Erection of restaurant/café/bar, six guest rooms, exhibition room, wcs, terrace, car parking and ancillary accommodation at Castle Hill

The following comments are objections to the present application due to **its statutory status as a scheduled ancient monument located within the green belt and which is additionally within the curtilage of a listed building and a site with significant ecological value.**

What follows is an objection both to the principle of development and comments on the specifics of the current proposal. **An exceptional case has still not been made for this proposal and the public benefits do not outweigh the permanent harm which would be caused.**

The applicant has had years to respond to the concerns of Historic England and yet there appears not to have been any resolution of the very many concerns raised in the earlier applications in relation to the development on a scheduled ancient monument. I see the present application as another attempt to push the boundaries of planning law which the applicants have so clearly flouted in earlier years with the demolition of the Castle Hill Hotel and subsequent partial rebuilding in contravention of planning law. Whilst this applicant attempts to distance themselves from what has gone before the site appears to be in the hands of the same leaseholder / family.

In this proposal there appears to be an attempt to push the narrative that this is primarily a visitor centre when that is not the case, this is a commercial restaurant, café, bar primarily and to suggest otherwise is misleading. Even if there is to be a CIC and profits reinvested to support the interpretive elements the commercial exploitation remains the imperative which will lead to intensive usage and increased traffic at this highly sensitive site

Because of the length of time that this site has been the subject of repeated applications it is very difficult to gain a comparative overview of the successive applications and the changes made from one submission to the other. Given the time which has passed, I would strongly contend that the application should time out and the applicant should be forced to begin the process again from scratch so that the public can have a clear understand of the proposals and how the many concerns raised around these proposals are being addressed in a systematic fashion.

In their most recent documentation the applicant makes the almost facetious comment that: *"A key indicator of this growing support (for this scheme) is the sharp decline in public objections from 321 to just 45 in February 2025, an 86% reduction. This significant shift reflects increasing community alignment with the project and growing confidence in its benefits, safeguards and delivery model."* It also shows a pie chart suggesting that 86% of objections have been 'resolved' which is ludicrous. The applicant has had so many attempts to resubmit this application that I am sure the general public are for the most part baffled confused as to the status of the application, the multiple versions of the documentation and the various incarnations which the proposal has been through over recent years. Some people will no longer have the stamina to read through the full proposal.

The applicant has had enough time to make a case, they still cannot justify this proposal on a scheduled ancient monument, their lease on this site should be withdrawn by Kirklees (as it should have been when the previous planning debacle took place).

Impacts on the site's archaeological and landscape importance

Fundamentally this proposed building is still in the wrong place – it should not be sited in the middle of a sensitive and nationally significant scheduled monument. There is no other comparable site in the country of similar archaeological and ecological importance (Maiden Castle, Dorset; Old Sarum, Wiltshire; Warram Percy North Yorkshire are comparable examples) but I could suggest many more in the UK or abroad where a visitor centre would never be located in the centre of a scheduled monument. It could be argued that the former Castle Hill Hotel was originally in this location, but that building was erected prior to any protective legislation and it no longer exists due entirely to the decision of the owners to demolish it and rebuild out of scale and character in direct contravention of planning law, which resulted in a requirement for them to remove the structure or face prosecution. The applicant states *"Other Scheduled Monuments have responded successfully to similar challenges. Sites like Stonehenge, Tintagel, and Hadrian's Wall have all introduced visitor infrastructure whilst protecting historical integrity"* yet none of these locates these facilities in the middle of the heritage asset itself – for example The Sill centre in Northumberland is set well back from historic structures on Hadrian's wall and is designed to be extremely low profile and sensitive to its environment.

Now that the hotel building it is no longer on the site, the land has reverted to green belt as defined under national planning guidance. It is in no sense 'grey belt' land given the scheduled status of the site, to suggest otherwise is a nonsense – that designation is intended for previously occupied sites such as derelict petrol stations, not for scheduled monuments.

The proposed building, though revised yet again from its previous application, with its service yard it still extends beyond the footprint of the original hotel, onto land which I do not believe is all leased by the applicant, so will be appropriating land into private use which is currently public access. The application gives no indication if outdoor seating etc would extend beyond the footprint of the building onto land not leased from the Council and so images give a false impression of the building being self contained and without impact on the immediate environs of the wider hill. The 3D artist images of the site show a single car in the car park, no service vehicles, no outdoor tables or parasols etc so it is not a realistic representation of how the site will look in operation with the resulting clutter and visual impact on this significant site.

Commercial v Wider Public Benefit

The building layout internally with a single restaurant suggest that the likely business model will be for the primary business to be function or volume catering use, not just supporting casual / family visitors to the site. If this is the case, then the operators will be seeking to maximise high volume usage and occupancy for example at weekends or functions in the evenings which will create significant additional pressure points in terms of private clients to the detriment of others extending well into the nightime. This will have very severe impacts on the quality of access of general visitors to the site (families dressed in boots and cagouls/ with their children / dogs in tow are not likely to mix well with formal functions) who will be visiting at the same time, be sharing the limited toilet facilities and be competing for the reduced parking space available on the hill.

Fundamentally therefore there is little evidence of the "substantial public benefits that will accrue" since the primary beneficiaries will be the commercial operator and their private function clients so

it seems very unlikely that in NPPF planning terms **the harm caused by the development is outweighed by public benefits**. The proposed CIC model does not significantly alter this equation since the applicant will no doubt argue that more intensive commercial use will benefit the wider facility, regardless of the potential damage to the overall site and its environment in the longer term.

Creating this facility will be turning over a significant portion of the hill and at peak times almost all of the available parking, to the exclusive use of clients of the restaurant / rooms to the detriment of the wider community.

Building design

The proposed building does not demonstrate exceptional design quality or real sensitivity to the landscape context. The visuals and plans provided lack essential details and could be construed as misrepresentative of the final design.

- There is no indication of any eco-friendly design elements which you might expect at a sensitive site such as use of rainwater harvesting and grey water use.
- There is no clear indication of how the development proposes to use (or restrict) the outside terraced viewing space, are parasols proposed? Will restaurant guests be encouraged to use other areas of external space? If so, what constraints will be placed to avoid clutter, litter and the appropriation of the current public access open space on the hill for private functions?
- Detail on the bedrooms which have terraces is lacking, how do ground levels here relate to visitors walking on the ramparts? This part of the proposal is very unclear. There appear to be several sheer drops from the top level for example the outside seating area into the hotel room outdoor spaces for example, these are neither safe nor practical design solutions.
- There is no indication on the plans as to where ventilation / extraction from kitchens etc will be facilitated and locating the cooking activity in a basement with no direct external access and fire escape seems very strange, would it be in compliance with building and fire egress regulations for catering establishments? I suggest that these issues have not been adequately considered and are therefore likely to lead to later modifications to the design being proposed which could have serious visual impacts on the overall site.
- There is no indication of how the open service area will be treated what of the need for bin storage, secure gas storage etc these are not shown at all, all such intrusive elements will be visible from afar. Indicative 3D view 1 does not show any detail here (or the proposed gate across this area – will it be manual or electrical operation?)
- Overall therefor the visuals supplied still bear little relationship to the final built design and its impact on the visual clutter of the site.

New Services and their impact on the archaeology and ecology of the hill

The application gives little indication of how services will be brought to the site for such a large-scale usage. This raises very specific concerns about the impact of the development on the archaeological site . Whilst the Planning Support, Design and Access statement says that "*existing service feed locations can be reused"* I note particularly:

- The site has never had any gas supply – I assume as this is not mentioned in the application that no mains gas service is proposed, will all cooking and heating be by electricity? If not where will gas canisters be located and stored – will this be within public view (as noted above no visuals are shown for a storage compound of any kind)?
- Water supply could presumably be brought off the old supply pipe if that is still extant, though whether the type of Victorian, probably lead supply could service a large restaurant and rooms is debatable. If a new supply is to be provided, then extremely careful consideration would have to be given to the route of new pipework up the service road.
- Sewerage from the previous hotel was always problematic. It is worth noting that there is no foul drainage from Victoria Tower. I know that the outflow from the hotel consisted of an old earthenware pipe which was routed down the hill and would overflow and block quite frequently. Could the proposed development with bedrooms and a large restaurant and kitchens cope with using this antique provision? I note that in the application foul sewerage is given as 'unknown' and in Yorkshire Water's response it is indicated that no mains sewerage is available and that the application would need to make their own provision, clearly there is no facility for sewerage treatment on the hill. Again, if new service pipes are needed how could they be inserted without risking considerable damage to the archaeology of the site? The 2018 committee report noted particular concerns that issues of foul drainage had not been addressed, I contend that there is no evidence that this situation has been addressed or resolved in this new application.

Parking intensification and concerns for archaeological impacts

- How will the service yard be laid out will that accommodate all staff vehicles when the building is fully staffed? If not, then staff cars will also take up some of the reduced public parking complement. When the previous hotel was on site there was far greater overall parking capacity than being proposed by this development and that could not cope on busy weekends and when functions were held.
- I would contend that on the many occasions when the restaurant is in full use which will include most weekends in the summer and on many public holidays (both premium times for general visitors), that the chance of general visitors to Castle Hill finding a parking space will be very slim.
- The other major risk of course is that the competing pressures of general and specific restaurant visitors results in vehicles parking off the surfaced car parks and on the sensitive archaeological earthworks -something which commonly occurred on busy weekends before the original Castle hill pub was demolished.
- If an event is being held the restaurant owners will probably expect to cordon off most if not all of the parking spaces for the use of their guests rather than risk chaos when a large party arrives for example. In these circumstances public access to the parking area will be reduced considerably. Whilst it would be preferable that more visitors arrive on foot, by bike or could park their vehicles off site, in practice that opportunity for offsite parking has not been developed, so the hilltop is currently the only available public parking and the restaurant development will curtail parking. Bus service provision to the site can be seen to be sparse – and would not adequately serve staff shifts for example.

Vehicular access concerns and lack of robustness of traffic data

As noted above vehicular access to the top of the hill is limited and constrained by the tight bends in the road. The proposal to include passing places will do something to aid access (for private cars) but this solution does not seem to be a sustainable one in the long term due to the possibility of further erosion of the earthworks and the impact of large vehicle movements. There is no consideration of how increased vehicle access to the hill, particularly by delivery / refuse and other large / HGV vehicles which now rarely use the access road will impact on the wider road network or of traffic management issues in the local area.

- The figures in the transport statement are simply not credible particularly the statement the development does not cause any negative impacts in terms of road safety or congestion'.
- There is no evidence from the highways report that there has been any measurement of existing traffic usage to the hill by general visitors (seasonally, weekly, hourly) which is a simple enough task using a basic traffic counter. Without this data the report is simply not robust.
- Having a large restaurant / rooms will require frequent freight vehicles to access the top of the hill including refuse / food / waste removal and other large vehicles adding to pressure on the access road, even if the hours for deliveries are controlled.
- Building the new facility will of course require very frequent and large freight movements up the very narrow lane.

Security

- Having a hotel facility incorporated into the new building with an overnight presence is stated to be a security benefit to prevent antisocial behaviour. Whilst this would be beneficial it is not a major justification for development of the site. Consumption of alcohol from the site would provide a strong likelihood that antisocial behaviour would actually increase.

Interpretive facility – how accessible would it be?

- Whilst having an interpretive facility on site would be an asset, in practice there are now alternative methods which can be used by visitors to the site in terms of digital access to walks and historic information on mobile phones which reduces the need for fixed interpretive display panels etc, the extended submission seems overly complex and whilst a CIC approach might be possible to support such an approach (but has it worked anywhere else on this scale? What are the start up costs of such an instrument?), visitors would still want to go up Jubilee tower so if the plan is to consolidate interpretive provision across the site in new and existing provision in practice this would need to be at significant extra cost to the council..

Toilet facilities

- Whilst it is the case that there are no public toilets facilities on this site that is also true of many other iconic landscape sights across the country. Key sections of Hadrian's wall, areas of the Yorkshire Dales and Peak District 'hot spots' do not have toilet facilities other than in

neighbouring villages in cafes and pubs which service those communities and are therefore sustainable solutions.

- National bodies such as English Heritage make it quite clear that facilities are not available at all of their sites - for example this comparable site in Derbyshire https://www.english-heritage.org.uk/visit/places/arbor-low-stone-circle-and-gib-hill-barrow sometimes it is simply not possible to provide these facilities, visitors should be clearly directed to where they can find refreshment and toilet facilities in website and local marketing material, this in turn facilitates spend in local community centres.
- Toilet provision shown on the plans appears limited – at only one disabled cubicle and 3 female plus 2 male urinals and 2 cubicles for all users of the site sited on the lower ground floor (the walkers in their muddy boots / the diners in the restaurant?)