

## List of Appendices

### **6.101.12.Z.FUL**

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.

<b>Appendix A</b>	Goldsborough Parish Council-	26.03.2004
	-	27.03.2004
	-	24.11.2004

**DEPARTMENT OF TECHNICAL SERVICES**

DCPARISH  
04/00905/FUL 6.101.12.Z.FUL



Mr R J B Rhodes  
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Crossways Cottage  
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J P FITZGERALD F C I O B F R I C S  
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DEPARTMENT OF TECHNICAL SERVICES  
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Opening Hours: MON-THU 8.30-5.00 FRI 8.30-4.30

9 March 2004

CASE OFFICER: Mrs K Williams TEL: 01423 556949

**PARISH COUNCIL NOTIFICATION - PLEASE RETURN NOT LATER THAN 30 March 2004**

APPLICATION TYPE: Full permission  
APPLICATION NO: 6.101.12.Z.FUL 04/00905/FUL  
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  
GRID REF: E 438360.000 N 456050.000  
APPLICANT: The Senad Group Ltd  
DECISION LEVEL: Head of Planning Services

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 [jppu@harrogate.gov.uk](mailto:jppu@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.....  
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.Z.FUL – Erection of boundary fences etc.**

The consultation response prepared by Peacock & Smith (dated 26<sup>th</sup> March 04) on behalf of the Parish Council is attached.

The Parish Council would also like to point out several deficiencies in the application:  
Item 20: Traffic movement: They have stated “not applicable”. When access can only be gained through the village and through Stansfield Court this is highly applicable. The PC wants to know what is the expected number of vehicular movements on a daily and weekly basis, taking into account staff, visitors, minibus trips, commercial vehicles and emergency services.

Item 21: Jobs: Staffing level is important information for reasons given above.

Item 22: Parking: Accompanying plans show that grassed areas and flower beds are to be tarmaced over to provide extra parking. “As existing” would appear to be misleading. The PC would also be concerned if overflow parking onto Church St were expected.

Item 23: Residential care is a 24-hour operation involving nighttime staff movements. The PC would like to know at what times the village and residents of Stansfield Court can be expected to be disturbed on a daily/nightly basis.

Roderick Rhodes Parish Clerk Goldsborough & Flaxby Parish Council 29/3/04

RS/DS/Goldsbrough 1

**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

26 March 2004

# Peacock & Smith



Chartered Town Planners  
Development Consultants

Dear Sir

**PLANNING APPLICATION REF. 6.101.12.Z.FUL BY THE SENAD GROUP  
ERECTION OF BOUNDARY FENCE AND ENTRANCE GATES,  
FORMATION OF CHILDRENS HARD PLAY AREA, INSTALLATION OF  
PLAY EQUIPMENT AND FORMATION OF INCREASED CAR PARK  
HARDSTANDING AT GOLDSBOROUGH HALL, GOLDSBOROUGH**

**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 various recently submitted applications in respect of Goldsbrough Hall, Goldsbrough by BUPA Care Homes (GL) Ltd and the Senad Group.

Having previously objected on behalf of our clients to applications ref 6.101.12.X.DVCON and 6.101.12.Y.LB, this letter comprises the response of the Parish Council to the local planning authority's formal notification of receipt of the following applications:

Planning application ref. 6.101.12.Z.FUL by the Senad Group, in respect of the 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.

Goldsbrough and Flaxby Grouped Parish Council objects to application ref. 6.101.12.Z.FUL on the following grounds.

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.

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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

As previously indicated in our response to Listed Building Consent application ref. 6.101.12.Y.LB, the first issue to consider is the extent to which the applicants have or have not had regard to the advice of PPG15 'Planning and the Historic Environment' in preparing and submitting this latest application.

Paragraph 3.5(iii) of PPG15 indicates that the setting of a Listed Building and its contribution to the local scene may be very important. 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'.*

So far as the Parish Council is aware, in submitting this application, the Applicants have not referred to or assessed either the setting of the Listed Building or the character of this part of the Conservation Area. Nor have the potential effects of proposed perimeter and other fencing been assessed. The only information provided in respect of the proposed boundary fencing and gates remains that which accompanied the Listed Building application. This emphasised that the boundary fencing would introduce:

*'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.Z.FUL is deficient, and conflicts with both Government policy guidance and Local Plan policy.

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.

In this regard, it is particularly 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.

In more general terms, the Parish Council considers 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 and the hard children's play area proposed under application ref. 6.101.12.Z.FUL 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, will cause significant harm to an area specifically recognised as being of importance in landscape terms, this element of the scheme conflicts with policies C2 and C5 of the Local Plan. This proposal represents inappropriate development in a rural area beyond the defined development Limit of Goldsborough, and as such conflicts with Local Plan policy C15.

With regard to other issues, the Parish Council does not object to the proposed introduction of the smaller children's play area. Similarly, the proposed extensions to hardstanding car park areas are relatively minor in nature, and the Parish Council does not object to these aspects of the submitted application.

In this latter respect however, the Parish Council remains concerned at the lack of information from the Applicants with regard to anticipated traffic movements or car parking provision associated with the proposed future use of Goldsborough Hall. Application ref. 6.101.12.Z.FUL appears to suggest that additional areas of car parking will be required, but none of the applications submitted to date address these important issues, which may have potential additional implications for the amenity of the adjacent properties, and the village generally. The Borough Council is asked to request that further details be provided, and if such information is made available, the Parish Council would welcome the opportunity to comment further, as necessary.

### Summary

The Parish Council does not object to either the proposed smaller play area or the extensions to the car parking areas (subject, in the case of this latter proposal, to the above qualification),

However, with regard to the proposed fencing and hard play area, 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 application ref. 6.101.12.Z.FUL 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 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.

These elements of the proposals are therefore in conflict with policies HD1, HD3, A1, C2 and C5 of the local plan, and to a limited extent with policy C15.

For these reasons, application ref. 6.101.12.Z.FUL 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 the application 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

  
A<sup>r</sup> ROBERT SMITH  
PEACOCK & SMITH

cc Goldsborough and Flaxby Grouped Parish Council

C/o Crossways Cottage  
Main Street  
Goldsborough  
HG5 8NW

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

DATE	25 NOV 2004
TIME	AM/PM
FILE	

24<sup>th</sup> November 2004

Dear Mr Richards,

**Planning Ref: 6.101.12.Z.FUL & 6.101.12.Y.LB**  
**Goldsborough Hall, Goldsborough – 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 Goldsborough 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 18<sup>th</sup> 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 Goldsborough, 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 Goldsborough; 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.



#### 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 to 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
								8 (based on Serad'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	3	16
2000 - 2200			0			0	0	5
<b>OUT</b>	<b>PEDESTRIANS</b>	<b>BIKES</b>	<b>CARS</b>	<b>MINIBUS</b>	<b>DELIVERIES</b>			
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	16	-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.

RS/DS/2404

BY FAX AND POST  
01423 556510

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

# Peacock & Smith



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

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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: Mark 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

