



EXPLANATORY NOTE

MISSION AND PASTORAL MEASURE 2011 DRAFT PASTORAL (CHURCH BUILDINGS DISPOSAL) SCHEME STAVERTON ST PAUL DIOCESE OF SALISBURY

This note accompanies a draft scheme under the Mission and Pastoral Measure 2011 which makes provision for the future of a closed church building, The Church Commissioners provide this information so that interested parties can understand the background to the proposals, make a reasoned judgement on the merits of the draft scheme and, if they see fit, a reasoned expression of support or objection to it.

The Current Proposals

The Commissioners have agreed to publish a draft Pastoral (Church Buildings Disposal) Scheme providing for the closed church of Staverton St Paul and part of the churchyard to be sold for residential use.

Background

Staverton is a village lying alongside the River Avon some three miles north of Trowbridge in Wiltshire. St Paul's was one of two parish churches in the parish of Staverton with Hilperton Marsh. New residential development in the parish has largely taken place at the other end of the village and the Parochial Church Council decided to focus its resources on the church of St Mary Magdalene at Hilperton Marsh. The church of St Paul was declared closed for regular public worship with effect from 1 March 2011.

The Building

St Paul's occupies an elevated position on the northern edge of the original village. The current church dates from 1826 and is in a simple Georgian Gothick style with a 3 bay nave, west tower, shallow chancel and a south porch and north vestry which were added in the 1860's. The architect is unknown. The church occupies the site of a medieval chapel of ease and the churchyard contains many ancient burials. It is listed Grade II but is not situated in a conservation area. The churchyard is entered through a gateway which is also listed Grade II.

The Views of the Statutory Advisory Committee (SAC)

In its early advice given in October 2010, the SAC agreed that the church was of moderate significance and advised that it be preserved by conversion to a suitable alternative use. The SAC considered the building had some scope for change to the interior, including sub-division and the relocation of contents which were of local interest. The church was not worthy of vesting in the Churches Conservation Trust in the last resort. Plans providing for the conversion of the building to residential use are being prepared for consideration by the SAC before the draft Scheme is made.

Marketing

Following closure, the Diocese explored an expression of interest from a local boating organisation to use the building as their base and for the storage of boats given the church's proximity to the river. However, this was not able to proceed as the proposal required the use of adjacent land in third party ownership which it was not possible to secure. In September 2012 the building was

placed on the market with Colliers International on an offers invited basis for a range of alternative uses. Of those received, the only sustainable offers were for residential use and an offer from a private individual has been accepted. Advice from the local planning authority, Wiltshire Council, has indicated that residential conversion would be acceptable on the condition that relevant planning policies are demonstrated to have been satisfied.

Burials

The churchyard contains burials. Part of the churchyard as shown on the plan annexed to the draft Scheme is proposed to be included in the sale. This area contains burials although these date from the nineteenth century and are partly overgrown. The remainder of the churchyard will continue to be available for burials and accessible for those wishing to visit burials there.

The Current Scheme

The draft scheme, which this note accompanies, contains provisions for the church and part of the churchyard to be sold for residential use. The prospective purchaser proposes to convert the church to a single dwelling for his personal use and is in the process of preparing plans for submission to Wiltshire Council for planning permission and listed building consent. In order to provide off-street parking for a dwelling, it is also proposed to move the entrance gateway to the churchyard so that parking can be provided on the area shown cross-hatched on the plan annexed to the draft Scheme. The Schedules to the draft Scheme provide for mutual rights of access for the benefit of the future owner of the church building and for those wishing to visit the churchyard. Before they allow the Scheme to proceed the Commissioners will need to be satisfied that planning permission and listed building consent have been granted.

Correspondence

Further information about the proposals may be obtained from the Case Officer, Adrian Browning by e-mail at adrian.browning@churchofengland.org or by telephone at 01722 438664.

Representations against or in support of the draft Scheme

Anyone may make a representation for or against any provision of the draft Scheme.

Representations should be sent to:

**Representations
Closed Churches Division, Church Commissioners
Church House
Great Smith Street
London SW1P 3AZ**

Or by e-mail to: closedchurches.reps@churchofengland.org

Any communication received after Monday 14 September 2015 can not be treated as a representation. If no representations against the Scheme are received, the Commissioners shall make the Scheme and bring it into effect as provided for in the scheme and explained above.

Information on the Mission and Pastoral Measure 2011 and its procedures can be found on the Church Commissioners' web-site at www.ccpastoral.org.uk where there are also links to download copies of these notes and the draft scheme.

A M G Browning
4 August 2015

Draft Pastoral (Church Buildings Disposal) Scheme

This Scheme is made by the Church Commissioners ("the Commissioners") this day of 20.... under the Mission and Pastoral Measure 2011.

Background

By a Scheme of the Commissioners made under the Pastoral Measure 1983 on the 25th day of January 2011 the parish church of Saint Paul ("the building") in the parish of Staverton with Hilperton Marsh in the Diocese of Salisbury was declared closed for regular public worship.

NOW, it is provided as follows:-

Future of the church building and annexed land

1. The building and the land annexed or belonging thereto shown hatched and cross-hatched on the annexed plan (together referred to as the property) shall be appropriated to residential use and for purposes ancillary thereto together with the rights granted by Schedule 1 and subject to the rights reserved by Schedule 2.

Disposal

2. The Commissioners are hereby empowered to sell the property for any or all of the said use together with the benefit of the rights granted by Schedule 1 and subject to the rights reserved by Schedule 2.

Contents

3. The contents of the building shall be disposed of as the Bishop shall direct subject to listed building consent being granted.

Coming into operation of this Scheme

4. This Scheme shall not come into operation until such date or dates as the Commissioners shall determine following the making of this Scheme and different provisions of the Scheme may be brought into operation on different dates and the Commissioners shall not be obliged to bring the Scheme or any part thereof into operation until such time as they are satisfied that the conditions specified in Schedule 3 have been complied with but may do so if they so determine.

In witness the Commissioners have affixed their Common Seal.

Executed as a Deed by the }
affixing of the Common Seal }
of the Church Commissioners }
in the presence of:- }

Schedule 1: Grant of Rights of Way

To enable the property to be used for the purpose specified in the Scheme, the following rights shall vest in the Commissioners for the benefit of the property:-

- (i) a right of way with or without vehicles over and along the existing pathway(s) in the remaining part of the churchyard annexed or belonging to the building shown stippled on the annexed plan subject to the Commissioners' successors in title paying a fair and proper portion of the cost of keeping the same in good and substantial repair to the reasonable satisfaction of the parochial church council of the parish within the area of which the property is for the time being situated;
- (ii) the right to the passage of water, soil, gas, electricity and telecommunication services (if any) through any drains, sewers, pipes, wires, cables and other conducting media ("the services") now laid or to be laid under, upon or above the remaining part of the said churchyard;
- (iii) the right (upon reasonable prior notice in writing to the said parochial church council) to enter with or without vehicles, equipment and apparatus upon such parts of the said churchyard as may be necessary for the purpose of inspecting, altering, repairing and maintaining the building and for the purpose of laying, connecting into, inspecting, repairing, maintaining or renewing the services subject to the person exercising such right causing as little damage as possible to the said churchyard or any graves, tombstones, monuments and memorials therein, and subject to the Commissioners' successors in title making good any damage so caused to the reasonable satisfaction of the said parochial church council or other the person for the time being responsible for the care and maintenance of the said churchyard and subject to the grant of any necessary faculties by the Consistory Court to authorise the said works; and
- (iv) all rights and easements over land other than the said churchyard appertaining or reputed to appertain to the property (in common with all others entitled to the like rights).

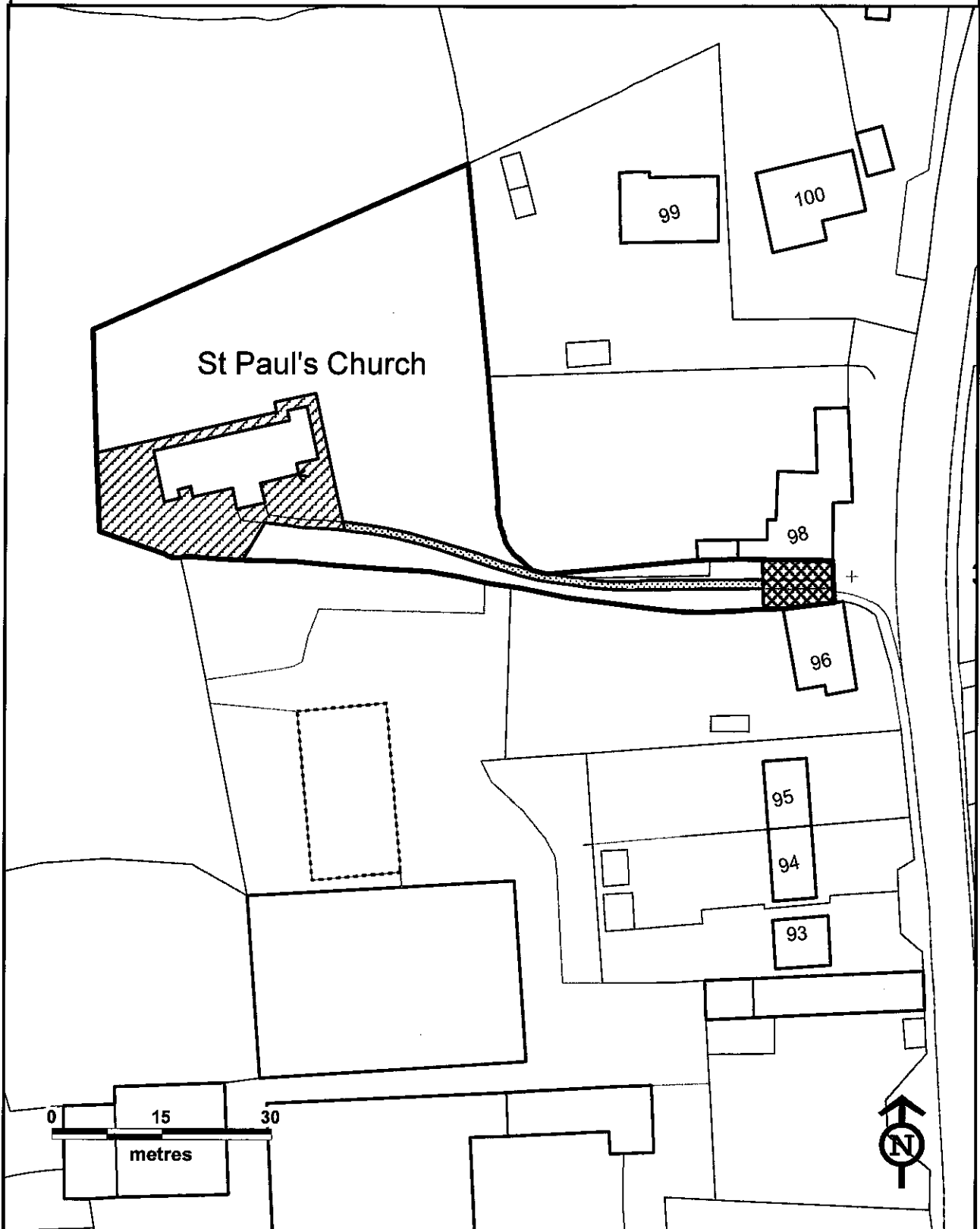
Schedule 2: Reservation of Rights of Way

To enable the remaining part of the said churchyard to continue in use as a burial ground the right to pass and repass over the cross-hatched land with or without vehicles required in connection with the use and maintenance of the remaining land shall be reserved to the incumbent for the time being of the benefice of the Canalside Benefice and all persons lawfully visiting the remaining land.

Schedule 3: Conditions

- (i) That Planning Permission has been obtained for all or some of the proposed uses.
- (ii) That Listed Building Consent has been obtained for such alterations as are necessary to enable the implementation of all or some of the proposed uses.

CLOSED CHURCH OF STAVERTON ST PAUL



Drawn by
Gwen Jones

Scale
1:750

Date
01/07/2015

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