

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 said Measure on the 12th day of December 2019 the parish church of All Saints, Hamer (“the building”) in the former parish of All Saints, Hamer in the diocese of Manchester 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 edged red on the annexed plan (together referred to as the property) shall be appropriated for use as a single residential dwelling 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, so far as it is required, 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 of which this Scheme has been duly executed as a deed by the Church Commissioners.

Executed as a Deed by the Church Commissioners for England acting by two authorised signatories:

Signature of Authorised Signatory

Signature of Authorised Signatory

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) 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 churchyard edged blue on the annexed plan; and
- (ii) 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, 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;
- (iii) all rights and easements over land other than the said churchyard appertaining or reputed to appertain to the property.

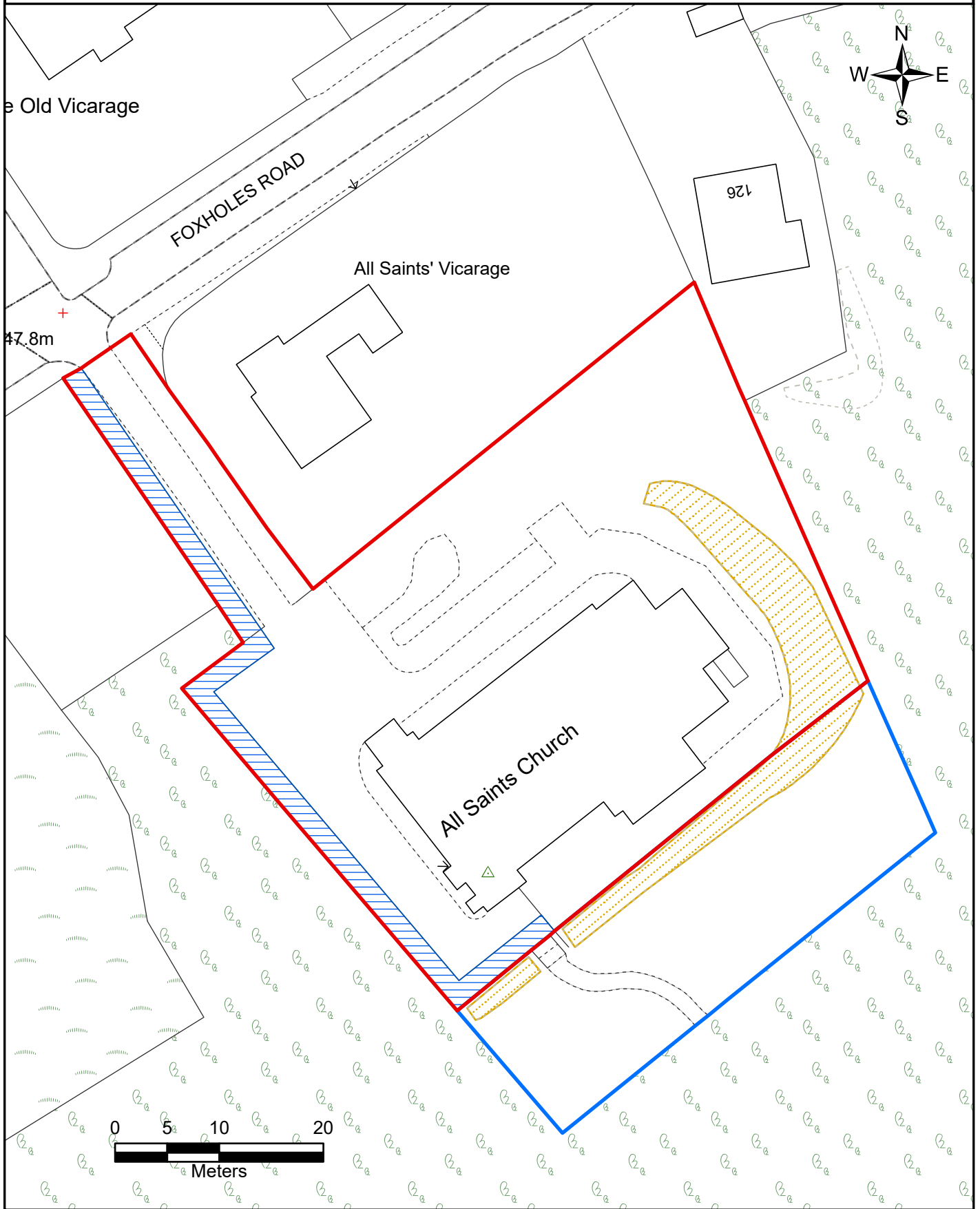
Schedule 2: Reservation of Rights of Way

The right to pass and repass over the land hatched blue on the annexed plan in connection with the use and maintenance of the remaining part of the said churchyard shall be reserved to the Incumbent for the time being of the benefice of Hamer and Healey and all persons lawfully visiting the remaining part of the said churchyard.

Schedule 3: Conditions

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

ALL SAINTS HAMER



Drawn by
T. Wood

Scale
1:500

Date
02/05/2024

File Pathname / Project / Drawing No.
Tracings\15S_Hamer_All_Saints

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EXPLANATORY NOTE

MISSION AND PASTORAL MEASURE 2011 DRAFT PASTORAL (CHURCH BUILDINGS DISPOSAL) SCHEME ALL SAINTS HAMER DIOCESE OF MANCHESTER

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 individuals and 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 All Saints Hamer and part of the annexed land to be appropriated to use as a single residential dwelling and for ancillary purposes.

The draft scheme, which this note accompanies, contains provisions for the Church Commissioners to sell the property for the above use and for the contents of the building to be disposed of as the Bishop shall direct, subject to planning and listed building consent being granted.

Background

The former church building closed for regular public worship on 1st December 2020, mainly because of a declining and ageing congregation and the inability of the Parish to fund the maintenance and repair of the building.

All Saints formed part of a previous initiative which sought to identify new uses for this and some other church buildings in the Diocese, but no viable proposals were brought forward. The building was subsequently marketed through a local agent which generated a limited amount of interest and resulted in the current proposal for residential use being recommended.

The Building

The church was built in 1865-6 and was designed by the architects J. H. Medland Taylor and comprises a chancel and nave with aisles, clerestory, double south transept, south-west tower and northwest porch. It is Grade II listed, and the listing description describes it as one of Medland Taylors plainer churches but not without interest.

The Views of the Statutory Advisory Committee

The Commissioners statutory advisors, The Statutory Advisory Committee of the Church Buildings Council (SAC) has indicated that All Saints is a well-detailed, handsome building of moderate significance overall by an architect of regional importance which should be preserved by conversion to a suitable alternative use providing that a suitable strategy is in place to safeguard any contents of significance.

Planning and Access

The proposed use and alterations proposed will require planning permission and listed building consent from the Local Planning Authority. The site is unallocated in the Adopted Unitary Development Plan ('UDP') but does fall within the defined urban area. Saved Policy G/D/1 of the UDP seeks to concentrate the majority of new development within the urban area to support urban regeneration and protect the countryside. Policy P1 of the Adopted Core Strategy ('CS') seeks to ensure that new development improves the image of the borough by, amongst other things, 'Promoting the development and re-use or under-used buildings, maximising the potential for heritage assets to provide a sense of place and image. The site is also defined as previously developed land ('PDL') which Policy C1 of the CS seeks to maximise the use of in order to achieve a target of at least 80% of new housing on PDL. It is considered that, subject to a sensitive scheme design, the proposed use will accord with the relevant local plan policies.

Vehicular and pedestrian access to the site is gained from the existing access off Foxholes Road which currently serves the site and the adjacent vicarage. The area of land to the front of the closed church building offers potential for off-street parking to serve the new use.

Burials and the Churchyard

There are no known human remains in either the closed church building or churchyard to be disposed of with the building. There are, however, burials, monuments, and memorials in part of the churchyard to the south of the closed church building which is to be retained by the Parochial Church Council, and a right of access (shown hatched blue on the scheme plan) to allow access for maintenance and for people wishing to visit and tend to graves will be legally provided for through the Scheme.

Making the Draft Scheme

Before they allow the Scheme to proceed the Commissioners will need to be satisfied that planning permission has been obtained for the proposed use and that listed building consent has been obtained for any alterations to the building to facilitate the proposed use.

Correspondence

Further information about the proposals may be obtained from the Case Officer, Stephen Hughes by e-mail at stephen.hughes@churchofengland.org or by telephone at 07825 854951.

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:

**Joanna Chandler-Clarke
Pastoral Division
Church Commissioners
Church House
Great Smith Street
London SW1P 3AZ**

Or by e-mail to: Joanna.chandler-clarke@churchofengland.org

Any communication received after 20th August 2024 cannot be treated as a representation.

If we receive representations against the draft Scheme, we will send all representations, both for and against, to the Bishop, whose view will be sought. Individual representors will then receive copies of our correspondence with the Bishop (including copies of all the representations) and they may comment further in writing to us in light of the diocesan response if they so wish.

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

There are also links to download copies of these notes and the draft scheme on the website at www.churchofengland.org/consultation

Stephen Hughes

July 2024



NOTICE

Mission and Pastoral Measure 2011 Closed church building of All Saints Hamer Diocese of Manchester

The Church Commissioners have prepared a draft pastoral (church buildings disposal) scheme for the building and annexed land shown edged red on the annexed plan to be appropriated for use as a single residential dwelling and for purposes ancillary thereto.

The draft Scheme is also on our website www.churchofengland.org/consultation or you may inspect it at Smallbridge Library, Stevenson Square, OL12 9SA. Large print and/or audio copies are available on request.

Anyone may make representations for or against all or any part of the draft Scheme (please include the reasons for your views) preferably by e-mail to Joanna.chandler-clarke@churchofengland.org or by writing to Joanna Chandler-Clarke, Pastoral Division, Church Commissioners, Church House, Great Smith Street, London SW1P 3AZ.

Please note that any communication received after 20th August 2024 cannot be treated as a representation.

If we do receive representations against the draft Scheme we will share these, and those in favour, with the Bishop, whose views will be sought. We will also share representations with the other representors and the Mission, Pastoral and Church Property Committee. We will send representors a copy of our correspondence with the Bishop who will be able to comment further to us if they wish. Copies of all of the representations received and associated correspondence will be published on the Commissioners' website if the matter needs to be considered by the Commissioners.

The Commissioners usually determine representations on the basis of papers alone and in making a representation you should indicate whether you also request the opportunity to speak to the Committee about your representation. If the Commissioners' decide to hold a public hearing into the case, representors may attend the Committee's meeting and you may have an opportunity to speak to their representations. Where a public hearing is not held, the case will be considered in private and you will be informed accordingly.

Please see www.churchofengland.org/consultation for further information about the procedure. If you require further clarification about the draft scheme or process you can contact the case officer Stephen Hughes at the details at the bottom of this notice

Stephen Hughes

Stephen.hughes@churchofengland.org

07825 854951

Based at Diocese of Blackburn, Clayton House, Walker Office Park, Blackburn, BB1 2QE

MISSION AND PASTORAL MEASURE 2011

Closed church building of All Saints Hamer Diocese of Manchester

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' Mission, Pastoral and Church Property 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 Mission, Pastoral and Church Property 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 Mission, Pastoral and Church Property 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.