

REPORT TO CONNEXIONAL PROPERTY COMMITTEE

ECCLESIASTICAL EXEMPTION

Report on the work of the Conservation Officer and the operation of Section 98 Procedures, 2003

This is the ninth 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 2003, 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 2003 will often result in schemes being submitted in later years.

During 2003, schedules were received for 154 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-five chapels during the year, either to discuss ideas for schemes or potential schemes or to see completed schemes.

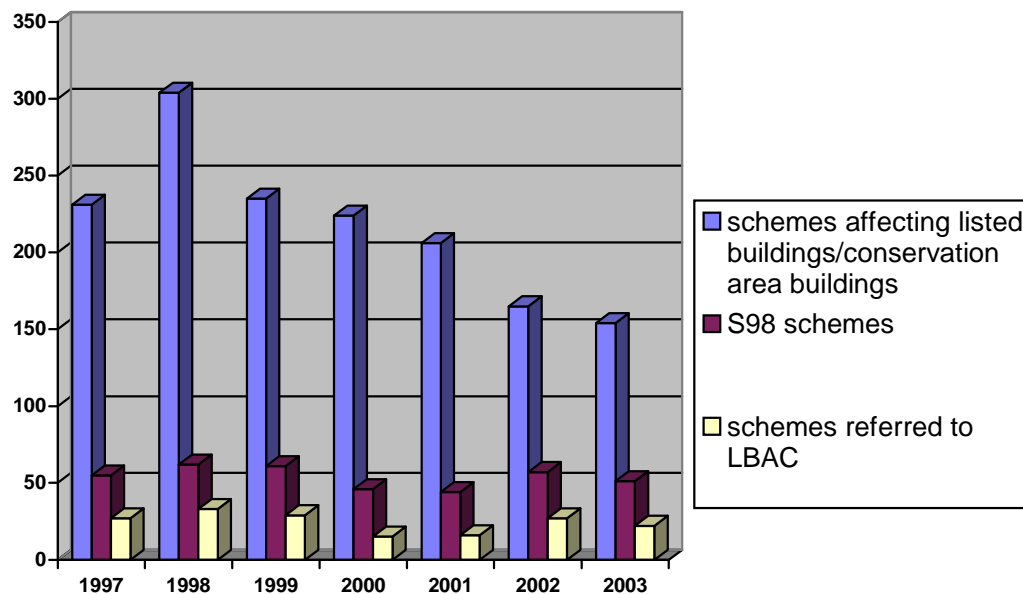
These initial discussions are an important element of the process. It is often possible to advise churches not to proceed with inappropriate options at an early stage and thus save time and energy. Similarly, schemes can often be modified to reduce the impact of changes to historic fabric. This is much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

Fifty-one schemes successfully completed the procedures set out in Section 98 of Standing Orders during 2003 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-one schemes, three were in respect of a grade I building, one for a grade II* building, 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 also been a slight reduction in the number of section 98 schemes but, as can be seen from the table below, S98 schemes and those referred to the LBAC remain fairly constant.

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-two of the schemes completing the procedures during the year were considered by the LBAC. This number is lower than the number of schemes dealt with by the LBAC in the previous year (27). 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 2003, four of the fifty-one schemes that successfully completed the Section 98 procedures were within Wales. Cadw responded on all schemes raising no objection to three of them but considered that the loss of the porch at **Llangollen** would "seriously undermine the historic character". Of the remaining forty-seven schemes, English Heritage commented on forty-four, ten 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 **Sapcote** the objection was to the removal of pews and a vestibule window from the ground floor. At **Elland** there was objection to the use of polycarbonate

window protection, and at **Cheltenham** objection was raised to the replacement of the front doors. The Ancient Monuments Society responded on thirty-six schemes, giving detailed comments on fifteen of them. Objection was raised to the loss of the Sunday School building at **Sandbach** but here listed building consent for demolition was granted by the Local Planning Authority. The Georgian Group commented on only one scheme, (in this case the informal consultation) on **Crich Wesley** where objection was raised to the preliminary scheme. No formal representation was received on the greatly revised resubmission. On sixteen 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, including two on a grade I building. The Victorian Society responded to thirty-nine of the consultation requests, with two deferrals. Two schemes were opposed; those at **Sandbach** (expressing the same concerns as the Ancient Monuments Society) and **The Grove** where the scheme was revised substantially before approval was given. On three occasions concern was expressed over the loss of pews but no formal objection was raised.

Local Planning Authorities responded to thirty-eight of the requests for comments. Twenty-two of these representations merely indicated that they had no objection. Eleven comments were made on matters of detail. Two schemes were actively supported. Three objections were raised: at **Great Horton** to the window grilles, at **Bethesda, Cheltenham** to the new doors (a revised scheme was approved) and at **The Grove** (see above).

Three schemes produced representations from the general public. At **Llangollen**, five letters objecting to the scheme were received, together with 19 duplicated letters and a petition signed by 31 people. At **Sapcote**, twelve letters of objection were received and forty-four letters from church members were received supporting the proposals. One letter was received for the scheme at **Crich** urging minimum change.

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. Thirteen schemes completed the Section 98 procedures within only eight weeks, compared to fifteen in 2002. Seven of the fifty-one

schemes completed the procedures within nine to twelve weeks, with a further five taking between thirteen to sixteen weeks. The remaining twenty-six took over sixteen weeks, an increase from nineteen schemes in 2002. 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 **The New Room** where it took over three years before the redecoration scheme was approved. This was not because the proposal was particularly controversial but because a paint analysis had to be carried out. Also other schemes were proposed at the same time giving rise to a request that a Conservation Plan should be prepared and agreed before any individual schemes could be approved. Some other major schemes such as those at **Victoria** (Sheffield) and **Mumbles** took up to two years before approval was given, partly due to the complexities of the schemes and the need to resolve many matters of detail as well as the need to secure major lottery grants. Conversely some major schemes received approval in a relatively short timescale because of the extensive negotiations, perhaps including an informal consultation, which were carried out before a submission was made.

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

Tottington

A scheme to demolish the chapel and separate Sunday School and replace them with a new building on the schoolroom site was abandoned when both buildings were spotlisted. A decision was taken to sell the schoolroom and provide all the necessary facilities within the chapel. Inevitably this resulted in a radical scheme of alteration but all the consultees recognised that the principle was acceptable to secure the long term future of the building. After extensive negotiations with the managing trustees and their architects the scheme was approved subject to various conditions.

Crich

The chapel at Crich is an important, early Methodist building dating from 1765. A preliminary scheme was prepared which included the removal of the (possibly) original pulpit, alterations to the gallery containing early box pews and changes to the front elevation. An informal consultation was carried out. All of the consultees and the LBAC thought the scheme was unacceptable and a more sensitive scheme was requested. A heavily revised and much more sympathetic proposal was received and approved.

Sapcote

This is another scheme where difficulties arose because of the spotlisting of this Arts and Crafts chapel. The proposal involved the construction of a new

link between the chapel and hall, together with alterations to the worship area. A number of objections were received, some from consultees and some from members of the public. Most objections related to the loss of the organ and ground floor pews and to the design of the link. Subject to the retention of sample pews it was agreed that, on balance, clearance of the remainder was justified to allow flexibility and space for wheelchair users. The organ was a later addition, of different design and timber and its asymmetric position meant that it sat awkwardly within the choir gallery. It was felt that its loss would not harm the character of the building. The scheme was approved subject to conditions.

Talbot Lane

The chapel is an important landmark in Rotherham and is a building of high quality by Morley and Son. The congregation had dwindled and were unable to maintain this fine building. A radical scheme involving the insertion of three floors to house a community cafe and offices in the “west” end for the voluntary sector was put forward, supported by a Conservation Plan and statements of significance and need. The consultees accepted the need to take action to ensure the retention of the building, but understandably expressed concern over the loss of many elements of the fine interior. Lengthy negotiations resulted in many changes to important details and secured the retention of and re-use of many fine features. The scheme was eventually approved subject to a number of conditions.

Llangollen

Following the grant of planning permission and connexional approval for alterations to this chapel, the only known chapel by Morley and Son in Wales, the connexional Property Committee was notified by Cadw that the chapel was being considered for listing. The matter was discussed with the managing trustees, no objection was raised and the listing went ahead. The scheme seemed relatively modest: the partial reordering of the worship area, enlargement of the lobby to form a crèche and the remodelling of the existing porch. Nevertheless, there was orchestrated opposition from local residents who wanted to see no change whatsoever and also from Cadw who objected to the works to the porch. The Ancient Monuments Society took a different view on the proposed alterations to the porch expressing the view that it could be “quite successful in visual terms”. Various details were amended and the scheme was approved subject to conditions.

Victoria (Sheffield)

This is a large, prominent chapel in the Gothic Revival style, dating from 1899. As a result of the sale of the adjoining Sunday School there was a need to accommodate all the church’s activities in the chapel. There was also a desire to make space available to local community organisations. The resulting scheme was one of a vertical subdivision which allowed the creation of an upper level hall, albeit at the expense of the loss of the “west” gallery. It meant, however, that the full height of the worship area could be retained, although with the loss of some fittings, including the majority of the pews. The consultees who responded raised no objection to the principles.

Refusals and Appeals

Victoria (Sheffield)

This was not a refusal but the managing trustees submitted an appeal against the condition to submit "...a detailed scheme for the retention of the pulpit and the font..." Initially they wanted to remove both items completely but it was subsequently agreed that the font would be relocated in the north transept. As part of the appeal process a suggestion was made for the relocation and adaptation of the pulpit. This was accepted and the appeal was withdrawn.

Great Horton

Here, galvanised steel grilles were fitted over the majority of the ground floor windows without consent. The managing trustees were advised that, although the principle of window protection was acceptable, the design was unacceptable. They were invited to submit a retrospective application which was refused, strong objections coming from the local planning authority and the LBAC. The Ancient Monuments Society did not formally object but commented on the inappropriate design and its negative effect on the appearance of the building. A sub-committee of the LBAC has reviewed the original recommendation to refuse the scheme and concluded that the original recommendation should stand.

Hinde Street

It was proposed to install a window in memory of Lord and Lady Soper in one of the main windows in the worship area. No objections were raised by consultees (although some concerns were expressed), the LBAC considered the scheme inappropriate and recommended that the application be refused. The managing trustees appealed against the decision and a visit was carried out by a sub-committee of the LBAC whose conclusion was that they upheld the original recommendation of the full committee.

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. Two examples are given below:

At **Landulph** the scheme was for the removal of the two front, central pews and the rear central pew. The purpose was to give more space for circulation and conducting weddings and funerals. Although the Victorian Society expressed regret at the loss they accepted the practical need for the change

A scheme at **Churchill Memorial** was for the removal of the pews within a transept to provide space for wheelchair users. Consultees again regretted the loss of the pews but raised no objection. A condition requiring the completion of a photographic record was imposed.

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. One scheme, however, proved an exception to this general rule.

Mumbles

The Conservation Officer advised the managing trustees that their suggestion of a horizontal subdivision was unlikely to be acceptable. Nevertheless, they were invited to prepare preliminary proposals to allow an informal consultation to take place. The responding consultees, Cadw and the Ancient Monuments Society, as well as the LBAC, agreed that, in this particular case, the principle could be acceptable because of the architectural form of the building. A more detailed scheme was prepared and, after some modification, it was eventually approved subject to a number of conditions. A Conservation Plan and a detailed supporting statement helped in assessing the proposal.

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. In the case of **Sandbach** the local planning authority took the view that the proposed demolition of the Sunday School (a separate building in the curtilage and referred to in the list description) fell outside ecclesiastical exemption. This was vigorously disputed by the connexional Property Committee; nevertheless the managing trustees submitted an application to demolish to the local planning authority which was approved. 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. Twenty-six 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, eight 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%. 2003 saw a further improvement to 94%. 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.

We were consulted closely on the production of the excellent updated guidance note "New Work in Historic Places of Worship". It was gratifying to

note that some of our comments were incorporated into the final text and that an illustration of a reordered interior of a Methodist chapel was shown, that of **Truro**.

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 (see the schemes for **Tottington** and **Sapcote** above). It is still hoped that English Heritage will adopt the same helpful approach as Cadw.

Review of Ecclesiastical Exemption

It had been expected that the second review of Ecclesiastical Exemption would take place during the year. It was again delayed, however, a preliminary statement was sent to the Department for Culture Media and Sport which outlined all of the measures put in place in response to the recommendations contained within the Newman report. The formal consultation on the future of Ecclesiastical Exemption was launched by DCMS on 25th February 2004. The consultation period lasts until 31st May 2004.

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 is 95% complete (this comprises c. 4500 images, the next step is the scanning of the slides) 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. During 2003 grants totalling £31,700 were offered towards ten schemes with an overall value of £1,025,000.

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, March 2004