



 THE CHURCH
OF ENGLAND

CHURCH
COMMISSIONERS

Mrs June Jones
Staverton Parish Clerk
30 Marina Drive
Staverton
Trowbridge
Wiltshire
BA14 8UR

Adrian Browning
Historic Buildings Specialist
Pastoral and Closed Churches

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Your ref:
Our ref: RC34/173
24 February 2017

Dear Mrs Jones

Mission and Pastoral Measure 2011
The closed church building of Staverton St Paul
Diocese of Salisbury

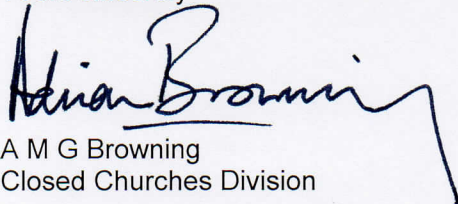
I enclose a copy of a draft Pastoral (Church Buildings Disposal) scheme prepared by the Church Commissioners providing for the closed church building and part of the churchyard to be sold for residential use. In the light of comments made with respect to the previous draft scheme published in August 2015, that has now been withdrawn and the proposals have been amended and replaced with the enclosed revised draft scheme.

I also enclose an Explanatory note setting out the background of the proposals and a further note setting out the process the Commissioners will follow in considering any representations received with respect to the draft scheme.

Having considered the proposals you may wish to make a formal representation either in support or against the draft scheme by e mail to closedchurches.reps@churchofengland.org or by writing to Representations, Closed Churches Division, Church House, Great Smith Street, London SW1P 3AZ. Please note that any communications received after 3 April 2017 cannot be treated as a representation.

If you require further clarification about the draft scheme or the process you can contact me at the address at the top of this letter or by e-mail on adrian.browning@churchofengland.org.

Yours sincerely



A M G Browning
Closed Churches Division

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The Church Commissioners are a registered charity (number 1140097).



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.

Please note: this draft Scheme replaces that published in respect of this property in August 2015.

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. Some of this area contains burials. 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. Following the representations made against the draft scheme published in August 2015, alterations have been made to the extent of churchyard to be included in the proposed sale so as to exclude a previously unknown unmarked grave. 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. The prospective purchaser has also secured agreement to the purchase of land outside the churchyard boundary for parking purposes, thereby avoiding the need to provide parking spaces within 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 3 April 2017 cannot 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

February 2017

MISSION AND PASTORAL MEASURE 2011

Closed church building of Staverton St Paul Diocese of Salisbury

How representations concerning a draft scheme are considered by the Church Commissioners

Anyone may make comments, known as representations, either in support or against a draft scheme to the Commissioners in writing or by email. A petition will be given proper consideration, but for administrative purposes it will be classed as a single representation and we will only correspond with the sender of the petition, if known, or otherwise the first signatory.

If we do not receive any representations against the draft scheme the Commissioners will make the scheme, subject to any necessary consents being granted.

If we do receive any representations against the draft scheme we will seek the views of the Bishop about these, and those in favour. If you make a representation we will also share this with other representors and the Commissioners' Church Buildings (Uses and Disposals) Committee. We will send you a copy of our correspondence with the Bishop and you will be able to comment further if you wish on any points relating to your original representation.

Once all the relevant information has been collated the Church Buildings (Uses and Disposals) Committee will meet to consider all representations in relation to the draft scheme. In making a representation you should indicate whether you also request the opportunity to speak to the Committee about your representation. Otherwise, if a hearing is not held, the case will be considered in private, and you will be informed accordingly. If the Commissioners' decide to hold a public hearing into the case, you may attend the Committee meeting and you may have an opportunity to speak to your representation. When we acknowledge your representation we will let you know the dates of the Committee's next couple of meetings. We will confirm the actual date, and if a hearing is to be held, nearer the time.

The Church Buildings (Uses and Disposals) Committee will decide whether the draft scheme should proceed. A full statement of reasons for the Commissioners' decision will be issued to all representors about 10 days after the meeting of the Committee. If they decide that the scheme should proceed, the Commissioners will make the Scheme, subject to the necessary consents being granted, if appropriate.

The scheme would be brought into effect at the appropriate time as it provides.

Please note that the procedures for considering representations only apply where there is at least one objection to the draft scheme. The Committee will not have to consider the case where there are only representations in support of the draft scheme and no outstanding objections. If you write in support of the scheme, we will let you know as soon as possible whether we have also received representations against its provisions that will require consideration by the Committee.

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 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

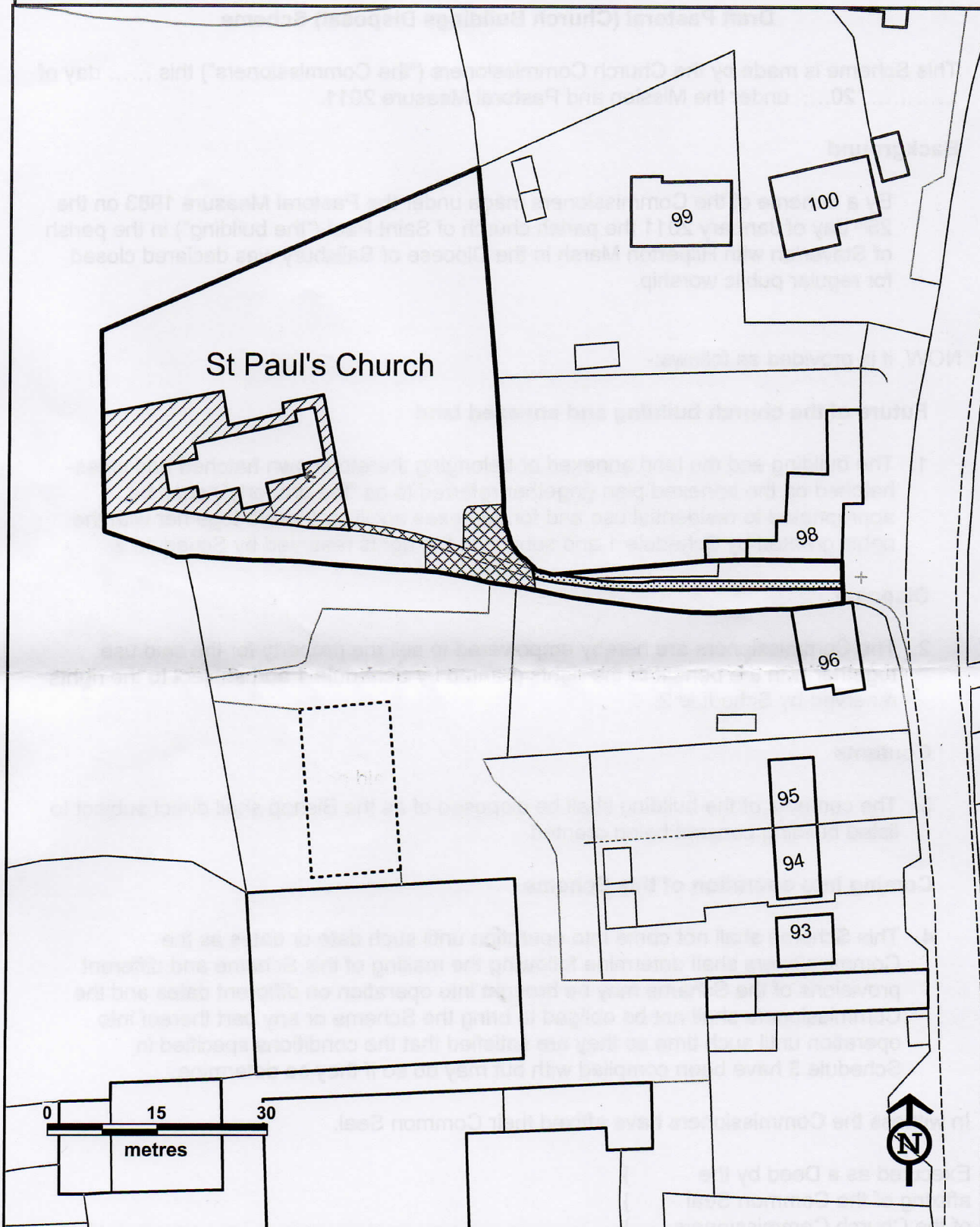
4. This Scheme shall not come into operation until such date or dates as the Commissioners shall determine following the making of this Scheme and different provisions of the Scheme may be brought into operation on different dates and the Commissioners shall not be obliged to bring the Scheme or any 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:-

}
}
}
}

CLOSED CHURCH OF STAVERTON ST PAUL



Drawn by
Gwen Jones

Scale
1:750

Date
13/07/2016

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Ordnance Survey lic no 100040148

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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 the proposed use.
- (ii) That Listed Building Consent has been obtained for such alterations as are necessary to enable the implementation of the proposed use.