

**Item B. 1**                      **06/00099/FUL**                      **Permit Full Planning Permission**

**Case Officer**                      **Miss Caron Taylor**

**Ward**                                      **Eccleston And Mawdesley**

**Proposal**                              **Demolition of existing outdoor store/toilets and erection of Sunday school/meeting rooms/kitchen and toilet facilities.**

**Location**                              **Church Of The Blessed Virgin Mary Towngate Eccleston Lancashire**

**Applicant**                              **Blackburn Diocese Property Board**

**Proposal:**                              The application is for the demolition of existing outdoor store/toilets and the erection of a Sunday school/meeting rooms/kitchen and toilet facilities.

**Background:**                              The Church of the Blessed Virgin Mary is Grade II\*, placing it among the cream of listed buildings nationally. The sizeable graveyard provides a green setting for this mellow red sandstone building and gives views onto the open countryside. The existing outbuilding stands on the edge of the graveyard, hidden behind a substantial red sandstone wall and, although prominent from the adjoining fields, its impact on the countryside is also muted because the south facing elevation is blind.

**Planning History:**                              The only planning history relevant to the application is two previous applications that were withdrawn. These were also for meeting rooms and associated accommodation:  
 04/00006/FUL  
 04/01467/FUL

**Planning Policy:**                              HT3: The Setting of Listed Buildings  
GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats  
PS2: Provision, Improvement and Protection of Community Centres and Village Halls  
DC1: Development in the Green Belt  
HT12: Sites of Regional and Archaeological Importance

**Applicants Case:**                              Information accompanying the application states that the church are desperate to construct the modest facilities they are applying for on the site of their existing outdoor store and toilets. A meeting has been held in the church of all the potential user groups and the church was full of people looking forward to the community benefits that the building will provide.

A building is required within close proximity to the church, to provide facilities for Sunday school, toilet facilities, meetings, refreshments etc. The Church did have a Church Hall site on Lawrence Lane in Eccleston, but it was remote from the church and therefore unsuitable for use in conjunction with Church services.

Unfortunately, the Church finances are very limited; the only asset they possessed was the church hall site. This site had been

declining over many years, due to lack of support and was in a dangerous condition. The Church, in the first instance, sought help from the Council to buy the site at a reasonable price, in order to raise sufficient funds to finance the building of the facilities adjacent to the church. After many meetings, the Council finally offered the Church a nominal amount, based on amenity land values. Such a small offer fell well short of covering the cost of the proposed works and the Church was left with no alternative but to offer the site for sale on the open market.

Because the church hall site was blighted by two planning policies, one relating to open space and the other relating to the church hall site also being designated as the village hall site, this meant that the whole site had to be offered for sale in order to raise sufficient funds to progress the community works at the church. The site has now been sold and the Church now has sufficient funds to construct the building now being considered for planning approval.

The proposals are supported by the Diocesan Advisory Committee (DAC) and will obtain a faculty approval, should planning permission be granted.

The Church has sought to make sure the proposals are modest and in keeping with its setting in the Green Belt within the grounds of a listed building. The proposals replace an existing outdoor store and toilet building, although the footprint of the new building is slightly larger than the original building. No trees are to be felled or graves disturbed as a result of this proposed development.

**Consultations:**

Society for the Protection of Ancient Buildings

The Society for the Protection of Ancient Buildings (SPAB) state that they believe the design of the proposals is very poor indeed. The new facility site within the curtilage of a Grade II\* listed church and should aspire to enhance the setting of the church and echo the quality of the existing building. The current design is of little architectural merit and they remain disappointed that the architects have not taken the opportunity to create a new building of a much higher standard.

Whilst they note the inclusion of a small window in order to provide a token amount of natural light into the lobby, they still suggest that the design does nothing to lift the spirit and foster any sense of place. It seems that the long narrow corridor marked 'entrance' on the plan has been retained in the current design. They therefore have to state their view that surely one would rather enter directly into a lobby space rather than having to negotiate three doors to reach one of the meeting rooms. Doing away with the entrance corridor would also allow more daylight into the lobby space.

In conclusion they believe that the application is a lost opportunity. The potential to create an interesting and exciting building on this site has not been taken up. They would therefore recommend that the applicant reconsider the design of this new facility and perhaps think about a simpler, more modern structure which might better reflect the contemporary needs of the church community.

Comments of Chorley Conservation Officer

The existing building housing toilets and a store is of no great merit and no objection is raised to its demolition. The proposed

building would feature more prominently in the setting of the listed building because it would be sited nearer to the church (the front wall some 13-15m away, compared with the front wall of the present building at 17m+ away), the existing screen wall would be demolished and a significant number of trees have recently be felled. The proposed building would be almost three times larger than the existing building in terms of footprint. Having said this, the position and general scale of the proposed building might, in principle, be bearable subject to the quality of the design.

Following much discussion, the principle issues of contention have now been addressed by:

- Introduction of a more steeply pitched roof (note: people should be made aware that this does make the overall building quite tall because it is on a larger footprint);
- Deletion of quoins and use of natural stone to match the church throughout
- Dry, pointed verges
- Simply designed and recessed windows and doors.

It has to be said that

- The siting of a clear glazed kitchen window in the north elevation facing the church is still somewhat unfortunate and;
- I still have reservations about the impact of the line of windows in the south elevation on the character of the adjoining countryside, given the proximity of this wall to the site boundary, though provision of a new hedgerow could soften the impact in time. If the elevational treatment is thought acceptable, I suggest the provision of hedging and other landscaping should be conditioned.

Subject to conditions I would raise no further objection to the proposals.

#### Lancashire County Council Archaeology

Lancashire County Council archaeologist states that the church has been in existence since the 14<sup>th</sup> century, suggesting that the surrounding churchyard is likely to have had a similar date of origin and a long history of usage as a burial place. The possibility exists therefore that the area of the proposed extension to the existing building may contain burials, which could be disturbed or damaged by the construction of the proposals.

As the area has suffered some disturbance as a result of the construction of the existing store building, is relatively small scale and is towards the edge of the churchyard, they do not recommend a pre-determination evaluation, but they would recommend that the excavations for the foundations and any new services required for the larger building should be carried out under an archaeological watching brief, with provision made for any excavation deemed necessary if significant deposits (such as burials) are located during the excavations. Such a condition will be placed on any permission in accordance with policy no. HT12.

**Representations:** At the time of writing, two letters of representation have been received. Any further letters received will be placed on the addendum.

These comment as follows:

- A window which originally overlooked the Memorial Garden and plot have been altered to give families privacy and a yew tree hedge is to be planted to show where the memorial plots begin. This hedge will hopefully grow to screen off the Memorial Garden in the future. A yew tree has also had a Tree Preservation Order placed on it and the branches of this tree will blend in with the plot.
- Concerns about the very close proximity of the proposed building edge to the memorial garden and the hedge, as the new building will be at least twice the length of the existing building.
- Concern over building work causing damage to the two front lines/rows of Memorial stones. They would like to see some temporary screening of the area whilst the building work it carried out to offer privacy and avoid builders walking over the area.
- Plans do not show the memorial garden
- There is reference to a new septic tank on the plans, will this disturb the memorial garden and how is this emptied?
- Highway safety. The car park for the church is opposite the entrance to the churchyard. How are people going to cross the road safely from the car park? The bridge on Towngate prevents traffic seeing pedestrians until the last minute and pedestrians cannot see cars coming. The increase in pedestrian traffic from the car park to the church grounds over the busy road with limited visibility, causing concern.
- The size of the proposed building would appear to be almost three times the size of the current building and this could mean it overshadows the Memorial Garden, especially the first few rows.
- Whilst it is appreciated and approve of the building of new toilets etc for the church, the plans appear rather large, given that there are already several meeting rooms available in the centre of the village for the use of the residents of Eccleston, and due to the location of the proposed building they would not anticipate it being used extensively.

Eccleston Parish Council state that whilst they have no objection to the application in principle, it is extremely concerned at the effect on the memorial garden situated in close proximity to the existing buildings. They request that a planning condition be applied to protect the memorial garden.

The Ramblers Association states that footpath number 7 is near the proposed development although the plans do not indicate the line of the footpath.

**Assessment:**

Design

The materials of the proposed building will be natural red sandstone to all external walls to match the existing listed church with natural blue/grey roof tiles. The windows will be aluminium, black powder coated to ensure the glazing bars are thin and all external doors will be oak framed, vertically timber boarded. All windows and doors will be deep recessed.

It is noted that SPAB object to the design of the proposals and suggest a more modern, contemporary building.

However, the Church of the Blessed Virgin Mary is a traditional churchyard. Although the comments of SPAB have been noted it is not considered that a very modern design would be appropriate to either the Church or the village of Ecclestone. The design that is proposed draws upon the design and materials of the church in a simplified form without upstaging the Church and is therefore considered to comply with policy no. HT3 the Setting of Listed Buildings and policy GN5 on design.

The proposals include the planting of a new hawthorn hedge on the southern edge of the churchyard on its boundary with open countryside. This will soften the impact of the building when viewed from outside the site. A new yew hedge is proposed to provide screening between the memorial garden and the building. There are two windows in the east elevation of the building, however as they serve toilets they will be obscure glazed. The only other opening in the elevation facing the memorial garden is an emergency exit.

#### Amenities

The nearest property is Hilton House, however it is not considered that the building will have an unacceptable impact on this property due to its distance from the proposals.

#### Highways

The church has a car park on the opposite side of Towngate. The parking facilities will remain the same, with the proposed building using the existing church car park facilities.

The route of the public footpath will be unaffected.

#### Green Belt

The site lies within the Green Belt where there is a presumption against inappropriate development. The proposal does not fall within one of the appropriate uses identified in the Local Plan or PPG2. It is therefore inappropriate development in the Green Belt and there must be very special circumstances that outweigh the policy presumptions against it, if it is to be permitted.

Although generally a building in this location is contrary to Green Belt policy, the issues surrounding this application are not straightforward. There is already a building on the site where the new one is proposed providing storage and toilet facilities. Although the building now proposed is larger, the existing building is surrounded by a stone wall approximately 2m in height (although this varies in height due to the surrounding land). This wall screens the entrance to the toilets but does increase the impact of the building beyond just its footprint area.

The applicant has laid out the arguments why the Church sold the former church hall site on Lawrence Lane and the new building is therefore needed. The old site was remote from the church and the facilities now proposed would be used in conjunction with church services, for example for the serving of refreshments, so needs to be in the location proposed. Therefore, whilst it must be stressed that the arguments for and against the application are finely balanced, it is considered that special circumstances exist to justify permitting it in terms of Green Belt policy.

### Provision of Community Centres and Village Halls

Policy PS2 covers the provision, improvement and protection of community centres, village halls and similar such facilities such as church halls. These provide useful facilities for a range of activities.

It is considered that the proposals comply with this policy as the building will be used in conjunction with Church services and although outside the settlement of Ecclestone is next to the existing church and will utilise its car park.

### Memorial Garden

The positions of the windows of the proposed building have been altered from a previously withdrawn application. The only openings in the west elevation of the proposed building are two obscure glazed windows serving toilets and an emergency exit. These will be screened from the memorial garden by the planting of a new yew hedge.

The agent states that the works will not involve any physical disturbance to the memorial garden. The existing septic tank will be replaced with a more environmentally friendly biodisc in the same location. There is no requirement for it to use a land drainage system as with the existing septic tank. It can therefore discharge directly into the adjacent watercourse, which will actually minimise its impact on the graveyard, compared with the present system. The size, location and colour of the biodisc tank will be conditioned for approval, as part of it does sit at ground level.

Whilst it is appreciated that there may be some disturbance to the memorial garden during the construction works, the issue of privacy to the memorial garden is an issue for the Church, it is not something that the Local Authority can control through the planning process. However, a note will be placed on any permission stating that the works are close to the memorial garden and it is recommended that a privacy screen be erected during construction, although ultimately this is up to the Church.

A Tree Preservation Order has been placed on trees around the churchyard as part of the application process.

### **Conclusion:**

As has been stated this is a very finely balanced application. The site is within the Green Belt and is generally considered inappropriate development. However, the proposals are to provide a new, more beneficial community facility in a location close to the church, which wouldn't have been achievable on the original site. The previous hall was divorced from the church and on balance it is considered that there are special circumstances to justify the granting of planning permission in this instance. The facility will be contained within the existing grounds of the church and although larger, on the site of toilet and a store. New native planting is proposed breaking up views of it from the open countryside and the memorial garden.

**Recommendation: Permit Full Planning Permission  
Conditions**

1. The proposed development must be begun not later than three years from the date of this permission.

*Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.*

2. The development hereby permitted shall not commence until full details of the colour, form and texture of all external materials to the proposed building, including mortar mix and the type, coursing and jointing of the natural stone to be used in the construction of the external faces of the building (notwithstanding any detail shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HT3 of the Adopted Chorley Borough Local Plan Review.*

3. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

*Reason: The site is of archaeological importance because of its location in the churchyard of a medieval church and in accordance with Policy No. HT12 of the Adopted Chorley Borough Local Plan Review.*

4. Notwithstanding any details shown on previously submitted plan(s) and specification, no fascias or bargeboards are to be used on the approved building.

*Reason: In the interests of the character and appearance of the building and in accordance with Policy Nos. GN5 and HT3 of the Adopted Chorley Borough Local Plan Review.*

5. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows other than those expressly authorised by this permission, or as subsequently agreed in writing by the Local Planning Authority, shall be inserted or constructed at any time in the west elevation of the building hereby permitted.

*Reason: To ensure privacy to the memorial garden situated to the west of the building and in accordance with policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

6. All windows in the buildings west elevation shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter.

*Reason: IN the interests of the privacy of the memorial garden to the west of the building and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

7. No development shall take place until a scheme of landscaping for the proposed hedging has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have been previously submitted. The scheme shall indicate the size, species, stature, distribution and location of the proposed hedges shown on plan no. 1630-13-SLP1. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation or completion of the building, whichever is sooner and the hedgerows thereafter retained, unless otherwise agreed in writing with the Local Planning Authority.

*Reason: In the interests of the amenity of the area and in accordance with Policy no. GN5 of the Adopted Chorley Borough Local Plan Review.*

8. Before the development hereby permitted is first commenced, full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.

*Reason: To ensure property drainage of the development and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.*

9. Before the development commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning

Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, cills or lintels.

*Reason : In the interests of the character and appearance of the building and in accordance with Policy No. HT3 of the Adopted Chorley Borough Local Plan Review.*

10. Before the development commences, full details of the proposed rainwater goods, including the eaves detail, to be used on the building shall have been submitted to and been approved in writing by the Local Planning Authority.

*Reason : In the interests of the character and appearance of the building and in accordance with Policy No. HT3 of the Adopted Chorley Borough Local Plan Review.*

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