

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning and Economic Development  
Portfolio Holder

18 December 2012

**AUTHOR/S:** Planning and New Communities Director

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**HERITAGE GUARDIANSHIP SITES AND CLOSED CHURCHYARDS****Purpose**

1. This report:
  - (a) Describes progress in planning for the future of St Denis Church, East Hatley and Landbeach Tythe Barn, and reviewing the Council's partnership agreement for Duxford Chapel, and proposes ways forward for approval by the Portfolio Holder.
  - (b) Describes progress in carrying out urgent and priority works at Great Shelford, Horseheath and Willingham closed churchyards.
2. This is not a key decision because the recommendations do not require additional expenditure and significant decisions affecting more than one ward would be the subject of a future report.

**Recommendations**

3. That the Portfolio Holder supports the principle of transferring St Denis Church, East Hatley to the Friends of Friendless Churches and agrees that disposal should be considered as an alternative.
4. That the Portfolio Holder agrees that a community option for the Landbeach Tythe Barn and disposal should both be explored.
5. That progress on St Denis Church and Landbeach Tythe Barn should be reported to the Portfolio Holder in the summer.
6. That, subject to the response of the Parish Council, the partnership agreement with English Heritage for Duxford Chapel should be renewed.
7. That the Portfolio Holder notes and endorses the identified works to the churchyards which can be carried out under delegated authority.

**Reasons for Recommendations**

8. To help secure the futures of St Denis Church and the Landbeach Tythe Barn, while maximising their heritage and community benefits as far as possible, and reducing the risks and liabilities of the Council.
9. To support a partnership with English Heritage that has value for the local community and its greater involvement.

## Overview

10. This report covers six heritage buildings or sites for which the Council has different types of responsibility: St Denis Church, East Hatley, Landbeach Tythe Barn, Duxford Chapel, and closed churchyards at Great Shelford, Horseheath and Willingham churches.
11. The current aims are to:
  - Secure the future of St Denis Church and Landbeach Tythe Barn
  - Reinvigorate the local partnership for Duxford Chapel
  - Carry out urgent and priority works at the closed churchyards

The future aim is to set up a good practice management regime for the sites we own or maintain, which will be the subject of a further report.

12. This report considers each of the buildings or sites in turn.

## St Denis Church

### Background

13. St Denis Church is owned by the Council and is a grade II\* listed building and local nature reserve. The churchyard is in the ownership of the incumbent (Rector) with general responsibility for care resting with the Parochial Church Council. It is an open churchyard with some recent burials and also a county wildlife site.
14. In 1984 the Council agreed to take on the redundant church building as a landscape ruin. It was conveyed from the Church Commissioners in 1985 with various covenants and designated as a local nature reserve.
15. In the following years different uses which could secure the future of the church were considered. In 2005 Cabinet authorised repairs which were jointly funded by this Council, English Heritage and the Parish Council. The repairs cost approximately £130,000 and included structural and surface repairs to walls and copings, structural roof repairs and retiling. The Cabinet determined that the Council should not spend more money on the Church in the future.
16. St Denis is currently wind and watertight and is a low risk in terms of preservation and cost in the short term. The church does, however, need substantial work to complete its restoration, for example, repairing the east window and replacing the floor, ceiling and internal finishes, and make it usable. It has very limited public access by arrangement and its use has been limited to an occasional service.
17. A local management group focuses on implementing a management plan for the churchyard with advice given by the Council's Ecology Officer and the Wildlife Trust.

### Considerations

18. Following direction by the Portfolio Holder and Council Leader to explore options for the future of St Denis, constraints and opportunities have been investigated.
19. Planning and listed building consents would need to be obtained for relevant changes. As owner, we would need to apply to the Secretary of State for listed building consent and English Heritage would be consulted on applications for works

affecting the church. It is likely that sensitive change that secured the best, in heritage terms, viable use for the church would receive consent.

20. The Church Commissioners have indicated that in principle they would be willing to agree a Deed of Variation to the covenants, accepting certain alterations to the building and a range of uses including community, office and residential.
21. The Diocesan Registrars have said that an application to close the churchyard would be unlikely to be accepted if there are spaces available, and a number of requirements would need to be satisfied before this change could be agreed. Public access to the churchyard would normally be required following its closure.
22. The county wildlife site status of the churchyard should be protected. The church contains relocated cave spiders (county importance) and provides an opportunity for bats (protected species) to roost, but these are not considerable insuperable obstacles to the reuse of the building.
23. Existing access to the church is limited to a footpath and there is no parking on the site. The County Council Rights of Way and Access Manager has given informal advice that the current public footpath which gives access could be widened for vehicles, given continued public access to the churchyard. The widening would require adjacent land and would be subject to the agreement of its owners.
24. The area surrounding the church is outside the Village Framework. Officers have considered whether development, for example between the church and road, which enables works to the church and improves the access, could be an acceptable exception to planning policy. The impact of development on the setting of the church would be an important factor in reaching a decision and previous planning history does not support development in the area.
25. Affordable housing outside the Village Framework could be a suitable exception to policy. Council housing officers say that there is a low need for affordable housing for people with a local connection, but that a development meeting wider needs would be beneficial. However, such a scheme would require rather than generate funding.
26. John Pocock FRICS valued the church in January. He noted the unique circumstances of the church and its restrictive constraints including the lack of parking and said that it was difficult to imagine any use other than a community or environmental one. A non-profit making group who would fund the restoration for such a use would at best pay little, or nothing, for the church. If a number of the constraints could be overcome, and public access to the churchyard continued, the church could be worth £120,000/£150,000 with planning permission for residential conversion. The surveyor stressed, however, that this valuation is highly speculative. Another religious organisation or sect may pay £50,000/£100,000 for the church.
27. Given the type and strength of constraints, the option of a trust with a heritage, environmental or community purpose has been explored first. This option is likely to result in less alteration and harm to the significance to the church. It will also be necessary to show that such an option has been considered to justify any future application for more harmful change, such as may be needed to achieve a residential conversion.
28. Two of the trusts contacted have expressed an interest. One is the Anglia Church Trust whose purpose is to restore and maintain ancient redundant churches for ecumenical Christian use and on behalf of the community. The Trust has restored

one church in Suffolk. There is no parish demand for Christian use, with local worship at the church of Hatley St George, so this option has not been pursued while others are considered.

29. The other interest is from the Friends of Friendless Churches. The Friends restore and maintain churches for their heritage value and community benefits and have taken on numerous churches in the U.K. including Papworth St Agnes in the District. They are considered to be a good option.
30. Following a visit to the church by the Friends, we have provided information about the church and its last restoration and have agreed to contribute £2,000 towards the cost of a structural survey. This will inform their and our future planning. The brief for the survey will be completed shortly and a structural engineer commissioned to carry it out. The trustees of the Friends meet quarterly and they intend to make a decision as to whether to pursue their interest in the spring or summer. The Friends will indicate whether they would be prepared to take on the church and, if so, on what basis.
31. The local management group has been updated on the exploration of constraints, opportunities and options. The group reports to the Parish Council and the Conservation & Design Manager briefed the Parish Council meeting on 17 July. Both the local management group and Parish Council consider transfer to the Friends of Friendless Churches to be a potentially good option.
32. The Friends of Friendless Churches have said that they will meet with the Parish Council and local group in the future. The Friends have stressed that they will need the strong, active support and full involvement of the local community before accepting responsibility for the church.
33. The officer recommendation to the Portfolio Holder is to support the principle of transferring the church to the Friends of Friendless Churches with disposal considered as an alternative. A report on progress with these options would be made in the summer.

### **Other options**

34. Options are discussed above. A 'do nothing' option will not achieve the aim of securing the long term future of the Church while, as far as possible, maximising heritage and community benefits. Another option is that the Council pays for the cost of a full restoration. However, this would require substantial funds and any restoration should be tied to the needs of a new use and user.

**These pages were extracted from the 32 page SCDC meeting report  
– to view the complete report, please go to**

<http://scambs.moderngov.co.uk/documents/g5972/Public%20reports%20pack%20Tuesday%2018-Dec-2012%2014.00%20Planning%20and%20Economic%20Development%20Portfolio%20Holders%20Meeting.pdf?T=10>