

Item B. 2 **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: This application was deferred at the last Development Control Committee meeting on 27th March. This report now includes the representations that were included on the addendum of the March committee and any other comments that have since been received. It should be noted that Father Templeton has provided further information as to the use of the building, which has been added to the applicant's case section of this report.

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 of the Green Belt. 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.

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

Planning History: The only planning history relevant to the application is two previous applications that were withdrawn.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
DC1: Development in the Green Belt

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 Ecclestone, 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 assets they possessed was the church hall site. This site has 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 all the site had to be offered for sale in order to raise sufficient funds to progress the community works at 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 felled or graves disturbed as a result of this proposed development.

Additional Information

Father Templeton has provided the following information on the proposals:

He understands representations have been received concerned about disturbance to the memorial garden or the area of the churchyard reserved for the interment of cremated remains. He assures Committee that the proposed works will not entail any disturbance whatsoever to this area. Extensive repair work to the church itself has taken place recently, which was accomplished without any disturbance to the memorial garden and this will also be the case with the proposed building.

It would be wrong to suggest that persons using the new building may cause disturbances in the area. At present they do have, on occasion, people with alcohol abuse problems using areas within the churchyard for excessive drinking, but a greater footfall within the churchyard area would, he believe, lessen these problems rather than increase them. Should any problems arise with future users of the new building they could be advised that their behaviour is unacceptable. There are many other buildings in Ecclestone already capable of accommodating events such as a 21st birthday party.

Father Templeton has also provided a list of church groups, which

will use the new facilities. At present these groups are:

1. Sunday school: a thriving, growing group, presently numbering at 30 children meeting weekly, presently accommodated at St Mary's School, over a mile from the church.
2. St Mary's Choir: presently they have to share accommodation in church with bell ringers, which has been unsatisfactory for many years.
3. St Mary's Mothers' Union: some 40 members who also meet at St Mary's School at present.
4. The Christian Men's Fellowship: presently they meet outside Ecclestone.
5. Confirmation classes: presently held in the main church building, which is unsuitable for doing class-work.
6. Visiting classes of schoolchildren from St Mary's School and (occasionally) Ecclestone Primary School, who have to eat their lunch outdoors and balance writing-books on their knees, but could have safe, warm and dry facilities in the new building.
7. There are other groups who occasionally visit the church, such as bell-ringing outings, organists' visits, visiting choirs, and concerts run under the aegis of 'Spot on Rural Touring'. All these people would be likely to use the new building for gatherings. At present they are confined to the church itself and have to use the small vestry for changing, refreshments etc.
8. It is hoped to use the new building to provide refreshments for visitors in the summer time. This would enhance the profile of St Mary's and also, he would submit, encourage visitors to Ecclestone in general.
9. The churchyard is well maintained by a group of volunteers who spend many hours cutting the grass and performing other tasks. They too would benefit from having better facilities where they could take a break from their hard work.

Father Templeton would also draw Councillors attention to the large number of 'Occasional Offices' held in church - about 30 baptisms, 25 funerals and 8 weddings per year. The total attendance at these is approximately 4000 per annum and it is hoped that some of these parties may use the new facilities. At present even the limited toilet facilities for those who attend are unsatisfactory and not compliant with the Disability Discrimination Act (DDA) and some building work would be necessary in any case to provide facilities needed under the DDA.

In addition to all this 'Church' use, the new building would be available for hire by any groups who wish to do so; one condition of this would obviously be that users would have to respect the surrounding churchyard. He notes that one person has raised the matter of funding of the new building, but funding for it is already in place.

He sums up that the new building will serve well the growing needs of St Mary's Church, both with regard to the regular congregation and to those who visit the church to mark 'life-events' or for educational purposes. It will also be one more meeting place available to the wider community and its creation will enhance the churchyard, not detract from it, as it will replace a rather unsightly building.

The agent has provided an additional plan showing the proposed building in relation to the position of the nearest marked graves.

Consultations:

Society for the Protection on Ancient Buildings

The Society for the Protection on 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 we 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. We 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.

Lancashire County Council Archaeology

Lancashire County Council archaeologist states that the church has been in existence since the 14th 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 as the proposed extension to the existing building may contain burials, which could be disturbed or damaged by the construction of the extension.

As the area has 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 propose to 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.

The county archaeologist therefore recommends a condition that will be placed on any permission.

Representations:

Four third party representations have been received:

One representation from a member of Eccleston Village Hall Trust states that The Lancashire Evening Post's article reported that the relationship between the Parochial Church Council and the community of Eccleston was amenable and that they were happy with the Church's proposed development. However, this is not the

case and the information in the planning application is not, in their opinion, entirely true. The meeting referred to in their planning application did not happen as they indicated. A hand full of people from the church were invited to a meeting with the architects to discuss the proposals, however this did not include the community at large and the potential user groups that they describe are in fact only themselves, the Church. The objector is of the opinion that the Local Planning Authority is being misled to believe that the development is for the community of Ecclestone when it is in fact only for Church use.

In the interest of the village and the fact that the Church is a Grade II listed building on consecrated ground in green belt land they are of the opinion that the application should be deferred until greater clarity is sought about not only the impact on the community at large, but the impact on the Church building and Church grounds, including the landscape, graves, foliage, trees and the proposed access that would be used by any machinery, as vehicular access is very limited and also ensure that any materials that the development proposes will be used are sympathetic to the original Church construction and won't detract from the beautiful building.

A second representation has been received from a parishioner of Ecclestone who is also the chair of Ecclestone Village Hall Trust. They make the following comments:

They also express their concern over the article in the Lancashire Evening Post and believe it to be misleading as the meeting that was held at the church was not for potential user's of the facility but for church groups only. No one else from Ecclestone who could be a potential user was invited including Ecclestone Village Hall Trust. The church was not full as reported in the paper but 20 or so members of Church groups were present, to discuss minor aspects with the architect.

They have also been told that the hall is for Church users only. They state the proposals are much larger than the first plans that was sent in and they are concerned they will encroach on people's resting places (graves). In addition if the facilities are used for other functions and people have too much to drink they will end up in the churchyard. The site is in the Green Belt so is inappropriate development and totally unsuitable for a village room.

They are also concerned about the cost of the proposals, as if the money being used is from the sale of the old hall, which totalled £275,000, it would not be enough to build the new facility and this money should belong to the village as a whole not just the Church. If this development goes ahead the village will not be united but be divided further specifically because of how it will be run.

The third person has no objection to a room for Sunday school but strongly objects to meeting rooms as they had a site in the heart of the village that they let fall into disrepair. They are concerned this will happen to the proposed facilities.

The agent acting for the Church has responded to these comments as follows:

The recent meeting held at church was an opportunity for potential user groups to have an input into the internal design of the

building, particularly with regard to storage space, fixtures and fitting etc. The meeting had been advertised in the church bulletin and was well attended.

There is of course no distinction between church groups and community groups as church people are members of the community and vice versa. Many of the people who attended the meeting ran groups that served both church and community. It is cause for concern when a distinction made between church groups and the wider community.

As previously stated the money raised from the sale of the Church Hall will fully fund this new facility. The building plan is not much larger than the original drawings, some minor modifications have been made to assist disabled access.

During the four year consultation process with the Planning Authorities, great care has been taken to ensure no graves will be disturbed and respect for its setting is maintained. They are obviously aware that the proposed building is in the Green Belt next to a listed building, that is why the consultation period has taken so long, because of all the various groups that have to be consulted. St Mary's is the only church in Eccleston not to have its own church/community facilities, surely it is not unreasonable to ask for permission to build such modest facilities close to the church where they will be used.

A letter of support has been received since the last committee meeting from a parishioner. They state the church forms an integral part of the village community and the current toilet facilities are sub-standard. There is nowhere within approximately $\frac{3}{4}$ mile for the Sunday school or other organisations connected with the church to meet. Coffee after services has to be served in the church where there are no proper facilities and which is firstly a consecrated building. The proposed building will provide much needed facilities for not only parishioners but also shelter and toilet facilities for example, for mourners attending funerals. The works will be carried out under the supervision of a qualified architect by a main contractor approved by the Diocese, both of whom have considerable experience in work of this nature on sensitive sites. No graves will be disturbed. The hall will be constructed of stone to match the church and the entrance door will not be visible from the church itself, whilst providing much needed access for the disabled. There are no flagstones adjacent to the current building so they will not be disturbed. They believe the proposals will be a splendid development and an invaluable resource for the church.

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.

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 proposals 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 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.

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.

This application was deferred at the last committee. In the intervening time it has been advertised as a departure from the development plan in line with the requirements.

Subject to the receipt of no further comments or issues arising as a result of the notification the application is recommended for approval as per the previous recommendation.

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.
