

# North Yorkshire Council

## Strategic Planning Committee

Minutes of the meeting held at County Hall, Northallerton on Tuesday 14<sup>th</sup> May 2024 at 10am.

### **Present:-**

Councillors Andy Paraskos (Chair), Andy Brown, Richard Foster, Hannah Gostlow, David Hugill, George Jabbour (as substitute for Roberta Swiers), Tom Jones, Andrew Lee, John McCartney, John Mann, Steve Mason, Bob Packham, Yvonne Peacock and Neil Swannick.

Apologies were received from Councillor Roberta Swiers

Other Member – Councillor Andrew Williams

Officers present: Nick Turpin, Kate Broadbank, Jasmin Gibson, Rachael Hutton, Glenn Sharpe and Steve Loach.

There were 10 members of the public – including 4 registered speakers

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

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#### **48. Welcome and Introductions.**

The Chairman welcomed everyone to the meeting of this Committee, and informed Members that the meeting was being broadcasted and recorded, therefore they would need to introduce themselves when speaking and would need to use the microphones.

#### **49. Minutes of the meeting held on 9 April 2024**

##### **Resolved -**

That the Minutes of the meeting of North Yorkshire County Council's Strategic Planning Committee, held on 9 April 2024, be confirmed by Members and signed by the Chairman as a correct record.

#### **50. Declarations of Interest**

Councillors Andy Paraskos (Chair) and Hannah Gostlow declared that they had been Members of the Harrogate Borough Council Planning Committee that had previously considered this application, in February 2023. They stated that since their consideration of that application there had been significant developments of the proposals, not least the development of a S106 Legal Agreement, and given the new information being provided they would approach the application from a new perspective and with an open mind. Their decisions would be based on the details presented at today's meeting.

Councillors Richard Foster, Hannah Gostlow, George Jabbour, Tom Jones, Andrew Lee, Steve Mason, Bob Packham and Andy Parakos declared that they had received

correspondence from either supporters, objectors or both, to the application prior to this meeting but would form their opinion based on the evidence provided.

51. **20/02973/EIAMAJ – Outline planning application with means of access (from Clotherholme Road and Kirkby Road) for a mixed-use development comprising: up to 1300 dwellings (Use Class C3), up to 60 extra care accommodation units (Use Class C2), retail, food and drink (Use Classes E, F2 and sui generis), community facilities (Use Classes E, F1,F2 and sui generis), 2ha of employment land (Use Class E), primary school (Use Class F1), sports pitches with ancillary facilities (Use Class F2), public open space, landscaping, demolition of existing buildings and structures and associated works on land at 21 and 28 Engineers, Claro Barracks, Chatham Road, Ripon, North Yorkshire, HG4 2RD.**

Considered -

The report of the Assistant Director Planning – Community Development Services requesting Members to determine an outline planning application ref. 20/02973/EIAMAJ – Outline planning application with means of access (from Clotherholme Road and Kirkby Road) for a mixed-use development comprising: up to 1300 dwellings (Use Class C3), up to 60 extra care accommodation units (Use Class C2), retail, food and drink (Use Classes E, F2 and sui generis), community facilities (Use Classes E, F1,F2 and sui generis), 2ha of employment land (Use Class E), primary school (Use Class F1), sports pitches with ancillary facilities (Use Class F2), public open space, landscaping, demolition of existing buildings and structures and associated works on land at 21 and 28 Engineers, Claro Barracks, Chatham Road, Ripon, North Yorkshire. HG4 2RD.

The application was reported to Strategic Planning Committee as it was considered that this raised significant strategic planning issues that affected more than one area committee geography given the nature of the proposal.

Divisional Member, Councillor Barbara Brodigan, submitted a statement that was read out to the Committee by the Clerk. The statement highlighted the following:-

- She welcomed the improved planning application submitted by Homes England
- She remained sceptical about the proposed mitigation actions designed to reduce the impact of increased traffic on the road system of an ancient city. Speed reduction measures on Clotherholme Road and Kirkby Road would be welcomed, particularly considering there are 5 schools in the vicinity of these roads.
- She welcomed the engagement between Homes England and the Ripon Military Heritage Trust to recognise the significance of the military heritage on this site. However this must be preserved in its original form and not subjected to “tokenism”. This was a one-time only opportunity to save and preserve the military heritage.
- She asked that the committee considered the needs of RMHT when making their decision.

Guy Wilson, Chair of the Ripon Military Heritage Trust addressed the Committee highlighting the following:-

- He highlighted the importance of the facilities located on the site in relation to WW1 and WW2 and the significance of this heritage locally, nationally and internationally.
- He noted that the MoD had recognised the importance of the heritage site in 2018

and it was important that preservation of the site took place now.

- Approval of the application should be dependent upon an appropriate heritage preservation scheme, negotiated between the appropriate parties, being in place.
- No appropriate strategy was currently in place for the heritage site and this was required as a proviso for the application to move forward.
- He suggested that a solution could be delivered through the S106 Legal Agreement and he emphasised that without a heritage solution in place before the application was approved, this would be lost forever.

Rachel Wiggington of the Ripon Civic Society addressed the Committee highlighting the following:-

- She objected to the application before Members at today's meeting.
- She suggested that the application be deferred to allow further consideration to be given to the military heritage matters outlined by the previous speaker and a suitable solution to be delivered.
- Whilst welcoming some of the highway improvements she raised concerns regarding the proposed banning of the right turn movement for eastbound traffic (to Boroughbridge) on the B6265 Somerset Row from turning into Low Skellgate. She considered that this would have a major impact on that route resulting in more traffic in that location and substantially longer journeys for local residents. She noted that consultants acquired by Ripon City Council had considered the implications of the new arrangements for that junction and had indicated that there would be an adverse impact for local residents.
- The increased traffic along this route would also create additional pollution.

Steven Harness, representing DIO Estates, addressed the Committee, highlighting the following:-

- The military base at the site had been earmarked for closure since 2016 and had been outlined for housing development, with part of the site already acquired for this.
- Homes England aimed to provide a sustainable community incorporating new facilities and enhancing the military heritage proposals to benefit the City of Ripon.
- The aim was to carefully integrate the heritage strategy, developed alongside Ripon's interested groups, to develop a community and tourist facility that showcased the military history of that area.
- This would involve the relocation of a number of the historical buildings with the site managed and maintained by Homes England.

David Rowlinson representing Homes England addressed the Committee, highlighting the following:-

- The proposal would enable the delivery of a large amount of good quality homes for the Ripon area.
- Following the deferral of the application by Harrogate Borough Council extensive work had taken place to enhance the proposal and the recommendation for approval was welcomed.
- The S106 Legal Agreement would secure £10m of additional benefits to the Ripon area.
- The heritage strategy continued to be developed and a further £100k had been set aside to assist this.

Councillor Andrew Williams representing Ripon City Council addressed the Committee, highlighting the following:-

- He stated that initial suggestions for the military heritage protection had been inadequate as important artefacts and structures were not protected. He considered that the current proposals, whilst improved, did not adequately protect nor enhance the military heritage proposals and considered it important that a proper visitor centre, at an appropriate location, with adequate protection provided for the artefacts and structures were delivered at this stage.
- He also raised concerns regarding the proposed banning of the right turn movement for eastbound traffic (to Boroughbridge) on the B6265 Somerset Row from turning into Low Skellgate. As the elected representative on the Council for the south of Ripon he considered that the residents he represented were unduly affected by the new junction arrangements, with significantly extended journeys required to access their communities.
- He suggested that Members consider deferring the application to allow time to address the issues he had raised.

A representative of the Assistant Director Planning – Community Development Services presented the Committee report, highlighting the proposal, the site description, the consultation that had taken place, the advertisement and representations, planning guidance and policy and planning considerations. The report also provided a conclusion and recommendations.

Detailed plans, photographs and visual information were presented to complement the report.

Members highlighted the following issues during their discussion of the report:

- It was noted, through a query from a Member, that the framework for the heritage strategy was outlined in the conditions. Should the strategy prove to be not viable than the condition will not have been met. It was expected, therefore, that the strategy would be developed with a fair balance developed in relation to the expectations of all those involved.
- It was clarified that the application was four up to 1300 dwellings which accorded with the local Plan.
- A Member expressed doubt that some of the military heritage buildings would be able to be relocated due to their age and condition.
- It was asked how the decision to ban the right turn movement for eastbound traffic (to Boroughbridge) on the B6265 Somerset Row from turning into Low Skellgate had been arrived at. Details of the process undertaken and the experts involved were provided. It was stated that the junction referred to was compatible with a number of other proposed junction improvements and taking this in isolation would not be appropriate as the whole improvements programme was corelated. It was also noted that Ripon City Council had undertaken their own independent survey.
- It was asked whether the highways proposals could be given further consideration should the application be approved at today's meeting, given that it was for outline permission. In response it was stated that the highways improvements were subject to a S278 agreement and, until that was in place, alterations could be made. It was clarified that the developer was required to meet any reasonable costs identified through the S278 agreement.
- Reference was made to the objection raised by Sports England and it was asked

how that could be addressed. In relation to this it was stated that the loss of the sports pitches referred to by Sports England were on the military base, were not available for public use and had not been used for a number of years. The proposals within the application would provide additional sports facilities available for all to use, despite the reduction in size of actual designated sports ground. The result was a higher offer to the public of sports and community facilities.

- A Member noted that the application highlighted the provision of 30% affordable housing and asked how that would be implemented. In response it was stated that condition 57 within the report related to the legal agreement that would determine the level of affordable housing provided. Further applications would be subject to the Committee's consideration in terms of reserved at various stages. The affordable housing targets would be considered as part of that process.
- It was asked whether there were proposals for a reduced development should the MoD eventually decide not to relinquish the rest of the site required for the overall development. In response it was stated that condition 6 of the application related to the land requirement and this had to be agreed with the MoD before the development proceeded.
- A Member asked whether there had been discussions with the Council's Economic Development services in relation to the £10m funding to be generated through the S106 agreement to determine whether further matched funding could be obtained to maximise the proposals for the area. In response it was noted that the S106 had yet to be negotiated and any consideration of the source of potential match funding would be undertaken as an entirely separate process to that of the S106.
- In terms of the heritage strategy and the related condition it was asked whether further funding would be available should it be determined that, for example, £500k was required. In response it was emphasised that any condition had to be viable and feasible, hence the level that had been set. It was also stated that the strategy would be developed through negotiations between the interested parties, and this was likely to take some time, given the possible need to take down, store and rebuild buildings.
- A Member asked whether it was possible for a condition to be provided for a re-examination of the highways changes, given the issues raised by the public speakers, particularly the local elected Members. It was re-iterated that the highways alterations could not be considered in isolation as the system had been developed to work together in terms of traffic flow through the area. Inevitably there would be some pinch-points but the evidence of the modelling exercises that had taken place indicated that this would be the most effective traffic system for that area. Should evidence be provided that this was not the case then further consideration could be given but, currently, there was no evidence to suggest that this was not the most effective traffic control system.
- It was clarified that the cost implications for the heritage strategy, including subsequent maintenance, would be determined through the S106 agreement.
- A Member suggested that the vehicle movements from the local Extra Care Facilities should not be discounted as they appeared to be in the report. In response it was noted that the details set out within the report related to the impact on the local highways at the busiest times and it was unlikely that these facilities would have an impact during those times.
- It was noted that further consideration of potentially contaminated land would be required when this was no longer under military control and conditions were in place to require that, and to determine any required restoration.
- A Member noted that the development of the heritage strategy was not a reserved matter and, therefore, would not return to the Committee for consideration. This was confirmed.

- Reference was made to the plan for biodiversity net gain (BNG) and it was asked where this was to be delivered having heard earlier how the sports sites had been untouched for a number of years and the biodiversity that would have built up as a result of that. In response it was stated that BNG would be generated both on and off site, but the majority would be delivered on site. It was acknowledged that the untouched areas would have an impact on this, however, BNG would be delivered and this would be set out in reserved matters coming back to the Committee. The member asked whether the designation of the heritage site could have an impact on BNG. It was stated that this could be the case but it was yet to be determined how this would be developed, therefore, further consideration would be undertaken when this was decided. It was emphasised, however, that any biodiversity lost would be required to be replaced, like for like, either on or off site.
- A Member emphasised the need for the heritage strategy to return to the Committee for consideration as a reserved matter. In response it was stated that legally this could not be classed as a reserved matter, however, technically the strategy could be returned to the Committee for determination at the first round matters application stage. Alterations to the existing condition 47 would enable this to take place.

Members highlighted the following issues during the debate of the report:

- The overall scheme was beneficial and was much improved from the initial proposal. It was a brown field site that would deliver affordable/social housing, community facilities, biodiversity net gain and bring major improvements to the Ripon area. The aspects of concern related to the preservation of the military heritage and the proposed no right turn at the junction highlighted above.
- Further consideration should be given to energy aspects of the proposal to ensure that these were allied to carbon neutral and climate change matters.
- It was suggested that economic development services were involved in the discussions relating to the £10m funding emerging from the S106 agreement to determine whether further “matched funding” could be obtained to benefit the City of Ripon.
- Members emphasised the need to ensure that the heritage strategy was accommodated appropriately, at this time, and requested that it brought back to the Committee as a reserved matter, if possible, to ensure that this was developed appropriately. It was also suggested that some land was set aside to accommodate the heritage proposals and that this was adjacent to the proposed development, or in a different area, rather than incorporated in the main housing area. The Committee’s Legal Advisor stated that the heritage matter could not be made a reserved matter as legislation prevented that, however, details of the strategy could be brought back to the Committee for consideration by Members at the first reserved matters stage to ensure that this accorded with what they required. Alterations to condition 47, set out in the report, would enable this.
- A Member requested that further consideration be given to maintaining the right turn on the B6265 Somerset Row into Low Skellgate, as this was clearly an issue of concern for local residents and local elected Members.
- It was asked how the provision of affordable housing and social housing would be defined in terms of the split for those within the development. In response it was stated that housing legislation would guide this and more details would be provided to Members at the reserved matters stage. Clarification was provided in relation to the discount offered by the Government in relation to a “first time buyers discount”.
- A proposal was put forward that the application be deferred until the heritage



strategy was in place. It was explained that the development of the strategy would be a lengthy process and deferral of the application for this to take place could unduly delay the development. A vote was taken on the deferral and this was defeated (2 for – 12 against).

**Resolved –**

That planning permission be **GRANTED**, subject to the conditions listed, with alterations made to Condition 47 to enable details of the heritage strategy to be brought back to the Committee for consideration by Members at the first reserved matters stage and completion of a S106 agreement with terms as detailed in the report.

Voting on this resolution was unanimous

The meeting concluded at 12 noon