

North Yorkshire Council

Skipton and Ripon Area Planning Committee

Minutes of the meeting held on Tuesday, 4 February 2025 commencing at 1.00 pm.

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

Officers present: Stuart Mills, Development Management Team Manager, Andrea Muscroft, Development Management Team Manager, Kate Lavelle, Solicitor, Daniel Child, Principal Planning Officer, Emma Walsh, Principal Planning Officer. Stephen Loach, Principal Democratic Services Officer and Vicky Davies, Senior Democratic Services Officer.

Copies of all documents considered are in the Minute Book

136 Apologies for Absence

There were no apologies for absence.

137 Minutes for the Meeting held on 3rd December 2024

The minutes of the meeting held on Tuesday 3rd December 2024 were confirmed and signed as an accurate record.

138 Declarations of Interests

There were no declarations of interests.

Planning Applications

The Committee considered reports of the Assistant Director Planning – Community Development Services relating to applications for planning permissions and Listed Building Consent. During the meeting, officers referred to additional information by way of a late information report and representations that had been received.

The conditions as set out in the reports, together with additional conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act and Section 17 of the Planning (Listed Buildings and Conservation Areas) 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 plans, the National Planning Policy Framework and all other material planning considerations.

In granting permission in accordance with the recommendations of the reports, this was because the proposals were in accordance with the development plans, the National

Planning Policy Framework or other material considerations as set out in the report unless otherwise specified below.

139 ZC23/02883/FUL - Remodelling of the interior and exterior of Canal Gates/Studley Tea Room including landscaping; demolition of single storey extensions and ancillary structures, retail hut, ticket office, LPG tank, fencing and hardstanding; extension to Studley tea-room with external alterations including replacement windows, re-rendering of building, alterations to entrance door; widening of visitor entrance to terrace in front of tea room (canal gates flanking wall) to accommodate access improvements at Studley Royal Tea Rooms, Studley Park, Ripon, North Yorkshire HG4 3DY on behalf of the National Trust.

Considered –

The Assistant Director Planning – Community Development Services submitted a report seeking determination of a planning application as set out above.

The proposal would allow additional seating, reconfiguration of internal space to provide interpretation space for the water gardens as well as rationalising the ticket gate entry system to the eastern access to the Fountains Abbey and Water Gardens which form part of the Studley Park UNESCO World Heritage Site. The plans had been amended following concerns raised by ICOMOS International advisors to UNESCO on cultural World Heritage Sites. The case officer referred to the Fountains Abbey and Studley Royal World Heritage Site Management Plan 2023-2029 (WHSMP) as it was a material consideration which had been taken account of within the assessment of the application. The WHSMP objectives included improvement to food and beverage facilities and specific improvements to accessibility, interpretations and extensions to the proposed site.

The Chair informed the meeting that as the next application to be determined was for Listed Building Consent for the Studley tea rooms and canal gates, public speakers could, for ease, speak about both applications at the same time and have an increased time of six minutes to do so.

Mr Peter Goodchild spoke objecting to the application.

Mr Justin Scully representing the National Trust (the applicant), spoke in support of the application.

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

- Many heritage organisations were positive about the proposed improvements and the public benefits that would be achieved.
- A request that, future reports include an energy statement setting out any net gains.
- The application included energy saving initiatives such as a green roof, air source heat pump, insulation of walls and the use of carbon efficient materials.
- Whether or not the proposals would jeopardise the sites UNESCO World Heritage Status.
- The National Trust had a fantastic reputation for the restoration and preservation of historic properties in this country.
- A Member was concerned that this was another example of a building of national importance being sacrificed on commercial grounds.
- ICOMOS International had been consulted on initial plans and following their comments, amended plans had been submitted. Councillor Williams stated he was content that no further comments from ICOMOS would be forthcoming.
- The proposals would give members of the public an improved experience and there

would be economic benefits for the local community.

The Decision:

That planning permission is GRANTED subject to the conditions set out in the Assistant Director's report.

Voting Record:

A vote was taken and motion was declared carried with 6 votes in favour and 1 against.

140 ZC23/02884/LB - Listed Building Consent for works associated with the remodelling of the interior and exterior of Canal Gates/Studley tea-room including; demolition of single storey extensions and ancillary structures - retail hut, ticket office, LPG tank, fencing and hardstanding; extension to Studley tea room with external alterations including replacement windows, re-rendering of building, alterations to entrance door; widening of visitor entrance to terrace in front of tea room (canal gates flanking wall) to accommodate access improvements; at Studley Royal tea rooms, Studley Park, Ripon, North Yorkshire HG4 3DY on behalf of the National Trust.

The Assistant Director Planning – Community Development Services submitted a report seeking determination of a Listed Building Consent as set out above.

Public speakers had made their representations regarding this application at item ZC23/02883/FUL above.

The case officer reported that the Fountains Abbey and Studley Royal World Heritage Site Management Plan 2023-2029 was a material consideration in relation to the proposed application and had been taken into account during the assessment of the application.

In addition, the case officer referred to the duty of the Local Planning Authority within S.245 of the Levelling Up and Regeneration Act 2023 (LURA) which sets out that in exercising or performing any functions in relation to, or so as to effect, land in an area of outstanding natural beauty in England, a relevant local authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding area of natural beauty.' With this duty in mind, the impact of the proposals on the National Landscape had been considered within the assessment of the proposals before Members. The proposal was considered by the Local Planning Authority to conserve the landscape.

The Decision:

That Listed Building Consent is GRANTED subject to the conditions set out in the Assistant Director's report.

Voting Record:

A vote was taken and the motion was declared carried with 6 voting for and 1 against.

141 2020/22109/FUL - Construction of eleven dwellings with landscaping, infrastructure, associated works and off-street parking on allocated site on land at Richard Thornton's School, Burton-in-Lonsdale, on behalf of Permahome Limited.

The Assistant Director Planning – Community Development Services sought determination

of a full planning application for the development of eleven dwellings with landscaping, infrastructure, associated works and off-street parking on an allocated site at Richard Thornton's school, Burton-in-Lonsdale. The Committee resolved to defer determination of the application as it was minded to refuse planning permission pending further consideration by planning officers for the following reasons for refusal put forward by Members:

- Because the site cannot deliver any affordable housing contributions
- Because it would conflict with Local Plan Policy INF3 and the Green Infrastructure SPD (due to a lack of public open space contributions)
- Because it would not meet the required housing mix; and
- Because the proposal would have a negative impact on local heritage assets.

In an update to the report, as per the late information sheet, during the deferral period 3 further objections were received, one of which was a repeat.

Concerns raised include lack of affordable housing provision; concern over accessibility; drainage; closure of the former school access from the unadopted lane; and the need to incorporate solar renewable energy.

Following the presentation and Members questions to the Planning Officer, the Chair invited the following member of the public to make representations to the Committee:

Mr Stuart Pratt, representing the applicant, spoke in support of the application.

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

- Advice given that the Council had to demonstrate on planning grounds why the proposal was unacceptable in heritage terms, particularly as the site allocation process had involved consultation with Historic England, the Government's statutory heritage advisor, who had no objection to the application. Officers stated that, Historic England's view should be afforded significant weight.
- Members were advised of the difficulty the Local Planning Authority could face in defending any appeal without evidence of heritage harm and clear reasoning but that the costs consequence of Members' planning decisions was not a material consideration and should not be relied upon as a factor in making the decision itself.
- A question was asked whether it would be possible to have a claw-back provision should the units sell for more than the estimates shown in the viability report, thereby realising more profit for the developer. Members were advised that this would be an unreasonable condition to add to the permission but that as a relatively small site, if the remainder of the site came forward for development, under the recommendation a viability review mechanism would be triggered under a S.106 Agreement which would bind successors in title.
- The National Planning Policy Framework had changed resulting in an increase in the annual housing requirement for the area. The Craven area of North Yorkshire Council could no longer demonstrate a five-year supply of housing land and the policies for the supply of housing were out of date.
- The scheme was unviable with the affordable housing provision or the full policy requirement for contributions towards off-site public open space improvements, due to the low level of profit as evidenced in the appended reports. The housing mix would not be objectionable in view of the viability position, a situation where the Council's policy says it will be flexible.
- The applicant, whilst the scheme was not viable with the full amount required, had offered £4,038 off-site public open space contribution towards improvements in the village and it was noted there was open amenity space within the scheme.

- Lack of an energy statement within the proposals.
- In exercising the tilted balance, the proposal on an allocated site, it would deliver environmental improvements, and there was less than substantial harm to designated heritage assets.
- A request from a Member that the Development Plan Committee look at creating a policy whereby developments said not to be viable with affordable housing and financial contributions could be revisited to reassess the profit margin once the scheme has been completed.

The Decision:

That the application is GRANTED subject to the conditions set out in Assistant Director's report and an additional condition:

An energy statement to demonstrate how any energy hierarchy has been applied and how the development minimises the use of natural resources, shall be submitted prior to occupation for the approval in writing of the Local Planning Authority. It shall consider the following:

How energy use is reduced/minimised, in particular through the use of sustainable design and construction methods;

How water efficiency and minimisation of use are to be encouraged;

Measures to promote waste minimisation and recycling;

Provision of an efficient energy supply, with priority to decentralise supplies.

The development shall be implemented in accordance with the approved strategy.

Reason: To address climate change and to accord with Policy ENV3 of the Craven Local Plan.

Record of Voting

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

142 Any other items

Members asked when the Ripon Cathedral planning application would be ready to be presented to Committee. The Chair undertook to update Members in due course.

143 Date of Next Meeting

Tuesday, 4th March 2025, venue to be confirmed.

The meeting concluded at 3.21 pm.