Doon Ms Gamble.

Re the closed church of Birch 8t Perter in the diocesse of Chelmsford.

I have been given to understand this church many became a frie bedroom family dewelling. This I consider to be unacceptable as it is consecrated ground, etil being used for burials. Only last week a new grave was duq. I have many family members buried in the church yard, and I go an a vegular basis to

attend the grows.

Also I have been informed that the gentleman in question who proposes to have the work done is not in a financial position to make this a viable proposition.

Which ever way you look at this the church will go.

I think it would therefore

be boot made it into a garden

of remembrace.

Yours druly

Lorraine Gamble

From:	
Sent:	
To:	
Cc:	
Subject:	

Dear Lorraine,

I am writing as a resident of Birch Village and a close neighbour to Birch Church (we can see the beautiful spire from our home).

I am writing to express my deep concerns and objections to this lovely old building being turned into an investment property for a local developer. Although the Church has not been used as a place of worship for some time (due to the building being unsafe) it is used as a place of quiet contemplation and reflection and prayer for many, and definitely for those who have relations that have been laid to rest in the grounds.

The churchyard is still used for burials, it would be in my view entirely inappropriate for the Church, (which is central to the grounds) to be redeveloped as a private dwelling to provide an investment opportunity. This planned re development in my view is vulgar and unnecessary and the loss of this local landmark would be a travesty.

As the Church continues to decline, the costs for renovation and redevelopment grow. It would appear that the cost is now far greater (by millions) than the Developers net worth (even if he were to dispose of available assets). There is now a real concern that this project will start and stall due to lack of funds, which will leave our village with a further derelict site.

Surely this space could be turned into a memorial garden, it does not need to be anything fancy the location itself is so beautiful. Perhaps a few benches so that the area can retain its peace and remain as a space to quietly contemplate. Our school is just opposite - maybe the school would welcome an alternative outside space for the pupils on a lovely day.

There is widespread concern that the property that is proposed on this site is there to satisfy the initial planning rules and that as part of any building work the spire would 'accidentally' collapse leaving the developer no alternative but to submit further plans for several homes. This 'concern' was increased recently at a local shoot when the party moved past the church and someone commented on 'how sad the Church looked all boarded up'. The person was told that there would be at least three houses on that site within two years!

Lastly we are advised that a temporary road will be built behind our home so that heavy plant can access the proposed site. My concern is that such a road would become permanent spoiling our view and tranquility.

Please do not hesitate to contact me should you have any questions or if I can be of any assistance.

Best wishes.

Ms Lorraine Gamble
Planning Casework Manager
Department for Communities and Local Government
5 St Philip's Place
Colmore Row
Birmingham B3 2PW

11th September 2017

Your ref: PCU/RARE/A1530/77929

Dear Ms Gamble

Proposed Demolition of the Closed Church of Birch St Peter in the Diocese of Chelmsford Referral under the Mission and Pastoral Measure 2011 and the Skelmersdale Agreement of 1986

I am in receipt of your letter of 31st August inviting representations on the matters raised by the Church Commissioners in their request to the Secretary of State that he might reconsider his decision to hold a non-statutory public inquiry into the proposed demolition of Birch church.

I have lived in Birch for nearly four decades and have maintained a close interest in the Church Commissioners' present Draft Pastoral Scheme for demolition since it was published in January 2013. My views on the Commissioners' request to the Secretary of State are set out below.

I believe that over the years since Birch church was formally declared redundant the Church Commissioners have made substantial efforts to find a suitable alternative use for the building. Various proposals have been put forward and carefully considered during this time. None, however, has been shown to be viable which perhaps in itself is telling.

In their letter of 9th February 2017, the Church Commissioners state: "It is a matter of agreement by all parties that there is only one proposed alternative use to be considered and that is a scheme of conversion and alteration of the former church to form a single dwelling." That appears to be the view reached at the Pre-Inquiry Meeting held on 28th July last year, the minutes of which record, 'It was agreed that, (as) the Cottee Proposal was central to the Inquiry, ...' It is my understanding that we have, indeed, reached the point at which only one proposed alternative use remains to be considered, namely the Cottee proposal. If that be so, the key matter to be determined is the viability of the proposal.

I note section 9.1 of the Statement of Common Ground sets out the matters that remain in dispute between the parties: the key matters to be decided by the proposed public inquiry. The viability of the Cottee proposal would fall to be considered under para (iv) of the inquiry's Terms of Reference: The prospects and practicality of finding a suitable alternative use for the building, or part of it, with or without adaptation, the practicality and likely cost of any alternative use(s), and whether any such alternative use(s) is/are financially viable. Particularly relevant in this case is the part of

the Term that refers to 'the practicality and likely cost of any alternative use(s), and whether any such alternative use(s) is/are financially viable.'

The Cottee proposal was first published in the Colchester & North East Essex Building Preservation Trust's Project Viability Study dated October 2013. Brief details of the proposal were displayed at a public exhibition staged in Birch Memorial Hall on 4th/5th October 2013. From the start I have never considered the Cottee proposal to be practical or financially viable. The Trust's Project Viability Study merits detailed study. The Trust prepared and costed three development options of its own for conversion of the building to residential use. It came to the conclusion than none of its three options was viable because in each case the cost of development far exceeded the estimated end value (by between £566,521 and £727,211). It was only after reaching this conclusion that the Trust then approached potential 'development partners' and Mr Cottee came forward with his proposal. After the Trust had spent a good deal of time carefully exploring three different options, in each of which the cost of development was found to be more than half a million pounds greater than the estimated end value, it struck me as highly improbable that someone could then suddenly appear and quickly produce a proposal that was practical and financially viable.

It is also worth noting that the Trust's Viability Study recognised the Cottee proposal was high risk. On page 44 it states 'there are at this stage many abnormal risks in undertaking this project such as the uncertainty of gaining planning permission and LBC for a scheme that involves substantial demolition and alteration, the precise extent and cost of the structural repairs required to the Spire, the duration, complexity and cost of site acquisition and rights of access, the unknown issues surrounding any below-ground archaeology and burials, the possibility of having to manage the relocation of protected species and creation of suitable, alternative habitats and the abnormal cost of gaining a temporary access to the site in order to limit the disruption of site traffic and operations on neighbours and the local community.'

The information submitted to the Secretary of State by the Commissioners in their letter of 9th February only confirms and strengthens my firmly held view that the Cottee proposal is neither practical nor financially viable. As the Commissioners point out in their letter, the proposal is not being promoted by any of the qualifying bodies who are objecting to demolition, but by a private individual. Also, the scheme does not have planning permission or listed building consent. These are just two of the hurdles the proposal would have to surmount if it was to proceed.

On the question of financial viability, the two independent reports commissioned by the Commissioners are most persuasive. I and a number of local residents who are familiar with the building have long considered Mr Cottee's estimates of the cost of his proposal to be unrealistically low. I note from the Commissioners' letter of 9th February that the estimates prepared by Freeland Rees Roberts Architects and by Sawyer and Fisher Chartered Quantity Surveyors are both in excess of £3 million for the costs of external and internal fabric repairs alone. Their professional estimates are what one might realistically expect the work to cost. These estimates, which do not include the costs of conversion to a five-bedroom family dwelling, are more than twice Mr Cottee's estimate of his Total Net Worth.

The Commissioners argue that Mr Cottee's 'anticipated' net worth falls well below the cost of repair and conversion of the building which in turn will be considerably more than its market value at completion. They express their very real concern that if the Cottee scheme was allowed to go ahead, once partial demolition and repair was commenced the project would founder and be abandoned. In their letter of 20th February 2014 they stated their belief that the Cottee proposal was not financially robust, was likely to take several years to reach a point once more of non-delivery, and ran the risk of creating an unfinished development or dangerous structure in the middle of an open churchyard still used for burials. That is very much a concern some of us have in Birch.

Uncertainty about the future of the redundant church building has hung over the local community for an exceptionally long time. By May 1989 regular Sunday worship had ceased in the building and it was only used for larger services such as weddings and funerals. It was declared redundant in 1990, some 27 years ago. The building is now in a very poor state. Nearly five years have passed since the Commissioners published their draft Pastoral Scheme for demolition. It is over three years since the matter was referred to the Secretary of State under the terms of the Skelmersdale Agreement. To allow the Cottee proposal to proceed further, with all its risks, would only prolong the uncertainty for the local community. Nothing could be done until the Commissioners had drawn up a new Draft Pastoral Scheme for residential use and put it out for public consultation. No work could start until Mr Cottee had obtained planning permission and listed building consent for his proposal, and there is no certainty these would be granted. How much longer is it reasonable to expect the local community, the Church Commissioners and Chelmsford Diocese to wait for a resolution to this matter?

In their letter of 9th February and supporting documentation the Church Commissioners have set out the core of their evidence on the practicality, likely cost and financial viability of the Cottee proposal. That evidence appears so overwhelming that I cannot see what real benefit is likely to accrue from examining it in more detail in a public inquiry against any evidence or arguments that objectors to demolition are likely to be able to bring to the proceedings. In the light of all the information now available to the Secretary of State in submissions from the Commissioners and from objectors to demolition, I very much doubt whether the considerable expense of a public inquiry, falling on all parties and the public purse, can be justified.

I would ask the Secretary of State to agree to reconsider the decision to hold a public inquiry and to find there is no longer need, justification or benefit in holding one. That would clear the way for the Commissioners to proceed with their draft Pastoral Scheme for demolition and to bring this long drawn-out matter to a conclusion.

Yours sincerely

11 September 2017

Lorraine Gamble
Planning Casework Manager
Planning Casework Unit
Department for Communities and Local Government
5 St Philips Place
Colmore Row
BIRMINGHAM
B3 2PW

Ref: PCU/RARE/A1530/77929

Dear Madam

Closed Church Of St Peter and St Paul, Birch, in the Chelmsford Diocese -Referral under the Mission and Pastoral Measure 2011 and the Skelmersdale Agreement of 1986 – Proposed demolition

I am writing to request that:

- 1. The Secretary of State reconsiders the need for a Public Inquiry;
- 2. To allow the church demolition to proceed;
- 3. To enable relatives to visit graves which have been inaccessible for over 20 years.

My request is based on my local connection, distress caused by inability to visit relatives' graves and the financial unviability of the only alternative proposal described in the facts below. From the facts available this building proposal seems to be completely unrealistic and the only viable solution now appears to be demolition of the long disused church.

My maternal grandparents, are buried in the churchyard at Birch Church. For over 20 years my family and I have been unable to visit or tend their graves due to fencing having been erected at the church for safety reasons.

Whilst I understand the need to protect the public, the length of time that we have been unable to visit the graves has been extremely distressing, particularly for my mother who died without being able to visit her parents' graves since the 1990s.

I understand that there are several other relatives/friends who have loved ones buried in this area of the graveyard and who are in the same position.

HISTORY/FINANCE

It appears that the only proposal, Mr Cottee's plan to erect a dwelling using part of the church, is not viable for a number of reasons: his estimate of the costs being a third of that of two independent reports which estimate at least £3m; his financial arrangements do not appear to be sufficient to complete the project and there is no planning permission, listed building consent, agreed access to the site from the public highway (with the intervening land being owned by a third party); neither does it have the agreement of the Diocese or the Church Commissioners.

A significant period of time has passed since estimates were prepared and costs will only have increased during this time.

The objections to the demolition which have been received appear to be from organisations which are not able or prepared to fund any restoration and from individuals who have no connection with the church.

The annual cost of insuring the Church (£12,000 p.a. in 2013) must have cost in excess £250,000 since the church was closed and I imagine that this money could have been far more usefully spent. The money my grandmother left to the church in the 1980s was certainly not intended to be used for this purpose.

The cost of an approximately 4 week long Inquiry appears to be disproportionate to the benefit, when the only proposal is beyond all reasonable doubt, not a viable one. In addition the original person heading the inquiry is not available so further time and money will be required to appoint a new person and to enable them to become familiar with the situation.

The cost of investigations to date must be huge and I sincerely hope that common sense will prevail and no further money is wasted.

DECISION/DEMOLITION

Having attended the church as well as the village school opposite, when I lived in the village, it is with a heavy heart that I feel that the time has come to demolish the church and permit access to the graves again. The church is clearly not in a fit state to be restored and there are no viable alternative proposals.

This would end the long drawn out and ongoing uncertainty and distress to relatives of those buried there, who are unable to visit or tend their loved ones' graves.

CONCLUSION/RECOMMENDATION

On the basis of the above I hope that the Secretary of State will agree to reconsider the decision to hold a Public Inquiry. I suggest that the strong and detailed arguments put forward by the Commissioners support this and there seems to be no point in drawing this out any longer or to spend any more public funds on an Inquiry.

Yours faithfully

Ms Lorraine Gamble
Planning Casework Manager
Department for Communities and Local Government
5 St Philip's Place
Colmore Row
Birmingham B3 2PW

25th September 2017

Your ref: PCU/RARE/A1530/77929

Dear Ms Gamble

Proposed Demolition of the Closed Church of Birch St Peter in the Diocese of Chelmsford Referral under the Mission and Pastoral Measure 2011 and the Skelmersdale Agreement of 1986

I am in receipt of your letter of 31st August inviting representations on the matters raised by the Church Commissioners in their request to the Secretary of State that he might reconsider his decision to hold a non-statutory public inquiry into the proposed demolition of Birch church.

I have lived next to St Peters Church, Birch for twenty nine years. My views on the Commissioners' request to the Secretary of State are set out below.

I believe that over the years since Birch church was formally declared redundant the Church Commissioners have made substantial efforts to find a suitable alternative use for the building. Various proposals have been put forward and carefully considered during this time. None, however, has been shown to be viable which perhaps in itself is telling.

In their letter of 9th February 2017, the Church Commissioners state: "It is a matter of agreement by all parties that there is only one proposed alternative use to be considered and that is a scheme of conversion and alteration of the former church to form a single dwelling." That appears to be the view reached at the Pre-Inquiry Meeting held on 28th July last year, the minutes of which record, 'It was agreed that, (as) the Cottee Proposal was central to the Inquiry, ...' It is my understanding that we have, indeed, reached the point at which only one proposed alternative use remains to be considered, namely the Cottee proposal. If that be so, the key matter to be determined is the viability of the proposal.

I note section 9.1 of the Statement of Common Ground sets out the matters that remain in dispute between the parties: the key matters to be decided by the proposed public inquiry. The viability of the Cottee proposal would fall to be considered under para (iv) of the inquiry's Terms of Reference: The prospects and practicality of finding a suitable alternative use for the building, or part of it, with or without adaptation, the practicality and likely cost of any alternative use(s), and whether any such alternative use(s) is/are financially viable. Particularly relevant in this case is the part of

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The Cottee proposal was first published in the Colchester & North East Essex Building Preservation Trust's Project Viability Study dated October 2013. Brief details of the proposal were displayed at a public exhibition staged in Birch Memorial Hall on 4th/5th October 2013. From the start I have never considered the Cottee proposal to be practical or financially viable. The Trust's Project Viability Study merits detailed study. The Trust prepared and costed three development options of its own for conversion of the building to residential use. It came to the conclusion than none of its three options was viable because in each case the cost of development far exceeded the estimated end value (by between £566,521 and £727,211). It was only after reaching this conclusion that the Trust then approached potential 'development partners' and Mr Cottee came forward with his proposal. After the Trust had spent a good deal of time carefully exploring three different options, in each of which the cost of development was found to be more than half a million pounds greater than the estimated end value, it struck me as highly improbable that someone could then suddenly appear and quickly produce a proposal that was practical and financially viable.

It is also worth noting that the Trust's Viability Study recognised the Cottee proposal was high risk. On page 44 it states 'there are at this stage many abnormal risks in undertaking this project such as the uncertainty of gaining planning permission and LBC for a scheme that involves substantial demolition and alteration, the precise extent and cost of the structural repairs required to the Spire, the duration, complexity and cost of site acquisition and rights of access, the unknown issues surrounding any below-ground archaeology and burials, the possibility of having to manage the relocation of protected species and creation of suitable, alternative habitats and the abnormal cost of gaining a temporary access to the site in order to limit the disruption of site traffic and operations on neighbours and the local community.'

The information submitted to the Secretary of State by the Commissioners in their letter of 9th February only confirms and strengthens my firmly held view that the Cottee proposal is neither practical nor financially viable. As the Commissioners point out in their letter, the proposal is not being promoted by any of the qualifying bodies who are objecting to demolition, but by a private individual. Also, the scheme does not have planning permission or listed building consent. These are just two of the hurdles the proposal would have to surmount if it was to proceed.

On the question of financial viability, the two independent reports commissioned by the Commissioners are most persuasive. I and a number of local residents who are familiar with the building have long considered Mr Cottee's estimates of the cost of his proposal to be unrealistically low. I note from the Commissioners' letter of 9th February that the estimates prepared by Freeland Rees Roberts Architects and by Sawyer and Fisher Chartered Quantity Surveyors are both in excess of £3 million for the costs of external and internal fabric repairs alone. Their professional estimates are what one might realistically expect the work to cost. These estimates, which do not include the costs of conversion to a five-bedroom family dwelling, are more than twice Mr Cottee's estimate of his Total Net Worth.

The Commissioners argue that Mr Cottee's 'anticipated' net worth falls well below the cost of repair and conversion of the building which in turn will be considerably more than its market value at completion. They express their very real concern that if the Cottee scheme was allowed to go ahead, once partial demolition and repair was commenced the project would founder and be abandoned. In their letter of 20th February 2014 they stated their belief that the Cottee proposal was not financially robust, was likely to take several years to reach a point once more of non-delivery, and ran the risk of creating an unfinished development or dangerous structure in the middle of an open churchyard still used for burials. That is very much a concern some of us have in Birch.

Such an outcome would create an appalling blight on the churchyard, the village and the Birch Conservation area.

Uncertainty about the future of the redundant church building has hung over the local community for an exceptionally long time. By May 1989 regular Sunday worship had ceased in the building and it was only used for larger services such as weddings and funerals. It was declared redundant in 1990, some 27 years ago. The building is now in a very poor state. Nearly five years have passed since the Commissioners published their draft Pastoral Scheme for demolition. It is over three years since the matter was referred to the Secretary of State under the terms of the Skelmersdale Agreement. To allow the Cottee proposal to proceed further, with all its risks, would only prolong the uncertainty for the local community. Nothing could be done until the Commissioners had drawn up a new Draft Pastoral Scheme for residential use and put it out for public consultation. No work could start until Mr Cottee had obtained planning permission and listed building consent for his proposal, and there is no certainty these would be granted. How much longer is it reasonable to expect the local community, the Church Commissioners and Chelmsford Diocese to wait for a resolution to this matter? We also feel quite strongly that it is morally wrong to build or convert the church to a private resident, whilst still using the church ground as a place of burial for people of the community.

In their letter of 9th February and supporting documentation the Church Commissioners have set out the core of their evidence on the practicality, likely cost and financial viability of the Cottee proposal. That evidence appears so overwhelming that I cannot see what real benefit is likely to accrue from examining it in more detail in a public inquiry against any evidence or arguments that objectors to demolition are likely to be able to bring to the proceedings. In the light of all the information now available to the Secretary of State in submissions from the Commissioners and from objectors to demolition, I very much doubt whether the considerable expense of a public inquiry, falling on all parties and the public purse, can be justified.

I would ask the Secretary of State to agree to reconsider the decision to hold a public inquiry and to find there is no longer need, justification or benefit in holding one. That would clear the way for the Commissioners to proceed with their draft Pastoral Scheme for demolition and to bring this long drawn-out matter to a conclusion.

Yours sincerely

28 September 2017

For the attention of Ms L Gamble
Planning Casework Manager
Department of Communities & Local Government
Planning Casework Unit
5 St Phillips Place
Colmore Row
Birmingham B3 2PW

Dear Madam

The Church of St Peter, Birch – Referral under the Mission and Pastoral Measures and the Skelmersdale Agreement

We refer to your letter of 31 August 2017.

We can see no reason why the previous Secretary of State's decision should be reviewed or overturned. There has been no change in the key points upon which the Secretary of State based his original decision to hold the inquiry.

We agree with the Church Commissioners statement 'Whelher there is a viable alternative use of the building is at the heart of the matter'. However, we completely reject the assertion that '....it has been proved beyond reasonable doubt that the only alternative use for the building is not viable.'

We shall address the main points raised by the Church Commissioners raise in support of this assertion: -

1. They make the point that 'The scheme.....does not have planning permission or listed building consent. It does not have an agreed means of accessing the site from the public highway'. While this is true, our proposed scheme has been developed in close liaison with the planning department of Colchester Borough Council, and their conservation officer. Furthermore, the owner of the access route has indicated a willingness to agree a right of access if we were to be successful in obtaining ownership of the church.

Cont'd....

- 2. They assert that our estimated budget cost includes an unsubstantiated figure of £250,000 allocated to the repair of the spire of the church. This figure is based upon the advice of a respected stonemasonry sub-contractor with a great deal of experience in working on listed churches, who has visited site and has taken into account The Morton Partnership report on the structure of the church dated 22 July 2013.
- 3. They state that they 'have 2 independently commissioned reports which estimate that the external and internal fabric repairs alone are considerably in excess of the figures assumed by Mr Cottee'. The Freeland Rees Roberts Architects report is not based upon our proposed scope of work, and takes no account of the demolition of the South aisle. Our proposal to demolish the South aisle not only reduces the amount of remedial work required, but generates significant amounts of recovered materials that will be used in the refurbishment of the retained portion of the building. It is worth noting that the Purcell Miller Tritton report dated January 2012 includes an estimate of cost of £1,240,300 for an equivalent scope of work to that included in the Freeland Rees Roberts Architects report which estimated costs at £3,000,000. We cannot comment on the Sawyer & Fisher cost plan, as we have not been given a copy by the Church Commissioner's, however, if the assumed scope of work aligns with that of an earlier cost plan by the same consultant, it is also not based upon our proposed scope of work, once again taking no account of the demolition of the south aisle. This previous Sawyer & Fisher cost plan totalled some £2.1m. In large part (we deduce from this previously issued cost plan) this cost estimate is predicated upon a scheme of complete refurbishment of the existing building, returning it to a pristine condition, which is counter to both current conservation best practice, and our intention to retain and conserve wherever appropriate.
- 4. They state that 'Sawyer & Fisher have also evaluated Mr Cottee's costs and advise us that there are omissions and a number of his allowances do not reflect realistic rates by as much as 50%.' We are unable to comment on this statement, as the Church Commissioners have not furnished us with any details to support their assertion. Suffice it to say, that I am a Chartered Quantity Surveyor, with approximately 30 years of experience in procuring building work, and currently carry out all of the estimating and cost planning for my construction company, and as such, am extremely well placed to know the current cost of all types of construction work.
- 5. They state 'he has costed his proposals at approximately £2,640.00 per sq m (GIA 528.65 sq m) which we are advised is probably 50% of that required....'. Once again, we have not been furnished with any supporting evidence by the CC, and so cannot comment. In our experience, this is a realistic allowance for works of this nature, Notwithstanding this, we are currently in the process of obtaining detailed quotations from a range of sub-contractors for each element of work, based upon quantified pricing schedules of work, which take into account current building regulations, and all relevant codes of practice, along with input from a number of design consultants. We have yet to complete this exercise but, so far,

have been able to confirm that the allowances within our cost plan are realistic for a significant number the main packages of work. It is worth noting that we have a confirmed tender for the roof covering works in the sum of £25,940 which compares to Sawyer and Fishers budget allowance of £300,000 in their cost plan dated

The Church Commissioners make reference to our statement of 'Total Net Worth' dated 1 December 2016, in the sum of £1,456,468.63. Since issuing this statement, we have: - completed the refurbishment and sale of the house at 7 Fernlea Road, Harwich; commenced the refurbishment of the house at 2 Bridge Cottages, Cavendish; obtained detailed planning approval on both the houses at Spring House, Ransom Road, Tiptree and at Tarifa, High Road, Leavenheath. Work on the latter two properties will be commencing shortly. Currently our net worth is higher than this statement, and will continue to increase as further time passes. In addition to this, we have a confirmed ability to borrow from Lloyds Bank in the sum of £351,150.

It is notable that the Church Commissioners have avoided any mention of the strong local support for our proposed scheme. This support was highlighted by our door to door survey (a copy of which was previously sent to your office). You will recall that the result was: - 85.3% in favour of our proposal; 13.7% against our proposal; the balance declined to commit either way. Many of those people that spoke to us expressed the view that they wished to save the building as a local landmark, and no longer considered it as a Church since it had been closed as a place of worship since long before many of them had moved to the village.

Yours sincerely

Gary &ottee BSc MRICS

Encs.

Ms Lorraine Gamble
Planning Casework Manager
Department for Local Communities and Local Government
5 St Philip's Place
Colmore Row
Birmingham B3 2PW

17 September 2017

Your ref: PCU/RARE/A1530/77929

Dear Ms Gamble

Subject: Non-statutory Public Inquiry under the Mission & Pastoral Measure 2011 and the Skelmersdale Agreement 1986 - Proposed Demolition of the Closed Church of Birch St Peter in the Diocese of Chelmsford.

I am responding to your letters of 31st August 2017 and 7th September 2017, inviting representations on the matters raised by the Church Commissioners in their request to the Secretary of State that he might reconsider his decision to hold a non-statutory public enquiry into the proposed demolition of St Peter's Church, Birch.

As our property overlooks the church, we have always had an interest in seeing the building preserved however, over time, as we have seen it deteriorate, we have concluded that the only realistic solution to its demise is for the whole building to be demolished in line with the original recommendations from the Church Commissioners.

Over the years there have been several attempts to try and find viable alternatives for the building but none have been successful. In the most recent, before the proposal now under review, The Colchester and North East Essex Preservation Trust explored three options for conversion but found none of them to be viable.

We are now at the point where there is only one proposed alternative under consideration and that is the scheme for conversion and alteration of the former church to form a single dwelling referred to in the Church Commissioners' letter of 9th February 2017. In the Statement of Common Ground, following the Pre-Inquiry Meeting held on 28th July 2016, it was made clear that the main issue was the viability of any proposal for alternative use.

Presently, the only proposed alternative use is for a scheme of conversion into a single dwelling put forward by a private individual Mr Cottee, together with support from The Colchester and North East Essex Building Preservation Trust. The proposal does not seem to be supported by any of the four recognised qualifying bodies who are objecting to demolition.

The scheme does not have Planning Permission or Listed Building Consent and, at present, there is not any realistic means of accessing the site from the public highway. Additionally, the scheme does not have agreement or support from the Diocese nor the Church Commissioners or the Local Parish Council.

The estimated costs of the scheme submitted by Mr Cottee appear to fall substantially short of the more recent reports commissioned by the Church Commissioners. Against an estimated total budget of just short of £1.4million, provided by Mr Cottee, the two reports undertaken for the Church Commissioners indicate potential costs for the repairs to the external and internal fabric of the building alone, before any conversion to acceptable living accommodation, to be in excess of £3.0million. Furthermore, assuming the reports from the Church Commissioners are correct, then there appears to be a potential gap between Mr Cottee's declared available funding provided in December 2016, and the likely total cost of conversion to a five bedroom residence, approaching £2.0million. Under any scenario, the finished property is unlikely to command a market value anywhere near the final cost.

The potential deficit, in itself, then raises a bigger issue. If the conversion scheme is allowed to proceed, there is a real concern that once partial demolition and repair has begun, the project would founder through lack of funding, and be abandoned, or worse, planning permission sort for an alternative development.

In any event, any decision to stop or redirect the present scheme, would probably mean the loss of the tower and spire, supposedly, the prime reason put forward for retaining the present building as the focus of the Birch Conservation Area. This outcome would do a disservice to the village as a whole, particularly as the site is an open churchyard still used for burials.

The escalating costs and risks to the likely completion of the present conversion proposal raises the whole question of whether or not a Public Enquiry and its associated costs would result in any conclusion other than to proceed with demolition.

Clearly, the risks appear to outweigh the benefits of such an enquiry and we would therefore hope the Secretary of State, in light of the evidence provided by the Church Commissioners, concludes a full Public Enquiry is no longer justified or required and that the original proposal for demolition is allowed to proceed.

Your sincerely,

Signed Geoffrey Carr

G R Carr