

Item No. 9

APPLICATION NUMBER	CB/11/04263/LB
LOCATION	Dunstable Baptist Church, St Mary's Gate, Dunstable, LU6 3SW
PROPOSAL	Erection of single storey extensions and alterations
PARISH	Dunstable
WARD	Dunstable Central
WARD COUNCILLORS	Cllr Mrs Hegley
CASE OFFICER	Gill Claxton
DATE REGISTERED	01 December 2011
EXPIRY DATE	26 January 2012
APPLICANT	Dunstable Baptist Church
AGENT	Kingswood Design Ltd
REASON FOR COMMITTEE TO DETERMINE	Application called-in at the request of Cllr Mrs Hegley on the grounds that this scheme overcomes previous concerns, is bringing Church facilities into line with modern expectation and disabled access requirements and realising the potential of the building while recognising its proximity to the listed building.
RECOMMENDED DECISION	Listed Building - Refused

Site Location:

Dunstable Baptist Church lies on the south eastern side of St Mary's Gate, accessed from West Street. It is surrounded on three sides by the surface level Ashton Square Car Park. To the north west, on the opposite side of St Mary's Gate, lies the Police Station, while to the north east is the Wilkinson's store and the Ashton Square shopping development. To the south west and south east, beyond the car park, are residential properties in Friary Field.

The site lies within the designated Town Centre boundary but outside the Conservation Area.

The building comprises a Baptist Chapel, Church Hall and Charitable Bookshop. The premises are a Grade II Listed Building built in 1849 on the site of an earlier Meeting House building. It was Statutorily Listed in 1989. It is constructed of yellow brick in Flemish bond, below a gabled slate roof. It is built in a Classical style with gables, a three-bay front elevation framed by clasped pilasters and dentilled cornice; gauged red brick semi-circular arches over 30-pane sash windows flanking a blind window set above a classical doorway with pilasters and cornice. The interior comprises a complete set of furnishings with carved bench ends to pews, with a gallery on three sides with panelled balcony fronts and dadoes, reached by two flights of stairs. The hall/bookshop is a more modern addition to the south east of the Chapel with a short, flat-roofed link connecting the two buildings that was constructed in 1996.

The site is also the subject of a Tree Preservation Order - the South Bedfordshire District Council (Land at Dunstable Baptist Church, St Mary's Gate, Dunstable) Tree Preservation Order No. 10/2008.

The Application:

Members may recall that this application was deferred from the meeting of the Committee on 14th March 2012 to allow for officers to enter into negotiations with the applicant in order to seek to overcome concerns with the root protection areas of the preserved trees and to avoid infringement upon graves and gravestones within the churchyard. The application was originally being reported to Committee at the request of Ward Councillor Mrs Hegley

Listed building consent is sought for the erection of two single storey extensions and alterations.

One extension would be sited at the north eastern end of the hall building to allow the Church to reconfigure the Church and bookshop office; provide a repositioned toilet for the bookshop; provide new ladies and disabled toilet facilities, reconfiguring the gentlemen's toilets with an extension to the existing porch and removal of the existing toilets to create a new DDA compliant entrance lobby. The extension would measure a maximum 9.95m wide by 1.9m deep for the new office for the Church and bookshop plus toilet and 4.1m wide by between 1.457m and 2.6m deep for the lobby extension. There would be a pitched roof over the office and toilets to an eaves height of 3.0m and a ridge height of 5.6m. The new entrance lobby would be 2.3m to the eaves and 3.2m to the ridge with lead-covered flat roofs on either side of the apex.

The scheme has been modified twice since originally submitted. The first amendment was the omission of a proposed new path to the front of the new Church office extension through the graveyard. The existing path, to the east of the Chapel building, would remain but would be cut back and the slope adjusted up to the new entrance lobby door. The second revision follows the deferral of the application from the Committee meeting of 14th March 2012 and involves the scaling back of the depth of that part of the extension relating to the reconfiguration of the Church/Bookshop office from 2.93m deep to 1.9m. This also involves the omission of a toilet for the Bookshop.

The other extension would be situated on the south western elevation of the building and would seek to enlarge the Church Hall. It would be 2.5m wide by 7.2m deep, with a further enlargement to create a store room and shed. The store room addition would measure 2.35m wide by 2.1m deep and the shed, 1.89m wide by 1.3m deep. There would be an internal reconfiguration of the Hall to create a repositioned kitchen and boiler room/store room. The maximum height of the extension to the Hall, to the eaves would be 3.4m and the ridge, 5.6m. There would be lean-to roofs over the shed and the boiler room.

The proposed materials of construction would comprise Luton Grey facing bricks to match the existing, natural slate for the roof, timber windows and doors and black aluminium rainwater goods to match the existing.

In addition to the Design and Access Statement and the Heritage Assessment, the Baptist Church has put in two supporting statements: Statement of Need and Statement of Public Benefit.

In summary the main points of the Statement of Need are:

- The Church is growing and more involvement with the local community brings problems with overcrowding and inadequate facilities to meet today's requirements;
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- The Church has looked at many schemes to refurbish and reorganise rooms within the current building but each scheme has limitations due to the constraints of the building. Changing rooms within the church hall impacts upon floorspace and loss of floorspace impacts upon the community activities resulting in some being curtailed or cancelled due to lack of space;
- The Church has a substantial membership (95 people) and attendance (130 people) plus numerous community groups: Sunday school, Bible class, Bible Study/Prayer, toddler group, youth groups, over 60's, ladies group, men's ministry. The Church also hosts coffee mornings for local charitable groups and committee meetings of Dunstable Town Council, thanksgiving lunch, fellowship lunches and various committee meetings along with school exhibitions for over 400 children;
- A church office is needed to cater for the needs of the expanded church community. The current office in the Christian Bookshop is cramped and does not meet the church's needs. The increasing congregation require the use of a church office for administration, photocopying, production of brochures, newsletters and so on. The church also need an office to administer the Food Bank programme and store the parcels;
- The entrance door does not comply with the DDA requirements;
- A unisex disabled toilet is needed;
- There is insufficient toilet provision;
- To access toilet facilities people have to walk outside which is not acceptable in cold or bad weather;
- Baby, toddler and young families groups need changing facilities;
- The size of the kitchen is not adequate to meet the needs of the community, in particular the over 60's seniors groups and in excess of 60 people regularly sit down for a Sunday fellowship lunch;
- The bookshop business is growing fast and more floor space is needed to improve stock profile and display;
- The bookshop wants to foster greater community links.

In summary, the main points of the Statement of Public Benefit are:

- Better facilities would be provided for the church community and the wider public;
- Improved working accommodation for the Church Administrator in order to enable meetings to be held, counselling and to allow for resources to be designed, printed and copied for the many and varied ministries of the church;
- Church office could be used as a meeting room for the church, guests and general public;
- Improved toilet provision for all users from toddlers and their families to the elderly;
- The setting up the Food Bank programme in Dunstable as part of the Big Society Initiative in Central Bedfordshire, working alongside Andrew Selous MP needs a church office and a collection room;
- Improved access to the church and church hall for wider public use;
- Provision of shared resources for the churches within Dunstable and the surrounding areas to meet the spiritual needs of the community;
- Provision of a Christian and community-based facility within the bookshop.

RELEVANT POLICIES:

National Planning Policy Framework - March 2012

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced the previous national planning policy documents, PPGs and PPSs. The policies in the Framework are applicable from the day of publication and are

material considerations for the purposes of decision-taking. At the heart of the Framework is a presumption in favour of sustainable development.

The following sections of the NPPF are considered relevant to this application:

Section 7: Requiring good design

Section 12: Conserving and enhancing the historic environment

Regional Spatial Strategy

East of England Plan (May 2008)

ENV6 - The Historic Environment

ENV7 - Quality in the Built Environment

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

South Bedfordshire Local Plan Review

The NPPF advises on the weight to be attached to existing local plans. Full weight can be attached to relevant policies in development plan documents adopted in accordance with the Planning and Compulsory Purchase Act 2004 for 12 months. However, the South Bedfordshire Local Plan Review was adopted in January 2004, prior to the Planning and Compulsory Purchase Act. The NPPF states that due weight can be given to relevant policies in existing plans according to their degree of consistency with the Framework. It is considered that the following policy is fully consistent with the framework and significant weight can be attached to it.

BE8 - Design Considerations

Supplementary Planning Guidance

Design in Central Bedfordshire - A Guide for Development - adopted by the Luton & South Bedfordshire Joint Committee on 23/07/10.

Planning History

CB/11/0422/FULL	Concurrent planning application for the erection of single storey extensions and alterations
CB/10/03078/LB	Refusal of listed building consent for the erection of a single storey extension and internal alterations.
CB/10/03047/FULL	Refusal of permission for the erection of a single storey extension and internal alterations
SB/LB/03/0025	Listed building consent for repair/refurbishment of four main chapel side windows.
SB/TP/96/0803	Permission for single storey extension and alterations to chapel.
SB/LB/96/0032	Listed building consent for single storey extension and alterations to chapel.
SB/TP/89/0264	Permission for the erection of a front vestibule extension
SB/TP/81/0948	Approval of reserved matters for extension and alterations to form bookshop
SB/OUT/81/0507	Outline permission for an extension to the hall and conversion of part of existing hall to bookshop

Representations: (Parish & Neighbours)

Dunstable Town Council	No objection.
Neighbours	The application was publicised by press and site notices. No third party representations specific to this application have been received as a result.

Consultation/Publicity responses

Archaeologist	No objection, subject to the imposition of a standard archaeological investigation condition, should permission be granted.
Design and Conservation Officer	<p>Objects to the application as amended and advises refusal.</p> <p>Notes that the reduction in depth of the office extension for the Church and Bookshop improves the relationship with the protected Yew Trees and does not adversely affect the closest graves. Considers that the present scheme of proposed building extension</p> <ul style="list-style-type: none">• would remove the correctly balanced and contained composition of principal building (chapel) and hall annexe (the historic associated schoolroom) that respects its historic churchyard setting• the proposed new north-west extension removes the frontage of the historic Sunday School building which is an element of social-historical importance within the wider context of the historic development of religious institutions in the town, and encroaches upon the churchyard and the east elevation of the chapel building, contrary to clear guidance in respect of the acceptability of built form and location of extension of the building group• in addition to visual encroachment, the proposed new north-west extension entails removal of an existing window opening in the main chapel building, and some associated 'opening-up' of the structure of the chapel building itself, thus negatively impacting upon the building's architectural integrity• introduces an unfortunate accretion of smaller and alien architectural elements (the new porch structure and lean-to shed) which fail to respect the uncluttered simplicity of the original chapel building• the previous objection of English Heritage holds good for the revised scheme.

Taking into account the inappropriate design aspects of the proposed extensions, their consequent negative impact upon the listed Chapel, former Sunday School building and historic churchyard setting, along with their cumulative negative impact upon the wider setting of the Town Centre Conservation Area, I find the proposed development not only contrary to both

Central Bedfordshire and English Heritage Design Guidance, but clearly contrary to PPS5 Policies HE 7.5, HE8, HE9 and HE 10, any wider public benefit notwithstanding.

I therefore have no hesitation in recommending refusal of the applications.

I would add that I consider building extension is the least favourable option in terms of the conservation of this recognised heritage asset (Chapel building, former school house and historic churchyard) and would urge the following: -

- a reconsideration of the rearrangement of internal space within the existing buildings (including use of the main Chapel building, when not in use for services)
- the option of an 'off-site' sharing of facilities with affiliated Church Groups
- the option of an 'off-site' relocation of some of the current (and anticipated) uses of the building (eg. the bookshop), to relieve the use-pressures on a site where significant historic environment planning constraints apply.

English Heritage

Objects to the application and recommends refusal.

The Strict Baptist Church dates from 1849 and subsequently a second structure was erected at right angles to the original church. This appears for the first time on the 1901 OS survey and is labelled 'Sunday School'. The core of this Sunday School building still survives, though it has more recently been extended at its north eastern end to form the current bookshop and has been extended at its southwest end and joined to the original Church. In some respects the former Sunday School may be looked on as a curtilage listed structure, even though it is now joined to the principal building on the site. The Sunday School has therefore formed part of the historic composition on this site for well over 100 years and is of some architectural and historic significance in its own right.

The extension of greatest concern is the one described on the drawings as the front elevation. This extension takes the form of a new gable projecting into the original church yard, thereby creating an architectural form that rivals the original chapel. The new projecting entrance lobby that links across the original church is also inelegant and lacks the simplicity of the original porch. Not only is the architectural handling of this extension poorly conceived, the desirability of enclosing the principal elevation of the Sunday School, which is still discernible in spite of later additions and alterations, should also be questioned. The enclosure of the church yard by the church to one side and the Sunday school building on a second side is an important part of the setting of the listed building and any further changes in this location are likely to be undesirable and result in harm. I note that the main part of this extension will form an office for the church and bookshop with a w.c. alongside. One might question why a separate w.c. is required

for the bookshop when there are ample toilets provided in the hall and it might be possible to accommodate the office in a mezzanine structure above these toilets at the eastern end of the hall. Such a reconfiguration could avoid the need for this extension.

The south western extension is of less concern. The architectural form maintains the linear nature already established for this range of buildings and the existing gable is of no architectural or historic interest. There may even be scope for a modest extension of this extension, say 600mm to off set loss of space on the other side. The only real concern with this aspect of the proposal is the shed which overlaps the side wall of the original church and appears to recreate a structure formerly in this location as evident from marks on the brickwork. That structure was not of any architectural or historic interest and it is not desirable to rebuild it now.

In conclusion, while there may be scope for some modest extension of the hall range at its south western end, it is considered that the north western extension is contrary to Policy HE9 of PPS5 (the relevant national policy advice at the time the response was made) and would result in harm to a designated heritage asset. We are also not convinced that all other options for the addressing the requirements of the church community have been properly and rigorously examined.

Public Protection South	No objection.
Building Control Access Officer	There is a requirement for a level landing 1200 mm deep, clear of the door swing, at the top of the ramp.

Determining Issues

The main considerations in the determination of the application are:

1. Impact on the character, appearance and historical and architectural integrity of the Listed Building
2. Other matters

Considerations

1. Impact on the character, appearance and historical and architectural integrity of the Listed Building

The National Planning Policy Framework acknowledges the intrinsic importance of the historic environment by recognising buildings, designated sites, monuments and Conservation Areas as heritage assets. It requires the sustaining and enhancing of the significance of heritage assets. It advises that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. Where a proposed development will lead to substantial harm to a designated heritage asset, local authorities should refuse consent unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm.

The application property is a Grade II Listed Building. The building is dated 1849, replacing an early-18th century Meeting House. The Church Hall incorporates the originally freestanding Sunday School building, constructed at some time between the publication of the 1st and 2nd editions of the Ordnance Survey 1:2500 maps in 1880 and 1901 respectively. This incorporated building is in itself of social-historic interest, as part of a traditional grouping of Chapel and Sunday School, even if the School building itself is architecturally simple.

The chapel building itself and associated Hall range form an 'L-shaped' plan, within a recognisable churchyard setting. This managed plan-form maintains the architectural integrity of the building group within its churchyard setting, and maintains the hierarchical relationship between Chapel building and Hall annexe. The site is historically important and also of significant townscape quality, with its churchyard setting and associated trees.

The hall and the annexed group of buildings have been incrementally extended in the past, but significantly, and under the guidance of the former Bedfordshire County Council and South Bedfordshire District Council, along an axial 'spine' formed by the orientation of the ridge line of the former school building. The result is a managed architectural composition, within an historic churchyard setting, that maintains clean building-lines and carries an appropriate relationship of subservience with the main chapel building.

The Historic Environment Record (HER) includes a record of previous discussions between the Church and the former County and District Planning Authorities, and demonstrates the importance the Authorities have attached to the way the principal building (the chapel) relates to the subservient structure (the hall) in the context of its site setting. This shows that there has been consistent thought and effort in the containment of building extension within the corner of the site, with 'clean' building lines maintained, and the architectural integrity of Chapel and Hall annexe safeguarded. This approach has formed the basis of discussions between the Church and the Council and its predecessors over a number of years.

The current application seeks extension of the hall annexe in two directions in order to accommodate extended uses of the site by the Church community. The proposed extension at the site has been the subject of much discussion between this Council and the Church Group during the last 18 months. A previous scheme for a larger extension at the north eastern end of the hall bookshop was refused in December 2010 (CB/10/03047/FULL and CB/10/03078/LB). Following the refusal of both planning permission and listed building consent there were discussions between the applicant and officers to see if a mutually acceptable solution could be found. However, these discussions did not reach agreement.

The Design and Conservation Officer considers that the present proposed extensions are not acceptable as they would:

- have a significant negative impact upon surviving churchyard yews;
- removes a balanced and contained composition of principal building and hall annexe that respects its historic churchyard setting;
- the proposed new north-east extension removes the frontage of the historic Sunday School building, and encroaches upon the churchyard and the east elevation of the chapel building, contrary to clear guidance in respect of the acceptability of built form and location of extension of the building group;

- in addition to visual encroachment, the proposed new north-east extension entails removal of an existing window opening in the main chapel building, and some associated 'opening-up' of the structure of the chapel building itself, thus negatively impacting upon the building's architectural integrity;
- the proposed two-way extension adds to the cumulative bulk of the hall annexe, contrary to the baseline principles of proportionate extension (subservience), and harmony of form, set out in both English Heritage and Central Bedfordshire Design Guidance on building extension;
- introduces an unfortunate accretion of smaller and alien architectural elements (the new porch structure and lean-to shed) which fail to respect the uncluttered simplicity of the original chapel building
- the submitted proposals have not been supported by an adequate heritage impact assessment in respect of the Chapel and former Sunday School grouping and their historic churchyard setting;
- the submitted proposals and supporting information do not demonstrate adequate consideration of the use of available space within the existing buildings to accommodate some, if not all, of the proposed extended uses of the site, particularly in respect of the available space within the main Chapel building itself when not in use for services.

We concur with the objections to the scheme as set out by the Design and Conservation Officer and English Heritage.

In terms of scale, mass and design, the proposed extension neither preserves nor enhances the recognised special architectural character of the chapel building, and its churchyard setting, and the wider contribution these make to the character of the area generally.

It is considered that the proposed extension would have an adverse effect on the character, appearance and historical and architectural integrity of the building.

The proposed development is contrary to the National Planning Policy Framework, Policy BE8 of the South Bedfordshire Local Plan, Policy ENV6 of the East of England Plan and Central Bedfordshire Design Guidance.

2. Other matters

It is noted that the Baptist Church has submitted two statements: a Statement of Need and a Statement of Public Benefit in support of the application. These have been given careful consideration in the determination of this application.

While it is acknowledged that the church does perform an important function for both the church congregation and the wider community, it is not considered that this outweighs the harm that would be caused to the character, appearance, historical and architectural integrity of the building should the proposed development take place.

Recommendation

That Listed Building Consent be REFUSED for the following reason:

- 1 The property is a Grade II Listed Building and the single storey extensions and alterations would, by reason of their scale, mass and design detract from and have an adverse impact upon the special architectural and historic interest, character and appearance of the building. The proposed

development is, therefore, contrary to national advice and guidance given in the National Planning Policy Framework (Sections 7 and 12), Policy ENV6 of the East of England Plan and Policy BE8 of the South Bedfordshire Local Plan Review.

Notes to Applicant

DECISION

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