

Advisory Committee). The Diocesan Advisory Committee have given their support to the current proposals. However, even if planning permission is granted for the proposed extension, the PCC would have to undertake trial hole excavations in the area of ancient burials close to the church, to ascertain the position of any remains buried in that part of the churchyard that is likely to be affected, and to submit a formal faculty petition for the works to the Diocesan Chancellor for approval. Until this final approval is given the PCC would not be allowed to commence the construction of the extension.

5.4 Although one section of path will be diverted around the proposed extension, the layout of the graveyard will certainly not be eradicated by such works. The floor of the new building will be raised slightly above ground level so as to leave identified grave sites intact wherever possible, with the sensitive relocation of historic gravestones. These details could be secured by conditions on any grant of planning permission.

## **6. Conditions**

6.1 Should the Inspector decide to allow the appeal and grant planning permission for the proposed extension, the appellant would accept the imposition of all but one of the conditions as suggested by the Planning Officer in the report to Committee. The appellant considers that draft Condition 17 relating to the repositioning of gravestones is a matter for the Diocesan Advisory Committee rather than the Planning Authority.

## **7. Claim for Award of Costs**

7.1 The appellant wishes to submit a claim for an award of the full cost of additional fees to pay professional advisers to appeal the Council's decision, for the following reasons:

- a. The appellant believes that Council members acted unreasonably in making a decision that is contrary to the professional advice of their Planning and Conservation Officers, English Heritage, the Merseyside Archaeological Service and other specialist consultees;
- b. The appellant believes that the Council failed to make a decision based on sound planning grounds and that there is no substantive evidence to justify the Council's reason for refusal;
- c. The appellant considers that the reason for refusal relating to loss of access to existing graves by relatives, and the prevention of further burials taking place in part of the graveyard, is not a valid planning reason for refusal;
- d. The appellant believes that, despite a clear warning to disregard emotive issues raised in consultation responses, Council members acted unreasonably and were unduly influenced by persons who mis-represented the potential impact of the proposals on this important listed building, causing the All Saints PCC and their congregations unwarranted distress, frustration and uncertainty, and causing them to incur the unnecessary costs of additional professional advice in order to make this appeal.