

ST. ANDREW'S TRUST. BISHOPTHORPE

OUR RESPONSE TO THE ENVIRONMENT AGENCY'S ACCOUNT OF ITS ZOOM EVENT Of 4TH NOVEMBER 2020.

Our website www.standrewstrust.co.uk has already made our views very clear about a flood alleviation scheme that has been devised for Bishopthorpe by E.A.'s private agent, Aecom Capita. The purpose of our response here is to put the public record straight about some of the misleading statements made by E.A.'s P.R. team at that event and subsequently in a version presented by its latest news sheet. Our replies to them are below.

1) *The Trust's metal railings are demountable so vehicles can be driven on to its land through our 5 metre wide floodgate opening except when closed by us for a flood event.*

Our metal railings are made in 2 metre lengths bolted to steel posts and diagonal braces set in concrete. Three panels and four posts will have to be removed to line up with this opening and eight sets of concrete supports broken out to release them and then reconstructed afterwards. We are expected by E.A. to do this every time we want vehicular access to our own land.

Removing our railings would involve arranging, appointing, and paying a contractor to do the work and then reinstating them afterwards on new concrete supports every time we need vehicular access to our land. This cannot be done quickly or cheaply or with the rapidity needed to respond to an emergency. Nor do we have funds dedicated for this purpose or any need for them.

This is a fundamental problem with the E.A. scheme that was made clear to them in March 2019. It is now looking to us to make a never-ending financial commitment to solve a problem that they have created.

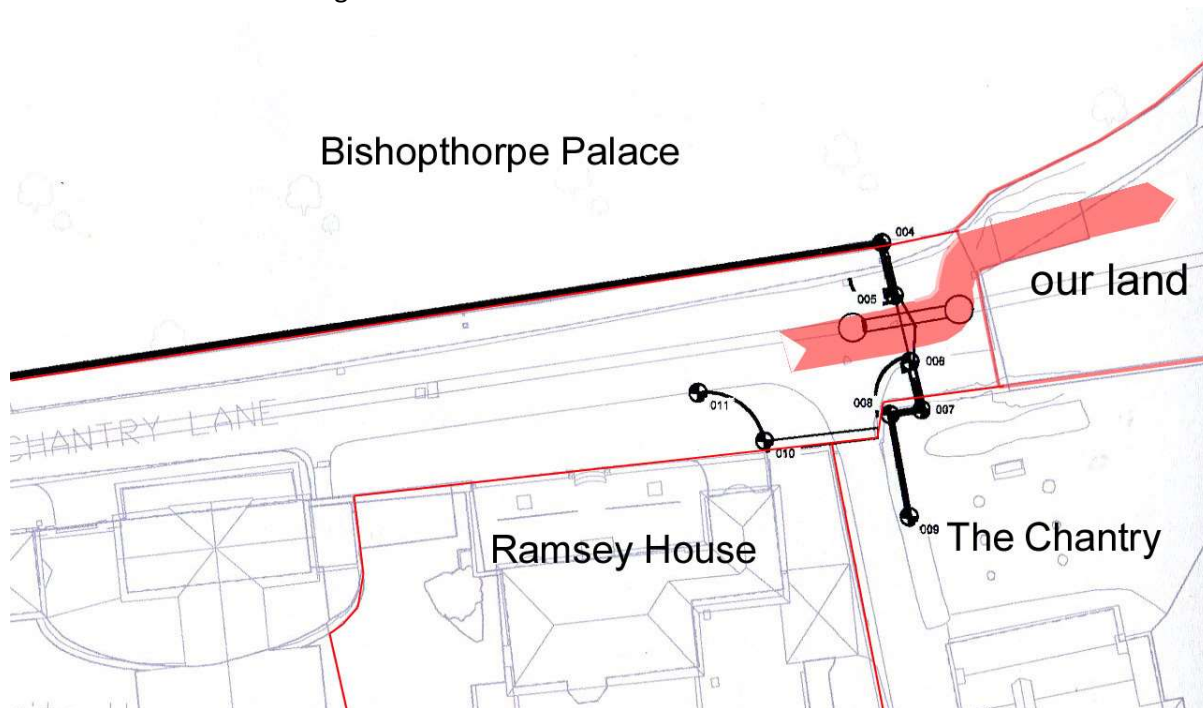
At the moment all our vehicles can drive straight on to our land from the public highway of Chantry Lane and our livestock trailers back into our sheep pen in one simple manoeuvre like this and more importantly, allow instant access to emergency vehicles.



This extract from E.A.'s (or rather its developer's) provisionally approved planning drawing shows its proposed floodwalls as thin black lines. They will be twice as thick in reality.

We have added the double dog-legged manoeuvre our vehicles are expected take through them according to E.A. It is a physical impossibility.

E.A. is also reliant on the landowner's permission to build some of its floodwalls and piling close to The Chantry on its land and at the corner of Ramsey House. The curving line labelled 011 on its drawing also shows new areas of tarmac added to the highway to form a turning space for motorists to turn in front of the floodgates.



Also, how are the council's street cleaning vehicles going to remove debris from this small enclosed space between floodwall and railings?

These are unresolved matters for the council as the highway authority. We are merely repeating the same objections here that we have been making throughout Aecom's 18 months long development of its unworkable proposition, detached as it is from the realities of common law. No one has the right to deny access to another's land and doing so in this instance renders our heritage assets unmanageable and uninsurable. We shall be forced to close them to people including our much valued riverside walk. These are facilities people have become accustomed to enjoy for 20 years.

We warned E.A. of this more than a year ago and for it to install a ramped flood bank instead on our land. But it chose to ignore us and waste its considerable public funding pursuing an unworkable scheme.

2) We have engaged with St. Andrew's Trust throughout the development of our scheme.

We have had no contact with E.A. since their meeting with us in March 2019 nor have we had any involvement at all in developing its scheme.

3) For their own safety we must deny access to people to Chantry Lane during the 10 months we shall be using it as a construction site. They may still be able to access part of the Trust's riverside path from Ferry Lane with the council's agreement.

E.A. does not currently have planning permission to close Chantry Lane to people. One of the many conditions it has yet to discharge is a plan agreed with the council to keep Chantry Lane open to the public while using it as a piling site at the same time.

We have known this to be impossible from the start (see our website). E.A. appears from its statements of 4/11/2020 to now realise the same. Yet this planning condition still stands. The only way to resolve this contradiction is for the city council to agree to set this condition aside. But in reality our land will become uninsurable and off limits (all of it to everyone) just as soon as Chantry Lane becomes a construction site and we can no longer get ambulances, fire engines or rescue vehicles along it if need be. This will be the signal to close our land permanently.

Secondly, EA is saying that people ***“may still be able to access part of the Trust’s riverside path from Ferry Lane with the council’s agreement”***.

The council has no say about who we allow on our land. Nor will any access be possible at all when E.A.’s development renders it uninsurable.

4) *Our floodwall will be the same height as the existing boundary fence to Bishopthorpe Palace along Chantry Lane and in front of Priory Corner*

This is not what E.A. has provisional planning consent to do. It has consent to demolish the listed (and therefore protected) historic curtilage of Bishopthorpe Palace and replace it with a standard Legoland floodwall like this at Germany Beck in Fulford.



The only difference is that it will be surmounted in Bishopthorpe by the existing paling fencing reused along the top according to its current planning consent. This will give this new structure a combined height of brickwork (0.65 metres) plus palings (1.25 metres) of 1.85 metres. The present height of palings plus their 200 year-old Georgian brick plinth is 0.4 metres lower at 1.45 metres.

For E.A. to now make this alteration to its existing consent it needs yet another amendment to its supposedly definitive application drawings and to cut off 0.4 metres from the palings. This will do nothing to complement the sophisticated Georgian architecture of Chantry Lane and it has yet to dawn on E.A. (or the Church Commissioners) that intruders will then find it easy to step up on to the parapet and across the short palings into the Palace Grounds.

5) We have had to use wide angle camera lenses for our CGI visualisations of how the development will look because of the “technical challenge” of including all of Chantry Lane in them. Some distortion of reality is therefore inevitable but people need to see our CGI’s in relation to Aecom’s plan drawings to understand them properly (i.e. like the plan in 1) above).

The actual ‘**technical challenge**’ has been for Aecom to use Photoshop to make a floodwall like the one above seem acceptable in Chantry Lane by digital manipulation. We think it has succeeded very well but if people want to see a true representation of E.A.’s development they have only to look at our website. www.standrewstrust.co.uk

6) We still have several outstanding conditions to satisfy with our planning consent before we can begin work and our money runs out.

Conditions are attached to planning consents by local authorities when vital information is deemed to be missing from the application or it is felt to be inadequate in some other way. The number of conditions imposed by a local authority is a useful guide to how well an application has been made. A large, well-paid, and publicly-funded design team has had more than a year to iron out all the glitches and we are told that the city council has been its advisor throughout. Why then are so many matters still left to be resolved four months after an application was made by supposed experts in this field?

7) Our contractor will deploy a piling system that presents minimal risk to the structural integrity of historic buildings along Chantry Lane and close to Priory Corner. Noise and vibration levels will be closely monitored by our contractor and it has additional methods to use if they prove excessive or damaging, for example, pre-auger boring to reduce ground resistance to pressure piling. We have also commissioned surveyors to record the defects of the listed buildings before work begins so that we can see where and if we have caused any such damage afterwards but we won’t be releasing that information before piling work begins.

E.A.’s provisional planning consent requires it to agree with the city council, in advance, and then limit itself to construction methods that cause no harm to private property, not minimise risk to acceptable levels, or begin work on an experimental basis and change direction if necessary. No such agreement currently exists and the fulfilment of this condition will also make the council culpable if any such damage attributable to this development does occur.

To fulfil that condition any competent developer would first analyse how each of the affected historic buildings is constructed, any inherent weaknesses in that form of construction, how many people reside in them and the noise and vibration levels each can therefore tolerate. This in turn will determine not only the relative levels of noise and vibration acceptable in each case but, if necessary, the entire basis of the development itself. No evidence has been provided by E.A. that any such preliminary study has been undertaken.

8) We don’t own any land in Bishopthorpe so we can only work by agreement with landowners to carry out our development

True. Specifically, five landowners control the ability of E.A. to carry out its conditionally approved development. They are the owners of (a), the land to be used for its storage depot in Church Lane, b), The Chantry (c), the Church Commissioners of England (d,) the public as the public highway of Chantry Lane under the jurisdiction of York City Council and (e), us in agreeing to the closure of our land to vehicular traffic. We cannot agree because these proposals in their present form will inevitably prevent vehicular access to our land thus necessitating its closure to the public.

9) 'Conservation kerbs' and 'river-washed cobbles'

Although we have unfortunately to destroy the north side of Chantry Lane to build our floodwall we will recreate it afterwards on a like-for-like basis using conservation kerbs along the verges and around the floodgates and river-washed cobbles to reform the bases of the lamp posts.

There can be no like-for-like reinstatements using materials like these because none exist in Chantry Lane at the moment.

So what are 'conservation kerbs'? Google them to find out. All are machine-made in a mould, cement-based, mass produced, and some are 'tumbled to give a sense of age' i.e. rotated together in the drum of a cement-mixer for half an hour to knock off the sharp edges "for the weathered look".

The existing historic kerbstones along Chantry Lane that are to be broken out and replaced are hand-carved cubes of very hard sandstone called 'setts'. They cost us £6 each for our creation of the north side of Chantry Lane 24 years ago, together with its cobbled plinths and four elegant Regency lamp posts. Our commitment to the preservation and enhancement of this special place is a long-standing one.

Polythene bags of ten 'river-washed' cobbles can be purchased from garden centres for around £5 but are usually called 'pebbles'. They are beach pebbles with the salt washed off with hosed tap-water. On the other hand the existing cobbled plinths in Chantry Lane are composed of **glacial** cobbles, that is, products of the last Ice Age when the action of enormous sheets of ice (glaciers) moving across 'pebbles' in the Vale of York ground at least one surface reasonably flat. This is laid uppermost to give floorscapes of 'paving cobbles' indigenous to this part of Yorkshire. The hardstanding on the south side of Chantry Lane is composed of them as well.

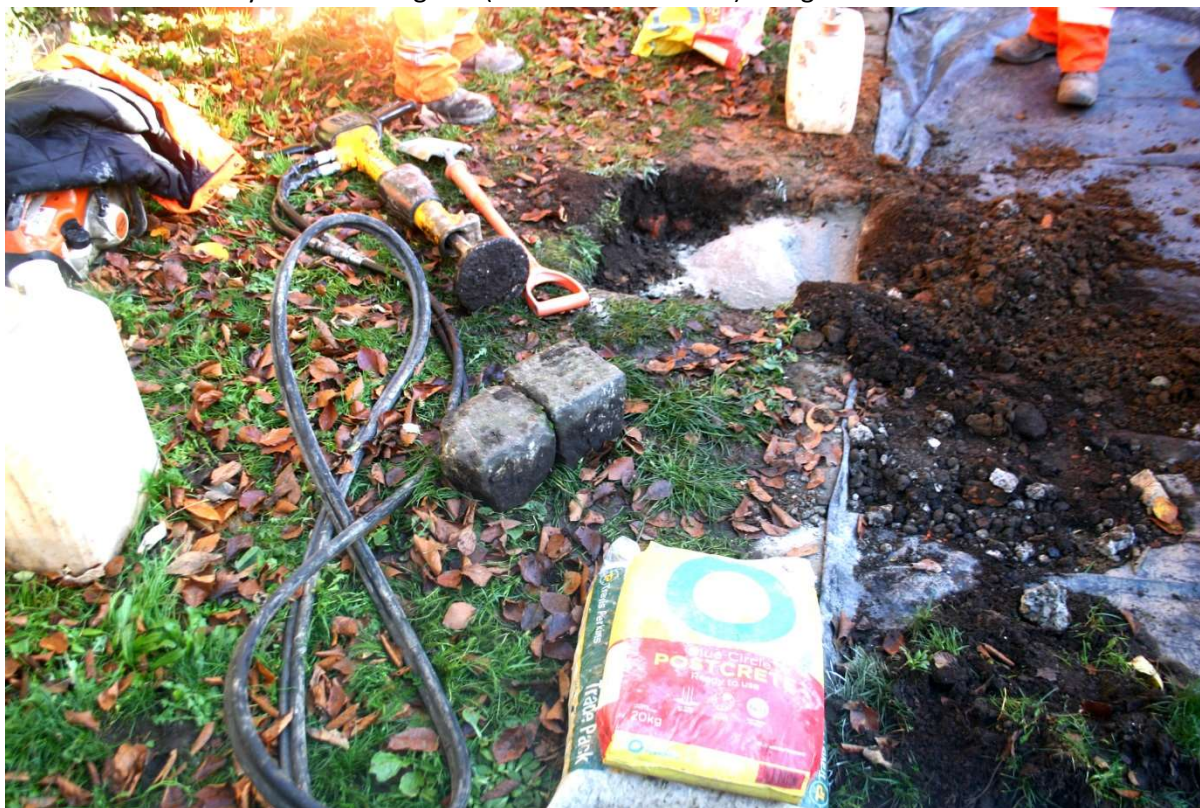
The four cobbled lamp plinths on the north side are extra special. They are composed of glacial cobbles selected and graded to size and set on edge in a directional, mitred pattern. This is paving cobbling at its most skilled. The chance of this developer matching it is nil, as it has already demonstrated. Earlier this year it broke out a corner of the second lamp plinth from our site with a Kango hammer to find out what it is made of and then patched inexpertly with 'river-washed cobbles'.

10) Postscript



On 19/11/2020 three workmen in full protective gear, including ear defenders, spent all day doing the same with two of the verge setts. None of the residents were issued with ear protection from

the deafening pneumatic hammering, the vibration from which could be felt through their floors. This was to extract and then relay (unevenly) only two of these hard cubes of sandstone. What will happen to our setts under this scheme? There are a lot to hammer out and they have acquired a high resale value over the last quarter century. Presumably they will remain along the south side of Chantry Lane but there will be an obvious mismatch with the synthetic surrogates ('conservation kerbs') along the north.



Two sandstone setts that took three workmen all day to break out and relay.