



JUDICIARY OF
ENGLAND AND WALES

HIS HONOUR JUDGE PAUL DOWNES
MAGISTRATES' LIAISON JUDGE
CHANCELLOR OF THE DIOCESES OF WAKEFIELD AND NORWICH

12th November 2010

In re St Margaret Kin
Kings Lynn

JUDGEMENT

I have now had the opportunity of viewing a “mock up“ of the suggested chancel heating system, and of discussing the matter with the Archdeacon of Lynn, the Vicar and churchwardens.

The relevant Amenity Societies, English Heritage and the Church Buildings Council, whilst in some cases having reservations about the proposals, do not contest the issue. The advice from the DAC from some quarters of the Committee is that the present suggested system is inappropriate for a chancel of such national importance.

However, on requesting appropriate alternatives from the same source, I received only the information that the “wet system“ was all that was to be put forward. This is clearly inappropriate for the means of this church, and I am satisfied that there is the required necessity under the Bishopgate criteria for the system to be installed.

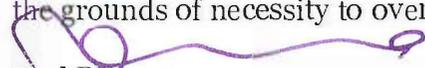
I am assured that the system would be easily reversible, and I shall require as a condition of the faculty that a letter from the relevant authority to that effect shall be lodged in the file.

Otherwise I am content to allow this faculty as prayed, with the system as demonstrated.

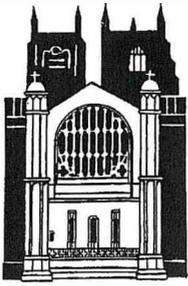
Duration 2 years.

This Judgement can be cited in the faculty papers as the authority for the issue of the faculty, together with any recommendations or conditions imposed in the DAC certificate or recommendation letter.

I am grateful, as always for the advice of the DAC, but in this instance feel obliged on the grounds of necessity to override any contrary advice.


Paul Downes
Chancellor

13th November 2010



St Margaret's, King's Lynn

Vicar: The Revd Canon Christopher Ivory B.Sc., Dip.Th.

Gill Hadlum
Birketts LLP
Kingfisher House
1 Gilders Way
Norwich
NR31UB



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St Margaret's Place
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Dear Gill,

Heating/lighting installation: faculty petition no. 0247/10

The faculty required a letter confirming that the installation would be easily reversible.

Enclosed is a letter from the inspecting architect, Iain Frearson, and also a statement from the contractors, Kings and Barnhams. I hope these fulfil the requirement.

With thanks and best wishes

Yours sincerely,

Christopher Ivory

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Directors
Henry Freeland
Tristan Rees Roberts
Jeremy Lander
Graham Riley

Associates
Tania Gomez-Duran
Iain Frearson
Sarah Morrison

18th November 2010

Dear Chris

King's Lynn, St. Margaret: Heating and Lighting (09.023)

You have asked me to write to you to discuss the reversibility of the works you propose, and specifically the eyebolts in the Nave and brackets in the Chancel.

My understanding is that the PCC's current proposals cover the provision of new chandeliers (to provide both heating and lighting to the Nave and Chancel arcading), as well as square format/ wall heaters in the Crossing, South-West Tower, Nave (West Wall) and South Transept, and switchgear located in a cupboard on the south side of the Crossing (however, I understand that the DAC has indicated that it will not recommend the installation of heaters in the Chancel or Crossing).

Lighting Fixings

The initial proposals for the eyebolts were prepared by structural engineer Philip Cooper. When contacted in May this year, Philip indicated that he would be able to specify the proposals in more detail once the basic approach had been agreed by you and the DAC.

Nave Lighting Fixings – The proposal is to drill a hole in the soffit of each arch and insert an expanding fixing. The hoop or eyebolt attached (and used to secure the chandelier) can either be fixed or removable (ie. unscrewable). I think the final decision on which to choose has yet to be made by the PCC. Clearly, once fitted, that part of the fixing located within the stonework cannot be removed, and is not easily reversible. However, the work might still be regarded as a modest and relatively discreet intervention, with little obvious damage if the hoop or eyebolt itself is removed.

Chancel Lighting Fixings – Two options are proposed (again, the final decision between options has yet to be made by the PCC).

Option 1 proposes a metal bracket fixed to one side of the profiled stonework of the arch, with the chandelier suspended from an eyebolt at the bottom of the bracket.

Option 2 proposes two metal plates (each with an eyebolt) with one fixed either side of the profiled stonework of each arch, with metal fixings into the stonework. The chandelier would be suspended by metal wires (one from each of the eyebolts).

Both bracket and the metal plates could at a later stage be removed, but their fixings would be left within the stonework. However, both options might still be regarded as modest and relatively discreet interventions, with little obvious damage if removed.

I understand that the DAC feels that there is a risk of heat damage to the Chancel screen from the chandeliers. I do not feel able to contradict their view on this, and bow to their judgment and collective experience on this matter.

Wiring / Cable Routes

We did meet on-site and discussed possible wiring/ cable routes. I was happy with the basic strategy discussed. We discussed making use of existing ducts wherever possible. We also discussed surface mounting cables elsewhere, following natural lines/ edges/ divisions in order to reduce their visibility, etc, wherever possible. We discussed painting-in cables to match surfaces over which they passed.

In principle the work should be reversible and the installation removable in the longer term, if required, without significant damage to the fabric.

Generally

It is important that all fixings be in a suitable grade of stainless steel, to avoid corrosion and blowing of stonework.

Once you have taken the decision on which options (as noted above) to pursue, Philip Cooper can produce the detailed information required for the works contractor.

The above notes are based on information supplied to me by you over the last eighteen months, and as discussed with you on-site. If you wish to forward me any further details, I would be happy to comment on these, as required.

Clearly, the skills and experience of those undertaking the work will be key. The work needs to be undertaken by someone experienced in working within a historic church such as St. Margaret's.

If you have any queries, please let me know.

Yours sincerely,



Iain Frearson
For Freeland Rees Roberts Architects

**Heating and Lighting Project St Margaret's
Cable Installation – Q16130 revision B**

The Heating/Lighting Scheme proposed for St. Margaret's Church would be reversible; the cable installation is carried out in surface fixed LSF/PVC covered micv cable. Cables will be routed across the Church via an existing heating duct, rising to high level on existing and new galvanised cable tray fixed to walls via non-ferrous screws. Fixings will be installed to avoid the old woodwork and Capital stone work, where cables have to run round the base of the Arches, fixing will be located into the joints where possible.

Cables routed through the Organ will follow existing routes, and where possible be fixed to the existing cable tray, all cable runs will be agreed in detail to avoid any damage to the Organ timbers.

Cables at high level in the Nave and Chancel will be fixed to the wood rafters and coloured to match their background.

Chandeliers will be mounted on metal brackets designed to hang central off the Arches without causing damage to the Stone Capitals (as per sketches).

Cable routes are depicted on the Annotated pictures.

Kings & Bonham

DIOCESAN ADVISORY COMMITTEE CERTIFICATE

[FORM 1 –Faculty Jurisdiction Rules 2000 – Rule 3]

Parish: King's Lynn St Margaret with St Nicholas (Churches Conservation Trust) and St Edmund (d/church*)

Church: King's Lynn St Margaret

The Church is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990.

The listing is Grade I.

PART 1

I HEREBY CERTIFY that at a meeting of the Diocesan Advisory Committee held on 3rd June 2010

1. The following works/other proposals were considered:

The introduction of 15 x 9 kW chandeliers in nave and chancel arches plus 1 x 4.5kW half round in chancel. 2 x 4.5kW square format heaters in crossing. 1 x 3 kW square format heater in s tower. 3 x 3kW heaters in s transept. 2 x 3kW heaters on west wall. Controlled from cupboard in south transept. The work is detailed in a quotation from Kings and Barnhams dated 19th August 2009.

(The Committee's views on the significance of the works/other proposals are given in Part 2 overleaf)

2. The Committee decided to RECOMMEND the introduction of the chandeliers in the nave and associated work.
3. The Committee does NOT RECOMMEND the introduction of the chandeliers in the chancel or in the crossing, for the following reasons:
- The heaters will damage the woodwork of the chancel screens.
 - The chancel is of national importance

You are nevertheless entitled to petition for a faculty, if you so wish, notwithstanding the Committee's decision.



08 June 2010

Secretary of the Diocesan Advisory Committee

PLEASE NOTE:

- (1) A Certificate under paragraph 2 or 3 does NOT give you permission to proceed with your proposals, unless and until a faculty is granted by the Chancellor (or by the Archdeacon in respect of matters within Appendix A of the Faculty Jurisdiction Rules 2000).
- (2) Whether the Certificate of the Committee under Part 1 is under paragraph 2, 3 or 4 above, any recommendation of the Committee under paragraph 2 of Part 2 below should be followed before submitting a petition for a faculty.
- (3) This certificate is valid for 12 months from the date stated above.

PART 2

The views of the Diocesan Advisory Committee on the following matters are set out below (as appropriate):

1. *For the purposes of the jurisdiction of the Archdeacon under Appendix A to the Faculty Jurisdiction Rules 2000*

In the opinion of the Committee the work or part of the work proposed overleaf is **not** likely to affect:-

- (a) the character of the church as a building of special architectural or historic interest,
 - (b) the archaeological importance of the church
 - (c) archaeological remains existing within the church or its curtilage.
- (Tick as appropriate)

Particulars of Work *(please see Part 1 overleaf)*

2. *For the purposes of advising intending applicants on the desirability of consultation with other bodies or persons if they have not already consulted them (.Rule 3(7) of the Faculty Jurisdiction Rules 2000)*

The Committee **recommends** that the intending applicants consult the bodies or person as is indicated below:-

- (a) English Heritage
- (b) the Local Planning Authority
- (c) the following National Amenity Societies:
Society for the Protection of Ancient Buildings
- (d) the Church Buildings Council
- (e) the following body or person:
(Tick as appropriate)

The reason for this **recommendation** is that in the opinion of the Committee some or all of the works or proposals:-

- (i) involve alteration of or extension to a listed church to such an extent as is likely to affect its character as a building of special architectural or historic interest, or
 - (ii) are likely to affect the archaeological importance of the church or archaeological remains existing within the church or its curtilage, or
 - (iii) will involve demolition affecting the exterior of an unlisted church in a conservation area.
- (Tick as appropriate)

3. *For the purpose of advising the Chancellor under section 17(6)(a) of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991*

None of the proposed works/other proposals involve demolition of part of the church.



Secretary to the Diocesan Advisory Committee

08 June 2010



ENGLISH HERITAGE

EAST OF ENGLAND REGION

The Revd Christopher Ivory
St Margaret's Vicarage
St Margaret's Place
King's Lynn
Norfolk
PE30 5DL

Direct Dial: 01223 582721
Direct Fax: 01223 582701

Our ref: E00002241

Your ref:

20 October 2009

Dear Mr. Ivory

Notification under the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994

LOCATION: CHURCH OF ST MARGARET, KINGS LYNN, NORFOLK

PROPOSED WORK: Installation of Quartz Radiant Heating System and new additional lighting

Thank you for consulting English Heritage on the proposal to install new lighting and additional heating in the church of St Margaret. The lights are largely replacements for existing fittings and it appears the opportunity has been taken to mount many of them in inconspicuous positions. The radiant heaters are intended to augment the existing pew heaters.

We generally recommend traditional 'wet' central heating systems for historic churches. This is in part because of the gentle heating of building fabric as well as air that results from a radiator system run at a background level and slowly raised to room temperature during opening hours. Radiant heat does not actively harm fabric in the way some systems can, but as the heaters need to be prominently positioned to operate effectively they present a challenge in minimising visual impact upon the sensitive interior of historic buildings.

Radiant heaters also only heat exposed skin directly in line with the elements ("heating the head and hands", as it is often called). They are often used in churches with a very low level of use, such as occasional services and little else. I do not know what consideration the parish has given to other options, but it strikes me that St. Margaret's is an important part of a major town with a high level of use and so might actually benefit from and justify a wet system. I would be interested to hear your thoughts on this matter.

I would certainly agree that if radiant heating units are to be used the 'chandelier' design, as



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English Heritage is subject to the Freedom of Information Act. All information held by the organisation will be accessible in response to a Freedom of Information request, unless one of the exemptions in the Act applies.

English Heritage will use the information provided by you to evaluate any application you make for Listed Building or Conservation Area Consent under the Ecclesiastical Exemption. Information provided by you and any information obtained from other sources will be retained in all cases in hard copy form and/or on computer for administration purposes and future consideration, where applicable.



ENGLISH HERITAGE

EAST OF ENGLAND REGION

used in Beccles, is a good way to mount them. These not only disguise the heating elements but suspend them free of the architecture. They are of course quite prominent, but have a different effect to units attached to the masonry. For these reasons I am concerned by the likely impact of the heating units not contained within chandeliers. Those positioned by the west door will be quite prominent in a particularly interesting part of the church. Moreover, this is not an area in which people will regularly be seated for services, but will mainly be passing through. I would therefore question if wall-mounted radiant heaters are appropriate for this space. The visual effect will be similar in the crossing and St. Edmund's chapel where undisguised heaters will be prominent.

It is not clear from the details you have submitted where the chandeliers would be located in the chancel. In fact, it would be very helpful to have a plan of the whole building identifying the position of all the proposed heating units as well as the (very useful) photographs.

If radiant heaters are to be used in St. Margaret's the chandeliers are a definite improvement on standard heaters and I am pleased the parish has given careful consideration to their design. However, I hope alternatives to the unadorned heaters can be investigated or the necessity of installing them in these areas reconsidered.

Yours sincerely

P.P. AJN

David Eve
Inspector of Historic Buildings
E-mail: david.eve@english-heritage.org.uk



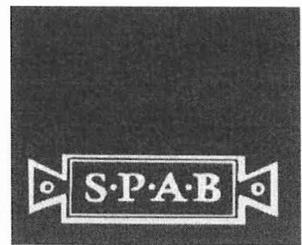
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The Revd Canon Christopher Ivory B.Sc.,Dip.Th.
St. Margaret's Vicarage,
St. Margaret's Place,
King's Lynn,
Norfolk PE30 5DL

3rd March 2010

Our ref: CC/17554/SPAB/10

Dear Canon Ivory,

RE. ST. MARGARET'S CHURCH KING'S LYNN: HEATING INSTALLATION.

Thank you for notifying the Society of the above application. St. Margaret's Church is clearly a building of exceptional importance and interest, and is one of the country's greatest parish churches, as is also recognized by its Grade I listing. The Society has not had the opportunity to visit the site in the time available, but offers the following comments on the basis of the information submitted in the application.

The Society has complete sympathy with your parishioners and the coldness of the church, and we fully support your desire to encourage growth of the congregation. You appear to have given this problem a great deal of thought over a considerable period of time. The Society agrees with you that the conventional wet system would work well, and it seems a pity that such a system is beyond your current finances at present.

We have looked very carefully at the proposed quartz radiant heating 'chandeliers', and found the mock ups helpful, as well as the photos of St. Michael Beccles. We have two main concerns - the first being the likely impact their installation will have on the historic fabric of the church, particularly where the chandeliers are fixed into the arches. The second concern is that the fittings themselves will have a considerable impact on the appearance of the interior of the building. We feel that if this type of fitting is the only alternative, you should consider having brackets which fit into the joints of the wall above the arch, and locating the fitting at the column rather than midway between the columns. We believe that the latter will lessen their visual impact but obviously will not resolve the problem of aesthetics.

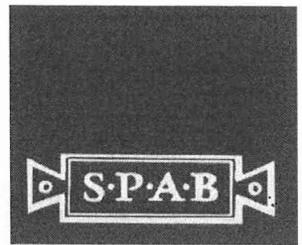
We hope that these comments are helpful to you and the parish.

Yours sincerely,

Catherine Cullis
Cathedrals and Churches Officer

Cc by email Mrs Jean Gosling, DAC Secretary
Mr David Eve, English Heritage
Mr Nicholas Warns, Joint Committee DAC Nominee
Ms Gill Hadlum, Diocesan Registry

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Revd Canon Christopher Ivory
St Margaret's Vicarage
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Kings Lynn
Norfolk PE30 5DL

Diana Coulter
Casework Officer

30 April 2010

Dear Canon Ivory

**King's Lynn, St Margaret (Diocese of Norwich)
Proposed heating and lighting installation**

Further to your correspondence with this office, your referral has been considered by the Council which met recently. I am now able to set out its advice.

The Council thought that this proposal had been developed with care, and would wish to offer its support. It would recommend that the chandeliers be hung centrally from the apex of the arches. This would be consistent with earlier lighting schemes used in the nave as demonstrated in the scanned images attached, the landscape view dating from between the two World Wars and the portrait view dating from 1948.

With regard to the chandeliers themselves, The Council would like the DAC to be reassured that the heating elements will not generate red light. It was also felt necessary to establish whether in the chancel there would be any impact if the chandeliers are placed immediately above the timber structure of the medieval screens.

Apart from these concerns, the Council is content to defer the detailing of the final scheme to the satisfactory resolution by the Diocesan Advisory Committee.

I am copying this letter to Jean Gosling at Norwich DAC.

Yours sincerely



Diana Coulter (Ms)
Casework Officer

