

BINLEY: ST. BARTHOLOMEW

JUDGMENT

- 1) St. Bartholomew's Binley is a Grade I listed Georgian church. It is a small but charming church with a nave measuring 17.7m by 6.4m and an apsidal sanctuary the entrance to which is formed by an archway approximately 2m wide. The church was built in the early 1770's as the estate church for Coombe Abbey.
- 2) The Petitioners seek a faculty for the installation of a fixed projector and screen. It is proposed that the projector should be in a box fixed to the underside of the balcony at the west end of the church. The screen is to be across the archway forming the entrance to the sanctuary. When not in use the screen is to be housed in a box running across that archway. The Petitioners originally proposed the filling in of the upper part of that archway believing that this would minimise the visual impact. However, having taken the advice of the Diocesan Advisory Committee they now simply seek permission for the positioning of the box across the archway.
- 3) The rationale for the application is that although the majority of services in the church take the form of traditional services of Holy Communion there are regular family services and also All-Age Worship. At services of the latter two kinds the words of the service and of the hymns or songs to be sung are projected on to a screen. The current arrangement is that a portable projector and screen are used. The projector is set up on a table towards the east end of the nave just west of the communion rail and the screen is erected at the far south east corner of the nave. In order for the screen to be sufficiently high to be seen it stands on three chairs. The Petitioners explain that there are a number of disadvantages with this arrangement. It takes time to set up and dismantle meaning that the screen and projector have to remain in place throughout the services in which they are used. They take up space at the front of church in this small church. Moreover, the need to stand the screen on three chairs gives rise to a risk of danger in that there is an ever-present

concern that it will topple over. The Petitioners say that the proposed arrangement will provide for a screen and projector in better positions taking up less space and with the screen more easily visible by the congregation. The arrangement will be safer. It will be capable of being brought into operation at the flick of a switch (or two). This means that the screen could be used for part of a service but then closed.

- 4) The Georgian Group has become a party opponent resisting the grant of a faculty for the reasons which I shall summarise below.
- 5) I concluded that this matter was suitable for determination on the basis of written representations and an informal site visit. The Petitioners and the Georgian Group consented to that course.
- 6) I conducted a site visit on 3rd August 2013. No representations were made on that visit but the churchwardens were present and helpfully pointed out the relevant features of the church. In addition a batten was in position across the archway replicating the position and to some extent the appearance which the box would have when the screen was furled (though clearly lacking the depth which the box would have).
- 7) The Diocesan Advisory Committee has recommended approval of the Petition and has certified its opinion that the proposed works are not likely to affect the church's character as a building of special architectural or historic interest.
- 8) On behalf of English Heritage, Nicholas Molyneux, made a detailed analysis of the proposal and its impact on the church. His letter to the Diocesan Advisory Committee Secretary points out that the church has decorative plasterwork making the interior sensitive "*to even relatively minor changes*". He went on to explain that English Heritage was content for the proposed works to be performed. The reason for this was that Mr. Molyneux was convinced that the scheme had been "*carefully considered*" in circumstances where other possible courses had been explored and had properly been rejected as being unworkable. Mr. Molyneux accepted that the presence of the screen box would create a small disruption of the view of the chancel plasterwork but this was a "*minor impact*". The essence of Mr. Molyneux'

assessment was that the proposals were “*as minimal in terms of their impact as it is possible for the scheme to be and still offer the level of functionality required*”.

- 9) There was no objection lodged in response to the public notice. In the light of the Diocesan Advisory Committee’s view as to the lack of an impact on the church’s special character the Local Planning Authority had not been consulted before the papers came to me nor had there been a newspaper advertisement. As will be seen below I concur with the Diocesan Advisory Committee’s assessment in that regard and so such steps are not necessary.
- 10) The papers before me contain an undated letter (or more probably a print out of an e-mail) from Darrell Reed-Aspley. This is addressed to the members of the Parochial Church Council and Mr. Reed-Aspley has not pursued his reservations. However, I note that Mr. Reed-Aspley expressed concern that there should not be changes to the interior of this church unless there was “*an extremely compelling need*” for such change. He went on to express the view that the introduction of a projection screen would not appear to be a sufficiently compelling reason to make such a change.
- 11) The Georgian Group does not object to the installation of a projector in a box under the balcony nor to the other ancillary elements of the proposed works. It does object to the proposed installation of a screen box across the archway. In its written representations and earlier correspondence the Group emphasises the high quality of the interior of this church and the fact that it remains well-preserved. It took the view that any change which involved the permanent fixing of equipment at the east end of the church was likely to be damaging to the special character of the church.
- 12) It is the view of the Georgian Group that a non-fixed arrangement should continue. It urged more detailed consideration of different forms of non-fixed arrangement. The Group pointed out that “*one of the chief architectural features of the interior was the broken entablature framing the east window*”. It went on to say that the proposed screen and box would even when fully furled “*upset the architectural integrity of this arrangement*”. The Group conceded

that the continued use of a non-fixed arrangement might “*not be the most ideal situation for the congregation*” but said that compromises would have to be made in the context of a Grade I building. The Group said that it would not object to “*the principle of a fixed arrangement*” provided that “*it could be installed with minimal impact on the architectural design and historic fabric of the church*”. However, my understanding of the Group’s submissions read as a whole is that it believes that any fixed arrangement is likely to have an adverse impact on the church’s character. It is certainly its case that the proposal here would have such an impact. In essence it is the Group’s contention that the installation of the screen box at a visually significant location in this beautiful and well-preserved church would have an adverse impact on its character which is not justifiable given the scope for using a portable screen.

13) The Petitioners have responded emphasising the minimal visual impact which they believe the proposals will have and their consideration and subsequent rejection of potential alternatives. They say that there is a real need for the ability to use a screen and projector in a number of the services in the church. The format of those services is dependent on such projection and the services themselves are an important part of the church’s work. If there is to be such projection then it should be through the use of equipment and arrangements which are safe; which can be brought into operation and closed down quickly; and which take up the minimum amount of space.

14) As Mr. Molyneux pointed out in his letter the proposals are reversible in that the installation of the screen box will not damage the surrounding features and it will be possible to remove that box in the future. This is true but it has limited weight and I approach the matter on the footing that if a faculty is granted the screen box will be present for the foreseeable future.

15) St. Bartholomew’s is a Grade I listed church. The proposed works will lead to an alteration in its appearance at least to some extent. Therefore, the approach laid down in *Re Duffield: St Alkmund* [2013] 2 WLR 854 is to be followed namely:

- a) Would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historic interest?
- b) If not have the Petitioners shown a sufficiently good reason for change to overcome the ordinary presumption that in the absence of a good reason change should not be permitted?
- c) If there would be harm to the significance of the church as a building of special architectural or historic interest how serious would that harm be?
- d) How clear and convincing is the justification for carrying out the proposals?
- e) In the light of the strong presumption against proposals which will adversely affect the special character of a listed building will the benefit outweigh the harm?

16) In considering the last question I have to bear in mind that the more serious the harm the greater the level of benefit needed before proposals can be permitted. I also have to bear in mind that serious harm to a church listed as Grade I or Grade II* should only be permitted in exceptional cases.

17) Will the proposals if implemented harm the special character of this church?

There will be a Twenty-First Century structure inserted into an Eighteenth Century church. The archway will not be as it was originally. To that extent there will be an alteration and to that extent the character of the church will have been affected. However, the impact on that character will be very limited. The view of the Georgian Group is that any fixed structure inserted at the archway will, because of the visual importance and significance of that part of the church, harm the church's special character. In assessing the force of that view I take account of the different view taken by both the Diocesan Advisory Committee and English Heritage. The former concluded that there would be no impact on the church's special character while the latter regarded the impact as minimal. A Chancellor has to exercise considerable caution in relying on his own assessment of the aesthetic impact of proposed works. Nonetheless, the impression I formed on my site visit was that the screen box would be visible to those who looked upwards to the top of the archway but

that it would be unlikely to be obtrusive or to attract attention. The appearance of the plasterwork and of the east end of the church would remain substantially unaltered.

18) In determining whether there is likely to be harm to the special character of the church it is not possible to say that every change necessarily harms that character because it makes the church something different from what it was originally. The matter has to be considered more carefully and with reference to the nature of the change and to the particular features making up the church's special character. Here the impact will be minimal. St. Bartholomew's will remain a well-preserved Eighteenth Century church albeit one with an additional box crossing the top of the archway. In those circumstances I have concluded that the Diocesan Advisory Committee and English Heritage are correct and that the proposed changes will not harm the character of this church.

19) Of course the absence of harm to that character is not the end of the matter. A good reason must be shown for any change to a church building particularly where that church has a Grade I listing. Such a good reason has been shown here. There is a real need for the use of projection equipment in the services in the church and that need should be met by arrangements which are seemly, unobtrusive in appearance, efficient in operation, and safe. The proposed works satisfy those requirements and will enable that real need to be met. It might be possible for there to be installed a moveable screen and projector on less "Heath Robinson" basis than is currently used. However, any moveable screen would still have the disadvantages of taking up space on the floor of the church; requiring time to erect; and consequently of not being capable of being used flexibly during services. Indeed a portable screen would arguably be more disruptive to the appearance of the church during services (which is when the church is in use and so when its appearance is of particular importance) than what is proposed by the Petitioners. It follows that I have concluded a good reason has been shown justifying the proposed works.

- 20) For the sake of completeness I add that even if I had taken the view that the proposed works would adversely affect the church's special character I would have concluded that the impact on that character was so minimal and the potential benefits so substantial that the latter outweighed the former.
- 21) In those circumstances I direct the grant of a faculty for the proposed work subject to a twelve month time limit and to a condition of recording the works in the log book.

STEPHEN EYRE
CHANCELLOR
3rd August 2013