

HARROGATE BOROUGH COUNCIL

PLANNING AREA2 DC COMMITTEE – AGENDA ITEM 6: LIST OF PLANS.

DATE: 18 January 2005

PLAN: 03	CASE NUMBER: 04/00905/FUL
APPLICATION NO. 6.101.12.Z.FUL	GRID REF: EAST 438360 NORTH 456050
	DATE MADE VALID: 03.03.2004
	TARGET DATE: 28.04.2004
	WARD: Ribston

APPLICANT: The Senad Group Ltd

AGENT:

PROPOSAL: Erection of boundary fence and entrance gates, formation of childrens hard play area, installation of childrens play equipment, and formation of increased hardstanding within existing car park.

LOCATION: Goldsborough Hall Church Street Goldsborough Knaresborough North Yorkshire HG5 8NR

REPORT

SITE AND PROPOSAL

This application was considered at the Area 2 Development Control Committee on 14 December 2004 when members were minded to refuse the application contrary to the planning officer's recommendation as they considered that the proposal would have a detrimental effect on the setting of the listed building.

Cabinet Member - support members views for the reasons given at the meeting.

Solicitor - comments will be given verbally at the time of the committee.

Officers verbally reported the receipt of additional letter of objection at the Area 2 Development Control Committee on 14 December 2004. This information related to the additional 30 letters of objection received, which did not raise any new issues. No further letters of objection have been received at the time of writing the report. In addition it was also reported at the last meeting that the location of the hard play area and the type of fence surrounding it had also been altered and amended plans received. Fence Type E would be of a wire mesh design.

No further letters of objection have been received at the time of writing the report, no additional information has been received from the applicant.

Goldsborough Hall is set in extensive grounds and was built in c1625. The Hall is Grade II * listed and its historic importance is in part derived from its relationship with other buildings within Goldsborough which include the church of St Mary's, Goldsborough Hall Cottages

and Stansfield Court.

The Full planning application comprises of the boundary fence and Entrance gates, formation of children's hard play area, installation of children's play equipment and formation of increased hard standing within existing car park.

MAIN ISSUES

1. Policy/Land Use
2. Impact on the Visual Amenity of the area, the character and appearance of the Conservation Area and Countryside
3. Residential Amenity

RELEVANT SITE HISTORY

6.101.12.Y.LB - Listed Building application for various internal alterations including the erection of polycarbonate sheeting to protect windows, raising of chandeliers, replacement of existing wall lights; and erection of boundary fences and gates: Pending Consideration 2004

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: Pending Consideration 2004

6.101.12.W.LB and V.FUL - Erection of extensions to existing building to form new laundry facilities and internal bathrooms: PER 1986

6.101.12..PA - Single storey link between Garden House and Dower House: PER 1985

6.101.12.O.PA - Single storey annex to be used as a nursing home: PER 1984

6.101.O.LB and M.PA - The conversion of an existing private dwelling into a residential/nursing home: PER 1982

CONSULTATIONS/NOTIFICATIONS

Parish Council

Goldsborough

English Heritage

No comments received

D.L.A.S Arboricultural Officer

No comments received

Under 8's Development

No comments received

Environmental Health

No comments received

Economic Development Officer

No comments received

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 09.04.2004

PRESS NOTICE EXPIRY: 09.04.2004

REPRESENTATIONS

GOLDSBOROUGH PARISH COUNCIL - The Parish Council objects to the proposal - See Appendix A for full details

OTHER REPRESENTATIONS - Over 500 representations were received for the three associated applications relating to this site. In addition application 6.101.12.Y.LB received a petition signed by 331 people. The representations received for each application cross-refer to all three applications with many of the objections stating that the applications contravene Harrogate District Local Plan Policies. The main issues, which generate most concern are residential amenity, visual amenity, the internal alterations, the impact on the landscape character, the impact on the village character, the proposed residents behaviour, the impact of increased traffic, the impact of the proposals on the conservation area and the impact of the proposal on the listed building.

The following information relates to the representations received which specifically mention or refer to what it is that has caused the concern for this application (6.101.12.Z.FUL). Objections are raised mainly on the grounds of impact on the Grade II * listed building, impact of the fencing, impact on the conservation area, behaviour of the proposed residents, impact on village character, impact on landscape character, road safety, inappropriate facility, impact on countryside, impact on the visual amenity of the area and impact on residential amenity.

VOLUNTARY NEIGHBOUR NOTIFICATION - None.

RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- PPG15 Planning Policy Guidance 15: Planning and the Historic Environment
- PPS7 Planning Policy Statement 7: Sustainable Development in Rural Areas
- SPE4 North Yorkshire County Structure Plan Policy E4
- LPC02 Harrogate District Local Plan (2001, as altered 2004) Policy C2: Landscape Character
- LPC15 Harrogate District Local Plan (2001, as altered 2004) Policy C15: Conservation of Rural Areas not in Green Belt
- LPHD01 Harrogate District Local Plan (2001, as altered 2004) Policy HD1: Statutory list of buildings of special architectural or historic interest
- LPHD03 Harrogate District Local Plan (2001, as altered 2004) Policy HD3: Control of development in Conservation Areas
- LPHD13 Harrogate District Local Plan (2001, as altered 2004) Policy HD13: Trees and Woodlands

LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity

ASSESSMENT OF MAIN ISSUES

1 POLICY/LAND USE - The Hall and its grounds are outside the village development limits adjacent to the village of Goldsborough and within the Goldsborough conservation area. The Hall was originally a private residence, but the most recent use was of a residential nursing home for which various internal works were also undertaken, which also included the erection of an additional wing 1984 (Garden Room).

Proposals for listed building works are to be assessed against Harrogate District Local Plan Policy HD1, which reflects the advice in PPG 15 and amplifies Structure Plan Policy E4. Policy HD1 states that Development will not be permitted where it would have an adverse affect on the character, physical fabric or setting of a listed building. This aspect has been covered in detail in application 6.101.12.Y.LB. However additional requirements such as the increased hard standing and play areas do not form part of the Listed Building application.

Local Plan Policies C2, and C15 relate to proposals within the countryside, and Local Plan Policies HD3 and A1 seek to preserve the character and appearance of the conservation area, visual amenity of the area and residential amenity. Policy HD13 relates to the protection of the districts trees and woodland area.

2. IMPACT ON THE LISTED BUILDING, CONSERVATION AREA, COUNTRYSIDE AND VISUAL AMENITY OF THE AREA - Fencing:

The fencing proposals would not harm the character, physical fabric or setting of the listed building, the conservation area or the countryside. It is proposed to retain the existing low 'estate' fencing and design the entrance gates to reflect this. The other proposed fencing (Type A) which although is higher, also reflects the horizontal design of the existing low 'estate' fencing. The low 'estate' type fencing would predominate around the site and therefore the principle views into and out of the site would not be significantly altered. Additional wire mesh will be added to the inner face of the low 'estate' fencing, which is acceptable because this already has wire mesh on the existing fencing which is not overly visible.

The amount of higher fencing (Fence Type A) has been significantly reduced from the originally submitted plans. It would not significantly affect views into or out of the site as it would be located on the periphery of the site and within the more wooded areas to the west and east of Goldsborough Hall grounds (still allowing access to the church). Fence type A is more typical of higher deer estate type fencing and it also reflects the lower fencing in the more visually important areas of the site. In addition the fencing would be seen against a backdrop of trees and foliage and would not be intrusive, therefore the fencing would not harm the character or appearance of the countryside or conservation area, or visual amenity of the area. The fencing would not harm the trees on site.

The entrance gates and fence being of a sympathetic design reflecting the existing low fencing would not detract or compete with the walls and piers of the original entrance, but it is considered that this element should be free from wire mesh to enhance the entrance.

Although located around the sun-dial, Fence Type C is of a simple vertical design and would be capable of being removed in the future. Fence Type D is of a similar design to be used near the 1984 Garden Room would improve safety near the ledge. The design of this fencing would not harm the setting or character of the Listed Building, the character of the countryside or visual amenity of the area as both would be used in smaller amounts and are of an unobtrusive design and easily removable.

Fence Type E would be used to enclose the hard play area, being of a wooden design this is sympathetic to the area, a landscape scheme around the edge of the site near the proposed hard play area would screen this element and add to the age and diversity of the woodland area and due to the above would not harm the setting of the listed building, the character of the countryside or visual amenity of the area.

Play Areas:

The location of the soft play area is in an acceptable location being located well within the site and near existing buildings. The soft play area would be reversible and is separated and screened from residential curtilages by the two storey Dower House and the car park beyond, which reduces impact on nearby residents. No fencing is required around this element. Due to the above this element would not harm the character or setting of the listed building.

The hard play area has been located at least 30 metres away from residential properties, which is an acceptable distance and would be sited within a predominantly open part of the site to the south west. The Council's Arborist considers that the trees that would be lost are not good specimens, and the level of loss would have little impact on the retained tree stock. A landscaping scheme would allow further scope to reintroduce replacement trees adding to the age and variety within the woodland. The site is considered to be screened from the main hall and it is considered that the introduction of Hawthorn, Holly and Elder type species along the boundary in front of the hard play area would in fact be in keeping with the area reintroducing traditional species. The hard play area would also require site excavation to create a level play area, but excavation into the slope would further help to minimise the impact on the hall and the surrounding area reducing the need for as much high fencing around the play area and obscuring it from view when looking out to the countryside beyond. This would minimise the impact on the listed building, conservation area, countryside and visual amenity of the area and is in an acceptable position.

Hard Standing:

The additional hard standing within the courtyard area is not unacceptable. The areas where additional hard standing is to be created mainly consists of sparse flower beds. The marking out of parking at the front of the Hall could be conditioned to ensure that this area is not marked out as bays using white lines.

3. RESIDENTIAL AMENITY - Play Areas and Hard standing:

The hard play area has been located at least 30 metres away from residential properties and the soft play area is separated by buildings and the car park. Their locations are considered to be acceptable distances away from properties.

The hard standing for the car park is not sufficiently different to the car park when it was used as the care home.

Fencing and Gates:

The metal fencing and entrance gates around the perimeter of the site are not so near residential properties that it could be considered to impact on residential amenity. The 1.8 metre high featherboard fence would be located near residential properties, but this will not be located right on the boundary, but situated approximately 0.8 to 3 metres away from the site boundary and will help to screen the hall from nearby properties.

The entrance gates are not considered to have unjustifiable impact in terms of their use, because they are set back from the main entrance gates away from Stansfield Court.

CONCLUSION - The best way of securing the upkeep of historic buildings is to keep them in active use. The Council's Policy for Listed Buildings (HD1) is permissive towards new uses provided that they do not result in unacceptable alterations to the building or are unacceptable in the wider planning context. Overall it is considered that a minimal and sensible approach has been taken to the modifications necessary to fit the Hall for its proposed new use and that these are largely reversible. The proposals would not harm the character or appearance of the countryside, conservation area or visual amenity of the area and it is considered that the physical presence of the fencing, gates, increased hard standing and play areas and their use would not have an unacceptable impact upon residential amenity in accordance with Harrogate District Local Plan Policies A1, HD3, C2, C15 and HD13.

CASE OFFICER:

Mrs K Williams

RECOMMENDATION

That the application be APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details, as amended by letter and/or drawings received by the Council of the Borough of Harrogate on 26.04.04, 05.07.04 and 15.07.2004 and letter received on 29.11.2004 and as modified by the conditions of this consent.
- 3 Notwithstanding the submitted details, prior to the commencement of the development the colour of the metal fencing shall be submitted in writing for written approval of the local Planning Authority. Following this a sample panel of Fence Type A, the entrance fence and the proposed wire mesh shall be erected on site for the written approval of the local Planning Authority. Thereafter the development shall be carried out as approved.
- 4 Notwithstanding the submitted details the wire mesh on the front entrance gates and entrance fencing shall be omitted and thereafter retained as such unless otherwise approved in writing by the Local Planning Authority.
- 5 Prior to the bringing in to use of the development the 1.8 metre high featherboard fence shown on the submitted plans 08 shall be erected.
- 6 CL02 LANDSCAPING: DETAILS TO BE APPROVED
- 7 CL04 REPLANTING IF ANY TREES/SHRUBS DIE

- 8 Notwithstanding the submitted details the area/hardstanding in front of the main entrance to the hall to the east of the site shall not be marked out using white lines. Prior to the commencement of development the method to be used for marking the bays shall be submitted to and agreed by the Local Planning Authority and thereafter implemented.
- 9 Prior to the first use of the development the approved vehicle parking, manoeuvring, turning areas indicated on the submitted drawings [Reference ****] shall be provided, laid out, hard surfaced, drained, marked out and made available for use. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CD04XR IN THE INTERESTS OF VISUAL AMENITY
- 4 CD04XR IN THE INTERESTS OF VISUAL AMENITY
- 5 CD14R PRIVACY AND RESIDENTIAL AMENITY
- 6 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 7 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 8 CD04XR IN THE INTERESTS OF VISUAL AMENITY
- 9 HW18R ROAD SAFETY REQUIREMENTS

INFORMATIVES

- 1 N.B. All proposed new metal fencing shall be coloured black or dark green
- 2 Trees on the site to which this permission relates are within a Conservation Area and may not be lopped, topped or felled without 6 weeks prior written Notice having been served on the Borough Council, unless the tree work has already been approved under cover of a planning permission which is being implemented. Any person undertaking work to trees in a Conservation Area without Notice or planning approval is liable to prosecution. Forms are available from the Councils' Department of Technical Services on which to give Notice of an intention to carry out tree work in a Conservation Area.
Some of the trees on the site to which this permission relates are subject to a Tree Preservation Order and may not be lopped, topped or felled without the prior written consent of the Borough Council, unless tree work has already been approved under cover of a planning permission, which is being implemented. Any person undertaking work to protected trees without written consent is liable to prosecution. Application forms are available from the Council's Department of Technical Services.

