

[2016] ECC Bri 6

In re Pilning, St Peter

Judgment

1. By an amended petition (in the form of alternative plans submitted to me), the petitioners apply for a faculty for:
 - a. the removal of all but the last 3 rows of pews and their replacement with modern chairs,
 - b. the removal of the original dado panelling and its replacement,
 - c. the replacement of the original stone floor with a wooden floor in a mixture of oak boards and herringbone parquet,
 - d. the replacement of the heating system,
 - e. the replacement of the lighting system,
 - f. the introduction of new glazed porch doors,
 - g. the re-laying of the stone floor in the porch to create a slight ramp,
 - h. the refurbishment and relocation of the organ,
 - i. the introduction of an area of paving around the font, reusing some of the Pennant stone from the aisle,
 - j. the introduction of new tall storage cupboards, made symmetrical to balance either side of the main door, accommodating the side door opening and low oak storage unit
 - k. the introduction of new cupboards and coverable sink with retractable tap, to facilitate the making of hot drinks and refreshments at the back of the church.
2. St Peter's is a grade II listed church, built by Henry Crisp and consecrated in 1855. It is built of Hanham stone with Bath stone quoins and decorations. The floor of the church is a combination of stone flags built on rubble for the aisles and suspended wooden flooring underneath the pews. The pews are original and are detailed with umbrella stands and diamond-shaped poppyheads. They attach to the dado panelling where they meet the wall. It is clear that the interior has been little altered since its consecration.
3. The church is part of a long established Local Ecumenical Partnership. Anglicans and Methodists share the building. Indeed the local Methodist chapel was used as the church hall for St Peter's until 2011, when it was sold. I am informed by Rev Ann Parker the 'Focal Minister' for the parish in a letter dated 2nd June 2016, that the sale of the former Methodist Chapel will fund these proposed alterations. I am told, in the design statement that there is no other 'building of significance within the village, either for church or community use'.

4. The Victorian Society and English Heritage have expressed their concerns about the proposed works. They do not wish to become parties opponent I understand, but wish me to take their comments on board when I make my decision.
5. In an email from the Victorian Society, dated 12 January 2015 they state:

"(the pews) are an integral part of the building's interior, and do much to define its character. They appear to be sound and handsome.

Removal of the nave pews would therefore have a dramatic impact on the building. Further, removing the pews demand replacement of the dado panelling, further exacerbated by the removal of the stone-slabbed nave aisle, which plays an important role in emphasising the axial nature of the building and the relationship between the west door and the altar. Taken together these changes would harmfully alter the character of the church as a building of special architectural and historic interest."

They go on to say of the other proposals:

"...installing glass doors to the outer arch of the west porch would also alter the character of this element of the building. Plate glass would be an alien architectural element that because of its reflectiveness would be quite obtrusive, and the porch would lose its traditional sense of 'hollowness,' of being open to the world on one side and the church on the other. We would recommend the church to explore installing an internal draught lobby, or (if possible) installing a glass door in the same opening as the existing wooden door which could then be kept open when the church is in use. New storage, a/v facilities, heating and lighting are not at all objectionable in principle but much will depend upon the detailed design.

I do not raise these concerns to discourage the PCC from making any alterations of any kind to St Peter's church: we well understand that for some degree of adaptation is often necessary if historic buildings are to continue to be used and valued. You mention that the aim of the project is to convert the church into a flexible space for use by the church and wider community: this is a laudable aim, and one which we would like to encourage. However, the Victorian Society and other consultees will wish to be assured that the changes you propose are responding to a genuine need, and are doing so in a proportionate manner, as far as possible avoiding harm to those aspects of the building's character that have led to its national recognition as an historically important building."

English Heritage in an email dated 9 February state:

As we discussed, the aspect of the proposals which would cause the most concern is the wholesale removal of pews, panelling and floor structure in the nave. At present, the church retains much of its historic fabric and features, and this contributes strongly to its significance as a relatively intact example of a small church from this period. Complete removal of these features would alter the character of the church interior considerably and would be harmful to its significance. While some removal of pews is likely to be acceptable, we would strongly recommend that an alternative approach be considered which looks at the

retention of a meaningful proportion of pews in order that this aspect of the church's history and significance is not completely lost. Similarly for the floor, you should first consider whether or not the existing, historic floor surfaces are capable of repair and retention before proposing removal, and whether there are alternative approaches which could provide level access without the loss of the floor.

6. By letter dated 24th April the petitioners state that the plan would provide this church with a *'flexible space which would enable us, like many churches these days, to hold various events, evangelistic and social, so that we can integrate and reach out into the community.'* St Peters, they say *'could...be a focal point in which to meet, if it were transformed into a building which is really welcoming and suitable for such activities'*. They say they now intend to keep some pews to create *'a quiet space for those who wish to come in to pray and meditate'*. They go on to say that St Peter's will be not just a place of worship but a space to have *'meetings, coffee mornings and all those other activities that are so vital to the outreach of the church in mission and evangelism-activities which are all but impossible in the building as it is at present'*.
7. The amended proposals were submitted to Historic England who stated, by letter dated 16 May 2016:

The Design Statement (May 2015) submitted in the original application has not achieved a level of understanding and appreciation of the significance that the integrated pews and dado panelling, and flooring contribute to the character, and therefore significance, of the building. The statement recognises that they are an original feature but fails to attribute a satisfactory level of significance they play in the architectural value of the church. The designed seating, panelling and flooring are likely to be integral to the church's original conception and as such play a substantial role in its significance. As noted previously, Historic England commends the ongoing and increased use of church buildings, but question whether the aspirations proposed are the optimum uses for this building.

Whilst the retention of pews is welcomed, we remain unconvinced that this will retain the significance and character of the building if the remaining features are lost. The shortening of the pews, and subsequent disintegration (and loss) of the unified panelling to incorporate the proposed heating does not retain the architectural harmony of this feature. We have not had sight of alternative solutions for heating and suggest the advice of a heating specialist be sought. Additionally, the complete re-flooring of the nave will further erode the authenticity and integrity of the historic cohesion that survives. As it stands, the proposed loss of historic fabric will cause significant harm to the character of the building, and we are therefore not able to support this scheme until further assessment has been undertaken and subsequent schemes are explored.

8. Having invited the parish to consider the criticisms they wrote to me on 2nd June 2016. In a robust letter they state that they wish to be part of *'new and exciting ways that churches are finding to share the good news of God's kingdom'*. They point out that they have gone to great lengths to try to keep *'the essential character of the wholeness of*

the church, hence the floor, the dado and the chairs are all in the same colour wood' they go on to say '...the existing floor is a trip hazard...we cannot get wheelchairs in because the ramp doesn't fit properly...we cannot get the whole of our church school into the church in one sitting'. These clear points are rather undermined by the unpleasantly strident parts of the letter that state, inter alia, 'if everyone felt like English Heritage we would still be using gas lamps in our churches; we would still be using the Book of Common Prayer' ending with the unhelpful rhetorical question 'Do we have to be bound by the dead hand of the past?'

9. The amenity bodies have an absolutely invaluable part to play in the preservation of our heritage in a changing world. They have an expertise which assists churches across the country, tempering the reforming zeal of those churches which would otherwise fall to prey to the vagaries of fashion. As an aside, I would also gently remind the petitioners of the legal status of the Book of Common Prayer in the Church of England.
10. The decision I have to make is guided by the authority of the Court of Arches in the case of *in Re St Alkmund, Duffield* (2012) 14 Ecc LJ 461-461 which set out the questions I have to consider:
 1. Would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historic interest?
 2. If the answer to question (1) is "no", the ordinary presumption in faculty proceedings "in favour of things as they stand" is applicable, and can be rebutted more or less readily, depending on the particular nature of the proposals.
 3. If the answer to question (1) is "yes", how serious would the harm be?
 4. How clear and convincing is the justification for carrying out the proposals?
 5. Bearing in mind that there is a strong presumption against proposals which will adversely affect the special character of a listed building, will any resulting public benefit (including matters such as liturgical freedom, pastoral well-being, opportunities for mission, and putting the church to viable uses that are consistent with its role as a place of worship and mission) outweigh the harm?

In answering question (5), the more serious the harm, the greater will be the level of benefit needed before the proposals should be permitted. This will particularly be the case if the harm is to a building which is listed Grade 1 or 2*, where serious harm should only exceptionally be allowed.
11. In this case I have taken on board all the submissions made by all parties. I have to balance the pastoral needs of the parish in terms of liturgical freedom, the opportunities for mission and the putting of the church to uses that are consistent with its role as a place for worship and mission against the significance of the church as a building of special architectural and historical interest.
12. This is a grade II listed church which has remained substantially unaltered since its construction. I have to balance that against the fact that there is no longer a church hall available to the parish, that there are no other buildings available for church and

community use. In particular the whole of the Church primary school cannot fit into the church as it is currently arranged.

13. I am satisfied, having looked at the plans, the photographs and the submissions that the answer to the first of the Duffield questions is "yes". Having decided that, I have then to go on to consider whether the resulting public benefit (including matters such as liturgical freedom, pastoral well-being, opportunities for mission, and putting the church to viable uses that are consistent with its role as a place of worship and mission) outweighs the harm?
14. In the unique circumstances of this case I am just so persuaded, and grant the amended faculty as prayed. A full record of the church as it currently is must be prepared, including the architectural plans and photographs of all aspects of the interior. They must be archived and added to the church terrier.

18th July 2016

Justin Gau,
Chancellor