

## COMMITTEE REPORT

**Committee:** West & City Centre      **Ward:** Bishopthorpe  
**Date:** 16 November 2006      **Parish:** Bishopthorpe Parish Council

**Reference:** 06/01822/FUL  
**Application at:** The Palace Bishopthorpe Road York YO23 2QE  
**For:** Erection of new lift shaft enclosure in lightwell and alterations at roof level  
**By:** The Church Of England Church Commissioners  
**Application Type:** Full Application  
**Target Date:** 11 October 2006

### 1.0 PROPOSAL

#### 1.1 BACKGROUND

1.1.1 The Church of England Church Commissioners recently instigated the production of an Access Statement in regard to the development of Bishopthorpe Palace. This report was prepared with a view to assessing the level of performance and the service provided from the Palace in accessibility terms, from a point of view of service provision to the visiting public and use of the premises for conferences, as well as relative to employment of office staff and the Archbishop's own residence.

1.1.2 The Church of England Church Commissioners wish to ensure full inclusive access, for all users of the Palace, to include people with disabilities and impairments, as much as possible to all areas of the building, based on the likely level of use by visitors, guests, staff, the Archbishop and his family and also private visitors.

1.1.3 In addition to the issue of accessibility other works are proposed to strengthen the building, bring it up to modern standards in terms of insulation, fire retention measures and heating requirements. The intention behind the proposals is to make better use of the inherited complex of buildings. This also means upgrading the performance of the structure for habitation and for the environment and carrying out essential repairs.

#### 1.2 PROPOSAL

1.2.1 The main alterations to the palace are as follows:

- The formation of a direct link at upper level between the north range and the central block;
- The introduction of a lift to improve access to all main levels; and
- Other minor external works including the alteration of a door to window to create a public point of access for visitors and the secondary glazing of a number of windows.

## 1.3 SITE AND HISTORICAL BACKGROUND

1.3.1 The Palace is positioned on the banks of the River Ouse within a 9 acre site which incorporates lawned gardens, the Warren Pond (to the north) and a variety of specialist mature trees. Also included within estate are several ancillary buildings the Gateouse, Stable Block, Brewhouse Cottage and Gardener's Cottage. The Palace buildings serve a number of important ecclesiastical functions, being both offices and a home for the Archbishop and his family. In addition they house conference facilities which are open to the wider public

1.3.2 The earliest section of the Palace dates from circa 1250-5 and was built by Archbishop Walter De Gray (at this stage only the Chapel and Great Hall). Later extensions were added to include the north range (added 1480) and a main range, west elevation, which was added in 1769. Since this time the palace has been modified and extended to suit the preceding prelates specific requirements and preferences. At present the Palace still provides office accommodation for the Archbishop and associated staff, but also includes conference facilities.

1.3.3 The Palace is Grade I Listed with Grade II\* listed buildings adjacent including the Stable Block and Gate Lodge. The house consists of a medieval main range running north to south and parallel to the river, with a large addition of 1766-9 on its west side. At the north end of the main range and facing the garden is a late medieval range C.1480, running east to west, with a Regency Block C1835 added to the north-west of the north front and two blocks built against the south side C1650.

1.3.4 The building has been altered and modified many times and is summarised as follows:-

- 1241 - C12 Manor house demolished;
- 1250-5 - Chapel and undercroft built together with gardens and fishpond for Archbishop Walter De Gray. Great Hall constructed (originally) with Archbishops rooms above;
- 1316 - Village known as Bishopthorpe;
- 1364-5 - New lower chamber added;
- 1480-1500 - North Range added by Archbishop Rotherham;
- 1500 - New East window to chapel added;
- 1647 - Palace sold to Commonwealth. 2 No. wings built on south side of north range. A period of disrepair followed;
- 1660 - Great Hall rebuilt with rooms above and chapel restored by Archbishop Frewen. Further period of disrepair followed;
- 1720 - Hall and dining room altered by Archbishop William Dawes;
- 1757-61 - Alteration to great hall windows. Roche Abbey stone/marble laid on floor. Eaved ceiling over north range created by John Carr;
- 1761-3 \_ Peter Atkinson (partner of J.Carr) erected stables followed by Gate Lodge in 1763-5 and extensive buildings to west of the main range for Archbishop Drummond using stone from Cawood Castle;

- 1835 - Regency work including rooms above the chapel plus large block to NW side of north range for Archbishop Vernon Harcourt;
- 1840 - Iron Girders added to strengthen great hall ceiling and rooms above removed;
- 1867 - Gas from York brought to Bishopthorpe;
- 1891-1908 - Alterations by Archbishop MacLogan by Messers J Demaine of Walter Brierley;
- 1894 - 48 x 27.5' wide room added in part of Mulberry yard (removed 1952);
- 1892 - Chapel restored;
- 1900 - Palace reaches maximum extent;
- 1922 - Rooms named after Archbishops;
- 1929-42 - Electric light installed for Archbishops temple;
- 1965 - Staircase in gallery leading to dismantled rooms above great hall removed;
- 1970 - Repairs to palace by Willian Anelay Ltd;
- 1972-3 - North range altered to improve and reduce the size of the Archbishops residence.

1.4 This application is reported to sub committee at the request of Cllr Brian Watson.

## **2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

Conservation Area Bishopthorpe 0015

Floodzone 3 Flood Zone 3

Listed Buildings Grade 1; Bishopthorpe Palace And Chapel Bishopthorpe Road

2.2 Policies:

CYGP1  
Design

CYHE2  
Development in historic locations

CYHE3  
Conservation Areas

CYHE4  
Listed Buildings

## **3.0 CONSULTATIONS**

### 3.1 INTERNAL.

3.1.2 The Council's Conservation Officer supports the scheme but advised the imposition of a number of conditions to protect the integrity of the listed building. This follows extensive discussions between the agents of the Church and English Heritage.

3.1.3 The Council's Archaeological Officer commented that this site lies outside the AAI. However, identifies the site as being a very sensitive archaeological site. The core of the site represents the 13th century palace built by Archbishop de Gray and extended by subsequent Archbishops.

3.1.4 A Historic Buildings Assessment (HBA) was submitted by Field Archaeology Specialists as part of the planning application. This gives a detailed archaeological and historical account of the site as well as a detailed assessment of the fabric of the Palace.

3.1.5 The Archaeological Officer further commented that the main impact on sub-surface archaeological deposits will come through the works associated with the construction of the lift for the building. The HBA concluded that the site of Bishopthorpe Palace has a relatively high archaeological potential. Therefore it was deemed necessary to have an archaeological watching brief on all groundwork's for this development.

3.1.6 Environmental Protection Unit: Advise the imposition of conditions relating to recommended hours for carrying out construction work, contaminated material and an informative relating to the carrying out of works on site.

3.1.7 Highway Network Management: No comments received.

### 3.2 EXTERNAL.

3.2.1 Bishopthorpe Parish Council made the following comments:-

- A roof garden is proposed. A condition should be attached to restrict the height of planting to avoid visibility on the skyline of the building; and
- The Conservation Area Panel and the Georgian Society should be consulted on this matter.

3.2.2 Neighbours: 2 Site notices were displayed at the entrance to the Palace to advertise the Listed Building application and the full planning application. No comments have been received from any other interested party or neighbours.

## 4.0 APPRAISAL

### 4.1 KEY ISSUES

- Effect on character and appearance of the existing listed building and Bishopthorpe Conservation Area.

## 4.2 PLANNING POLICY

4.2.1 PPS1: Planning for Sustainable Development aims to protect the quality of the natural and historic environment. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue.

4.2.2 PPG 15: Planning And The Historic Environment. Central Government advice in relation to listed building control contained within this document states in paragraph 3.3 that whilst the listing of a building should not be seen as a bar to all future change, the starting point for the exercise of listed building control is the statutory requirement on local planning authorities to "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" (Section 16 of the "Planning (Listed Buildings and Conservation Areas) Act 1990"). This reflects the great importance to society of protecting listed buildings from unnecessary demolition and from unsuitable and insensitive alteration and should be the prime consideration for authorities in determining an application for consent.

4.2.3 PPG15 recognises that generally the best way of securing the upkeep of historic buildings and areas is to keep them in active use (para 3.8), and that many listed buildings can sustain some degree of sensitive alteration or extension to accommodate new or continuing uses (para 3.13). Paragraph 3.15 states that achieving a proper balance between the special interest of a listed building and proposals for alterations and extensions is demanding and should always be based on specialist expertise, and often demands a flexible and imaginative approach by all the parties involved.

4.2.4 The importance of listed buildings is reflected in Policy E4 of the Approved North Yorkshire Structure Plan, which states that buildings and areas of special townscape, architectural or historic interest (e.g. listed buildings) will be afforded the strictest protection. Policy HE4 of the City of York Draft Local Plan relates specifically to listed buildings and states that consent for development in the immediate vicinity of listed buildings, demolition, internal and external alteration, and changes of use will only be granted where there is no adverse effect on the character, appearance or setting of the building.

4.2.5 PPG16: Archaeology and Planning. This PPG sets out the government's policy on archaeological remains on land and how they should be preserved or recorded both in an urban setting and in the countryside. It gives advice on the handling of archaeological remains and discoveries through the development plan and development control systems, including the weight to be given to them in planning decisions and planning conditions. Explanation is given of the importance of archaeology and of procedures in the event of archaeological remains being discovered during development.

4.2.6 POLICY E4 OF THE APPROVED NORTH YORKSHIRE STRUCTURE PLAN (the statutory development plan for the area) states that buildings and

areas of special townscape, architectural or historic interest (e.g. conservation areas, listed buildings) will be afforded the strictest protection.

4.2.7 DRAFT LOCAL PLAN POLICY CYGP1 states that development proposals will be expected to (i) respect or enhance the local environment, (ii) be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials; (iii) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment; (iv) retain, enhance and/or create urban spaces, public views, skyline, landmarks and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view; and (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.2.8 DRAFT LOCAL PLAN POLICY HE2 of the City of York Deposit Draft Local Plan (Fourth Set of Changes), approved for development control purposes on 13 April 2005 states that within or adjoining conservation areas, and in locations which affect the setting of listed buildings, development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials.

4.2.9 DRAFT LOCAL PLAN POLICY HE4 states that consent will only be granted for development to a listed buildings where there is no adverse effect on the character and setting of the building. Supporting text of this policy further states that, it is important that extensions preserve and enhance the special architectural or historic character of conservation areas and complement the character of listed buildings. Alterations will be expected to be of an appropriate design, using traditional natural materials. The proposal should also be in scale with the original building and respect its character.

#### 4.3 EFFECT ON CHARACTER AND APPEARANCE OF THE EXISTING LISTED BUILDING:

##### 4.3.1 LINKING THE 2 MAIN RANGES

4.3.2 Forming a direct link between the two main ranges at upper level A direct link does not exist at present. The new link, associated with the creation of the lift shaft, will increase the use of the attic spaces and help to separate private and public circulation routes. Existing partition walls would be altered and a new opening would be formed in an external wall, otherwise there is little alteration to achieve this benefit.

##### 4.3.3 FORMATION OF EXTENAL LIFTSHAFT

4.3.4 The majority of spaces within the Palace are inaccessible to people with poor mobility. The two ranges/wings of the Palace are at different levels and strategically the lift must be located where the two main wings meet. The historic buildings assessment shows that the proposed area contains 18th

and 19th century fabric representing the infilling of an earlier yard. The remaining small service yard would be incorporated into the scheme to accommodate the lift and the reconfigured staircases. The external door and fan-light would be removed to achieve satisfactory head heights. Drainage would be diverted. The 20th century "flying" staircase would also be removed. The work would involve digging a lift pit in an archaeologically sensitive area (to be covered by conditions).

4.3.5 Policy HE4 of the draft local plan states that extensions should be subservient to the existing building and should not conflict with the form, profile or detail of the building. Unfortunately the lift tower is quite high as additional space is required for the lift "over-run", which is a required safety feature. Alternative roof forms, and alternative cladding options have been discussed with the Council's Conservation Officer, to determine whether the effective bulk of the tower could be reduced. However the solution of the brick clad "box", with a simple parapet, appears to be the least intrusive form. The parapet height would be similar to existing ridge heights- between the lowest and the highest. The relatively small size of the lift tower and its proposed location within the angle of the two wings would reduce its impact outside the building. Furthermore the lift shaft could only be seen through a narrow gap when standing close to the building within the entrance courtyard. As a consequence it is considered that the lift shaft would not have a detrimental influence upon the listed building or the Bishopthorpe Conservation Area and is therefore acceptable.

#### 4.3.6 MINOR ALTERATIONS

4.3.7 In addition to the above alterations a number of localized items of repair and maintenance have been specified. This includes the alteration of an existing to a door, to allow the public access (on occasion) and the minor alteration to a number of windows. It is also proposed to form a roof terrace for use by the Archbishop and his family above the central section of the Palace. The roof terrace would be obscured from view. It is considered that these works would not have a detrimental impact upon the listed building or the character and appearance of the Bishopthorpe Conservation Area. There are no issues concerning amenity of adjacent neighbours due to the expansive grounds which the Palace is set within.

### 5.0 CONCLUSION

5.1 It is considered that the proposals continue the legacy of alterations by successive occupiers of the palace - the historic buildings assessment report states that "the density of building campaigns is astonishing". The aforementioned proposals are considered justified and they would not appear to adversely affect the special historic and architectural interest of the building or the character and appearance of the Bishopthorpe Conservation Area.

5.1.1 The proposed alterations and modifications to the Archbishop's Palace are considered acceptable. The proposal therefore satisfies policy E4 of the

Approved North Yorkshire Structure Plan, policies GP1, HE2, HE3 and HE4 of the City of York Draft Local Plan and National Planning Guidance PPS1 and PPG15.

## COMMITTEE TO VISIT

### 6.0 RECOMMENDATION: Approve

- 1 The development shall be begun not later than the expiration of the three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out only in accordance with the approved plans or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

- 3 No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work (a watching brief on all ground works by an approved archaeological unit) in accordance with a specification supplied by the Local Planning Authority. This programme and the archaeological unit shall be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies within an Area of Archaeological Importance and the development will affect important archaeological deposits which must be recorded during the construction programme.

- 4 All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site, shall be confined to the following hours:

Monday to Friday	08.00 to 18.00
Saturday	09.00 to 13.00
Not at all on Sundays and Bank Holidays	

Reason: To protect the amenity of neighbouring residents.

- 5 Any contaminated material detected during site works shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site.

Reason: To protect human health and the wider environment.

- 6 The development hereby permitted shall not commence until details and/or samples of all external materials to be used in the external construction of the proposed buildings, including materials to be used for the lift shaft and for general repair work and also the new flue vents required for the chimney, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development has an acceptable external appearance and is in keeping with the visual amenity and character of the area.

## **7.0 INFORMATIVES: Notes to Applicant**

1. In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to Bishopthorpe Palace which is a listed building and the Bishopthorpe Conservation Area. As such the proposal complies with policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and policies GP1, HE2, HE3 and HE4 of the City of York Local Plan Deposit Draft.

2. The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval:

- The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".
- All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.
- The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.
- All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.
- Any asbestos containing materials shall be removed by licensed contractors to a licensed disposal site.
- There shall be no bonfires on the site.

3. Archaeological Watching Brief - The archaeological condition (ARCH 2) shall apply to all above ground works where existing structure would be disturbed during the course of alteration. Opening up shall be carried out in a careful and

controlled manner. Below ground works for the lift and drainage are already covered within the conditions of the planning application.

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