

Neutral Citation Number: [2018] ECC Bri 2

In the Consistory Court of Bristol

In re, Great Somerford, St Peter and St Paul

JUDGMENT

1. This is a petition for a major re-ordering of the interior of this Grade I listed church including (I include the amended particulars): the moving of the front pew on the north side of the nave (including the PA box) back one bay, and removing the pew platform. Black and red tiling to be extended into the space created, to modify the iron grille in the floor of the aisle to the south door floor by lowering it and covering it with coir matting or by leaving in-situ and infilling with resin; to provide an audio loop. All internal wall surfaces to be redecorated with limewash. The creation of a Coffee area at the rear of the nave by removing five rows of pews and associated frontals and raised pew platforms. The Font to be modified by the removal of the platform supporting it as shown in drawing 400M, dated 06/02/2018. The Frontal chest to be moved from the Chancel to the north aisle. The Altar platform to be removed, the Choir stalls to be removed and disposed of. The floor under the choir stalls to be upgraded to receive tiles. The tower to be reordered to include an accessible lavatory and galley kitchen. Patterned glazing to be installed in tower screen to replace solid panels. The west door to be sealed up. The north aisle to be adapted to include a new vestry by the removal of the rear pews. The 'Children's Area' is to be moved towards the west end of north aisle, in a space created by the removal of 3 rows of pews. The entire heating system to be renewed including a new oil fired boiler and radiators to replace existing. To lay a new drain to the neighbour's existing waste disposal system. The entire electrical system needs to be renewed.
2. A temporary faculty allowing the removal of the furniture from the Chancel. I have seen evidence that supports the petitioner's contention that the temporary arrangements have allowed more liturgical flexibility and greater accessibility and comfort for worshippers, not just for the daily services, but also for the occasional services.
3. The amenity bodies were consulted and commented as follows (I summarise, and reassure them that I have read and taken on board all of their very helpful comments):
 - a. Historic England support the removal of the choir stalls and the altar platform, support the installation of a kitchenette and lavatory and are broadly supportive of the rest of the reordering but are opposed to the introduction of stackable upholstered chairs,

- b. Wiltshire Council broadly support the reordering but oppose the removal of so many pews, propose that the lavatory only be introduced to the tower area and the kitchenette moved to the corner of the North Aisle, oppose lowering and covering the floor grille,
 - c. The Church Buildings Council do not oppose the permanent removal of the choir stalls but suggest that a new coherent set of furniture be introduced, support the removal of the front pews, but oppose the removal of all of the rear pews, oppose the introduction of stackable, upholstered steel chairs,
4. None of the amenities bodies wish to be party's opponent but are keen that I take notice of their comments. I do so, and am grateful for their care in considering matters.
 5. The PCC also held two public consultations and the feedback from them has informed the petition. The statement of significance deals in detail with the effect the proposals will have on the church. The extremely full and extremely helpful statement of needs sets out very clearly how the temporary faculty has been useful in terms of informing the final petition.
 6. The Church has a small but clearly very enthusiastic congregation of about 25 (I note that they have managed, in recent years to replace the Church roof). The photographs provided by the petitioners show a well-cared for and very beautiful building. The congregation is also, by its own admission, of increasing age. Indeed, the age of the congregation is one of the reasons for this petition. The petitioners wish to increase the flexibility of use of the church and thus increase the numbers of those who attend church. The temporary faculty granted under licence has allowed the petitioners to assess the new layout of the church for regular and occasional services, and the response of the various congregations have been overwhelmingly positive (not least the ending of the "inappropriately comedic 'three point turn'" in the crowded Chancel area that had been forced on undertakers as the coffin was brought in and removed from church). It is also to be hoped that, with a more flexible interior, the church can be used for community activities as the only other community spaces in the village are small and unsuitable.
 7. The petitioners seek to replace the pews with stackable, metal framed and upholstered chairs. They say this about their choice:

We are mindful of the guidance of the Churches Building Council regarding the selection of chairs for use in church and of the reasons behind their recommendations to use wooden non-upholstered chairs, but still feel that this style of chair offers a better solution, with a balance of economy, compact storage, comfort, and suitability for a variety of uses. ... We would like to emphasise that these chairs are intended for occasional and varied use rather than being

permanently set out in rows. With a team of aging volunteers it is especially important that they are light in weight and are stackable easily and with limited storage space in the tower base it is important that they can be moved easily and stored in a small volume.

They compare the proposed chairs to chairs used in another of the churches in the area which are described as being 'heavy, bulky and deeply cushioned and is (sic) a burden during the frequent stacking of chairs, challenging the enthusiasm of even the younger fitter church members, who after 10 years of stacking are beginning to tire of it'.

8. The Statement of Needs contained some extremely useful photographs that reveal that the interior has, over the centuries remained extremely attractive but has become unexpectedly cluttered and presents an asymmetrical aspect. Attractive original features of the church have been hidden by the insensitive addition of areas of carpet and, in one area, what is described as a 'pseudo credence table'. I note that the petitioners intend to purchase and introduce a new lectern to replace what is described as the 'rather random collection of furniture in the Chancel which is currently being used following the removal of the vicar's stall under the Temporary Licence. Various of the consultees were concerned about the lack of co-ordination of this temporary furniture, which was never intended to be the permanent solution'.
9. The particular considerations of *In Re St Alkmund, Duffield* [2013] Fam158 apply. The Court of Arches in *In re St John the Baptist, Penshurst*[2015] WLR (D) 115, reaffirmed the approach it set out in *In Re St.Alkmund, Duffield* [2013] Fam 158 in performing the necessary balancing exercise when determining petitions affecting listed buildings attracting the ecclesiastical exemption. It is this, as applicable in this case:
 - (1) Would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historical interest?
 - (2) If the answer to the first question is in the affirmative, how serious would that harm be?
 - (3) Thereafter, how clear and convincing is the justification for the proposals?
 - (4) Generally, the greater the harm, the greater the demonstrable benefit will need to be to justify the proposals.
10. This is a thoughtful and detailed petition that has been informed by input not just from this small and enthusiastic congregation, but from other individuals who currently use the church infrequently but who would like to use it more not just for worship but as a meeting place and a community hub.
11. I am satisfied that proposals, if implemented would result in little if any significant harm to the church as a building of special architectural or historical interest, indeed I am satisfied that the petition will remove some of the less sensitive alterations that have happened over the years. Whilst I am sympathetic to the views of the Church Building Council with regard to the proposed chairs I am satisfied that they are, in this particular church's application, appropriate for this church and any harm that is

caused us outweighed by the flexibility that will be created. I am also sympathetic to the needs of this particular congregation.

12. In all the circumstances I am prepared to grant the faculty as prayed.

13. No plans have been submitted for the heating, or lighting. The DAC must be consulted before any further petition is submitted. I have seen no plans for the colour of the limewash, which must also be approved by the DAC. An archaeological watching brief must be maintained when any excavations occur.

20 August 2018

Justin Gau
Chancellor