RIPON CIVIC SOCIETY

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North Yorkshire Council (Harrogate area)
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15th December 2024

Dear Mr Walsh

Application No. 22/04808/FULMAJ Revised Plans for the construction of annexe to provide support facilities for Ripon Cathedral, including a refectory, a Song School and toilets, involving the demolition of a toilet block, outbuildings and a stone wall plus the replacement of trees which will be lost and the enhancement of part of Minster Road. Ripon Cathedral Minster Road Ripon North Yorkshire HG4 1QT

Objection

Ripon Civic Society maintains its objection to this application.

We have never disagreed with the Cathedral's view that a new annexe on the north side of the Cathedral would contribute to the sustainable future of the Cathedral and enhance the City of Ripon but the siting in Kirkgate Park/Minster Gardens remains unacceptable. We contend that, instead, a quality building occupying the stonemasons' yard could be successfully designed so as to relate positively to the Cathedral and its users. We were hopeful that, having had nearly two years to consider the many objections and to redesign and relocate the proposed annexe, the Cathedral authorities would have arrived at an acceptable solution. We are very disappointed that this is not the case.

Consultation

We do not consider that adequate consultation with the Ripon community has been carried out or that sufficient weight has been given to those views expressed in relation to the original documents, including the concerns of the Civic Society. The exercise carried out by the applicant earlier in 2024 clearly did not meet the requirements for planning consultation. We are disappointed that the revised proposals do not resolve our original grounds of objection or those of many others in the city and beyond and raise new concerns. These documents also contain a number of inconsistencies that need to be addressed.

We do not consider that the proposal recognises the significance of Kirkgate Park as a protected green space for the city or of the heritage assets in the conservation area, as set out in the Ripon Neighbourhood Plan. This plan was agreed by referendum and adopted by Harrogate Borough Council as part of the Harrogate Development Plan. Policy C2 in the Neighbourhood Plan proposes development of the stonemasons' yard, which is a brownfield site, and we have always maintained that there should be a proper examination of the yard for a redesigned building. We have set out these views in meetings with the Cathedral authorities and in several letters and documents.

We assume that North Yorkshire Council will give full consideration to objections to the original plans in making their decision and we request that our letters of objection to the original plans are considered along with the comments on the revised plans in this letter and the accompanying documents. All consultation

responses are relevant because the application has not significantly changed and earlier documents are referred to in the revised plans.

Consideration of Options

We continue to believe that any full assessment of the proposals contained in the application should be able to be judged against a masterplan for the Cathedral precinct that has been fully consulted upon – such a strategic masterplan for this part of the city, prepared by the Cathedral, is envisaged in the Ripon Neighbourhood Plan. Although a masterplan is referred to as a significant part of the evidence base in the original Options Report, it was only briefly made public and does not accompany this application.

The option favoured by the Civic Society is to site the annexe in the stone mason's yard, which is owned by the Cathedral, unlike Kirkgate Park. The applicant has produced a document titled 'Site Selection Rationale' that aims to explain why this cannot be done satisfactorily; this concludes that the benefits of the project 'are predicated upon an approach to the project located to Minster Gardens, and would be significantly eroded, or removed completely, if located further afield'. We do not agree. This predication has not been fully tested nor put up for public scrutiny. The Civic Society has always accepted the need for and benefits from the project but believes that a well-designed building accommodating the core needs of the Cathedral in the stonemasons' yard would be close enough to the Cathedral to still deliver these benefits, including providing 'a space of civic welcome'. Such a building would better preserve and enhance the conservation area and the settings of the surrounding heritage assets and at the same time save Kirkgate Park and its trees for the benefit of the people of Ripon.

Paragraph 6.3 of the revised Heritage Impact Assessment refers to the creation of 'a link for further development to the north' and consideration of 'options for connecting the Cathedral to the North Precinct via Minster Road'. These statements indicate that the applicant has a longer-term aspiration of physically linking the annexe to the Cathedral. This seems to be one of the primary reasons for the proposed building being sited so far forward and for the continued refusal to consider the stonemasons' yard as a viable option. This linkage would be dependent on a future closure of Minster Road; such closure is not currently agreed. We do not believe that such a desire should influence the location of the structure as set out in the current application.

Impact on Listed Buildings and The Conservation Area

In April 2024 Ripon Civic Society submitted an alternative Heritage Impact Assessment. This document was prepared following a meeting with the Dean and his advisors in March 2024 at which the Cathedral architect noted that we were the first to discuss the proposals for a new annexe in terms of the significance of surrounding buildings, structures and spaces and its impact upon them, rather than purely as a response to the building or its proposed location.

Our document demonstrated how the proposed new building would affect more than just the Cathedral. The overall conclusion was that the proposed building would have a detrimental impact upon the buildings, structures, open spaces and trees in and around Kirkgate Park. An updated version of the Civic Society's **Heritage Impact Assessment – Considering the Buildings, Structures and Spaces in and around Kirkgate Park** is attached to this letter. It demonstrates that the amended building is still unacceptable and for the same reasons.

It is our view that the proposed building is still too large and set too far forward, with the front section now wider than before. It would adversely affect views within the conservation area and the settings of the adjoining listed buildings, including the Cathedral, the Old Courthouse, the Courthouse and the Old Deanery, and harm the character of the Ripon Conservation Area, contrary to Local Plan Policy HP2 *Heritage Assets*. Criterion A of HP2 refers to proposals affecting the setting of a heritage asset and criterion C refers to proposals affecting the character of a conservation area, its special architectural or historic interest and its setting. We consider that the development is also in conflict with national policy in paragraph 207 of the National Planning Policy Framework in that it would lead to substantial harm to designated heritage assets i.e. the scheduled ancient monument, the settings of important listed buildings and a designated veteran tree. We do not agree with the applicant, or with Historic England in their comments on the original plans, that the

public benefits of the development are so substantial as to outweigh this harm, particularly since there is opportunity to mitigate the harm by building on an alternative site i.e. the stonemasons' yard.

Kirkgate Park is a significant green space within this ensemble of significant listed buildings and its trees are an important part of the character of the conservation area. The three trees that were previously proposed to be removed, including the veteran beech, are an important part of this character. We believe that the revised plans for what is still a large building, mostly sited in the park, and which purport to save these trees, will in practice threaten their long-term survival. A redesigned building in the stonemasons' yard would avoid causing such damage and could indeed reinforce the character of the conservation area.

We have previously objected to the separate listed building application for demolition of outbuildings and walls and note that the statutory consultee, the Georgian Group, raised serious concerns. We would have expected a revised listed building application to accompany the amended planning application and to be considered at the same time by the Area Planning Committee. We still do not accept that potential loss of or damage to historic walls and boundary lines is outweighed by the stated benefits of the proposal. We are also concerned about the impact of building works on the Grade II* listed walls of the Old Deanery and Courthouse.

Impact on Kirkgate Park/Minster Gardens

Kirkgate Park is an historic amenity space that enhances the setting of the Cathedral. It is owned by North Yorkshire Council and is protected as open space in the Harrogate Local Plan and the Ripon Neighbourhood Plan. In February 2024 we submitted a document - **Kirkgate Park; An Appreciation,** which we are resubmitting with this letter. This gives a detailed picture of the history and value of this important open space that should inform any future uses. We are also submitting a revision of our **Kirkgate Park Map**. We disagree with the applicant's contention that the existing space, whilst of some communal value, is of 'unsympathetic municipal design' with public toilets 'of poor appearance and are a facility the Council has wanted to close for many years.'

The significance of the park is demonstrated by its recent designation by North Yorkshire Council as an Asset of Community Value on the basis of its value to the people of Ripon and we would expect there to be a high level of objections to any future sale in the event of this planning application being approved. The Council's report recognises that the park is 'green open space within the city centre of Ripon (with) open grassy spaces, tall trees and includes a community garden with war memorial (including remembrance figurines) and fountain, there are sitting spaces with benches, cycle storage and footpaths. The park is well-used as a short cut to the city centre, to access car parking, the market square, shopping arcade and area around the bus station. There is also access to the Courthouse Museum and there are public conveniences sited in the park, these are the only toilet facilities associated with the cathedral, as Ripon Cathedral is one of the only cathedrals without toilets available to visitors, therefore the facilities in the park could be used by anyone attending services/events'.

Local Plan Policy HP6 requires the applicant to demonstrate that a loss of open space would not adversely affect the recreational needs of the local population and that a satisfactory replacement facility is provided in a suitable location that is at least equivalent in terms of size, usefulness, attractiveness and quality.

We do not agree with the applicant that that the replacement amenity space will be 'more in keeping with the special historic setting of the Cathedral' or that 'the amenity value of the area available to the public will be increased'. Kirkgate Park itself would be considerably reduced in size and the negative allegations about its current appearance and condition are not acceptable arguments for building on this valuable and well-used green space in the centre of Ripon with important views of the Cathedral. The proposed new amenity space in the stonemasons' yard is not a 'more meaningful replacement'; it would be hidden behind the new building and enclosed by walls, limiting views, and would present safety issues for users.

Design of the Proposed Annexe

In April 2024 we submitted a document titled **A Critique on the Design of the Proposed Annexe** and we are submitting an updated version which examines the revised building. We concluded that the building as designed would not work well in its location nor would it relate well to its setting. The amended building is no

better, as the attached updated document demonstrates. A taller building pushed back into the stonemasons' yard could work much more satisfactorily, perhaps with a single storey cloistered link to provide sheltered access from the Cathedral. A re-examination of the requirements of the Cathedral may be required to address any site constraints. This would allow for the park and its trees to be retained. The stonemasons' yard is brownfield land identified for development in the Neighbourhood Plan, is already in Cathedral ownership and has the advantage of being a level site that could accommodate a building better related in height to the surrounding listed buildings. The revised proposal, which has clearly been designed in an attempt to retain a greater number of trees, results in an incongruous, predominantly flat roofed building, that is physically separated by virtue of the elevated ground floor level from the park it seeks to embrace. If the only way to retain these trees is to elevate the ground floor by over 1.2m above ground level in the park, this provides more weight to the argument that the building is in the wrong place and should be relocated into the stonemasons' yard. The opportunity to provide an annexe for the Cathedral is an incredibly rare opportunity to enhance a high-quality Cathedral quarter to the benefit of all. The current proposal does not, in our view, come close to meeting the very high bar which is surely necessary to allow this to happen

Impact on Trees

The removal of healthy trees in a public open space is not acceptable. The reason the building has been altered is an attempt to avoid the designated veteran tree, which is why the Civic Society appointed an arboriculturist to produce a tree report. On the basis of this report, we are very concerned that the new construction methods will in practice endanger the future health of both the veteran beech tree, which is protected in national guidance, and other retained trees. The original documents dismissed as impractical the possibility of raising the building to protect the tree roots. Yet it is now this option that is being proposed and we have serious doubts about the long-term survival of the trees in question. We also consider that the proposed crown-lifting of the trees close to the proposed building may lead to problems and are also concerned that surrounding trees, including those in the gardens of the Old Deanery are not adequately protected. **An Arboricultural Appraisal and accompanying plans** from a chartered arboriculturist, which explain our position, are attached.

The threat to the veteran beech tree is contrary to national guidance on veteran trees - *Ancient woodland, ancient trees: advice for making planning decisions 2022* - which requires 'you to refuse planning permission if development will result in the loss or deterioration of … veteran trees … unless there are wholly exceptional reasons'. It states that veteran trees 'are irreplaceable. Therefore, you should not consider proposed compensation measures as part of your assessment of the merits of the development proposal'. The development also conflicts with Harrogate Borough Council's Local Plan Policy N3 *Protecting the Natural Environment* Criterion D and their *Tree and Woodland Policy 2022-2027*.

The applicant maintains that the enhancement and enlargement of the area of public open space and the improvement of the Minster Road crossing will more than compensate for any loss of trees. We do not agree. Some compensatory tree planting is proposed within the Cathedral estate but this is mostly some miles outside Ripon. The latter would not contribute to Ripon's amenity and would have no effect in reducing local urban heat island effects, the release of moisture into the atmosphere and purification of the air, all of which are provided by tree cover. Alternative sites, including the stonemasons' yard, which does not involve significant tree loss, have still not been adequately explored. We do not believe that building the proposed annexe on Kirkgate Park clearly outweighs the loss of and threat to these significant urban trees in the conservation area.

Archaeology

The site is a scheduled ancient monument and we note Historic England's previous statement that the loss of archaeological material would cause considerable harm to the heritage significance of the site. We cannot, however, accept their view in relation to the original plans that, without further evidence, this loss is balanced by the delivery of what they define as 'notable public benefits' i.e. 'substantial public benefits' in the context of national guidance in NPPF paragraph 207. We therefore support the recommendation from the North Yorkshire Archaeologist on the need for 'a significant programme of archaeological work'.

Highway, Servicing and Construction Issues

There does not appear to be any indication on the plans of how the building will be serviced or the location of bin stores. The proposed refectory, in particular, will require servicing by large vehicles and access for them could impinge on the remaining open space or block Minster Road. We are concerned that the Highway Authority consultation response does not address traffic and parking issues that would arise from the proposed temporary access for construction vehicles through the Cathedral carpark, which is in their ownership, or how the significant change in levels here will be addressed. We also understand that there is a Fire Service water storage tank underneath the footprint of the building and ask whether they have been consulted about safety issues in the event of a fire.

The pedestrian access from the Cathedral to the proposed new building will still necessitate the crossing of Minster Road. There is little indication that thought has been given to how people who are less mobile or in wheelchairs do this safely. The raised table on the north side of the Cathedral is some distance from the west front entrance, and even egress from the closer Consistory Court door is still problematic, although it is unclear who will be using this. The Civic Society is submitting a document - **Review of Access, Circulation and Safeguarding** with this letter that examines these issues in more detail.

We share the concerns raised by others about the possible implications for ground stability arising from the development, particularly the construction of the foundations, due to the presence of gypsum deposits in Ripon. Policy NE9 in the Local Plan requires a ground stability report in susceptible areas and the planning authority will need to be certain that policy requirements are met, given the sensitivity of the site close to the ancient Cathedral.

The mass, height and location of the existing Cathedral building already contributes to increased local wind velocities around Minster Road. These can cause wind gusts that can endanger pedestrians on pavements and crossing the road. We would request evidence that the revised building, which is now even closer to the road opposite the Cathedral, will not exacerbate this problem.

World Heritage Site

In May 2024 we sent photographs taken from the Studley Royal with Fountains Abbey World Heritage Site. We still consider that the loss of trees as a result of the proposed new building would detract from key views of the Cathedral, which is the major focal point in the World Heritage Site buffer zone.

Conclusion

In view of all the above considerations, **Ripon Civic Society still cannot support this application**, which is not a sustainable development, and is therefore contrary to the requirements of the National Planning Policy Framework, the Harrogate Local Plan and the Ripon Neighbourhood Plan. We request that the applicant is required to relocate the proposed building within the stonemasons' yard to mitigate the substantial harm arising from the current siting within Kirkgate Park, or that the application is refused. This response accords with the recent decision by Ripon City Council.

Yours sincerely



Richard Taylor David Winpenny

Co Chair Co Chair

Copies

Historic England

The Woodland Trust

The Georgian Group

Historic Buildings and Places

The Gardens Trust

Ripon City Council

List of supporting documents submitted with this letter

Heritage Impact Assessment – Considering the Buildings, Structures and spaces in and around Kirkgate Park – updated December 2024

Kirkgate Park; An Appreciation – February 2024

Kirkgate Park Map – updated December 2024

A Critique on the Design of the Proposed Annexe – updated December 2024

Arboricultural Appraisal and accompanying plans – November 2024

Review of Access, Circulation and Safeguarding – December 2024