

North Yorkshire Council
Skipton and Ripon Area Committee

5 September 2024

Receipt of Petition titled ‘Save Ripon’s Military Heritage’.

Report of the Assistant Chief Executive (Legal and Democratic Services)

1.0 Purpose of the Report

- 1.1 To advise of a petition containing more than 500 signatures.
- 1.2 To ask the Area Committee to consider a response.

2.0 The Petition

- 2.1 A combined paper and electronic petition has been received by North Yorkshire Council and contains 925 signatures of people who live, work or study in the county.
- 2.2 The title of the petition is ‘Save Ripon’s Military Heritage’. The statement attached to the petition is below (see *italics*):

We the undersigned petition North Yorkshire Council to support Ripon Military Heritage Trust's campaign to preserve Ripon's military heritage.

Homes England plans to build 1,300 homes at the former army barracks site at Clotherholme in Ripon. This would devastate key military heritage sites. The Stray Ferret is backing the campaign, which aims to preserve important military structures on a site at Laver Banks; repurpose huts that would otherwise be demolished not for just heritage but employment and community use, and then use them to develop a military heritage centre alongside a military heritage trail.

- 2.3 The petition can be seen on the Council’s website here: [Petitions received | North Yorkshire Council](#)

3.0 The Council’s Arrangements for Receiving and Responding to Petitions

- 3.1 The key features of the Council’s arrangements for receiving and debating petitions, as published on the Council’s website, are as follows:

- Receipt of the petition is published on the Council’s website (which has been done in the case of this petition).
- If a petition contains 500 or more signatures (but less than 30,130 signatories), it will be scheduled for debate at the next meeting of the appropriate Area Committee.
- The petition organiser is offered the opportunity to speak for five minutes at the Area Committee meeting to present their petition. Subsequently, at the meeting, the petition will be discussed by Councillors for a maximum of 15 minutes and a decision will be made on how to respond to the petition.
- Possible responses by the Council to petitions, as shown on the website, are:

- (a) to take the action requested by the petition;
 - (b) not to take the action requested for reasons put forward in the debate;
 - (c) to commission further investigation into the matter, for example by a relevant committee; or
 - (d) where the issue is one on which the council Executive is required to make the final decision, the council will decide whether to make recommendations to inform that decision.
- The petition organiser will receive written confirmation of this decision. This confirmation will also be published on the website.

3.2 In accordance with the arrangements described above, the petition organisers have been invited to join today's meeting to present their petition.

4.0 Officers' Comments Regarding the Petition

4.1 The following planning application (20/02973/EIAMAJ) was GRANTED planning permission, subject to conditions and the completion of a s106 agreement by the Strategic Planning Committee on 14th May 2024: -

Outline application, with means of access (from Clothholme 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

At 21 And 28 Engineers, Claro Barracks, Chatham Road, Ripon, North Yorkshire, HG4 2RD

The application was submitted on behalf of Secretary Of State For Defence.

4.2 The following extract is from the case officers report and explains how matters of Military Heritage are to be considered.

"Military Heritage

10.2. When considering the application at the former Harrogate Committee, Members requested provision to be included within the S106 for a strategy to secure military heritage within the site. The buildings at Ripon Barracks are not Listed Buildings; the ability to designate buildings and structures as Listed Buildings lies with Historic England and they considered that the buildings do not meet the criteria established for statutory designation. However, the site is identified as a non-designated heritage asset. National planning policy within the NPPF requires Local Planning Authorities to take into account the effect of an application on the significance of a non-designated heritage asset. A balanced judgement will be required having regard to the scale of any harm, or loss and the significance of the heritage asset. This has to be weighed against a development that complies with the site allocation requirements and has numerous other benefits.

10.3. Since the previous planning committee, the Ripon Military Heritage Trust (RMHT) has provided additional information relating to the significance of Ripon Barracks, which reinforces the role the site played in the country's military history. Whilst this has not changed the site's formal planning status (i.e. it remains a non-designated heritage asset and not Listed), it has helped to inform discussions regarding the

most appropriate and feasible way to secure this military heritage. The Council's Conservation Officer has been involved in discussions and would still support the retention of a selection of buildings and the bridges at Laver Banks, if this is feasible. As set out below, the conditions and requirements of the S106 ensure these investigations and recording of buildings takes place.

- 10.4. The Design Guide submitted with the application contains various measures that will be included within the detailed design and layout to reflect the heritage of the site. This includes use of a grid layout, reflecting the parade grounds' built form, retention of the existing avenue of trees along Chatham Road, architecture, form and materials to reflect traditional, military characteristics, a public art strategy reflecting the history of the barracks and the creation of the Laver Banks area into a country parkland that is themed on the celebration of the important role that Ripon has played in supporting armed forces, including a trim trail that references the military version on site.
- 10.5. Preservation of the military history has been further advanced through discussions between the applicant, the RMHT and North Yorkshire Council. Retention of one/a number of buildings within the site has been discussed potentially on part of the area of Laver Banks. The applicant has undertaken an initial feasibility assessment, which has been shared with the RMHT, looking at potential options, including initial financial costings, for the dismantling, storage and rebuilding of a number of the different building types. This also includes the impact this would have on other aspects of the proposal, including Biodiversity Net Gain requirements and public open space, as clearly there will be a trade-off should an area of the site be used for the on-site preservation of military heritage. This feasibility study will help the applicant and RMHT investigate whether a deliverable, viable scheme can be developed to secure the future retention and use of one, or more of the buildings.
- 10.6. In order to ensure this process continues and to develop a viable strategy for the preservation of military heritage, the S106 Legal Agreement will include a contribution of £100,000 for the Trust and applicant to continue developing a feasible heritage strategy for the future, sustainable reuse of the buildings.
- 10.7. Condition 47 requires a heritage strategy to be submitted prior to the submission of the first reserved matters application covering the potential retention of military heritage assets as identified in AD1 of the Heritage Addendum of the Design Guide. The report shall detail the measures that have been undertaken to retain and re-use structures of military significance from the barracks within the scheme, for example, as sports pavilions, outdoor classrooms or allotment buildings.
- 10.8. It must be remembered that the site is allocated in the Local Plan for a mixed use development and the scheme will bring forward many important benefits to the city of Ripon including market and affordable housing, employment and retail space, community space, a primary school, sports pitches, a new country park and other public open space and biodiversity benefits. Protection of the military heritage forms an important part of the application and the weight to be given to this in the planning balance has been carefully considered by Officers. Inclusion of a potential area of land within the site for the preservation of one/a number of buildings will have an impact upon other considerations, principally the provision of biodiversity net gain and public open space, which needs to be balanced as part of the overall scheme. Working within the parameters of the proposed application, and ensuring that the other benefits are also achievable, it is considered that the proposed strategy affords appropriate weight to the importance of military heritage whilst also ensuring the other benefits of the scheme are retained.

10.9. Discussions are ongoing between the applicant and the Ripon Military Heritage Trust regarding the evolution of the strategy and the S106 will secure this process.”

4.3 One of the Heads of Terms agreed with the applicant and included within the case Officers report, was as follows: -

Category/Type	Contribution	Trigger
Military Heritage	£100,000. Commitment to deliver Heritage Strategy.	Available upon grant of planning permission. Prior to first reserved matters application.

4.4 Condition 47 of the Case Officers report, stated the following: -

“Prior to the submission of the first reserved matters application, a report prepared by DIO/ Homes England in liaison with the Ripon Military Heritage Trust shall be submitted for the approval of the Local Planning Authority identifying the investigation, feasibility and deliverability of a heritage strategy covering the potential retention of military heritage assets as identified in AD1 of the Heritage Addendum to the Design Guide. The report shall provide justification as to what measures have been undertaken to retain and re-use structures of military significance from Deverell Barracks and within the Laver parkland and Deverell areas. The development shall be carried out in accordance with the approved strategy.”

4.5 The minutes of the meeting from 14th May 2024 confirm that the Members of the Strategic Planning Committee considered matters of military heritage and requested an amendment to Condition 47, as follows,

“alterations should be 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.”

4.5 Voting on this resolution was unanimous.

4.6 It is considered that Condition 47 provides a commitment to carrying out further work in relation to delivering a heritage strategy, which will cover the potential retention of military heritage assets as identified in AD1 of the Heritage Addendum to the Design Guide. The report shall provide justification as to what measures have been undertaken to retain and re-use structures of military significance from Deverell Barracks and within the Laver parkland and Deverell areas.

4.7 Since the item was considered by the Strategic Planning Committee, there has been 2 meetings/workshops between Homes England, The Ripon Military Heritage Trust and Officers from the Council. The meetings have been chaired by Danielle Daglan (Head of Culture and Archives - Culture, Leisure, Archives & Libraries).

4.8 Homes England have circulated the following draft documents: -

DRAFT : Deverell Building Relocation/Retention Options Review 3 November 2023
Homes England

DRAFT : Ripon Barracks Heritage Strategy 2023 Addendum: Deverell Building

- 4.9 Homes England confirm that these documents have not been presented as jointly agreed documents as formal comment from the RMHT has not been received outside of meetings and workshops. These documents represent the Heritage Strategy/Building relocation/retention Work that Aecom have completed on behalf of Homes England in 2023/24 and prior to the planning committee in May 2024. This represents a solid body of work, which should not be forgotten and provides a useful background/baseline moving forward.
- 4.10 At a meeting with the Ripon Military Heritage Trust on 1st August, Homes England shared a draft programme of works for discussion. It was confirmed that the principal constraint to carrying out further investigations is asbestos. Asbestos management surveys and testing need to be undertaken prior to anyone entering the buildings. In addition, the majority of buildings have bat roosts, or potential for bat roosts. Therefore, a licence/watching brief may be required when the WSI (Written Scheme of Investigation) takes place. The Asbestos surveys and testing need to be done before an ecologist can go in the buildings. In order to take matters forward, Homes England have to re-procure to provide an overarching umbrella consultant. When the new consultant is instructed, they will then sub-contract a heritage consultant. Procurement started approximately 4 months ago. It may take until the end of October for Homes England to have a consultant agreed. It should be remembered that Homes England are not landowners and are also still working on acquisition and are working through this with the DIO.

Comments on the options available to Members:

Option A: It is considered that the Members of the Strategic Planning Committee had sufficient information to determine the planning application and Condition 47 of planning application 20/02973/EIAMAJ looks to support this aim. The condition will require a report to be submitted, which shall detail the measures that have been undertaken to retain and re-use structures of military significance from the barracks within the scheme, for example, as sports pavilions, outdoor classrooms or allotment buildings.

The petition is asking for NYC to support the campaign. The campaign aims to:

1. Preserve the structures on a site at Laver Banks.
2. Repurpose huts that would otherwise be demolished not for just heritage but employment and community use.
3. Use them to develop a military heritage centre alongside a military heritage trail.

As the planning application has already been before the Strategic Planning Committee, the Area Committee does not have the power to action the aims of the petition. However, the Area Committee should take comfort from the requirements of Condition 47, in that it requires a report to be submitted, along with the first Reserve Matters application, which details the measures that have been undertaken to retain and re-use structures of military significance from the barracks within the scheme.

Option B: As the planning application has already been before the Strategic Planning Committee, the Area Committee does not have the power to action the aims of

the petition. If planning application 20/02973/EIAMAJ is to be implemented, then Homes England will need to comply with the requirements of Condition 47.

Option C: It is not considered that further investigation is required by a relevant committee. It has already been agreed by way of Condition 47 that further investigations/justification is required. That information will then be considered by the Strategic Planning Committee for consideration by Members at the first reserved matters stage.

Options D: It is not envisaged that the council Executive is required to make the final decision.

5.0 Recommendations

5.1 That the Committee notes the petition and provides a response as detailed in paragraph 3.1.

Possible responses by the Council to petitions, as shown on the website, are:

- (a) to take the action requested by the petition;*
- (b) not to take the action requested for reasons put forward in the debate;*
- (c) to commission further investigation into the matter, for example by a relevant committee; or*
- (d) where the issue is one on which the council Executive is required to make the final decision, the council will decide whether to make recommendations to inform that decision.*

Appendices:

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Northallerton

Author of report: David Smith, Democratic Services Officer.

Background Document: North Yorkshire Council's petitions information and advice, a copy of which is on the Council's website [Petitions | North Yorkshire Council](#)