

REPORT TO CONNEXIONAL PROPERTY COMMITTEE

ECCLESIASTICAL EXEMPTION

Report on the work of the Conservation Officer and the operation of Section 98 Procedures, 2002

This is the eighth annual report on the operation of the adopted procedures of the Methodist Church in respect of Ecclesiastical Exemption.

In December 1992 the Department of National Heritage issued a Code of Practice for the control of works to places of worship which are listed buildings or are within conservation areas and indicated that those Churches which adopted the Code would continue to enjoy ecclesiastical exemption from listed building and conservation area control by local planning authorities. Subsequently, The Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994 came into force on 1 October 1994. Section 98 of Standing Orders sets out the detailed procedures to be followed before the connexional Property Committee considers whether to approve a scheme for "listed building works".

Although this report is primarily concerned with schemes that had to be considered under Section 98 of Standing Orders during 2002, this represents only a "snapshot" of the work of the Conservation Officer. The full picture is one of a process which stretches over a number of years as many of the schemes approved in any one year started the process in the previous year or years. Similarly, the visits and preliminary discussions carried out during 2002 will often result in schemes being submitted in later years.

During 2002, schedules were received for 165 schemes affecting listed buildings and buildings in conservation areas. These all had to be checked to determine whether Section 98 would apply. The Conservation Officer visited thirty-eight chapels during the year, either to discuss ideas for schemes or potential schemes or to see completed schemes.

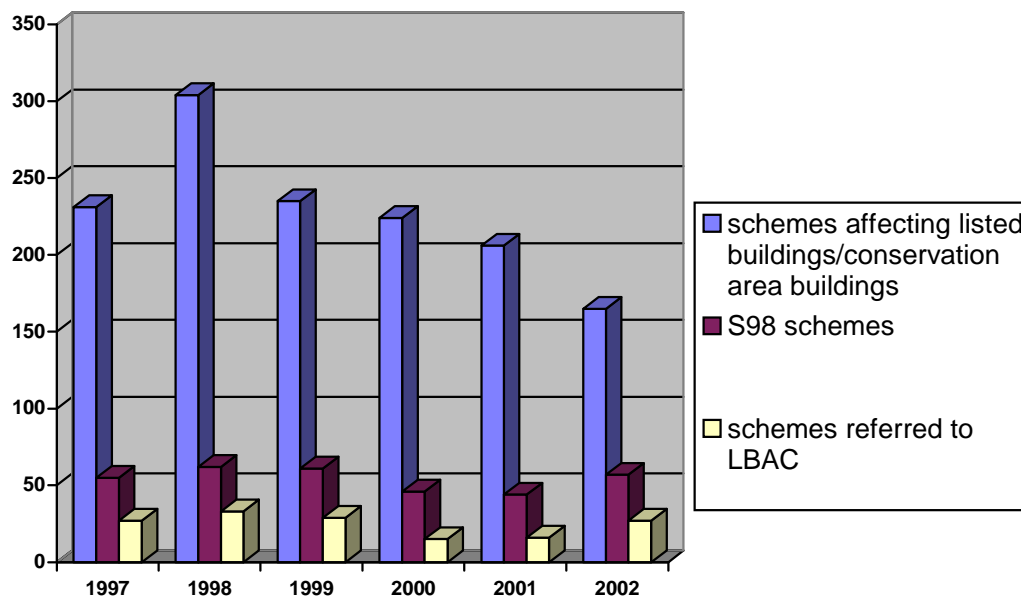
These initial discussions are an important element of the process. It is often possible to advise churches not to proceed with inappropriate options at an early stage and thus save time and energy. Similarly, schemes can often be modified to reduce the impact of changes to historic fabric. This is much easier for everyone to accept if discussions are held before the scheme is finalised.

Fifty-seven schemes successfully completed the procedures set out in Section 98 of Standing Orders during 2002 and these are listed in the Appendix. It should be noted that successful completion of these procedures is not the same as full scheme approval. A scheme is only approved when all outstanding matters, e.g. financial viability and grant submissions, have been resolved and Section 98 only relates to the listed building or conservation area element of a scheme. For large schemes it is usually finance which is the last matter to be resolved.

Of the fifty-seven schemes, one was in respect of a Grade I building, seven for Grade II* buildings, the remainder Grade II.

Table 1 below shows that there has been a further reduction in the overall number of schemes affecting chapels which are listed or in conservation areas. There has, however, been an increase in the number of section 98 schemes.

Table 1



Listed Buildings Advisory Committee

The established procedure of the Listed Buildings Advisory Committee (LBAC) is that schemes that only involve minor alterations of limited importance to the character of historic chapels do not need to be individually considered by the LBAC, providing they fall within policy guidelines specifically approved by the LBAC or established by previous LBAC decisions. As a result, twenty-seven of

the fifty-seven schemes completing the procedures during the year were considered by the LBAC. This number is higher than the number of schemes dealt with by the LBAC in the previous year. Again, far more schemes in total were referred to the LBAC, but not all of them completed the Section 98 procedures during the year. There has to be the application of some judgement as to what should be referred otherwise the agendas for the quarterly meetings would be overloaded.

The LBAC was notified, however, of all of the schemes received and was free to request details of any of them. This occurred in several cases.

Consultations

Under Standing Order 982, in addition to the advice of the LBAC, the connexional Property Committee has to consult with the Local Planning Authority, the National Amenity Societies and either English Heritage or, in Wales, Cadw. In addition a public notice has to be displayed for 28 days outside the affected building and a similar notice published in a local newspaper, so that interested parties can comment on the proposed scheme. As a result of the Newman Report into Ecclesiastical Exemption it was agreed that it would only be necessary for a newspaper advertisement to be placed when the scheme affected the external appearance of the building or was in respect of a grade I or II* building.

Although there are six National Amenity Societies, it has been agreed that the connexional Property Committee only needs to send details to the Ancient Monuments Society, the Georgian Group and the Victorian Society, and they will in turn inform the other three societies as appropriate. This arrangement is particularly beneficial in reducing unnecessary bureaucracy and paperwork as we have almost no chapels that pre-date 1715 (the end date for the Society for the Protection of Ancient Buildings), a small but increasing number of listed chapels post 1914 (the start date for the Twentieth Century Society) and, although Methodist sites are of general interest to the Council for British Archaeology, there is no formal requirement to consult them over proposals.

During 2002, two of the fifty-seven schemes that successfully completed the Section 98 procedures were within Wales. Cadw responded on both schemes raising no objection. Of the remaining fifty-five schemes, English Heritage commented on forty-eight, seven of those comments expressing some reservations about matters of detail. In most cases the concerns were dealt with by negotiation or by imposing conditions on the approvals. In three cases objections were raised. At **Stourport Wesley** the objection was to the removal of some of the box pews from the ground floor. At **Lindley** there was objection, both to the principle and the detail of a link between the chapel and the hall, and at **Stow** objection was raised to the removal of a redundant coke stove. The Ancient Monuments Society responded on forty-two schemes; giving

detailed comments on fifteen of them. The Georgian Group commented on only four of the schemes, in three cases raising no objection and raising objection to one, **Stourport Wesley**. On twenty-five occasions they deferred to the views of the other Amenity Societies. This is hardly surprising given the relatively small number of our chapels which pre-date 1837; although on five occasions no response was received even when the scheme was within their period of interest. The Victorian Society responded to forty-six of the consultation requests, with one deferral to the 20th Century Society (who raised objection to the scheme at **St Andrew's, Psalter Lane** six weeks after the end of the consultation period). Five schemes were opposed; those at Westborough (for the retention of unauthorised works), **Porthleven, Nantwich, Lindley** and **Stourport Wesley**. Only **Nantwich** was approved without modification. Enforcement action has been started at **Westborough** and the other schemes were modified extensively prior to the granting of consent.

Local Planning Authorities responded to forty-one of the requests for comments. Twenty-six of these representations merely indicated that they had no objection. Twelve comments were made on matters of detail. Three objections were raised. On the other hand, one comment was in support of the proposals (to which English Heritage had objected).

Two schemes produced representations from the general public. At **Westborough, Scarborough**, one letter supporting the installation of a lift was received. At **Balderton**, four letters from church members were received objecting to the removal of some pews.

Time-scale

One of the concerns regularly expressed about the Section 98 procedures is the delay that it may create. For major schemes this is seldom a problem as the financial issues are generally the last to be resolved. The procedures do, however, build-in an automatic delay for small schemes because of the four week consultation period. Sometimes delays are caused by the applicant trustees because they do not follow the correct procedures or fail to respond promptly to requests for more information or delay posting the site notice.

If everything runs smoothly, all the information is to hand when the Schedule arrives in the office and no objections or comments are received, it is possible to minimise delays. Fifteen schemes completed the Section 98 procedures within only eight weeks, compared with eleven in 2001. Thirteen of the fifty-seven schemes completed the procedures within nine to twelve weeks, with a further ten taking between thirteen to sixteen weeks. The remaining nineteen took over sixteen weeks, a decrease from twenty in 2001. The schemes with the longest delays were generally major proposals that required modification as a result of objections or comments. In other cases there were considerable delays waiting for information necessary to carry out consultations. The longest delay was at **Stourport Wesley** where it took four years before the scheme

was approved. This was mainly because of the complexity of the scheme, the need to find funding and the need for extensive negotiations over details. Conversely, some major schemes received approval in a relatively short timescale because of the extensive negotiations, perhaps including an informal consultation, which was carried out before a submission was made. Such was the case with the major scheme at **Temple, Taunton** which was approved within four weeks of the receipt of the Schedule, both informal and formal consultations having been carried out in advance.

As already indicated the majority of schemes were not of a major nature and did not prove to be particularly controversial. A few, however, proved to be more complex as indicated below.

Complex Schemes

Lindley – Huddersfield (Pennine) (27/02)

The scheme proposed a link between the 1867 chapel and the Sunday School - the original chapel of 1795 - together with internal alterations to both buildings. The 1867 building is notable for a chancel extension by Edgar Wood in 1895. In view of the objections from English Heritage and the Victorian Society and the many comments on the details, the managing trustees were invited to review the proposal and to prepare statements of need and significance. Lengthy negotiations ensued until we thought that a good quality scheme had been produced. A further consultation was then carried out and the revised scheme welcomed by the Ancient Monuments Society, Victorian Society and LBAC (although concerns remained over some alterations in the worship area). The scheme was approved subject to conditions. The local authority opposed the scheme but the subsequent planning application was approved.

Stourport Wesley – Kidderminster and Stourport (28/20)

As mentioned earlier, this was a complex scheme which drew opposition from English Heritage, Victorian Society, Georgian Group and Local Planning Authority. The scheme was for the modification of ancillary buildings, and repairs and alterations to the chapel which included: insertion of a room in the gallery, the provision of a coffee lounge under the “west” gallery, removal of a number of box pews on the ground floor and alterations to the communion area. Consultees recognised the need to keep the building in use but were concerned primarily about the loss of ground floor pews. The Victorian Society were also concerned about the relocation of the “wings” of the alabaster communion area.

Extensive negotiations were carried out with the managing trustees and their architect and revisions agreed. A supporting document was also prepared. A further consultation was carried but the objection to the loss of pews remained. Opinions differed over the coffee lounge and the communion area. Further negotiations regarding the pews were concluded when English Heritage offered

a large repair grant which was conditional on the retention of additional ground floor pews. Approval was eventually granted subject to the omission of the meeting room in the gallery.

St Andrew's Psalter Lane – Sheffield (Eccleshall) (25/04)

This is a relatively modern building dating from 1930. The proposed internal alterations were brought about by the formation of a new ecumenical congregation and the subsequent need to cater for a larger congregation with different liturgical needs. The main principles of the scheme – enlargement of the vestibule, alterations to the communion area and the removal of pews - were generally accepted by consultees with the exception of the 20th Century Society who raised objection to the internal alterations. Various comments were received on matters of detail, most of which were resolved after negotiation. A subsequent request by the managing trustees to remove the retained pews in the transepts was refused.

Porthleven – Mounts Bay (12/15)

The chapel is listed grade II* and has a fine interior. The managing trustees, having been advised that a horizontal sub-division would be unacceptable, submitted a revised scheme which added a single storey extension wrapping around the rear and sides of the building. All the consultees accepted the need to provide additional facilities so that the life and usefulness of the building could be extended. The exception was the Victorian Society who recommended refusal. Once the details had been refined and agreement reached on the retention of the majority of ground floor pews in situ, the scheme was approved.

Methodist Central Hall Westminster – London Mission (Westminster) (03/01)

The proposal was for a major refurbishment of the building and included alterations to the vertical circulation, the upgrading of services and improvements to the Great Hall and lobby areas. A Conservation Plan was requested and this proved most helpful in giving the context for the scheme which was warmly received by the consultees.

Harborne – Birmingham (Southwest) (05/07)

Last year, a major scheme of alteration and extension was approved. The subsequent planning application was, however, refused on the grounds of the impact of the proposal on the character and setting of the listed building. A Public Inquiry was held and the appeal against the decision of the local authority was allowed. The Inspector commented that the approval under Ecclesiastical Exemption had established an “authorised position” which should have been taken into account by the local authority when dealing with the planning application. In our view this is an important test case.

Unusual Cases

Haddenham – Thame and Watlington (02/30)

The rebuilding scheme arose following the unfortunate collapse of part of this wickert building (reputedly the tallest building of this type of construction in the country) while repairs were being carried out. Although the local authority raised objection to the specification, the scheme was approved, albeit with some modification and clarification of details. A generous grant from English Heritage assisted with the cost of restoration.

Walcot – Bath (07/13)

The modest scheme for the provision of a wheelchair access ramp at the front of this fine 1815 chapel was acceptable to all of the consultees, including the Georgian Group who noted that it would have “minimal impact” on the exterior. The local planning authority failed to respond and it was therefore distressing for the managing trustees when the planning application for the same work was refused. An appeal against the decision is proceeding.

Blackwell Trinity – Bromsgrove (05/19)

The decision to close this chapel meant that there was a potential threat to the fine paintings (mounted on panels) by Bernard Sleight if left in an unoccupied, unheated building. All consultees recognised the dangers to the paintings and were agreeable to their removal, subject to a suitable home being found for them. It was not possible to find somewhere local and they were put into temporary storage after expert restoration. The managing trustees of **Methodist Central Hall Westminster** have subsequently purchased the paintings which will go on permanent display at Central Hall.

Enforcement

Unfortunately it was necessary to take action to remedy unauthorised works at two listed chapels. At **Westborough, Scarborough** it was brought to our attention that a cast iron downspout had been replaced in uPVC and that cellar windows had been blocked. The managing trustees were asked to submit a retrospective application for their retention. It was agreed that the blocked windows could stay but the downspout required replacement. Action to secure compliance is still continuing.

At **Wesley, Reading**, two original timber windows were replaced with aluminium units. The managing trustees acknowledged their mistake and immediately agreed to replace them with appropriate timber windows to the original pattern. No formal action was necessary.

General Principles

As a result of our experience with these schemes and other schemes which are still under consideration, it is possible to make some general comments about the type of alterations which are generally acceptable in listed buildings.

Alterations to entrance areas, vestibules and other spaces inside the main doors of chapels are generally acceptable to the conservation bodies, particularly when they are sited under galleries. This stems from a recognition that the interior of chapels were generally designed to be seen when seated and looking forward and therefore alterations around the entrance do not affect the interior character significantly.

There is rather more concern about alterations to communion areas, although it appears to be generally accepted that the need for greater flexibility justifies the enlargement of communion areas, provided that original communion rails are retained, usually by being made capable of temporary removal. The removal of some pews from the front of chapels is generally acceptable. The loss of pulpits and organs is generally, however, strongly resisted as these provide the major focal points of historic interiors.

The total removal of all pews (or all ground floor pews) usually results in some objections, particularly when the pews are of an early date. The removal of later pews is often regretted because of their contribution to the character of the interior, but seldom results in a strong objection, particularly when representative examples are retained. Each case is examined on its merits. Some examples are given below:

Williton - West Somerset (24/25)

Most of the consultees expressed concern over the loss of the majority of ground floor pews. It was agreed that their loss was regrettable but the need for flexibility was an overriding factor in this case, there being no ancillary accommodation.

Dursley - Stroud and Dursley (07/11)

Many of the consultees expressed regret at the proposed removal of the majority of the ground floor pews. There was clear evidence, however, that they were from a later refitting and, although adding to the overall character of the interior, were of no particular merit in themselves. The scheme approval was conditional on the retention of sample pews, including the unusual canted pews.

Porthleven - Mounts Bay (12/15)

The initial plans for the re-ordering of the interior of this II* chapel included the removal of several rows of pews and the realignment of other blocks of pews.

Concern was expressed over this element of the scheme because of the remarkably unaltered nature of the interior. Negotiations with the managing trustees resulted in an agreement to retain the majority of the pews in their original locations.

The idea of a full horizontal sub-division of galleried chapels, with an upper-level worship area and ancillary rooms below, remains a popular approach for many of our congregations. It is seen as a particularly practical way of reducing the maintenance and running costs of a large volume. Such an approach is often the most damaging type of alteration that can be considered for a historic chapel interior, as it usually destroys the sense of space, alters the proportion and results in the loss of the majority of the fittings. It is therefore not surprising that the various consultees almost always put up very strong objections to such schemes.

A preliminary scheme at **Mumbles - Swansea and Gower 08/18**, however, has been an exception. Proposals for a major scheme which included a horizontal sub-division were well advanced when the building was spot-listed. A visit to the chapel to discuss the proposal resulted in a review of the details, followed by an informal consultation to the Amenity Bodies and the LBAC. In this case, no objection was raised to the principle because of the specific physical characteristics of the building which meant that the insertion of a floor could be achieved without seriously compromising the building's special interest. A final scheme has yet to be received.

Internal alterations to ancillary premises are generally uncontroversial, but extensive demolition or new extensions can be more difficult. Many of our schoolrooms and ancillary spaces are of later date than the associated chapels, are to the rear, and are of lesser architectural value. If however, they form part of the curtilage of a listed building then they too are effectively "listed" and may not be altered or demolished without consent under Standing Orders. Again, buildings in conservation areas may make a valuable contribution to the character of the area and careful consideration will need to be given for proposals to alter or demolish them. In some cases, however, the schoolroom is the earliest building on the site, having originally been the chapel. Also by the late nineteenth century whole complexes of chapel, halls, vestries and other spaces were being designed as a unified whole. In these situations alterations and extensions may not be straightforward.

As a result of the Disability Discrimination Act, accessibility is an issue of growing significance. Many of our older chapels were badly designed in terms of providing access for all, and finding ways of overcoming shortcomings may not be straightforward. Eighteen of the schemes dealt with were solely or principally concerned with the provision of facilities for those with disabilities. There is sometimes a tension between the need to provide access and the impact on the character of a listed building. Difficulties often occur where the main elevation of the building is symmetrical. A number of the schemes

received required some amendment to minimise their impact on the appearance of the listed building.

Guidance Notes

A series of guidance notes has been produced to assist managing trustees when considering alterations to a listed chapel. Some of the main topics are listed below. It is intended that further notes will be produced to cover other topics as required.

1. A guidance note on the subject of removal of pews was agreed by the connexional Property Committee on 1/10/96.
2. It is the general practice that where consent is given to remove fittings it is a condition of the consent that a photographic record is made prior to removal. A detailed guidance note setting out the required standard is issued with the approval notice where appropriate. This requires a set of archive photographs to be deposited with the Methodist Property Office and with a local archive such as the County Records Office. During the year, six approvals had this condition imposed. Where consent is granted for the removal of fittings, a standard condition is imposed requiring that the fittings are to be offered for sale if they are not to be used elsewhere. In the case of the wholesale removal of pews, samples are to be retained within the building.
3. Where Managing Trustees intend to submit an application for significant changes to a listed chapel they are now required to prepare Statements of Significance and Need to accompany the application. These are to be two separate documents, one balancing the other. The purpose of this is twofold:
 - i. To help the church to assess in their own words the things which comprise the special significance of their building, be they architectural features, fine furnishings, an attractive setting or a high quality organ, and to contrast and compare this with the perceived needs which are to be fulfilled through the proposal.
 - ii. To enable those charged with considering the application, the LBAC, secular authorities and interest groups, to form their opinions quickly and fairly, equipped with the basic facts, secure in the knowledge that the church has a clear idea of its chosen direction and the consequences of this.

The response to this requirement has been encouraging with many helpful submissions, all of which have assisted with the decision making process.

4. A guidance note is available "Disability Access Provision in Historic Chapels", which gives guidance on the range of measures which should be considered.

Liaison with English Heritage/CADW

The impact of the opening of the nine English Heritage regional offices on the consultation response rate has been maintained. In 1999 there was a response rate of 39% to consultations. During 2000 the rate had shown a marked improvement, up to 61%. In 2001 there was a further improvement to 70%. In 2002 the rate increased to a commendable 87%. The development of closer working links with case officers in the different regions has been beneficial and has probably contributed to the increased response.

Marion Barter in the Manchester office of English Heritage continues as the officer responsible for liaison with the Methodist Church. Regular contact is maintained on both specific and general matters.

In Wales, Cadw has continued to give us advance notice of buildings proposed for listing. This welcome procedure has enabled dialogue to take place with managing trustees so that the implications of listing are fully understood. It has also resulted in revisions to list descriptions and clear statements of the extent of the listed items. At present, there is no such system employed by English Heritage and we still see cases where spotlisting takes place. On occasion this causes extreme difficulties for managing trustees where redevelopment proposals are well advanced and it has resulted in substantial additional fee costs. It is still hoped that English Heritage will adopt the same helpful approach as Cadw.

A major conference on the historic environment of Wales, subtitled *An Asset for the Future*, was hosted by the Minister for Environment of the Welsh Assembly Government in July. The Methodist Church was invited to attend and was represented by the Conservation Officer.

Review of Ecclesiastical Exemption

It had been expected that the second review of Ecclesiastical Exemption would take place during the year. It was postponed, however, and is now expected to be carried out during 2003.

Photographic Database

The Property Office has an extensive collection of photographs and slides of chapels. In the long term it is intended that the photographs of listed buildings will be available for viewing via the Internet. The photos will be linked to data about the buildings themselves, including the list description. The process of digitising the photographs has started and is 60% complete (this comprises c. 4500 images) but it is likely to be some time before the final system is available.

A Stitch in Time

During 2002 a new grant scheme was introduced specifically aimed at essential repairs to listed buildings. The purpose is to encourage managing trustees to look, not just at repairs which may be necessary, but also general improvements. Strict criteria are applied so that deliberate neglect or lack of diligence in carrying out the recommendations of the quinquennial report is not rewarded.

Conclusion

In general terms the system appears to be working well. Continuing publicity seems to have been effective and there is a general recognition of the way the system works. It must be recorded, however, that despite regular reminders, there is still ignorance in some quarters about the correct procedures to be followed. It is vital that District and Circuit Officers continue to give procedural guidance as appropriate to improve the level of awareness. A careful check of Schedule 1 generally identifies potential problems with listed and conservation area chapels. It continues to be the case that most schemes considered under the Ecclesiastical Exemption procedures are uncontroversial and can be approved without any appreciable delay. Where the concerns of the conservation bodies and the LBAC have been raised it has generally been possible to find a way forward which respects the character of the building and still meets the aspirations of the congregation. This has been achieved as much by the ingenuity of architects as the commendable willingness of the managing trustees and congregation to consider other solutions.

Inevitably there are aspects of some schemes where it is not possible to reconcile the requirements of the local congregation and the wishes of the statutory consultees. To help minimise such areas of potential conflict we recommend early consultation with the Conservation Section whenever a scheme is being considered.

IS/PH, April 2003