

Stansted Downs **560740 162126** **25 November 2009** **TM/09/02988/FL**

Proposal: The construction of an extension to the south of the existing church building to provide accessible toilet facilities, meeting room, kitchenette and storage. Formation of a new access to the extension through the base of the church tower

Location: St Mary The Virgin Church Tumblefield Road Stansted Sevenoaks Kent

Applicant: Rev Christopher Noble

1. Description:

- 1.1 Planning permission is sought for an extension to St Mary the Virgin Church, Tumblefield Road, Stansted. The extension would be accessed via a new door opening to be formed in the south elevation of the Church tower. This new opening would lead to a glazed, green sedum roofed link. The main form of the extension is proposed to be 6.6m wide and 10m long with two additional projections, being a kitchenette to the east end (1.9m x 3.8m) and a toilet area where the link meets the extension (1.9m x 4.7m). Height to eaves is proposed at 3m and overall ridge height at 7.1m (parapet walls slightly higher). The glazed link would measure 4.7m x 2.8m and 2.8m to its highest point. Foul drainage would be provided by connecting to the mains system.
- 1.2 Gable parapet walls are proposed to each end elevation and both projections. Stone walls are proposed to match the existing Church and tiles are also proposed to match. Oak joinery is proposed to all windows and doors in the main extension. No joinery is proposed for the glazed link although two sections of glass will open up as doorways on either side with lightweight hinges.
- 1.3 The main building is proposed to be partially built into the existing graduated bank to the south of the Church.
- 1.4 St Mary the Virgin Church is Grade II* Listed. Listed Building Consent is not required as the proposal falls under Ecclesiastical Exemption. The Diocese will safeguard the interests of the historic and architectural fabric of the building. The setting of the Listed Building can, however, be considered and controlled under Planning Legislation.

2. Reason for reporting to Committee:

- 2.1 Called in by Local Ward Member due to the sensitive nature of the proposal.

3. The Site:

- 3.1 The site lies within the Metropolitan Green Belt, a designated Conservation Area and an Area of Outstanding Natural Beauty.

3.2 The Church is located on a hill, with Plaxdale Green Road to the north at a substantially lower level than that of the Church and churchyard. Tumblefield Road lies to the west and drops down to meet Plaxdale Green Road to the northwest of the site. Access to the Church is via a pedestrian gate on the western boundary. There are low level stone walls to the north, west and east and a post and rail fence to the south with dense tree planting.

4. Planning History:

TM/08/02753/FL Application Withdrawn 25 November 2009

Demolition of a small Victorian vestry to enable the construction of a single storey extension to provide a meeting room, kitchen, vestry and toilets.
Formation of a new access door at base of tower

TM/08/02754/LB Application Not 5 September 2008
 Proceeded With

Listed Building Application: Demolition of a small Victorian vestry to enable the construction of a single storey extension to provide a meeting room, kitchen, vestry and toilets. Formation of a new access door at base of tower

5. Consultees:

5.1 PC (30.12.09): Stansted and Fairseat Parish Council has considered the above application and is in favour but recognises that there is a balance of issues:

- Agree the need for the provision of toilet facilities.
- The Church needs these facilities to attract worshippers, especially families and the elderly, who would be likely to attend churches elsewhere, which already have these facilities.
- The provision of a meeting room would enable children to be looked after during services in a safe environment, close to parents. Taking them to another meeting room and returning them would involve various responsibilities under child protection legislation.
- Without modern facilities, the congregation would dwindle and the church would become redundant. The village community would be compromised.
- The site had been carefully studied and the south side of the church was the only possible position.
- There was already a meeting room in the village (the Village Hall).
- Parking is a problem. Attracting extra worshippers would make the problem worse.
- The design would detract from the existing building.

- The extension should be on the north side.
- The extension would necessitate digging up the churchyard (consecrated ground) and the resultant spoil would have to be disposed of in a special way.
- There would be an impact on the landscape and the view of the valley would be obscured.

5.2 KCC (Highways) (04.01.10): The proposals are in essence to improve the existing facilities serving the Church for the benefit of the local community. I am of the opinion that the proposals are unlikely to result in additional highway hazards.

5.3 English Heritage (11.01.10): After considerable revision over the past year or more, this scheme is now acceptable to English Heritage (EH). If planning permission is granted we recommend that conditions be imposed requiring samples of materials and large scale section drawings of the eave, verges, all new joinery and the link range to be agreed with the Local Planning Authority in consultation with EH. Our preference would be a metal rather than sedum roof to the link range in order to achieve the elegance of detailing required for this highly significant listed building. We would urge you to address the above issues, and recommend that the application be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

5.4 Listed Societies (11.01.10): SPAB: (in summary) In the Committee's view, the overall composition of the extension in the current application is much more satisfactory and they considered that the current proposals are a considerable improvement on those previously submitted for planning permission. Consider the glazed link should be replaced with an alternative design and suggest an open sided structure with a pitched roof. If achieved, SPAB would withdraw their objection to the breaking through of the medieval south wall of the tower. Opening in tower wall should be conditioned to only occur once the extension has been completed. Request condition for re-design of the link.

5.4.1 Ancient Monuments Society (AMS): We wish to commend the observations of the SPAB in this case.

5.5 County Archaeologist (04.01.10): (in summary) The Church of St Mary is of Medieval construction and was largely rebuilt c1400 and restored in the 19th Century. There is evidence to suggest that there was a church at Stansted before the Norman Conquest. Any Saxon predecessor to the present church is likely to have been located on the same site, although it may have followed a different layout or orientation and therefore buried remains may still exist in the vicinity. During the Medieval period it was also common for markets and other communal activities to take place in churchyards and there may be buried archaeological evidence for these activities. The Church yard is likely to have been used for burials for several centuries and the south side of churches, where the proposed extension is to be located, was traditionally the most favoured location for burial

and so is likely to have been subject to great demand for space. It is highly likely that numerous unmarked graves exist, possibly dating back to the initial construction of the site.

- 5.5.1 It is unclear how extensively the proposed works will affect the medieval fabric of the church and any other related features or structures. Consideration should be given to minimising the impact on the existing church fabric as much as possible. Consideration should also be given to minimising the amount of ground disturbance.
- 5.5.2 It is unclear how many burials will be affected by the ground works. A significant number of unmarked burials are likely to be encountered during the proposed works and any potential medieval burials will need to be archaeologically excavated and recorded.
- 5.5.3 It is also important to note that any ground works associated with the proposed development, including drainage works, associated services, landscaping and re-contouring, could impact archaeological remains or unmarked graves, which may be at a much shallower depth than expected by modern standards. Further details of all proposed areas of ground reduction and disturbance, including extent and depths, is needed in order to fully assess the impact of the proposed works.
- 5.5.4 Recommends additional information be submitted at this stage to ascertain how the Medieval church fabric and other related structures or features will be affected, the likelihood of impacting archaeological remains, including structural remains relating to a potential predecessor to the current church, and how many burials, particularly those of a medieval date will be affected. However, these issues can be considered by condition if a decision is required more immediately. These conditions would secure the implementation of a programme of building recording in accordance with a written specification and timetable, the implementation of a programme of archaeological work in accordance with a written specification and timetable, and the submission of details of the foundation design and other proposals involving below ground excavation; to be approved by the LPA.
- 5.6 PROW Officer (28.12.09): No response.
- 5.7 Ramblers Assoc. (04.01.10): No response.
- 5.8 DHH (28.12.09): Environmental Protection: Recommend hours of construction and deliveries informative. Food and Safety: Comments regarding the layout and facilities of the kitchenette. Waste Management: This is a business/Trade property and therefore must comply with all the Duty of Care regulation. Contaminated Land: No objection, recommend condition to require the submission of a site investigation/remediation strategy if site significant deposits or potential contamination are discovered during development.
- 5.9 Environment Agency: No objection.

5.10 Private Reps (11/27S/0X/4R): 24 letters of support received and 4 letters of objection (three of which are from the same local resident). A petition of 29 signatures has also been received against the proposal. The comments in support raise the following points (in summary):

- The lack of toilet facilities means that families with children or the elderly and infirm are restricted from services and have to attend the services at Vigo Village Hall.
- At present, those travelling long distances for funerals and wedding etc arrive with no toilet facilities available to them and there is no facility for even a glass of water to be offered.
- The meeting room will be accessible to and benefit the whole community.
- The plans are well thought out and the product of a thorough two year consultation with all the interested parties.
- The plans are sensitively drawn and the proposed building will blend in well with the existing structure and its surroundings.

5.10.1 Comments received in objection (in summary):

- Stansted Village Hall (2 mins away by car) has all the facilities required or by Stansted Assisted Church School (2 mins by foot). There is also Vigo Village Hall and Chapel.
- The existing services are carried out alternately between Vigo and Stansted and St Mary's is therefore used fortnightly for services.
- The proposed extension would destroy the view of the churchyard and disturb many unmarked and unknown graves.
- Car parking for weddings etc is currently provided for at the Black Horse Pub. If the Pub were sold off or a new land lord took over the property, there is a possibility that the car park would be unavailable.
- A smaller detached building in the grounds would be more appropriate which would provide space for the Rector to carry out interviews etc.

5.11 Press and Site Notices (08.01.10 and 17.01.10): No response.

6. Determining Issues:

6.1 The site lies within the Green Belt and the proposal represents inappropriate development for which a case of very special circumstances must be advanced.

- 6.2 The application has been submitted with a Statement of Need, setting out the lack of toilet facilities, water supply, disabled facilities and general meeting/storage space at the Church. The statement also sets out the poor heating system in the main building and a wish to better include vulnerable groups such as children and older people and accordingly toilet facilities are much needed. The only water supply at present is an outdoor tap. It is my view that the need for toilet facilities, including a disabled toilet, is a considerable factor in this scheme. There have recently been several applications permitted for toilet facilities within Churches and/or extensions to Churches within the Borough for this purpose. I therefore consider the need for adequate and inclusive toilet facilities to be a considerable weight in this scheme.
- 6.3 The need for a meeting room/storage/small kitchenette is of lesser weight in my view. However, the compact design of the proposal and innovative multi-use layout of the main body of the extension results in a development which would provide these facilities in an appropriately sized and sited addition within minimal interference with the main building.
- 6.4 The amendments to this scheme following the withdrawal of the earlier proposal have significantly reduced the impact of the proposal on the openness of the Green Belt and the setting of the Listed Building by reducing the footprint, removing the second link and omitting demolition of the existing Victorian Vestry. Much work and negotiation has occurred on this application with the Diocese, English Heritage, SPAB and the LPA and I consider the current scheme would now accord with the requirements of Policies CP3 and CP24 of the Tonbridge and Malling Core Strategy 2007, Policy BE6 of the South East Plan 2009 and PPG15: Planning and the Historic Environment.
- 6.5 The proposed extension is of a high quality and has a scale, layout, siting, character and appearance which would, in my view, respect the site and its surroundings. Any extension to a Grade II* Listed building must be sensitively designed and, in my opinion, the proposal represents appropriate detailing and use of materials which would ensure the proposal would preserve the setting of the Listed Building and character and appearance of the Conservation Area.
- 6.6 The design of the proposal is such that it would be accessed via a glazed link and a new opening in the south elevation of the Tower. This arrangement results in an extension which sits away from the principal windows which face south, allowing full light to reach these windows in to the main Church building, and creates a reasonable sized courtyard area to stop the courtyard becoming a damp unused space. The proposed new opening in the southern wall of the tower has caused concern for SPAB and the AMS. However, EH have not objected to this alteration in the latest scheme design and I consider that, provided a method statement is submitted for the creation, making good, and subsequent joinery details are required by condition, this alteration can be considered to preserve the fabric of

the building, as a historic record will be kept in any event through the archaeological conditions put forward by KCC Heritage.

- 6.7 I note the concerns raised by SPAB and AMS to the use of a glazed link rather than an open structure with a pitched roof. However, the link is not intended to be used purely for access to the extension, but for overspill from the meeting room during post service socialising and, for this reason, I am of the view that the glazed nature of the link, along with the lightweight joinery, provided sufficient openness to ensure that it would not jar with the main Listed Church. In addition, the use of a sedum roof results in a lower roof form compared to the pitched, tiled roof originally proposed and similarly this would in my view improve the openness of the proposal. I also consider the sedum roofed and predominantly glazed link result in a distinctive change in materials and form and therefore the extension and link will be quite properly read as a modern addition which is the right approach in this instance. I do agree with EH that the detailing will be crucial and needs to be very carefully controlled, and this is crucial with respect to roof materials and wish to reserve judgement on the choice of 'sedum' or a sheet material finish.
- 6.8 I note the concerns raised by the objectors to this scheme regarding existence of alternative facilities locally (village halls), the possibility of a detached building instead of an attached one, and a potential increase in vehicle movements and need for parking provision. However, I am of the view that the application demonstrates a case of very special circumstances, and can therefore be considered to be appropriate in this location and would not give rise to undue harm. KCC Highways have raised no objection to the proposal on highway grounds. I have assessed the impact of the proposal on the historic fabric and setting of the Church and its churchyard above and consider the proposal would preserve the character and appearance of the Conservation Area.
- 6.9 In light of the above identified need for toilet and accessible toilet facilities, the acceptability of the design in terms of its impact on visual amenity, the setting of the Listed Building, landscape quality of the AONB, character and appearance of the Conservation Area and the innovative design in terms of providing a multi-use space in a compact layout; I consider a sufficient case of very special circumstances has been identified to override the harm to the MGB through loss of openness and harm through inappropriateness.
- 6.10 I therefore recommend the proposal be approved, subject to the conditions set out below.

7. Recommendation:

- 7.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 25.11.2009, Letter dated 13.11.2009, Previous Correspondence dated 13.11.2009, Letter Diocese Rochester dated 13.11.2009, Statement of Significance dated 13.11.2009, Statement of Need dated 13.11.2009, Design and Access Statement dated 13.11.2009, Planning Statement dated 13.11.2009,

Existing Plans and Elevations 01 dated 13.11.2009, Proposed Plans and Elevations 02 dated 13.11.2009, Roof Plan 03 proposed dated 13.11.2009, Site Plan 04 dated 13.11.2009, subject to:

Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

- 2 No development shall take place until details and samples of materials to be used externally including the selection of roof materials have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality.

- 3 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that historic building features are properly examined and recorded.

- 4 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

- 5 No development shall take place until details of foundations designs and any other proposals involving below ground excavation have been submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that due regard is had to the preservation in situ of important archaeological remains

- 6 If, during development, site significant deposits of made ground or indicators of potential contamination are discovered, the work shall cease immediately and an investigation/remediation strategy shall be agreed with the Local Planning Authority.

Reason: In the interests of ensuring the site is safe for its intended end use.

- 7 No development shall take place until details of a method statement for the creation of the opening in the south wall of the tower and making good have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality.

- 8 No development shall take place until largescale details of all joinery, eaves, verges and all aspects of the link, including its junctions with the south wall of the Tower, have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality.

- 9 The new opening to the south wall of the Tower shall not be formed until works to the main extension and link have been erected on site and internal fixes are underway, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring the historic fabric of the Listed Church is not harmed prematurely.

- 10 No development shall take place until details of surface water drainage and a method statement for its installation, including details of the location, depth and width of any ground works associated with these works, have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To protect any below ground archaeological interests including unmarked graves.

- 11 No development shall take place until full details of the proposed method of foul drainage, its location and a method statement for its installation (including likely depths and widths of any trenches to be formed) have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To protect any below ground archaeological interests including unmarked graves.

Informatives:

- 1 The applicant is advised that, if the design of the link were to be amended in the way described in English Heritage's comments, any revised plans could be dealt with under a Non-Material Amendment application, provided the changes to the scheme were minor (such as change from a sedum roof to a metal roof).
- 2 The applicant is advised to contact the Council's Food and Safety Team to discuss the layout of the kitchen and provision of facilities. Please contact Melanie Henbest on 01732 876299 for advice.

Contact: Lucy Stainton