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Planning Applications ZC23/02884/LB; ZC23/02883/FUL; ZC23/02903/FUL

**Objection response to the National Trust planning applications for Fountains
Abbey/Studley Royal, 29 September 2023**

Thank you for consulting Yorkshire Gardens Trust (YGT) in our role as consultee with regard to any proposed development that could affect a site included by Historic England (HE) on their Register of Parks Gardens in Yorkshire. The Yorkshire Gardens Trust is a member organisation of the Gardens Trust (GT), the statutory consultee, and we work in partnership with it in respect of the protection and conservation of registered sites. YGT is the sole expert body that focuses exclusively on Yorkshire sites.

Background

These applications are to significantly enlarge the secondary Visitor Centre at Canal Gates (CGVC) by building a modern extension of much greater size than the existing suite of buildings, on a different, extended, footprint, and to adapt buildings in the Deer Park car park to provide kiosk-style catering facilities. The project is principally driven by the perceived needs of contemporary visitors and by NT's management needs at Canal Gates. There are acknowledged harms to elements of Outstanding Universal Value (OUV) at Canal Gates, some of which already exist and are exacerbated, continued, and might be made permanent by the

application, and some of which the application mitigates. These latter conservation-led project elements are uncontentious and are not discussed here.

It is important to note that YGT does not agree with our colleagues in the Gardens Trust that this application establishes a reasonable balance between potential and positive adverse impacts. GT's response is based on accepting the visitor and other data provided by the NT in support of its proposal. YGT, however, has looked carefully at the data provided by NT and concludes that they are not sufficiently robust, nor do they cover a long enough time period to support NT's visitor need projections. Because of this and other related reasons, YGT holds that the visitor need case made by NT is weak, and the necessary balance test is consequently weighted conclusively against the proposal.

Why the application does not succeed

1 Size and nature

NT have not made case for the size or nature of the CGVC because the data they present for need is insufficient or weak.

We are given numbers for visitors entering through Canal Gates as members or paying visitors, but these are for one year (2022) only. We are given no trend data. We are given no numbers or trends for visitors using the café facilities (which will occupy the greatest part of the footprint of the CGVC). As a result, we cannot judge whether the proposed 69% increase in indoor seats is reasonable to meet current demand, nor whether that increase will meet future demand. The only hints we have about future café demand at Canal Gates is the 5% projected increase in visits across the whole site; a note in the Visitor Statement that the Swanley VC is said to be beyond its design capacity; and a note in the Design and Access statement that the footprint of the proposed CGVC is smaller than the footprint NT would normally provide for the numbers using it. We are given no data to support this. But if they are correct, then they call into question the sustainability of the proposed building, suggesting it will be beyond its capacity quite quickly, as the Georgian Group have noted (HIA). If the extended café does not succeed in reducing the length and frequency of queues, what then? Does the footprint to be occupied by interpretation become café space?

Further doubt about the sustainability of the CGVC is raised by the references in the D and A statement about the pheasant shoot. These suggest that, were the NT to acquire access from the Swanley VC along the historic route of Kendall's Walk, presently blocked by the pheasant shoot, then a smaller CGVC might be required. The application dismisses the possibility of acquiring any part of the shoot, presumably in the design lifetime of the proposed CGVC, which NT estimate to be 70 years. But that dismissal appears to ignore present and future developments in the legality and economics of shooting businesses. Avian flu over the past two years has infected game bird breeding enterprises in France (for importation) and in the UK. There seems little likelihood of avian flu disappearing in the near future. In addition, environmental campaigners (not including NT) have raised doubts about the legal status of

pheasant shoots, and in particular, the consequences of releasing large quantities of birds without the benefit of an environmental impact assessment on the surrounding landscape. The Ecology Assessment submitted with the application addresses this question, noting that the understorey in the woodland that Kendall's Walk runs through is poor quality, much lower than would be expected; and the number of released pheasants is proposed as a cause. These factors require NT to make a better and more informed assessment of the chances of acquiring shoot rights in and around Kendall's Walk over the anticipated lifetime of the building they propose to erect.

The evidence of the need for interpretation space to be incorporated in the CGVC is similarly thin. There are no data to assess present demand, no projection of the scale and nature of future demand, and NT have not considered alternative methods of interpretation.

The case for interpretation space proceeds by presenting anecdote, management desire, and assertion that a single physical space inside the Water Garden is the right way to proceed. However, there is no assessment of the benefits of other forms of interpretation, adoption of which could reduce the size of the new CGVC footprint. 'Old fashioned' guidebooks are one way a physical space could be discarded; virtual interpretation, including CGI, video etc are used in venues elsewhere in Europe and beyond, and work across whole sites, indoors and outdoors rather than in a single location; audio tours are standard and well-used technology, popular across many heritage sites.

2 Location

NT have not made the case for the chosen location inside the Water Garden because they fail to acknowledge any possibility of adverse impact on the Ripon Gates entrance at Studley Roger, the car park and Deer Park.

NT argue that the new CGVC will not lead to an increase in visits at the Studley Roger end. Even if this proves to be the case this is not argued from a position of strength, since it does not ameliorate or improve the impact of present traffic levels upon the villagers of Studley Roger, nor does it ameliorate or improve the impact of present traffic levels upon the natural environment of the Deer Park, nor does it acknowledge the importance of the grade II* Ripon Gates, the archway dated by Mark Newman to the 1670s, through which all Canal Gates traffic must pass. Moreover, the arguments and data presented to support the contention that traffic levels through the Deer Park will not increase are weak and/or non-existent.

NT hold that the new CGVC will have the property of drawing visitors away from the Abbey and towards the Water Garden, despite the distance (measured at 1.8km in the Planning Statement) from the entrances at Swanley VC and West Gate. This will have the benefit of relieving pressure on the Abbey and raising appreciation of the importance of the Water Garden. There is no mechanism suggested for how this benefit to the WHS will happen. However, NT also hold that this property will not operate upon visitors arriving through the Deer Park, despite the fact that they will need to walk much shorter distances (200-300m) to

access the new CGVC. It seems unlikely that this property of draw can operate in opposing ways at the same time.

The data cited in support of unchanged visitor numbers through Studley Roger are weak. The application presumes a 5% increase in visits to the World Heritage Site to 2027, when visitor numbers are said to plateau, but asserts that the numbers accessing the site through the Deer Park will remain unchanged. The D and A statement states that the *proportion* of visits to the Water Garden through the Deer Park will remain unchanged. For both statements to be true an increasing proportion of the present visitors to the Deer Park must enter the Water Garden. This seems scarcely credible, given that admissions data at CGVC show that 92% of visitors are already NT members; and that car park users are overwhelmingly drawn from a 30–45-minute radius.

The Transport Statement similarly states that there will be no increase in traffic movements through the Deer Park because of the new CGVC, and provides the following data (car movements in and out) in support of that statement:

2016	78,977	counter not working for 6 summer weeks
2017	90,245	
2018	67,545	counter not working for 1 summer week
2019	22,391	counter not working for 8 months, May to December

The car counter has not worked in subsequent years, so after 2019 the Transport Statement relies on visitor figures. But visitor figures for the Deer Park are extrapolated from car movements, though we are not told how NT has worked out visitor figures for the Deer Park from car movement data. So, the contention that there will be no increases in visitors through Studley Roger relies on car movement data that are at best partial, missing peak times of the year, and at worst non-existent. Visitor data for the Deer Park alone are similarly compromised.

The Transport Statement argues that any increase in car movements (and the data cited do not, in any case, support a trend increase) at Studley since 2016 has not come about through NT marketing, but through the impact of the 2016 Dog Fouling Act. The mechanism for the latter is unexplored; moreover, no such act exists – there is a Scottish Statutory Instrument of that date (applying to Scotland only), but no primary or secondary legislation for England that remotely resembles this citation.

There is a parallel application for the conversion of an existing toilet block in the Deer Park car park to create a kiosk facility and improved toilet facilities to serve visitors who will be excluded from CGVC if they decline to pay for admission or are not NT members. The conversion itself is uncontentious in terms of the building structure (although one might argue that the toilet facilities are adequate). The two applications share the contention that the conversion and the CGVC would not ‘generate levels of traffic that would have an adverse impact upon the operation of the highway network or on highway safety or air quality’. Again, ‘This small proposal is not estimated to be a traffic generating activity as it is utilising an existing building to meet existing visitors already visiting the WHS’. These statements might

be true, but there are no data in support of the contention, nor any recognition of the possibility of future growth in visitor numbers. Moreover, even if they are true, they do not take into account the adverse impact upon Studley Roger villagers or upon the natural environment of the Deer Park generated by present levels of traffic.

It seems to us critically important that the possible increase in visitors to and through the Deer Park, via Studley Roger or from any other direction, should be assessed and its impact considered. The ecological value of the Deer Park is high. It has been, and is, a contender for SSSI status. In fact, it is possible that it could become an SSSI sooner rather than later, given the government's commitment to improving the ecological status of 30% of England's land area by 2030 and the fact that the park already meets Natural England's criteria for designation.

The Ecology Assessment notes that the Deer Park is parkland priority habitat. Its value lies primarily in its veteran trees and their saproxylic invertebrates. The park has a saproxylic quality value index of 470, which ranks it at 59 in the UK, and the best site in northern England. It ranks even higher in its Index of Ecological Continuity score: at 87 it is ranked 15 in the UK, within the international importance level for ecological continuity.

Neither of these key characteristics can be recreated or compensated for elsewhere. To protect the park, it is of overriding importance that the evidence for visitor numbers, and projections from them, are as robust and reliable as possible. As demonstrated above, the evidence is a long way from meeting this status. Indeed, one could argue that the most urgent development in or close to the Deer Park should be to *reduce* visitor numbers from all directions; and to reduce the impact of the grazing deer (Sika deer, present on the site, are neither native species nor do they have a historic presence in the UK) upon what could be herb-rich grassland (another priority habitat) if appropriately managed.

The weakness of the data gathered and presented in support of the application has a number of important effects. Firstly, it draws attention towards the anecdotal evidence for the desires of contemporary visitors; secondly, it draws attention away from potential visitor impact upon the area of the WHS most likely to be affected; thirdly, it allows NT to draw their ecological assessments of both applications exceedingly narrowly, ruling the Deer Park out of scope. The lack of robust visitor data is a key factor inhibiting more sympathetic environmental management of the Deer Park; and the failure to assess the damage caused by present levels of vehicular traffic (private vehicles will continue to be the mode of access used by the vast majority of visitors unless there is a physical and cultural change in the provision of and attitude towards public transport), let alone an increase in levels, is of itself a damaging failure of understanding of the fragility of the scarce natural environment of the Deer Park. A recent synthesis of studies of the damage caused by vehicles lays bare the high level of risk represented by this mode of transport (Paul F. Donald, *Traffication* 2023). Commitment to a post implementation traffic survey is not enough – by then the damage will have been baked in.

3 Nature of the building

NT have not made the case for the permanent building proposed because, even setting aside the nature of the materials to be used, its construction and impacts are likely to be permanent and irreversible, contrary to WHS requirements. The new build is, as required by the nature of the location and the fact that is linked to the grade II lodge (and depends to some extent upon permissible alterations to the lodge), high quality in design, materials, and layout. It is designed to last for 70 years. Because of these factors, there is a high likelihood that the new CGVC will itself acquire listed status, thereby perpetuating this built intervention in Water Garden and continuing the already acknowledged harms to OUV in this area.

A different way forward?

These considerations raise important, but unaddressed, questions that go to the heart of the WHS inscription. The first, noted by the HIA, is the conflict between the requirements of UK statute in relation to registered buildings and landscapes on the one hand, and the demands of UNESCO in relation to World Heritage sites on the other. The second, not noted anywhere, is the conservation rationale for making a serious intervention in a designed landscape based principally on contemporary visitor demand. And this raises a whole range of further questions: How do we know that the latter will not change? Are we far enough away from Covid to understand the nature of short- and long-term visitor demand? How can we be sure that the value placed on the authenticity and integrity of this part of the site will not eclipse the desires of present-day visitors? If the desires of present-day visitors do change, how will it be possible to adjust this permanent intervention to accommodate them?

Might it be sensible to consider abandoning the provision of a café and physical interpretation space at Canal Gates in favour of a smaller footprint that provides for the needs of admissions staff with modern toilet facilities for Water Garden visitors; not a closure of the CG entrance (proposed as one possibility in the application), but a smaller facility in scale and sympathy with the 18th century design?

Accordingly, this response is an objection to the applications.

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