

Church Commissioners

Church Buildings (Uses and Disposals) Committee

**Closed Church of Astwood St Peter (Diocese of Oxford)
Representation against Pastoral (Church Buildings Disposal)
Scheme**

Note by: Harvey Howlett

Summary

- (i) The Committee is invited to consider one representation against and two letters of comment concerning a Pastoral (Church Buildings Disposal) Scheme providing for the sale of the Grade II* listed closed church building of Astwood St Peter and the annexed land for use as a single residential dwelling and for ancillary purposes.
- (ii) The representor against argues against the disposal for private purposes of an important listed building and says that thought should be given to preserving the building in a public purpose or with public access, perhaps by preservation in the Churches Conservation Trust bringing back into use an alternative building vested in the CCT.
- (iii) The letter of comment from Historic England notes that reasonable steps have been made to find an alternative use that would avoid subdivision of the interior. Historic England accept that residential conversion, and the substantial harm that this would inevitably entail, is the only practical way of preserving the building. Milton Keynes Council, have no objections to the Pastoral Scheme for single residential use subject to obtaining planning permission and listed building consent.
- (iv) The Bishop of Oxford has confirmed that the Diocese wishes the draft Scheme to proceed, noting that the current offer for residential conversion was the only sustained offer for the building despite extensive marketing and given the need for significant repairs which had been identified in a recent report by structural engineers.
- (v) The case has been examined by the Committee's case sifting representatives who determined that that it should be considered on the written evidence without a public hearing.

Recommendation

The Committee is invited to consider the representation and the issues set out in this report and, in the light of these, whether or not the draft Scheme should proceed.

Introduction

1. The Committee is invited to consider one representation against and two letters of comment concerning a Pastoral (Church Buildings Disposal) Scheme, providing for the sale of the closed church building of Astwood St Peter and the annexed land for residential use.
2. The Grade II* listed church building contains 12/13th century stonework but most architectural details are 14th and 15th century. The church was hit by two bombs in 1940 (thought to have been intended for RAF Cranfield) and the nave remained unroofed until 1963 when a concrete truss roof was inserted and the damaged interior renovated. The building comprises a 3-bay nave with clerestorey and south aisle, chancel, south porch and west tower. It contains a C13 font, C15/17 bells, C17/18 century furniture, ledgers, and C18 monuments. The building was closed for regular public worship in May 2014.
3. The property was marketed in summer 2014 by agents with the highest offer received for a single residential dwelling. A lower offer also for residential use was received. Two other expressions of interest were received but no formal offers were made. A late, much lower offer, was received for use as a Christian retreat with a small private flat. The Diocese pursued this offer, as it was more likely to be favoured by the planning authorities, but this was subsequently withdrawn in August 2015. The Diocese thereafter recommended acceptance of the original offer for use as a single residential dwelling.
4. Attached are:
 - Annex A Background to the case;
 - Annex B The report on the church building by the Church Buildings Council;
 - Annex C The Advice of the Statutory Advisory Council, Critical Information Supply and Informed Change Assessment.
 - Annex D Plans and Elevations of the Preferred Design for the Conversion.
 - Annex E A copy of the draft Scheme and accompanying note;
 - Annex F A copy of the representations;
 - Annex G A copy of the letter referring the representation to the Bishop together with a copy of his reply; and
 - Annex H Extract from the Churches Conservation Trust's website showing details of Broughton St Lawrence which is currently vested in the Trust.

Summary of the representations received

5. Following the publication of the draft Scheme providing for the sale of this closed church and annexed land for use as a single residential dwelling and ancillary purposes, we received three representations: one against and two commenting on the Scheme. The representation against came from Mr James Drever and the comments came from Mr Richard Peats on behalf of Historic England and from Mr Luke Gledhill on behalf of Milton Keynes Council. A copy of the representations is attached at **Annex F**.

Representation against the draft Scheme

6. Mr Drever has submitted a lengthy and detailed representation setting out the history and importance of the church building. Mr Drever expresses his in principal opposition to the privatisation of public spaces, arguing against the conversion and sale of Astwood church on the basis that it will cease to have the possibility of public access or to be used for worship.
7. He notes that the Diocese has gone to significant trouble to find an alternative use but argues that it would perhaps have been a better use to swap Astwood church for that of Broughton St Lawrence, now in the Churches Conservation Trust, and secure its future by preserving it for the nation whilst, perhaps, bringing Broughton back into use in the expanded residential community which had grown around it.
8. Mr Drever questions whether the pastoral grounds for closure are, in reality, financial. He suggests that the Diocese may be in need of the financial return achieved by a residential sale and adds that the approach to marketing the building and finding a purchaser prior to determining whether the use is suitable renders the consultation process a fait accompli.
9. He concludes that he believes that it is right to challenge the presumption that disposal for residential use is the correct way to proceed when there might be other options available. He considers that however excellent and sympathetic the plans of the purchaser may be, conversion to residential use would be deplorable.

Letters of comment

10. Mr Peats, for Historic England, has written in detail to explain why they do not oppose the conversion to residential use. He notes that residential conversion is bound to have a major impact on the significance as a historic building. Due to a bomb hitting the nave in 1940, the interior has few furnishings of interest, and he, therefore, expresses the view that the open nature of the interior is a vital element of the church's surviving architectural and historic interest.

11. He explains that, given the importance of its openness, dividing up the interior, which would be necessary to convert it into a dwelling, would inevitably entail substantial harm to the its significance. He explains that any planning and listed building consent application for conversion would have to meet the criteria set out in the National Planning Policy Framework if it is to win approval and sets out the relevant criteria.
12. In the light of this he explains that the key question is whether a viable use which would not involve subdividing the building, such as community use, has been seriously sought and not materialised. He writes that having seen the marketing information supplied he is satisfied that reasonable steps have been made to find an alternative use that would avoid subdivision of the interior. In such a small village, which already has a village hall, community uses are likely to be very limited, so the lack of interest in non-residential uses is not surprising. He concludes, therefore, with great regret, that Historic England accept that residential conversion, and the substantial harm that this would inevitably entail, is the only practical way of preserving the building.
13. He goes on to note some specific recommendations about the preservation of the contents and in particular the bells and bell frame, and the font.
14. Mr Gledhill on behalf of Milton Keynes Council, confirms that they have no objections to the Pastoral Scheme for single residential use subject to obtaining planning permission and listed building consent.

Diocesan response to the representations

15. Following normal practice, a copy of the representations was sent to the Bishop of Oxford to seek his comments.
16. In his reply the Bishop sets out the consultations undertaken at the time of closure and the marketing subsequently. He explains that the Diocese pursued a proposal for the use of the building as a Christian retreat with a small flat, which was subsequently withdraw.
17. The Bishop explains that the decision to accept the offer for residential use was taken after the prospective purchasers had demonstrated during interview a good understanding of building conservation principles and planning requirements. They had also demonstrated that they had the means not only to acquire the property but also fund the considerable costs of repair. The Bishop confirms, however, that finance had not been the primary motivation of the Diocese and that they would have pursued the substantially lower offer for retreat use, if this had not been withdrawn.
18. The Bishop explains that the Diocese had not considered the vesting of St Peter in the Churches Conservation Trust as the advice from the Statutory Advisory Committee of the Church Buildings Council had advised that if a use

could not be found for the building it was not convinced that a recommendation for vesting in the CCT would be forthcoming.

19. The correspondence with the Bishop is attached at **Annex G**.

The further views of the representors

20. The Bishop's response has been shared with the representors and any further comments received will be circulated in due course.

The issues for the Committee

21. In considering the representations, the Committee will need to have regard to the legislative requirement which is to seek a suitable alternative use for the building. The Mission and Pastoral Measure Code of Recommended Practice gives examples of some of the most common alternative uses which have been found to be acceptable. Section 17.4 of the Code makes clear that residential use is a suitable use which has been commonly found for closed church buildings.
22. Section 17.5 of the Code states that the Measure "gives the diocese and Commissioners full discretion to find the most suitable alternative uses for closed church buildings and land ...". While no definition of suitability is provided in the legislation, it is clear that the Committee in reaching a decision in a particular case should ensure that a proposed use is not only suitable in principle but also both achievable and sustainable in the context of a particular building.
23. With regard to the suggestion by the representor that the building should be vested in the Churches Conservation Trust, section 63(1) of the Mission and Pastoral Measure makes clear that it is only if a suitable use or uses cannot be found for a closed church building that a Pastoral (Church Buildings Disposal) Scheme may provide for the preservation of building in the Churches Conservation Trust and only when, after consultation with the Statutory Advisory Committee, it appears to the Commissioners that the building 'is of such historic and archeological interest or architectural quality that it ought to be preserved'.
24. The views of the Statutory Advisory Committee are attached as **Annex C**. The Committee advised in 2012 that they were not convinced that if no suitable alternative use could be found that they would recommend vesting in the Churches Conservation Trust.
25. The representor suggests that possibly Broughton St Lawrence, currently vested in the CCT, could be brought back into parish use in exchange for Astwood St Peter. Some details of Broughton St Lawrence, are attached as **Annex H**; it is grade 1 listed and was a direct vesting into the Trust in 1987.

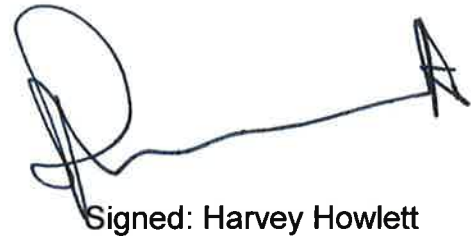
The building could only be brought back into the parish system if the Bishop initiates and brings forward proposals under a Pastoral Scheme to that effect. The views of the Bishop are to be found in **Annex G**.

26. The main issues to be considered are, therefore, as follows:

- Is the proposed use of the building for use as a single residential dwelling suitable in principle?
- Does the Committee believe a residential conversion, and the harm that this would entail to the historic importance of the building as set out by Historic England, and the likely restrictions to public access, to be justifiable given the absence of any less intrusive use or is the harm of such magnitude such as to make the use unsuitable in the particular circumstances of this case?
- Is the suggestion that the building should be vested in the Churches Conservation Trust or, possibly be exchanged for Broughton St Lawrence currently in the care of the Trust, worthy of further investigation?

Recommendation

The Committee is invited to consider the representations and the issues set out in this report and, in the light of these, whether or not the draft Scheme should proceed.

A handwritten signature in blue ink, appearing to read 'Harvey Howlett', with a long horizontal line extending to the right.

Church House
Great Smith Street
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29 January 2018

Closed Church of Astwood St Peter (Diocese of Oxford)

Representations against Pastoral (Church Buildings Disposal) Scheme

Background

The Building

Astwood St Peter was closed for regular public worship on the 1st May 2013 owing to a lack of regular attendance, failure to pay parish share and because, in a parish with three other churches, it no longer met any real pastoral need.

The tower contains 12/13th century stonework but most architectural details are 14th and 15th century. The church was hit by two bombs in 1940 (thought to have been intended for RAF Cranfield) and the nave remained unroofed until 1963 when a concrete truss roof was inserted and the damaged interior renovated. The building comprises a 3-bay nave with clerestorey and south aisle, chancel, south porch and west tower. It contains a C13 font, C15/17 bells, C17/18 century furniture, ledgers, and C18 monuments. It is listed Grade II*.

Astwood is a small village on the A422, 8 miles equidistant from Newport Pagnell and Bedford. The Report of the Church Buildings Council is set out at **Annex B**.

Access is direct from the public highway. Two of three neighbouring residential properties benefit from a right of vehicular access over St Peter's drive. The churchyard contains many ancient burials and more recent, tended graves.

A 2008 QI survey reported the building to be sound. However, inspection by structural engineers in May 2016, found structural and/or foundation movement leading to the building being out of level and vertical, attributable to a number of possible causes needing investigation. Additionally, roofs, masonry, fenestration, supporting timbers, drainage and rainwater goods were reported to be defective and damp was noted. The building is currently being monitored for movement.

Use Seeking

After the decision to close St Peter's, the PCC held meetings in the village to discuss the use of St Peter's as a community centre and the closure of the existing village hall which was struggling financially, but there was no enthusiasm for this proposal. Discussions with other bodies for use for Christian worship also met with no interest.

The property was marketed in summer 2014 by agents with the highest offer received for a single residential dwelling. A lower offer also for residential use was

received. Two other expressions of interest were received but no formal offers were made. A late, much lower offer, was received for use as a Christian retreat with a small private flat. The Diocese pursued this offer, as it was more likely to be favoured by the planning authorities, but this was subsequently withdrawn in August 2015. The Diocese thereafter recommended acceptance of the original offer for use as a single residential dwelling.

Planning

In its pre-planning advice, Milton Keynes Council accepted the principle of residential use subject to evidence that a less intensive use was not available after a suitably long period of marketing, and that the design would have a minimal impact on the fabric and the setting of the building.

Meetings were held with Milton Keynes Council and Historic England on 14-15 June 2017, attended by representatives of the Diocese and Commissioners, to discuss the series of concept drawings prepared by the prospective purchaser's architect. One proposal was greatly preferred by the planning bodies and these proposed plans and elevations are attached at **Annex D**.

The Views of the Statutory Advisory Committee

The Commissioners' statutory advisors, the Statutory Advisory Committee of the Church Buildings Council (SAC), in its initial advice in 2012 advised that the building was of moderate to high significance with limited scope for change and mitigation of impacts and advised that the church be preserved by conversion to alternative use failing which it was unlikely to recommend vesting in the CCT. It added that the contents were of moderate to high significance. A copy of the SAC's advice is attached at **Annex C**.