

**PATTINGHAM: ST CHAD**

**JUDGMENT**

- 1) The church of St. Chad in Pattingham has a Grade II\* listing. It dates from the Thirteenth Century but was substantially rebuilt in the Seventeenth Century and further remodelled in Victorian times.
- 2) The main entrance to the church is through the south door. This is currently approached through a porch consisting of stone outer walls and a wooden door creating a storm porch which then leads to the oak door of the church itself. The Priest in Charge and the churchwardens petition for a faculty to remove the existing Victorian storm porch and to replace it with a porch consisting of glass doors in a timber frame. The proposal envisages the outer walls remaining but with the glass doors replacing the current wooden outer door albeit being positioned nearer to the entrance to the porch.
- 3) The purpose of the proposed alteration is to make the church building more welcoming to those considering attending services or simply entering when passing the church. There is a need for a storm porch but the current door is felt to have an exclusionary appearance.
- 4) There has been no objection in response to the public notice.
- 5) The Diocesan Advisory Committee has recommended approval. There had been a DAC site visit on 16<sup>th</sup> January 2013. The report of that visit commented that the existing storm porch was of “poor quality” describing it as “not of great aesthetic merit” adding that it was “badly fitted and does not enhance the building”. In recommending approval the Diocesan Advisory Committee said that it viewed the proposed porch as being an “improvement” on the existing structure.
- 6) The DAC certificate stated that the proposed works would constitute a material change in the appearance of the church. That is undoubtedly correct. The certificate also stated that the works would affect the church’s character as a

building of special architectural and historic interest. That is more debateable and I will turn to that aspect in due course.

- 7) English Heritage was consulted about the proposal. On behalf of English Heritage Mr. Alan Taylor has confirmed that there is no objection to the proposed works. Mr. Taylor also makes reference to the “very long and thorough discussion of the proposals by the DAC”.
- 8) The Victorian Society was also consulted. The Society has written objecting to the proposal. The Society does not wish to become a party opponent but has set out its views with clarity and care. The Society’s position is summed up in the following passage: “We do not feel that the existing storm porch is of special significance and we have no objection in principle to its removal and replacement in a more modern idiom. However, we are not convinced by the present design for the proposed new storm porch which we feel would have a detrimental effect on the entrance to the church.” The balance of the Society’s letter sets out the reasons for believing that the proposed design is not acceptable. In essence these reasons derive from concern that the substantial area of glass placed near to the entrance to the porch would have a reflective effect altering the appearance of the entrance to the church.
- 9) The Petitioners have consented to the matter being determined on written representations (a course I find expedient). By way of written representations I have been provided with the comments of Mr. Andrew Capper, the Church architect, on the Victorian Society’s letter. Mr. Capper accepts that a glazed screen close to the entrance to the porch would create a reflective effect. However, he contends that will not be the case here because the proposal is for a glazed door which “is not close to the external arch and will sit in shade inside the porch where it will not have a reflective appearance.”
- 10) I have already said that St. Chad’s is a listed church and that the proposed works will lead to an alteration in its appearance. 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?
- 11) Although the Diocesan Advisory Committee certified that the proposed works would affect the church's special significance it is not clear to me that this is the case. The existing storm porch has been described by the Diocesan Advisory Committee as being of poor quality and by the Victorian Society as not being of special significance. All concerned are agreed that it is appropriate to remove the existing porch and to install a modern replacement. The need for and the desirability of such a move are accepted. The issue is whether the proposed modern replacement is of an adequate quality. Thus the removal of the existing storm porch and the installation of a modern replacement will not, in my judgment, harm the special significance of this church. Moreover, all concerned are agreed that a replacement is appropriate and thus that the presumption against change has been overcome.
- 12) It follows that the Duffield: St. Alkmund guidelines are not of direct assistance. Rather the question I have to consider is whether the proposed replacement porch is of satisfactory quality as an addition to this listed church. Any alteration or addition to a church should only be permitted if it is of the highest quality in terms of design and appearance for a structure of its nature. Moreover, the structure must not be considered in isolation but rather in the context of its impact on the overall appearance of the church. Will it improve or mar the church's appearance? Will the new storm porch detract from the appearance of this church and, if it will, is such adverse impact the minimum possible or would some other design meet the need in an aesthetically preferable way?

13) This is very much a matter of aesthetics. The Diocesan Advisory Committee advises that the proposed works will be an improvement to the appearance of the church. The Victorian Society says that the proposed design will detract from the appearance of the church whereas a different design and positioning would have a better appearance while achieving the same functional result. Chancellors should be cautious in assessing matters of aesthetic judgment and should be conscious of the greater expertise of others but a determination must be made where there is such a conflict. In such circumstances the views of the Diocesan Advisory Committee must carry particular weight. On the facts of this case it is also significant that English Heritage does not oppose the proposal (and indeed has commented on the care with which the DAC reached its conclusion). Moreover, Mr. Capper's explanation is most helpful. It indicates that thought has been given to the problem which concerns the Victorian Society and suggests that the Society might not have fully appreciated where the glass is to be positioned or the effect of such positioning.

14) All are agreed that the existing storm porch should be replaced. It is almost inevitable that opinions on the aesthetic merits of what is proposed will differ. It is apparent that there is significant expert support for the proposal. That support includes the carefully considered assessment of the Diocesan Advisory Committee. In addition it is clear that proper thought has been given to the impact on the appearance of the church. Notwithstanding the concerns expressed by the Victorian Society the position is that the contributions from the Diocesan Advisory Committee and English Heritage enable me to conclude that the Petitioners' contention that the proposed replacement installation will enhance the appearance of this church is a legitimate and justifiable one. It is a contention with which some will disagree, as is very frequently the case in matters of aesthetic judgment, but it is a legitimate view supported by expert assessment. In those circumstances it is appropriate to grant the faculty sought and I direct that the faculty shall issue.

STEPHEN EYRE  
CHANCELLOR  
16<sup>th</sup> April 2014