

# North Yorkshire Council

## Skipton and Ripon Area Planning Committee

Minutes of the meeting held on Monday, 2nd September, 2024 at 1.00 pm at Ripon Town Hall, Ripon.

Councillor Nathan Hull in the Chair. plus Councillors Barbara Brodigan, Andy Brown, Robert Heseltine, David Noland, Andrew Williams and Nick Brown.

Officers present: Glenn Sharpe, Solicitor; John Worthington, Development Services Manager (West), Stuart Mills, Development Management Team Manager, Jillian Rann, Principal Planning Officer – Development; Andy Hough, Senior Planning Officer; Amina Jones, Career Grade Planning Officer, Vicky Davies, Senior Democratic Services Officer and David Smith, Democratic Services Officer .

Apologies: Councillor David Ireton (substitute Councillor Nick Brown).  
Councillor Williams left the meeting at 2:10pm. .

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**Copies of all documents considered are in the Minute Book**

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### **105 Apologies for Absence**

An apology for absence was received from Councillor Ireton (substitute Councillor Nick Brown).

### **106 Minutes for the Meeting held on 6th August 2024**

The minutes of the meeting held on 3<sup>rd</sup> June 2024 were confirmed and signed as an accurate record.

### **107 Declarations of Interests**

Councillor Brodigan stated that she was the Member for the Spa Division which covered applications ZC23/03403/FUL, ZC23/03404/LB and ZC24/02055/FUL and would speak as a Committee Member not as the Division Member. She also stated she had been lobbied. Councillor Nick Brown declared a non-pecuniary interest in respect of ZC23/03403/FUL and ZC23/03404/LB as he was a Harrogate and District Foundation Trust Governor stakeholder for North Yorkshire.

Councillor Andrew Williams declared that he had had conversations with the applicant in respect of the Ripon Spa Baths prior to applications ZC23/03403/FUL and ZC23/03404/LB being submitted.

The Chair, Councillor Nathan Hull declared an interest in application ZC24/00578/DVCMAJ as the applicant was known to him. Councillor Hull stepped aside as Chair and took no part in the debate or voting thereon. The Vice-Chair Councillor Andy Brown took the Chair for the item.

Planning Applications

The Committee considered reports of the Assistant Director Planning – Community

Development Services relating to applications for planning permission and Listed Building consent. During the meeting, officers referred to additional information and representations which had been received.

Except where an alternative condition was contained in the report or an amendment made by the Committee, the conditions as set out in the report and the appropriate time limit conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act 1990.

In considering the reports of the Assistant Director Planning – Community Development Services regard had been paid to the policies of the relevant development plan the National Planning Policy Framework and all other material planning considerations. Where the Committee deferred consideration of planning permission the reasons for that decision are as shown in the report or as set out below.

Where the Committee granted planning permissions and listed building consent in accordance with the recommendations in the reports this was because the proposals were in accordance with the development plan, the National Planning Policy Framework or other material considerations as set out in the reports unless otherwise specified below.

**108 ZC23/03403/FUL - Conversion Of Ripon Spa Baths And Boiler Tower To Form Two Commercial Units And Offices, Including Demolition Of Swimming Pool Building And Replacement With Single Storey Extension To Spa Building, And Alterations To Existing Buildings. Erection Of New Building To Accommodate Four Residential Apartments. Alterations To Landscaping To Link New Courtyard To Spa Gardens At Ripon Spa Baths, Park Street, Ripon, North Yorkshire, HG4 2BD On Behalf Of Sterne Properties.**

Considered:

The Assistant Director Planning – Community Development Services sought determination of an application within Ripon Conservation Area for the conversion of Grade II listed building Ripon Spa Baths and boiler tower to form two commercial units and offices, including demolition of the swimming pool building and replacement with single storey extension to the spa building and alterations to existing buildings. The development would also include the construction of a new apartment building in the rear of the site following demolition of the swimming pool hall and works within the eastern part of the adjacent Spa Gardens to create an access between the buildings at Ripon Spa Baths and the adjacent area of open space. The application had been referred to Committee because the application site is owned by North Yorkshire Council.

Listed building consent for works to the listed building was the subject of a separate report to this Committee.

Councillor Peter Horton from Ripon City Council spoke in support of the application.  
Andrew Burningham agent for the applicant, spoke in support of the application.

During consideration of the above application, the Committee discussed the following issues:

The importance of bringing the redundant and derelict Grade II listed building back into use.  
The sympathetic restoration of the baths and the public benefits.  
The adequacy of the proposed car parking.  
The relocation of the disabled parking bay to meet highways requirements for hatchings etc.  
The removal of the existing poor quality vegetation.

The decision:-

That planning permission be GRANTED subject to conditions detailed in the Committee report, changes reported at the meeting in relation to conditions 2, 8, 9 16 and 18, an additional condition relating to signage relating to height restriction at the site entrance from Firby Lane and a further additional condition requested by Members for the submission of a Sustainable Construction Statement for approval.

#### Voting Record

A vote was taken and the motion was declared carried unanimously.

- 109 ZC23/03404/LB - Listed Building Consent Application For Conversion Of Ripon Spa Baths And Boiler Tower To Form Two Commercial Units And Offices, Including Demolition Of Swimming Pool Building And Replacement With Single Storey Extension To Spa Building, And Internal And External Alterations To Existing Buildings. Erection Of New Building To Accommodate Four Residential Apartments. Alterations To Landscaping To Link New Courtyard To Spa Gardens At Ripon Spa Baths, Park Street, Ripon, North Yorkshire, HG4 2BD On Behalf Of Sterne Properties.**

Considered:

The Assistant Director Planning – Community Development Services sought determination of an application for listed building consent for the conversion of Grade II listed building Ripon Spa Baths and boiler tower to form two commercial units and offices, including demolition of the swimming pool building and replacement with single storey extension to the spa building and internal and external alterations to existing buildings. There would also be a new building to accommodate four residential apartments, alterations to landscaping to link a new courtyard to Spa Gardens on land at Ripon Spa Baths, Park Street, Ripon. The application is referred to Committee because the application site is owned by North Yorkshire Council.

The decision:-

That listed building consent be GRANTED subject to conditions detailed in the Committee report, changes reported at the meeting in relation to condition 2.

#### Record Voting

A vote was taken and the motion was declared carried unanimously.

- 110 ZC24/02055/FUL - Replacement Of Gate Posts, Gates And Installation Of Fence To South Entrance. Removal Of Timber Fencing And Replacement With Iron Fencing To West Boundary. Removal Of Broken Benches And Broken Bench Supports. Removal Of Six Trees And Installation Of Two Cctv Cameras At Temple Gardens, Ripon On Behalf Of North Yorkshire Council.**

Considered:

The Assistant Director Planning – Community Development Services presented a report for determination of a North Yorkshire Council application for the replacement of gate posts and installation of a fence to the south entrance, removal of timber fencing and replacement

with iron fencing to the west boundary, removal of broken benches, removal of six trees and the installation of two CCTV cameras at Temple Gardens, Ripon. The proposal consisted of a series of works to open up the views through the gardens and improve security.

Andrew Burningham agent for the applicant spoke in support of the application.

During consideration of the above application, the Committee discussed the following issues:

The scheme would bring amenity improvements to the gardens and enhance security to help combat anti-social behaviour in the area.

Requested that as Ivy was beneficial to honey bees in autumn and sustained them through the winter months, that cutting back should not be done during this time of year.

Decision:

That the application be GRANTED subject to the conditions as detailed in the Assistant Director's report.

#### Record Voting

A vote was taken and the motion was declared carried unanimously.

- 111 ZC24/00578/DVCMAJ - Variation Of Condition Numbers: 2, 8, 23 And Deletion Of Conditions 34 And 36 To Allow The Consideration Of Revised Plans To Reflect The 'As Built' Development Within Phase 1 (Main Mill, Mechanics Shop And Pugmill) And To Amend The Proposals For Phase 2 (Warehouse, Stables, Barn And Proposed New Build Units) Of Planning Permission 17/02093/DVCMAJ For Application To Vary Condition 2 (Approved Plans) Of Planning Permission 17/00922/DVCMAJ To Allow Alteration To Approved Mix And Layout Of Residential Units Within Principal Mill Building From 15 Dwellings, 11 Apartments And A Restaurant, To 19 Dwellings, 12 Apartments And 2 Commercial Units (A1/A3). Revised Site Layout To Remove The Mechanics Store (Unit 28), Introduce A Sub-Station And Bin Store, Provide Additional Amenity Space And Reconfigure Car Parking Arrangement. Alterations To The Internal Layout Of The Pugmill And Mechanics Shop And Changes To The External Detailing. - Amended Scheme At Glasshouses Mill Glassho**

The Vice-Chair Councillor Andy Brown took the Chair for this item as the applicant was known to the Chair Councillor Nathan Hull. He therefore stepped aside and did not take part in the debate or voting thereon. This item was taken after item 5 on the agenda as there was much interest in the application.

Considered:

The Assistant Director Planning – Community Development Services sought determination of an application for the variation of conditions to allow the consideration of revised plans to reflect the 'as built' development within phase 1 (main mill, mechanics shop and pugmill) and to amend the proposals for phase 2 (warehouse, stables, barn and proposed new build units (amended scheme) at Glasshouses Mill, Glasshouses.

Mr Nigel Garfitt spoke on behalf of the Glasshouses Mill Association.

Councillor Murday, Division Member for Pateley Bridge and Nidderdale.

Councillor Joanna Wright spoke on behalf of Pateley Bridge Town Council.

Graeme Holbeck, agent for the applicant spoke in support of the application.

During consideration of the above application, the Committee discussed the following issues:

Concern that the first two instalments of S.106 financial obligations for education and village hall (phase 1) have not been met and ongoing uncertainty about when the monies would be paid, though this application was an opportunity to reset the triggers.

A lack of confidence that the S.106 contributions set out in the report would be made and who would ensure compliance.

Guarantees were needed that the funding is in place to meet the trigger points for payment of Section 106 contributions.

No energy statement and only one electric vehicle provided for phase 1.

The shortfall in parking spaces.

No affordable housing was provided.

Despite some interest in managing the village shop, no one had taken on the operation of the business.

The development of phase one had not been completed according to the previous planning permission leaving some elements unfinished to the detriment of the owners occupying the residential dwellings.

The importance of an up-to-date financial viability assessment.

The decision:

That planning permission is DEFERRED to allow the applicant to submit an up-to-date financial viability assessment together with an energy statement.

Reason for Deferment: The last financial viability assessment was undertaken in 2022 and having a further independent up-to-date assessment, including whether the developer proposals in relation to the trigger points are genuinely realistic and the only way to build out the development. This would enable Members to consider the possibility of a pragmatic view on the viability of the scheme given that phase 2 was the profitable part of the overall development of the mill. Additionally, the first two instalments of monies had not been paid as part of the Section 106 legal agreement entered into with North Yorkshire Council for phase 1 of the development.

Moreover, the Committee noted that there was no energy plan for phase 2 of the mill development and that an energy statement should be submitted in order to clarify whether it would, for example, be possible to install solar panels and electric vehicle charging points.

#### Record Voting

Four Members voted for the motion and two Members abstained from voting. The motion was declared carried.

#### **112 ZC24/01356/FUL - Creation Of Wildlife Ponds Within Agricultural Pasture, At Brim House Farm, Eavestone, Ripon, North Yorkshire, HG4 3HB On Behalf Of Mr Alex Wibberley.**

Considered: The Assistant Director Planning – Community Development Services submitted a report seeking determination of a planning application for the creation of wildlife ponds within agricultural pasture at Brim House Farm, Eavestone. The ponds would be part of a wetland creation project facilitated by Nidderdale National Landscape and funded by a

Farming in Protected Landscapes grant scheme. The ponds would benefit a range of freshwater plants and animals and would integrate well within the wider rural landscape.

During consideration of the above application, the Committee discussed the following issues:

A reassurance that the ponds would not be used for commercial purposes.  
The ponds would increase bio-diversity and enhance the landscape and were protected by a thirty year plan to maintain and monitor the ponds for that purpose.

Decision:

That the application be GRANTED subject to the conditions as detailed in the Assistant Director's report.

#### Record Voting

A vote was taken and the motion was declared carried unanimously.

#### **113 Any other items**

There were no urgent items of business.

#### **114 Date of Next Meeting**

Monday 30<sup>th</sup> September 2024.

The meeting concluded at 4.00 pm.