

**DELEGATED**

APP. NO	17/00519/LBC
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CASE OFFICER	TEAM LEADER	HOPS/P M	COND. COLOURING COND. NO PLAN NO.		COND. MONITORING	Comino CHECKED	POSTED
HF 25.08.17	CB 29/08/ 17					HF 25.08.17	

**Proposal:** Removal of Memorial from All Saints Church to St Andrews Church, Rochford.

**Site Location:** All Saints Church Sutton Road Rochford

**Legal Agreement:** NO

**Plan Numbers/Letters/Supporting Statements**

Drawings and documentation date stamped 19 May 2017, 25 May 2017, 14 June 2017, 1 July 2017 and 25 August 2017.

**Zoning:**  
**Parish Council - Sutton Parish Council**

**Officer Report:**

Site and Context

1. All Saints Church is a Grade II\* listed ecclesiastical building, which incorporates elements from the twelfth century onwards. The headstone which is to be relocated, and is subject of this listed building consent application, dates from the fourteenth century but has only resided in All Saints Church since the latter half of the twentieth century. All Saints Church is now redundant and is no longer a functioning church, hence the lack of ecclesiastical exemption.
2. The headstone which is proposed to be relocated consists of a brass and slab commemorating Thomas Stapel, Serjeant-at-Arms to Edward III, 1371. The Stapel brass is the earliest dated example and the eighth oldest brass to be found in the county of Essex. The memorial does not belong to All Saints Church and was previously moved from the redundant church of St Mary Magdalene, Shopland upon its closure and demolition in 1957.
3. As Sutton Church in which the memorial is currently located has been declared redundant there is now a need to relocate the feature again.

Proposal

4. The proposal includes the removal of a memorial commemorating Thomas Stapel, 1371, from All Saints Church, Sutton and its relocation to St Andrews Church, Rochford.
5. The relocation of the memorial would not involve any alteration or material change to Sutton Church other than the removal of the feature from the floor of the listed building.

6. It should be noted that further documentation was received on 25 August 2017 which provided additional details on the movement of the brass and associated slab, following an enquiry from the applicant ensuring the Council had all of the relevant information. In light of this, further comment was received from the Historic Buildings Advisor at ECC. It was not considered necessary to undertake re-consultation on the additional information supplied.

### Relevant Planning History

7. All Saints Church was first listed on the 27<sup>th</sup> of July 1959. The listing entry details read as follows:

SUTTON SUTTON ROAD TQ 88 NE 11/320 Church of All Saints 27.7.59 II\* Parish Church. Early C17 chancel and nave. C14/C15 bell turret. Date on south porch 1633. Circa 1869 and later repairs and restorations. Ragstone rubble, Reigate and Barnack stone dressings. Red plain tiled roofs, cedar shingles to bell turret and spirelet. Chancel 3 C19 lancet windows, labels over to east wall, angle buttresses. North wall lancet window, label over, C12 rear splays. South wall, 2 restored lancet windows labels over, that to west taller, the east window with C12 rear splay. To the east is a blocked partly restored C13 doorway with chamfered jambs and 2-centred arch. Nave, north wall, eastern C19 window of 3 trefoiled lights, tracery over, 2-centred arch and label with stops, western C12 restored round headed window. C12 rounded headed north doorway, C15/C16 door of 4 nailed overlapping boards, one strap-hinge. Heavy oak cill. The doorway is now disused and forms a cupboard. Electricity metres have been fixed to the inner face. Stone quoins to angles. Wrought iron crosses to gable apices. West wall C19 window of 2 cinquefoiled lights tracery over, 2-centred arch, moulded label with foliate stops. Below this window the stonework suggests a blocked doorway. South wall. Eastern C19 window of 3 trefoiled lights tracery over, 2-centred arch, label with stops, western C12 round headed window. South porch gabled and plastered. The moulded, square headed wooden doorway with sunk spandrels dated 1633, guilloche pattern lintel over, round door arch with key block. C19 barge boards to gable. C20 outer doors. Wrought iron cross to gable apex. Internally the roof is boarded, the side walls each have blocked windows of turned balusters, possibly former altar rails. Below the windows the walls are lined with C17 panelling, partly fluted and partly plain frieze, names cut on west side Charles Hobson 1647, Samuel Purchas 1647 and ...ard Brittridge 1647. South doorway C13 2-centred arch of 3 moulded orders, moulded jambs of 3 orders have each one attached and 2 free shafts with moulded capitals and bases. Interior:- Chancel:- C15 roof of 7 cants, square section 4 armed crown post on central tie beam. Moulded wall plate. C19 coloured tiled floor. C19 stained glass to windows. Altar rails, turned balusters to possibly older top rails. C19 east window with capitals and bases to jamb shafts. **Brass floor slab to south, from Shopland Church, of Thomas Stapel, 1371, Serjeant-at-arms, in armour with sword, pointed bascinet, comail etc., knee-cops and legs below missing, indents of marginal inscriptions, crocketed canopy and shields.** 2 floor slabs, Sarah Nott 1753 and Mary Scratton 1830-1877. Blocked 2-centred arch to south wall; memorial to C. Tyrell MDCXCV over. Small bible box from Shopland Church. Medieval painting on splays of north wall C12 window. Alabaster and coloured marble wall monument, mourning woman, urn and willow 1771, Chester Moor Hall of Sutton Hall, the maker of the first achromatic telescope. Black and white wall monument to John White of Rochford 1797. Aumbry with chamfered 2-centred head. Medieval painting to C12 round headed chancel arch of 2 orders on the west face, the inner plain the outer roll moulded, the responds each have a flat half round attached shaft with moulded bases and restored capitals, moulded abaci carried around the imposts. Nave. Simple stage octagonal pulpit. C15 seven cant roof of 3 bays, moulded wall plates, 4 armed crown posts with moulded capitals and bases.

C14/C15 timber bell turret at west end of nave with 4 outer and 4 inner posts, arched braces to lower and upper portal-frames. South door of a rare type, only 5 are known in Essex, assembled with counter-rebates, its top and base seem to have been cut off, similar doors are at Castle Hedingham and Elmstead Churches. This door was faced to south 1869. Said to be one bell by John Clifton 1638. 2 hatchments. One coat of arms. Circa 1817 organ from Shopland Church, by Gray, one row of pipes revoiced 1850. C13 font, square with 5 narrow 2-centred arches to each face, C19/C20 central and angle shafts with moulded capitals and bases, square base, octagonal plinth and floor slab. Poor box with end bands, barrel interior lid. North wall monument to Lt Wm Burchell killed on the ship Royal Oak at Chesapeake, 9 August 1814. C A Hewett 'Church Carpentry' 1974. RCHM 1.

As highlighted in the above text the memorial to Thomas Stapel, subject of this application is included within the details of the Listed Building, indicating its significance to the building's status.

8. There does not appear to be any recent planning history available for the church.

### Consideration

9. Listed Building Consent for the proposed works is required by virtue of the Planning (Listed Buildings and Conservation Areas) Act 1990. This legislation requires that in considering whether to grant listed building consent the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
10. Applications for listed building consent must be assessed on how the proposal impacts on the character and appearance of the heritage asset. The National Planning Policy Framework (NPPF) explains at paragraph 132 that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
11. The Historic Buildings Advisor has stated to have no objection to the relocation of the memorial subject to a number of conditions to ensure that both the historical feature and the listed building are properly conserved throughout the move.
12. The existing location of the headstone is not original, Thomas Stapel having previously been entombed in Shopland Church. The headstone was moved prior to the church's listing, therefore the headstone formed part of and contributes to the significance of All Saints Church and the reason for its listing designation. However it is detailed within the comment from the Historical Buildings Advisor that there is a preference for the headstone to remain part of an active church, which would allow the public to retain access and would replicate its original setting.
13. The headstone is a historical feature which is considered to enhance the significance of its existing location, despite not being original to the listed building. The headstone's primary significance is considered to be derived from its historical fabric and its historical value. The proposed relocation is considered to retain a suitable setting for the historical feature and ensure that it is appropriately conserved.
14. Although the removal of the headstone would reduce the significance of All Saints Church, the overall significance of the heritage asset is considered to be neutral. In

addition the proposals are considered an opportunity for the headstone to remain in a more public setting, which may be lost otherwise.

15. As the relocation of the headstone would benefit the public enjoyment of the historical feature and retain it within an appropriate setting it is deemed acceptable for the feature to be removed from the listed building despite its significance to its listed status, subject to a number of conditions as recommended by the Historical Buildings Advisor to ensure the appropriate care and conservation of both the headstone as an important historical feature and of the listed building.

### **Consultations and Representations:**

16. The following comment was received from the Historic Building Consultant of Essex County Council:

All Saints Church is a grade II\* listed building, incorporating elements from the twelfth century onwards. The headstone which forms the basis of the application dates from the fourteenth century and has only resided with the church since the latter half of the twentieth century. All Saints Church is now redundant and is no longer a functioning church, hence the lack of ecclesiastical exemption.

The proposal is for the removal of a headstone to be relocated at St Andrew's Church in Rochester.

The existing location of the headstone is not original, Thomas Staple having previously been entombed in Shopland Church. The headstone was moved prior to the church's listing, therefore the headstone formed part of and contribute to the significance of All Saints Church and the reason for its listing designation.

There is a preference for the headstone to remain part of an active church, which would allow the public to retain access and replicate its original setting. The headstone is a historical feature which is considered to enhance the significance of existing location, despite this not being original.

The headstone's primary significance is considered to be derived from its historical fabric and its historical value. The location of the headstone is not original, having been placed there in the latter half of the twentieth century. The consequence of this is that the setting has been undermined and is now defined by its ecclesiastical setting. The proposed relocation is therefore considered to retain its setting and ensure that the historical fabric is conserved.

Although the removal of the headstone would reduce the significance of All Saints Church, the overall significance of the heritage assess is considered to be neutral. In addition the proposals are considered an opportunity for the headstone to remain in a more public setting, which may be lost otherwise.

The proposals are considered acceptable provided the following conditions are attached.

- A level 3 recording shall be made of all six elevations of the headstone, which shall additionally include historical research of the headstone and a written and photographic record of its removal, transportation and insertion in to its new location, which shall be submitted to the Essex Historic Environment Record as a pdf within 3 months of its removal from All Saints Church.

- The headstone shall not be removed from its existing location until evidence of all necessary permissions required for its insertion with St Andrews have been submitted to and approved by the local planning authority.
- Prior to the removal of the headstone a schedule of works detailing the method of removal, transportation and re-insertion shall be submitted to and approved by the local planning authority.
- The headstone shall not be removed until the preparation works required for its insertion within St Andrews have been completed.
- Prior to its removal details regarding the treatment of the floor subsequent to the removal of the headstone shall be submitted and approved by the local planning authority.
- Within three months of the removal of the headstone, Historic England shall be formally notified that the listing description of All Saints Church contains inaccurate information and if required submit an application to edit the listing description.

17. Following the receipt of a further supplementary report on the 25 August 2017, regarding the method of the movement of the brass, the Historic Building Consultant stated the redundancy of the following previously suggested comments:

- Prior to the removal of the headstone a schedule of works detailing the method of removal, transportation and re-insertion shall be submitted to and approved by the local planning authority.
- Prior to its removal details regarding the treatment of the floor subsequent to the removal of the headstone shall be submitted and approved by the local planning authority.

18. There have been no further comments received in relation to this application.

### **Policies:**

National Planning Policy Framework

Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Conclusions:**

APPROVE

### **CONDITIONS:**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this consent.

REASON: Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. A level 3 recording shall be made of all six elevations of the headstone, which shall additionally include historical research of the headstone and a written and photographic record of its removal, transportation and insertion in to its new location,

which shall be submitted to the Essex Historic Environment Record within 3 months of its removal from All Saints Church.

REASON: In the interest of recording details of the headstone as a feature of historical importance.

3. The headstone shall not be removed from its existing location until evidence of all necessary permissions required for its insertion within St Andrews have been submitted to and approved in writing by the local planning authority.

REASON: In the interest of preserving the headstone as a feature of historical importance.

4. The headstone shall not be removed until the preparation works required for its insertion within St Andrews have been completed.

REASON: In the interest of preserving the headstone as a feature of historical importance.

5. Within three months of the removal of the headstone, Historic England shall be formally notified that the listing description of All Saints Church contains inaccurate information and, if required, submit an application to edit the listing description.

REASON: To ensure that accurate records of the listed structure are retained allowing for suitable preservation into the future.

### **Informatives:**

1. The applicant should be made aware that any departure from the approved plan is likely to result in the development being unauthorised with the requirement for a further application to be submitted, which will be dealt with on a "without prejudice" basis. Early contact with the planning department where a change is contemplated is strongly advised although even minor changes are likely to require a new application.
2. This Listed Building Consent relates solely to the plans, drawings, notes and written details submitted with the application or as subsequently amended in writing and referred to at the top of this notice. No other works or alterations to the Listed Building are inferred or intended and any alterations or revisions found to be necessary during the course of preparation for or execution of the works authorised by this consent, or required under the Building Regulations, may only be carried out with the express written consent or authorisation of the Local Planning Authority. Unauthorised modifications, alterations, or works not included within this consent may render the owner(s) and/or contractors liable to Enforcement action and/or prosecution.

### **REASON FOR DECISION AND STATEMENT**

The proposal is considered not to cause any significant harm to the character and appearance of the Listed Building or to the desirability of preserving the Listed Building or its setting. The headstone is not an original feature of the church, having been moved there in the latter half of the twentieth century. Furthermore its relocation to an active, functioning

church allows for the headstone to remain in a public setting for future enjoyment of the historic, ecclesiastical feature.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against the adopted Development Plan and all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The proposal is considered not to cause significant demonstrable harm to any development plan interests, other material considerations, to the character and appearance of the area, to the street scene or residential amenity such as to justify refusing the application; nor to surrounding occupiers in neighbouring streets.