Borough Council on 21 January 1983. Condition 3 attached to permission ref. 6.101.12.M.PA stated:

'The premises shall be used for residential/nursing home and for no other purpose (including any other purpose in Class XI of the schedule of the Town and Country Planning Use Classes Order 1972'.

As noted in the letter from Walker Morris which accompanied the BUPA application, the local planning authority has acknowledged that the condition was incorrectly worded, in that reference should have been made to Class XIV, and not Class XI. Nevertheless, the intention of the condition was and is clear.

The reason for the imposition of this condition was stated as being:

'To safeguard the rights of control by the local planning authority in this respect'.

The imposition of Condition 3 reflects a recognition on the part of the local planning authority that whilst the UCO permits changes of use within the defined Classes without express grants of planning permission, there may be instances where it is in the interests of the character, amenity or proper planning of the area to retain control over subsequent changes of use.

This was clearly the approach adopted in the case of the 1983 application, presumably to ensure against the use of this historically important Grade 2* Listed Building in a manner which might result in harm to issues of acknowledged importance. The Parish Council considers that the ongoing retention of control over use by the authority is both necessary and justified. It is deeply concerned that potentially opening up Goldsborough Hall, without an express grant of planning permission, to the range of uses in Class C2 of the UCO could result in significant harm to the fabric and/or setting of this Listed Building; to the character and appearance of the Conservation Area, and to the amenity of the local area generally. The proper approach remains one of retaining the ability to subject any proposals to individual scrutiny.

It is noted that in their letter accompanying application ref. 6.101.12.X.DVCON, Walker Morris refer to Government guidance, which suggests that the Secretaries of

State would regard as unreasonable the imposition of conditions designed to restrict future changes of use which by virtue of the Order would not otherwise constitute development. However, the letter rightly goes on to note that this guidance does not apply where there is:

'clear evidence that the uses excluded would have serious adverse effects on the environment or on amenity....'

As a general proposition, Goldsbrough & Flaxby Grouped Parish Council takes the view that such clear evidence is more likely to be in evidence when the use or uses under consideration relate to an important Grade 2* Listed Building within a Conservation Area. In such circumstances, the approach previously adopted by the local planning authority was correct, and should be maintained through the refusal of this application.

Indeed, the potential impact of the specific proposals submitted by the Senad Group in its Listed Building Consent application points firmly to the existence of clear evidence of harm to the environment and amenity. Relevant issues to be taken into account in the determination of both applications are addressed below.

Listed Building Consent Application ref. 6.101.12.Y.LB

Goldsbrough & Flaxby Grouped Parish Council objects to the Listed Building Consent application submitted by the Senad Group. Relevant issues are as follows.

It should firstly be noted that the Parish Council has insufficient information on the possible effects of the proposals to any features of particular interest or value within the interior of the building. Setting aside the fact that the Parish Council has been unable to make an internal inspection, the view is taken that in general terms, the works described in the application (i.e. the erection of polycarbonate sheeting to protect windows; raising of chandeliers; replacement of wall lights and creation of 'soft play' area) may not result in permanent harm to the fabric or features of the building. Any minor issues which might arise could no doubt be dealt with by condition, as necessary.

However, the Parish Council is extremely concerned with regard to the likely effects of the proposed boundary security fencing, and fences around the proposed hard play area on the setting of the Listed Building; the character and appearance of the Conservation Area, and on the amenity of certain neighbouring properties.

Before addressing specific issues however, it is relevant to consider the extent to which the applicants have had regard to the advice of PPG15 'Planning and the Historic Environment' in preparing and submitting this Listed Building application.

Paragraph 3.5(iii) indicates that the setting of a Listed Building and its contribution to the local scene may be very important, whilst paragraph 3.12 goes on to advise that in judging the effect of any extension or alteration (which must include the introduction of high fences):

'it is essential to have assessed the elements that make up the special interest of the building in question'.

This guidance is translated into Local Plan policy HD1, which provides that:

'Development will not be permitted where it would have an adverse effect on the character, physical fabric or setting of a Listed Building'.

Similarly, the advice of PPG15 in respect of Conservation Areas is reflected in Local Plan policy HD3, which indicates that development which has an adverse effect on the character and appearance of a Conservation Area will not be permitted. In addition, this policy states:

'Applications for development in or visually affecting Conservation Areas will be expected to contain sufficient information to allow a proper assessment of their impact on the character and appearance of the Conservation Area to be made'.

In this case, the short statement which accompanies the application contains no reference to or assessment of either the setting of the Listed Building or the character of this part of the Conservation Area, and in neither case are the potential effects of proposed perimeter and other fencing assessed. On the contrary, the proposed boundary fencing and gates are justified on the basis that:

'A physical barrier with its (sic) a strong visual aspect is an effective deterrent' (for students exiting the site and exhibiting 'challenging' behaviour).

This lack of any careful assessment of the effects of the proposed fencing means that, as a matter of principle, application ref. 6.101.12.Y.LB is deficient, and conflicts with both Government policy guidance and the policies of the Local Plan.

In detailed terms, the introduction of 1.95m high steel frame and wire mesh fencing ('Type A') around much of the boundary of the Hall, and adjacent to open countryside, will cause severe harm to the setting of this Listed Building. In this regard, it should be borne in mind that much of the value of the setting results from the sensitive interface between the formal grounds of the property and the surrounding open land. That sensitive relationship will be completely lost, with significant damage to the setting of the Hall; the character and appearance of the Conservation area, and visual amenity generally.

Elsewhere, the introduction of 2.2m high fencing ('Type B') to peripheral areas would have similar harmful effects.

Additional severe harm would result from the introduction of the proposed 'hard' play area, surrounded by 2.75m high chain link fencing beyond the southern boundary of the Hall, within the historic avenue of trees that form an important element of the Conservation Area. Once again, both the setting of the Listed Building and the

character and appearance of the Conservation Area would be harmed to a significant degree by the introduction of this visually harmful, alien feature.

The introduction of lower level fencing around the listed sundial would represent a further, completely alien feature which would harm both the setting of the main building and, more importantly, the setting of the sundial itself.

With particular regard to the proposed fencing around and to the south of the boundary to the Hall, it is relevant to note that the Conservation Area Statement identifies four important vistas within the village, one of which is:

'View south-west from Goldsborough Hall along the avenue of mature trees'

This group of trees is also identified by the Statement as an important landscape feature.

The Parish Council considers that, bearing in mind the height of boundary fencing proposed, this should be the subject of a planning application as well as a Listed Building Consent application. Whilst any such application will be the subject of further comment as necessary in due course, it is appropriate to record at this stage the Parish Council's view that the introduction of high security fencing along common boundaries with adjoining residential properties will result in significant harm to the amenity and privacy of the occupants of the dwellings concerned. In this regard, the Parish Council is particularly concerned with regard to the potential effects on Stansfield Court, Goldsborough Hall Cottages, the Church of St Mary the Virgin (Grade I), the Old Dairy and Goldsborough Court.

For these reasons, the various fences proposed under application ref. 6.101.12.Y.LB are considered to be entirely inappropriate, and harmful to the setting of the Listed Building; the character and appearance of the Conservation Area; the amenity of the area generally, and the amenity of adjacent residential properties. The proposals conflict not only with Local Plan policies HD1 and HD3, but also (bearing in mind the potential adverse effects on the general character and amenity of the area, and on residential amenity), with Local Plan policy A1. Because the proposed hard play area with its high, obtrusive fencing is located beyond the defined development Limit of Goldsborough, this element also conflicts with Local Plan policy C15.

With regard to other issues, the lack of a planning application in respect of the proposed change of use means that no information is provided with regard to overall staffing levels, traffic movements or car parking provision. Whilst this makes detailed comment on these important issues difficult, if not impossible, the Parish Council would offer the following brief observations.

On the basis of some 24 students with a minimum of one to one care staffing throughout the day, it may be assumed that overall staffing levels will be in the order of 80 or thereabouts during daylight hours. The Parish Council is concerned that the resultant vehicular movements, together with visitor movements, will harm local amenity; result in undue noise and disturbance, and that on-street parking will be necessary, thereby further harming the appearance and quiet ambience of the

Conservation Area. Additional conflict with policies HD3 and A1 will arise as a result.

Summary

With regard to Section 73 application ref. 6.101.12.X.DVCON, Goldsborough & Flaxby Grouped Parish Council considers that the imposition of condition 3 on the 1983 residential nursing home consent was entirely justified in the interests of protecting the historically important Grade 2* Listed Goldsborough Hall from inappropriate, harmful uses. It is considered that the ongoing retention of control by the local planning authority over future use(s) is essential in the interests of the Listed Building and the proper planning of the area. The Parish Council is deeply concerned that potentially opening up Goldsborough Hall, without an express grant of planning permission, to the range of uses in Class C2 of the UCO could result in significant harm to the fabric and/or setting of this Listed Building; to the character and appearance of the Conservation Area, and to the amenity of the local area generally. The proper approach remains one of retaining the ability to subject any proposals to individual scrutiny, and this application should be refused.

With regard to Listed Building Consent application ref. 6.101.12.Y.LB, the lack of any appraisal of either the important features of the Listed Building or the character and appearance of the Conservation Area means that the submission is deficient in terms of content and quality, and the Applicants' approach conflicts with both Government policy guidance and Policy HD3 of the Harrogate District Local Plan.

The various types of boundary fencing proposed under the application are inappropriate and unsightly, and will result in severe harm to the setting of the Listed Building; the character and appearance of the Conservation Area; the amenity of the area generally, and the amenity of adjacent residential properties. The proposals will harm the setting of the listed sundial, and will adversely affect the avenue of mature trees to the south west of the Hall, which is identified in the Conservation Area Statement as being both an important vista and an important landscape feature.


The resultant vehicular movements, together with visitor movements, will harm local amenity; result in undue noise and disturbance, and on-street parking will be necessary, thereby further harming the appearance and quiet ambience of the Conservation Area.

The proposals are therefore in conflict with policies HD1, HD3 and A1 of the local plan, and to a limited extent with policy C15.

For these reasons, application ref. 6.101.12.Y.LB should be refused.

We trust that the above response to consultations on behalf of Goldsborough & Flaxby Grouped Parish Council will be brought to the attention of Members, and that both of the above applications will be refused. In the meantime, if Mrs Williams wishes to discuss any issues arising from this letter, she should not hesitate to contact us.

Yours faithfully



rs ROBERT SMITH
PEACOCK & SMITH

RS/DS/2404

BY FAX AND POST
01423 556510

Peacock
& Smith

F.A.O. Mrs K Williams
Director of Technical Services
Harrogate Borough Council
Department of Technical Services
Knapping Mount
West Grove Road
HARROGATE
HG1 2AE
North Yorkshire



27 August 2004

Chartered Town Planners
Development Consultants

Dear Sir

**APPLICATION REF. 6.101.12.X.DVCON BY BUPA CARE HOMES (GL)
LIMITED AND APPLICATIONS REF. 6.101.12.Y.LB & 6.101.12.Z.FU BY
THE SENAD GROUP, IN RESPECT OF GOLDSBOROUGH HALL,
GOLDSBOROUGH
FURTHER CONSULTATION RESPONSE ON BEHALF OF
GOLDSBOROUGH & FLAXBY GROUPED PARISH COUNCIL**

As the Council is aware, we act on behalf of Goldsbrough & Flaxby Grouped Parish Council with regard to the above applications in respect of Goldsbrough Hall. Further to the previous consultation responses as contained in our letters dated 10 March and 26 March 2004, we now set out our client's further comments on the amended plans and details submitted by the Senad Group on 1 April, 1 July and 13 July 2004.

Dealing first with the amendments to the line of the proposed perimeter fence, the Parish Council notes that this has been set back in the vicinity of the Church of St. Mary the Virgin. Whilst this modification is welcomed, the degree of change is limited in overall terms, and does not and will not overcome the Parish Council's main objection, ie. the highly damaging effect of incongruous perimeter fencing on the setting of the Listed Building; the character and appearance of the Conservation Area; the amenity of the area generally, and the amenity of adjacent residential properties. The clear conflict with Local Plan policies HD1, HD3 and A1 remains.

With regard to the amended siting of the proposed 'hard' play area, the removal of this further obtrusive feature from within the historic avenue of trees to the south of the Hall is welcomed. However, the Parish Council considers that the proposal to re-site the play area to the west of the Hall buildings will be no less damaging in terms of the setting of the Listed Building, and the character and appearance of the Conservation Area. In these respects, not only will the introduction of additional areas of 1.8m. perimeter fencing around the play area exacerbate the harm caused by the erection of high perimeter fencing elsewhere in this area, the submitted plans

Suite 2A • Joseph's Well • Hanover Walk • Leeds • LS1 1AB
Tel (0113) 243 1919 Fax (0113) 243 2198 E-Mail info@peacockandsmith.co.uk Web Site www.peacockandsmith.co.uk

Partners: Robert Smith Dip. TP, MRTPI Peter R.B. Wood Dip. TP, MRTPI Andrew S. Etchells BA (Hons), MRTPI
Senior Associate: Cassie Holland BA (Hons), Dip. TP, MRTPI
Associates: Mrs England BA (Hons), MTP, MRTPI Chris Creighton BA (Hons), MA TP, MRTPI

indicate that a number of mature trees and areas of shrubs are proposed to be removed to accommodate the play area. Such removal will be harmful to both the setting of the Listed Building and the character and appearance of the Conservation Area, and coupled with the introduction of security fencing, the overall effect will be one of significant harm to amenity.

Turning to the proposal to reduce the height of the proposed entrance gate to 1.2m., the Parish Council has a concern regarding potential future security. If high perimeter fences are required in all other areas in order to provide the necessary security to contain students within the premises, there is a concern that the amended proposals will give rise to an increased level of risk.

Turning finally to the suggested staff numbers and vehicle movement levels attached → to Senad's letter of 13 July 2004, in the absence of details of the survey results from the Group's existing premises at Burton on Trent, the Parish Council has no basis upon which to question the figures provided in detail. It is however noted that on the Applicant's figures, the proposed 30 car parking spaces will be (virtually) fully utilised for at least part of each working day, and the figures provided are highly dependent on (a) the provision of a minibus service, (b) the use of that service by a high proportion of staff on site, and (c) a high proportion of other staff using public transport, being 'dropped off' or car sharing. The Parish Council is concerned that the assessment may be idealistic, particularly bearing in mind that whilst 94 staff on site are expected to generate 28 cars, 59 are assumed to generate 20 or 21 vehicles at other times.

In addition, the Parish Council is also concerned that the anticipated number of visitors to the establishment (said to be approximately 5 per day) is likely to be a significant under-estimate.

For these reasons, the Parish Council is concerned that overall levels of traffic generation and parking requirements have been underestimated, and that the reality is likely to involve higher levels of movement and on-street parking, to the further detriment of the character and appearance of the Conservation Area, and amenity generally.

On behalf of Goldsborough & Flaxby Grouped Parish Council, we would ask Harrogate Borough Council to take the above comments into account together with the previously submitted representations, and to refuse the various inter-related applications by BUPA Care Homes (GL) Ltd and the Senad Group in respect of Goldsborough Hall, Goldsborough.

Yours faithfully



PEACOCK & SMITH

cc. Goldsborough & Flaxby Grouped Parish Council

Goldsbrough & Flaxby Grouped Parish Council
C/o Crossways Cottage
Main Street
Goldsbrough
HG5 8NW

Mr T Richards
Head of Planning
Department of Technical Services
Harrogate Borough Council
Knapping Mount
West Grove Road
Harrogate
HG1 2AE

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 25 2004	
HARROGATE	
TAKEN	
FILED	

16

24th November 2004

Dear Mr Richards,

Planning Ref: 6.101.12.Z.FUL & 6.101.12.Y.LB
Goldsbrough Hall, Goldsbrough – The Senad Group Limited

We are writing to you with regard to the above planning applications, which as we are sure you are aware, have already received numerous significant objections from not only the Parish Council but local residents as well. We are extremely concerned following a viewing of the files that the case officer seems to be going to recommend the applications to the Area 2 Planning Committee. Following the extensive amendments to the applications and additional information therein, there are numerous facts that clearly show that further investigation is necessary and we have detailed our concerns on some of the key points below: -

Traffic

It appears from the file that the traffic figures presented by the applicant have been taken at face value. There seems to have been no proper traffic assessment carried out, are we simply to accept a one-page table? The Parish Council strongly requests that you look more closely at these figures as we are sceptical to their foundation. We believe that the figures are an extrapolation of BUPA's previous figures rather than being a result of any specific traffic assessment. You will note that the car movements are IDENTICAL in each table, conveniently resulting in a proposed peak car quantity on site just under the car parking spaces shown on the applicant's plan. This cannot be correct as Senad would have double the amount of staff on site as BUPA had.

Due to the lack of any credible evidence the Parish Council have therefore carried out our own traffic survey at Pegasus school, one of Senad's other facilities. Presumably the one Goldsbrough Hall is being modelled on as it caters for similar student numbers. We have enclosed the table, which details all the movements over a period from 0600 to 2200 on Thursday 18th November 2004. It should be noted that verification of the survey could be sought from Derbyshire Police who, were called to the site with regard to the car that was parked in the school's vicinity, are sure to have details on file if you wish for clarification.

The numbers of vehicle movements are roughly **DOUBLE** that of BUPA's and not at all similar as both Senad and Walker Morris have suggested. This is with 3 **FEWER** resident students than proposed at Goldsbrough, obviously an extra 10% more students would lead to increases over and above what we have established from our survey. This puts in doubt the credibility of the information supplied by either Senad or Walker Morris and questions the motives behind other information contained in the applications. The Parish Council do not consider the changes in traffic movements will have "little material difference", as implied by Walker Morris, on the quiet amenity of the village. We believe these applications should be refused on these grounds alone. It should also be noted that the increased traffic would cause significant additional traffic flow problems at the single entrance to the village through the stone pillars and the adjacent primary school; not to mention in the main street of the village itself as well as the single arch access through Stansfield Court. The loss of amenity especially to the residents in the immediate area would be immense.

The supporting argument by Senad that most of their staff is not car borne is clearly **FALSE** as shown by the survey figures. The minibus is shown by our survey not to be a regular option for their staff in Derbyshire, who is of the same type as proposed in Goldsbrough; so therefore how can they argue it would here. Senad have been so keen to stress that they have modelled this application on an existing school; they **MUST** accept that the **TRUE** traffic movements would be similar.

-2-

Lighting

Lighting has still played little or no part in the Senad applications. Why is that? Clearly any lighting would have a dramatic effect on the village, especially in such an inherently dark area as Goldsborough Hall and its setting. Again we would point out to you that the other schools that Senad are modelling Goldsborough on have extensive floodlighting, all conveniently left it out of the current applications. You should also note that at the school where our traffic survey was carried out there were automatic overhead floodlights at the entrance gates, presumably as a safety precaution. These were activated every time a vehicle arrived. Yet another factor that would be of severe detriment to the occupants of the surrounding properties, especially the residents of Stansfield Court.

Play Area

This is now in its third proposed location and whilst this may be better in terms of the impact on the setting of the listed building it would have a far greater effect on the amenity of the local residents. It should be noted that the new proposed position of the play area, still with its 9 feet high fencing, is clearly visible to numerous homes in the area and due to the fact that this site is at least 8 feet above road level creates a completely unacceptable intrusion to the privacy of those living in the vicinity of this area. Photographic evidence clearly shows an eye level view into numerous first floor windows. This location is also only about 20 feet from the nearest residential property and therefore the obvious noise disturbance that it is bound to create would have an unacceptable effect on the local amenity.

Fencing

We would suggest to you that fencing which is only about 3 feet high is not going to form an effective deterrent to prevent the students from exiting the premises. Senad were clear in their initial application that the fencing needed to be and I quote "a physical barrier with a strong visual aspect is an effective deterrent". Your own conservation officer says that the existing wire mesh was "very invisible" and he would need to satisfy himself that the proposed mesh "will be equally unobtrusive". Therefore the fencing needed to satisfy Senad's security issues and the type required to satisfy the conservation officer are wholly incompatible. How can it be "an effective deterrent" when your conservation officer states the need for it to be "very invisible"? Surely there is a duty of care to the residents of the village and especially to the most vulnerable, those living closest in the sheltered accommodation at Stansfield Court. They were initially told that a 7-foot high fence was essential for security, but now, due it would seem from numerous objections a 3-foot high fence is acceptable. How is this dramatic U-turn now going to provide security? No mention has been made of the clearly very visible 9-foot play area fencing! All this would have a detrimental affect on the local amenity of the village and especially the residents closest to The Hall. It should again be noted that the other homes operated by Senad do have high security fencing.

File notes

Notes on the file from the case officer's seem contradictory; "I am still concerned that overall the use is not appropriate for the listed building" and "I still dislike the fencing, but if the following is the least obtrusive option then that **might be their best chance** - as it is obviously essential for them". If the case officer still dislikes the new lower fencing and questions the actual use how then can there be a recommendation of the applications to the committee?

We maintain that all our previous objections to planning policy breaches continue to apply to these amended applications. We trust that the officer's report will address the numerous significant planning objections that not only the Parish Council, but residents as well, have raised.

Yours sincerely



Parish Clerk
For and on behalf of Goldsborough & Flaxby Grouped Parish Council

Encl. - Traffic Survey & Photographs 1 - 14

TRAFFIC SURVEY CARRIED OUT AT PEGASUS SCHOOL - CALDWELL, DERBYSHIRE
Thursday 18th November 2004

IN	PEDESTRIANS	BIKES	CARS	MINIBUS	DELIVERIES	TOTALS	PEOPLE	CARS ON SITE	
								0	(based on Senad's figures)
0600 - 0730	3	2	14		2	18	22	22	
0730 - 1000	3	1	14		3	18	18	29	
1000 - 1200			12	1	1	14	14	32	
1200 - 1400	1		12		1	13	16	32	
1400 - 1600			12	1		13	13	31	
1600 - 1800			2			2	2	19	
1800 - 2000			4			4	5	16	
2000 - 2200			0			0	0	5	
OUT	PEDESTRIANS	BIKES	CARS	MINIBUS	DELIVERIES				
0600 - 0730			0			0	0		
0730 - 1000	1		7	1	3	11	-16		
1000 - 1200			9	1	1	11	-11		
1200 - 1400	3	3	12		1	18	-17		
1400 - 1600			13			13	-17		
1600 - 1800	2	2	14		1	17	-16		
1800 - 2000			7			7	-7		
2000 - 2200	1		11			11	-13		

TOTAL MOVEMENTS

168

Survey carried out on Thursday 18th November 2004 by Craig Liversidge & Jason Wilson

Two people carried out survey for verification using pre-printed forms sectioned by vehicle type and time. In addition occupant numbers were also taken of each vehicle.

PEGASUS SCHOOL
A MEMBER OF THE TRUST GROUP



THE STUDENTS

Age :	8-19 years
Sex :	Female or male
Difficulties :	Challenging behaviour, communication and learning difficulties
Associated Difficulties:	Autism, Autistic Spectrum Disorders, Down's Syndrome, ADHD amongst others
Number of Residential Students :	20

- A large number of students of all ages need extra help with behavioural difficulties.
- These difficulties can present themselves in a number of different ways: for instance younger children may be intolerant of peers, structured interactions or everyday situations like going to the toilet. They may present as tantrums, withdrawal, obsessive behaviours, and self-injury. The normal routine of home living or classroom instruction becomes severely disrupted.
- As some children get older their difficulties can become even more complex to handle. They are bigger, stronger and may have developed inappropriate coping mechanisms involving violent behaviours. This creates extra problems for their carers.
- Most of our students will have been excluded from full time education. Challenging behaviour against peers, adults or themselves will usually be the reason.
- At Pegasus School we believe that managing challenging behaviour should be allied to providing a varied learning environment. Over a long period of time the student will have had restricted access to learning experiences. We offer a full and broad curriculum to meet these needs.



Message

10/11/04

Kate Williams - Goldsborough Hall

From: "James Brown" <jamesbrown@senadgroup.com>
To: <kate.williams@gw.harrogate.gov.uk>
Date: 10/11/04 09:32
Subject: Goldsborough Hall

Thanks for your message.

The information you require is as follows:

1. There will be 27 resident students.
2. The level of supervision is 1:1 during waking hours.
3. The fence acts as both a physical and visual barrier and is for student safety rather than security.
4. The school will be registered with the Commission for Social Care Inspection (CSCI).
5. Student fees are paid either by Local Authorities or private individuals.
6. Student difficulties are associated mainly with autistic spectrum disorders. See the attached student profile for Pegasus School.
7. The school will be inspected by OFSTED and CSCI. OFSTED inspections are every 3 years and the school will have to meet OFSTED requirements before it can open. CSCI inspect twice per annum - one announced inspection and one unannounced. Further information is available on each organisations website.
8. Students will always be under observation when outside. All students will have individual risk assessments.
9. The hard play court will be used before and after school and during weekends.
10. There will be no floodlighting or CCTV on site. There will be external lighting but this will be for safety (eg along walkways and over fire exits) and will be linked to movement sensors where appropriate.
11. Benefits of a setting such as Goldsborough Hall:

Safety: allows a great deal of freedom without being restrictive compared with, for example, a site in the middle of a town in a restricted environment or a small school and/or home. Students have a range of global sensory needs (not hearing or visual impairment): they are vulnerable to the public and in the public. In their current settings (schools and homes) they are in very unresponsive and rigid backgrounds.

Routine: students need a regular 24 hour environment where there is a high repetition and predictability in their environment: see autistic spectrum needs.

Inclusion: our students have difficulties with social and learning situations. They need particular social communication strategies to help them to listen as part of a group, understand what others mean, express their needs when ill, play with their peers etc. Goldsborough allows a range of settings where these things can be introduced and practiced without any sense of rejection. Trials can be for as long and as often as needed. We are building up their inclusion in terms of understanding others and tolerating others in small groups, working in proximity to others and receiving a full entitlement curriculum to levels that they understand. They never be independent or even semi-independent but they should be able to understand their role in social settings and make their needs known with adult help. This is very labour intensive and needs a safe, predictable environment such as Goldsborough. The types of groupings and social access they have there are likely to be similar to those they will experience as adults.

Community access: most students are able to access community where there is a higher degree of planning. This is not possible at home or in their current schools because students need intensive help for planning eg

W A L K E R
M O R R I S
Solicitors

Kings Court, 12 King Street, Leeds, LS1 2HL. Telephone 0113 283 2500.
Facsimile 0113 245 9412. Document Exchange 12051 Leeds 24. E-mail SSS@walkermorris.co.uk
Web: <http://www.walkermorris.co.uk>

Mrs K Williams
Harrogate Borough Council
Department of Technical Services
Knapping Mount
West Grove Road
Harrogate
HG1 2AE

Our ref SSS/NW/04/005-13
Your ref
6 October 2004



Dear Mrs Williams

**Application No 6.101.12.X.DVCON – Variation of Condition 3 re 6.101.12.M.PA
BUPA Care Homes Ltd**

Goldsborough Hall, Church Street, Goldsborough

I write further to my letter of 13 September last and our review meeting with your colleague, Helen Sephton, at Knapping Mount yesterday.

Firstly, I would thank you for confirming that following your detailed considerations the scheme is regarded as compliant with Policy CFX and that it is your intention to recommend approval to the Planning Committee on 26 October next. I was also pleased that you are content with the details of SENAD's applications and that they will also be recommended for approval.

With respect to the residual issue we discussed I have enclosed a schedule relating to the previous operation of Goldsborough Hall as a nursing home. You will appreciate that it was a larger than average provision being registered for some 57 no. beds. It worked on a standard shift pattern, which was not dissimilar to SENAD's proposal, albeit that unlike SENAD's prospective use it operated on a full seven day week. The figures for vehicle movements are commensurate with the size of the former home and its location and show little material difference to the information provided to you by SENAD. You indicated that you are considering recommending a "green travel plan" condition, which my client is content with. I am sure you will appreciate that SENAD's use of the minibus to ferry the student support assistants is a firm commitment to such objectives and that encouragement might be given where possible to car sharing amongst the car-borne staff. As advised I have completed a number of travel plans for companies in the past and often the appointment of a travel co-ordinator has a beneficial effect in this regard. I have no doubt that SENAD would be happy to co-operate on this basis.

I look forward to the Planning Committee's endorsement of your recommendations.

Yours sincerely


Stephen Sadler
Head of Planning Unit

cc: Mr J Brown – The Senad Group
Mr N Slevin – BUPA Care Homes
Mr R Muller – BUPA Care Homes
Mr R Waltho – BUPA Care Homes

**THE FORMER GOLDSBOROUGH HALL NURSING HOME
 STAFF AND VEHICLE MOVEMENTS**

		STAFF			VEHICLE MOVEMENTS					
		Arriving	Leaving	On-site	Cars	Mini bus	Lift	Car Share	Motor Bike	Total On Site
				6	6					6
07:15	Morning Shift Nursing Professionals	16			10		2	4		17
07:15	Morning Shift Ancillary Staff	14		36	2	8	4			19
07:40	Night Shift Nursing Professionals		-6	30	-6					13
14:00	Afternoon Shift Nursing Professionals	16			10		2	4		24
14:00	Afternoon Shift Ancillary Staff	14		60	2	8	4			26
14:00 – 14:30	Morning Shift Nursing Professionals/ Ancillary Staff		-30	30	-12	-8	-6	-4		13
20:00	Night Shift Nursing Professionals	6		36	6					19
20:00	Afternoon Shift Nursing Professionals / Ancillary Staff		-30	6	-12	-8	-6	-4		6

Notes

Operation

Goldsborough Hall Nursing Home was registered for 57 no bedspaces and operated 7 days a week, 365 days a year with the same staffing levels

Deliveries

Food/milk/general provisions – 3 deliveries per day
 GP's – variable but largely daily
 Ambulance – daily
 Refuse (General) – weekly
 Refuse (Clinical) - weekly

Visitors

4 average daily with 6/7 average at weekends

Area 2 Development Control Committee - Tuesday 18 January 2005
Agenda Item No. 06 (01) - Public Appendix

SENAD
GROUP

The Grange, Hospital Lane, Mickleover, Derby DE3 0DR

01332 510951 01332 512867 info@senadgroup.com senadgroup.com

13th July 2004

Mrs K Williams
Harrogate Borough Council
Department of Technical Services
Planning Division
Knapping Mount
West Grove Road
Harrogate, HG21 2AE

HARROGATE BOROUGH COUNCIL DEPARTMENT OF TECHNICAL SERVICES			
DIVISION	Plan		
ACTION			
14 JUL 2004			
RECO	ACTD		
ACK	REPLIED	NO REPLY	FILED

Dear Mrs Williams

Application No. 6.101.12.Y.L.E 04/00905/FUL
Goldsborough Hall, North Yorkshire, HG5 8NR

Further to my letter of 1st July, I enclose site plans showing fencing alterations and a car parking layout together with a plan showing the trees to be removed around the hard court area. ✓ *Notes 13.07.04 re (H2012014) → See Files 6.101.12.Y.L.B*

I am also enclosing details of the proposed staff numbers and vehicle movements. *6.101.12.Z.FUL*
These are based on survey results from our existing school in Burton on Trent, which Goldsborough Hall is being modelled upon. This was the also the School visited by a number of Golsborough Parish Councillors. *HW 05.07.04*

Many of our staff (the student support assistants) are non car owners and rely on public transport and SENADs minibus. We propose to operate the mini-bus service some 3 times a day for this group from Knaresborough and likely York. BUPA previously operated a similar and successful service when the nursing home was operational. With 30 no. spaces on site there is capacity to accommodate the minibus and staff cars.

Please let me know of you require any further information.

Yours sincerely



Jim Brown
Property & Facilities Manager

Cc Stephen Sadler, Walker Morris

Area 2 Development Control Committee - Tuesday 18 January 2005
Agenda Item No. 06 (01) - Public Appendix

GOLDSBOROUGH HALL

Staff

Staff/Vehicle Movement

Monday to Friday

	Arriving	Leaving	On site	Car	Minibus	Public/Drop Off	Car Share	M/Cycle	Cars on Site
7.15 am SSA	35		8	8					8
7.15 am Maintenance/Domestic Staff	10		53	6	19	4	4	2	16
7.30am Night Wake Shift		-8	45	2	6	1		.1	18
8.30 am Teachers & Therapists	14		59	-8					10
2.30pm SSA	35		94	9		1	4		21
3.15pm SSA		-35	59	5	19	5	4	2	28
4.00 pm Teachers & Therapists		-14	45	-6	-19	-4	-4	-2	20
Maintenance/Domestic Staff		-10	35	-9		-1	-4		9
9.00 pm Night Wake	8		43	-2	-6	-1		-1	7
9.45 pm SSA		-35	8	8					15
				-5	-19	-5	-4	-2	8

Weekends

As weekdays but no teachers or therapists and less domestic.

Deliveries

Daily Milk
 Weekly Refuse
 Butchers
 Groceries
 Disposal bag waste

Visitors

Approx 5 per day

SSA

Student Support Assistants are generally young people on relatively low salaries (starting grade is £11,942). Car ownership amongst this group is therefore, low and there will be a reliance on the mini-bus service.

