

REPORT TO CONNEXIONAL PROPERTY COMMITTEE

ECCLESIASTICAL EXEMPTION

Report on the work of the Conservation Officer and the operation of Section 98 Procedures, 2004

This is the tenth 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 2004, 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 2004 will often result in schemes being submitted in later years.

During 2004, schedules were received for 200 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-three chapels during the year, either to discuss ideas for schemes or potential schemes or to see completed schemes.

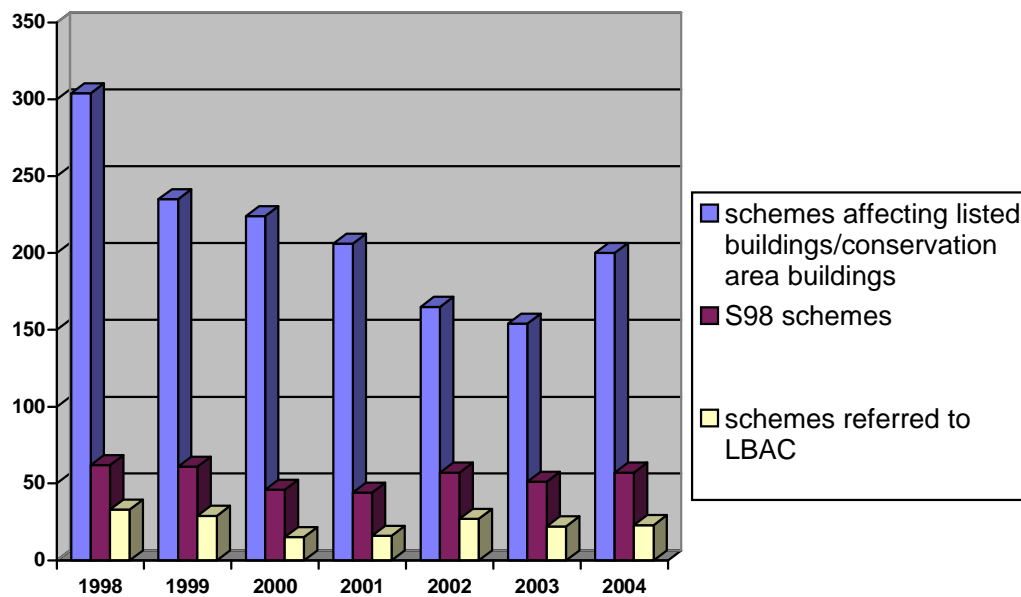
These initial discussions are an important element of the process. It is often possible to advise churches not to proceed with inappropriate options at an early stage and thus save time and energy. Similarly, schemes can often be modified to reduce the impact of changes to historic fabric. This is much 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 2004 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, two were in respect of a grade I building, ten for grade II* buildings, the remainder grade II.

Table 1 below shows that there has been an increase in the overall number of schemes affecting chapels which are listed or in conservation areas. There has been a slight increase 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-three of the schemes completing the procedures during the year were considered by the LBAC. This number is one higher than the number of schemes dealt with by the LBAC in the previous year (22). 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 2004, four of the fifty-seven schemes that successfully completed the Section 98 procedures were within Wales. Cadw responded on all schemes raising no objection to any of them. Of the remaining fifty-three 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. The Ancient Monuments Society responded on forty-seven schemes, giving detailed comments on eleven of them. Objection was raised to the proposed removal of the ground floor box pews at the **New Room**,

Bristol. The Georgian Group commented on ten schemes, raising strong objection to the proposed removal of the ground floor box pews at the **New Room**, Bristol. The Victorian Society responded to thirty-five of the consultation requests, with two deferrals. One scheme was opposed; the relocation elsewhere in the building of two of the Edgar Wood choir pews at **Lindley**. 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. Nineteen of these representations merely indicated that they had no objection. Fourteen comments were made on matters of detail. One scheme was actively supported. Three objections were raised: at **Gosforth** to the extensions, at **Grange-over-Sands** to the alteration to the main doors and at **Beaconthorpe** where the demolition of the former chapel, adjacent to the listed building, was opposed.

Four schemes produced representations from the general public. At the **New Room**, four letters were received in support of the proposal and thirteen objections. At **Overstrand**, one letter of objection was received regarding the details of the window design. One letter of objection was received for the scheme to remove two pews at **Wymondham**. At **St John's, Burlington** four objections were received in relation to the removal of rear pews to allow the enlargement of the vestibule.

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. Nine schemes completed the Section 98 procedures within only eight weeks, compared to thirteen in 2003. Thirteen of the fifty-seven schemes completed the procedures within nine to twelve weeks, with a further nine taking between thirteen to sixteen weeks. The remaining twenty-six took over sixteen weeks, an increase from nineteen schemes in 2003. 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 forty six months before the scheme to remove the ground floor box pews was refused. This was partly because the proposal was particularly controversial

but also because a Conservation Plan had to be completed. Some other major schemes such as those at **Overstrand, Trinity, Gosforth** and **St John's, Burlington** took up to eighteen months 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

Trinity, Gosforth

A scheme to demolish the chapel and attached halls and replace them with a new building was abandoned when the buildings were spotlisted. A decision was taken to demolish the ancillary buildings and construct new ones and reorder the chapel. There was a divergence of opinion amongst the consultees. The Ancient Monuments Society considered that the scheme had much to commend it but the Victorian Society had reservations about the design of the new build elements. The local planning authority also had serious concerns about the new welcome centre. The Listed Buildings Advisory Committee looked at the scheme on four occasions; such were the complexities of the case. The need to provide additional accommodation for the large congregation (480) formed by the amalgamation of three congregations gave weight to the need for the scheme. After extensive negotiations with the managing trustees and their architects the scheme was approved subject to various conditions. Despite the listed building aspects of the scheme being approved the local planning authority raised objection when the subsequent planning application was submitted.

Easton, Portland

The chapel at Easton is an important Art Nouveau building dating from 1905. It is listed grade II* and has a richly detailed and largely intact interior. The scheme consisted of extensive repairs and alterations to improve accessibility. All of the consultees and the LBAC thought the scheme was generally acceptable but the Victorian Society were concerned about the loss of some pews. A number of details were revised and further issues dealt with by condition, including the provision of full photographic record.

Overstrand

This is the only known non-conformist chapel designed by Sir Edwin Lutyens and dates from 1898. The scheme involved the rearward extension of the building to provide a hall, toilets and entrance lobby. The Lutyens Society was consulted directly in addition to the usual consultees. Lengthy pre-application discussions were held to refine the basic form and no objections to the general

principles were received. Both the local authority and Overstrand Parish Council expressed concerns over the details of the clerestory windows. In view of the fact that the Lutyens Society was satisfied with the design it was felt appropriate to approve the scheme.

New Room, Bristol

This is undoubtedly the most controversial scheme to have been dealt with under the current system of Ecclesiastical Exemption. The proposal was for the removal of the entire block of ground floor box pews and their replacement with backless benches and, on special occasions, chairs which would normally be stored. The New Room, otherwise known as John Wesley's Chapel, is probably Methodism's most significant building. It is the first purpose-built Methodist building, dating from 1739 and has direct links with the Wesleys and the beginnings of Methodism and it is listed grade I.

The removal of the pews was first submitted in 2000 but the LBAC was of the opinion that it could not be considered without a more complete understanding of the building and its significance. The managing trustees were invited to prepare a conservation plan. A formal consultation was carried out at this stage. All of the consultees raised strong objection to the proposal. The Chapels Society also objected and a further thirteen individual letters of objection were also received. Four letters of support were received.

Following receipt of the final version of the conservation plan and additional supporting information in 2003 a further consultation was carried out. English Heritage and the local planning authority revised their position, both considering that removal could be allowed subject to the careful dismantling of the pews and their storage for possible reinstatement in the future. The matter was debated at length by the LBAC but no clear advice emerged. The Connexional Property Committee took the view that it was important to issue a decision. A decision to refuse the application was taken on the basis that a convincing case had not been made for the significant alteration of this unique building.

An appeal against the decision has been lodged by the managing trustees.

Refusals and Appeals

Great Horton

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 reviewed the original recommendation to refuse the scheme and concluded that the original recommendation should stand. The appeal therefore moved to the next stage, that of an informal hearing. The appeal was held at the chapel. After hearing evidence from both sides the Appeals Panel decided that decision to refuse the scheme should stand and

the managing trustees were given eighteen months to replace the grilles with ones of appropriate design.

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. Following this advice the managing trustees reviewed the position and decided to withdraw the appeal.

New Room

As noted above, an appeal has been lodged against the refusal of permission to remove the ground floor pews.

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 **Wymondham** the scheme was for the removal of the two front, side pews and the rear central pew. The purpose was to give more space for wheelchair users. No objections were raised.

The scheme at **Trinity, Gosforth** included the removal of all the ground floor pews. Only the Victorian Society regretted the loss of the pews but raised no objection.

The Victorian Society also expressed their concerns over the loss of pews from one of the transepts at **Easton**, believing the works to be unnecessary, but no formal objection was raised.

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.

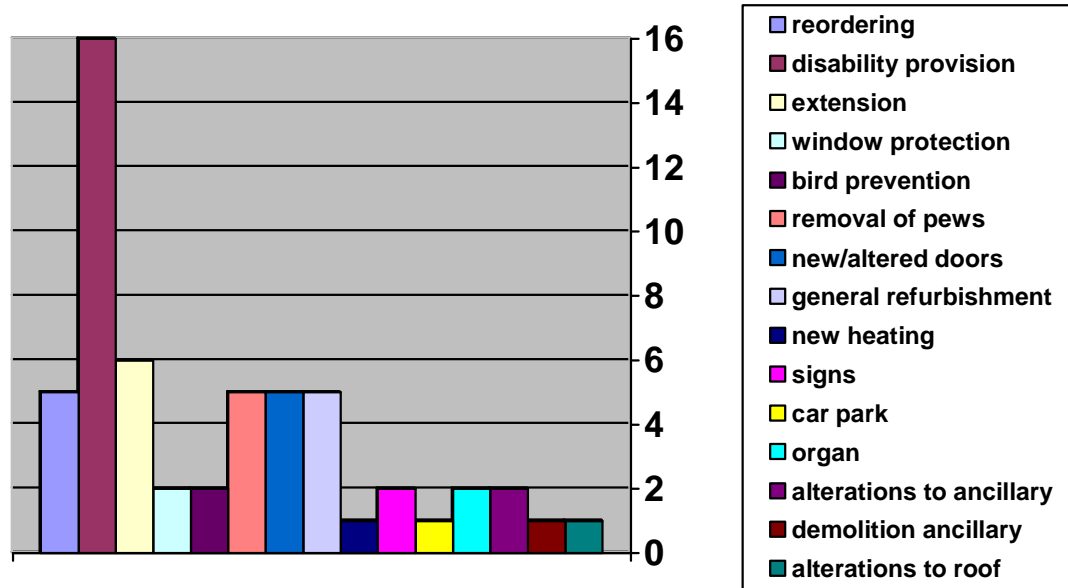
Internal alterations to ancillary premises are generally uncontroversial, but extensive demolition or new extensions can be more difficult. Many of our schoolrooms and ancillary spaces are of later date than the associated chapels, are to the rear, and are of lesser architectural value. If, however, 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. Sixteen 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.

The following table illustrates the main types of scheme received during the year.

Table 2



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 and has been updated regularly since.
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 response rate has dropped slightly to 91% but this is still excellent. The development of closer working links with case officers in the different regions has been beneficial and has probably contributed to the increased response. It will be interesting to note if the reorganisation of the regional offices has any impact on the response rate during next year.

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 hoped that the review of the listing process will resolve this long-standing problem.

Review of Ecclesiastical Exemption

It had been expected that the second review of Ecclesiastical Exemption would take place during the year. The formal consultation on the future of Ecclesiastical Exemption was launched by DCMS on 25th February 2004 and ended on 31st May 2004. A preliminary meeting with the DCMS was held together with the other exempt denominations.

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 are linked to data about the buildings themselves, including the list description. The process of digitising the historic collection is now 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. In the meantime, work continues on newly received material and identifying gaps in the collection which need to be filled.

“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 maintenance and 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 2004 grants totalling £16,000 were offered towards eight schemes with an overall value of £72,000. This was a disappointingly low level of take up.

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, February 2005