

IN THE CONSISTORY COURT AT LINCOLN

In the matter of St John the Evangelist, Manthorpe

**Judgment**

1. By a Petition dated 20/6/18 the Petitioners seek a faculty to demolish the existing north side extension and construct a new community church hall extension to the north and west of the church, with a reordering of various aspects of the internal arrangements and furnishings of the church.
2. The DAC has recommended the works to me with various provisos. The Victorian Society ('VS') has opposed aspects of the proposals (see emails 11/10/18 and 11/1/19) but have not sought to become party objectors. Historic England ('HE') in their letter 24/10/18 comment on the proposed scheme for the extension which they support. They do not comment on the proposals for the internal reordering.
3. The Church is Grade II listed. It was built as an estate church in 1847-8 by the architect GG Place. The estate of which it was a part was the Brownlow Estate providing a place of worship for estate workers. The Earl, Lord Brownlow, who lived at Belton House, gave an acre of land for the church, the vicarage and graveyard, and also paid for the construction of the vicarage, and his brother, the Hon and Revd Richard Cust, the first Rector, solely paid for the construction of the church. It was consecrated by the Bishop of Lincoln in 1848.
4. The church comprises a crossing beneath the tower and spire with the nave to the west and the chancel to the east. The main body of the church contains many original fittings and furnishings including the pews. Mr Walsh of HE in his letter dated 24/10/18 states that the church presents a very attractive 'whole' and this forms an important part of the church's significance.
5. In early discussion with the DAC I note that the PCC had considered disposal of the pews but this proposal fell away as the plans were developed and further advice was received. This approach by the PCC is to be commended. I deal with the application in 2 parts: the community church hall extension, and the internal re-ordering.

6. The Statement of Need (25/5/18 revision B) explains that the church has 91 on the electoral roll with principal services on Sunday being attended by around 40 with children. There is an all age worship service once a month and a parish communion on the other Sundays. The church has a significant number of occasional services, as well as an annual flower festival and Christmas Tree festival and a few concerts. The lack of a church community hall is hampering the development of a Sunday school and this is a constraint on the growth of young families attending church. There is a privately owned village hall used by community groups including the WI, but if the ownership of the hall changed then there is no guarantee that it would remain available. The parish office is in the old vestry off the chancel which is a cramped space unsuitable for use in marriage and baptism meetings, or to provide office space for the parish administrator. There is no adequate vestry, nor any toilet facilities for wheelchair users. The kitchen is inadequate and there is a lack of storage space.
7. The church has recently received a large bequest and it has been agreed that £750,000 of that will be used to fund the extension and reordering proposals.

#### **The Extension.**

8. What is proposed is that the existing 20<sup>th</sup> century brick extension to the north of the church which houses a kitchen and lavatory should be demolished. The new church community hall would extend the church westwards with an entrance on the south side, and a church office on the same side. Careful thought has been given to the placing of this extension and due to ownership constraints on adjacent land, all agree that this is the most appropriate site for the extension.
9. The extension that is proposed has lower ridge line and eaves than the existing church and a glazed link between it and the west end of the church. The new entrance to the extension has been designed, it is submitted, so as not to overpower the south porch into the church. The end of the roof of the extension is hipped so as to 'book end' the church.
10. HE's letter dated 24/10/18 sets out their support for this proposal. The significantly lower ridge height respecting the hierarchy of spaces and the steep roof slopes reflect the existing character of the church. They support the use of the glazed connection which will allow natural light to fall on the west wall of the nave and the west window. There is a division in the use of materials which allows the south porch to remain prominent.
11. The VS in their email 11/10/18 agree to the siting of the extension on the existing axis of the church but object to the connection between the extension and the church. The VS submit that the join proposed was a detriment to the character and appearance and 'set piece' quality of the existing church. They proposed shifting the extension westwards whilst maintaining the northern linking extension which would still enable access to facilities between the church and the extension. The VS were also concerned about:

- (i) the hall entrance
- (ii) the protruding meeting room on the south side
- (iii) the fenestration at the south western corner of the extension
- (iv) The materials were too mixed (brick, stone, larch cladding, zinc, glazing)

and the disruption this will cause to the relationship with the south porch and the south elevation of the church. They submit that the corner glazing is incongruous as it sits alongside the ‘great solidity and chunky refinement’ that defines the character of the listed building.

12. The Rector’s response dated 6/11/18 engages with the VS comments and sought to justify the decisions that had been made: it was not proposed that there should be any change to the proposal. The Rector considered that the VS adverse comments on the mix of materials indicates their view is that the extension would be pastiche. The VS in their reply 11/1/19 deny that their comments can be fairly categorised in this way. They submit that the materials and the style of the extension are not sufficiently reflective of the listed building which is its context.

### **The internal re-ordering**

13. The proposal is much more limited than had at one stage been envisaged. The Statement of Need sets out the proposals:

- (i) level access via the south porch
- (ii) repositioning the font by 320mm and sinking it, thereby removing a tripping hazard
- (iii) installation of a new heating system
- (iv) new flooring to the south porch, nave and base of tower
- (v) dismantling of the pulpit and its ‘reimagining’ as a credence table and a plinth of the tabernacle.
- (vi) moving the altar rail westwards by 400mm
- (vii) installation of new electrical and lighting system and a new AV system
- (viii) redecoration of walls, ceiling boards and timbers throughout
- (ix) stripping of ‘Manthorpe Green’ paint from the nave pews and altar rail.

14. The VS welcome the stripping of the green paint, the removal of the red carpet and the retiling of the floor beneath the tower. They are also content with the replacement of the pew platforms with good quality stone (as proposed) as long

as the pews are replaced (they will be). They do not object to the slight move of the font. Their concerns are:

- (i) the sinking of the base of the font into the floor
- (ii) the colour scheme
- (iii) pulpit disassembly
- (iv) disposal of 2 choir pews
- (v) installation of glass doors in the south porch (not part of this faculty but the next one)
- (vi) relocation of the altar rail

15. The VS state that insufficient justification has been provided for these changes which are of significance in this Victorian Grade II church.

## **Determination**

### **The extension**

16. In determining this Petition, I must apply the approach of the Court of Arches in re St Alkmund, Duffield 1/10/12 in asking the primary question:

‘would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historic interest’?

17. I am satisfied that the proposals for the extension would not result in harm to the significance of this Grade II listed church. I have considered with care the concerns of the VS and their primary contention that the extension should be physically separated from the church and that the glazed connection is unsuccessful. I consider that if they were separated in the way suggested there would be a greater discongruity between the 2 constructions. Far better that they alide into each other in the way that is proposed rather than have a physically separated extension building. I agree that the lower ridge line of the extension and use of the hipped roof all contribute to ensuring that the extension is subservient to the main church building, and is in keeping with it, rather than fighting against it. In the words of Mr Walsh’s letter from HE, it respects ‘the hierarchy of spaces and the steep roof slopes reflect the existing character of the church’. I agree with this. I have seen the photograph of St John, Bourne End, Hertfordshire within the architects report p14) and although it is a very different extension project, it is possible to see how a glazed connection can work in maintaining the separation between to the 2 constructions whilst ensuring that they do not fight against each other. I also welcome the effect of light shining through the glazed area into the west end of the church at St John’s Manthorpe.

18. I have considered VS's concerns about the materials used. I do not agree that they are inappropriate or will cause harm of the church as defined in question 1.

19. Given that answer, I need now to consider question 2 of Re Alkmund

"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 upon the particular nature of the proposals (see Peek v Trower 1881 7 PD 26-8, and the review of the case law....in Re St Mary's White Waltham No 2 2010 PTSR 1689 at para 11').

20. Looking at the proposals for the extension as a whole I am satisfied that the need for the proposal has been established by the Petitioners. They have the funding in place. In those circumstances the presumption against change is rebutted and the extension proposal can proceed with the conditions I will set out at the end of this judgement.

### **The internal reordering**

21. Answering the same Alkmund questions, I approach this question on the basis that this is a Victorian estate church which has been preserved as 'very attractive whole of the period which forms an important part of the church's significance' (Walsh/HE 24/10/18). I am satisfied that the following parts of the reordering do not cause harm to the church as defined and the need for these proposals is established:

- (i) improving access via south porch
- (ii) the repositioning of the font. I am satisfied that setting the octagonal font into the floor and removing a trip hazard will not cause harm to the significance of the church
- (iii) installation of the new heating system
- (iv) new flooring to south porch, nave and base of tower
- (v) moving of the chancel rail: for the reasons explained in the Statement of Need (lack of space in ministering communion)
- (vi) installation of new electrical and lighting system and a new AV system
- (vii) redecoration and stripping of the 'Manthorpe Green' from nave pews and altar rails.

22. The disassembly of the pulpit (by cutting the stone into 4 parts and using 2 parts to be constructed into a credence table and a plinth), and the removal of the Chancel pews would cause harm, and I am not satisfied that the Petitioners have established any adequate need that could justify the proposed harm that would be done.

23. The proposed 'reimagining' of the pulpit involves its destruction (see para 8.31 Specification p 39) and the use of 2 carved sections of the pulpit into new uses. I have no doubt that those uses would be suitable if no harm was being done to the significance of the church by the removal of the pulpit. I recognise that no preaching takes place from it at the moment, and its location in the church does not assist it in being a place from which to preach, but a desire to 'declutter' the space, cannot justify the destruction of an important piece of the 19<sup>th</sup> century architectural whole and harm would be done to the church if it was permitted. I am not satisfied that there is any justification from the Statement of Need for that harm to be permitted.
24. In respect of the removal of the chancel pews, I cannot see any reference to their removal in the justification for the project. In the absence of anything in the very helpful and full Statement of Needs document, I cannot authorise their removal from the Chancel.
25. I have noted the views of the VS about the redecoration proposals. However, it is clear that what the Petitioners proposed is not 'more of the same' but a return to colouring of the original Victorian church. They have taken advice from the diocesan paint adviser. I am satisfied that this redecoration will not harm the church as defined, and in fact will positively enhance that significance.
26. A number of items were not included in the Schedule of Works in the Petition which the Petitioner have confirmed should have been included. These items are:
- (i) Removal of electric pew heaters
  - (ii) Removal of electric organ from base of tower and introduction of new organ
  - (iii) Stripping of the green paint
27. These 3 items must all be added to the Schedule by way of amendment so that the record is clear as to what has been authorised. I waive any need to re advertise the Petition with these amendments.
28. I have not seen any justification or comment anywhere about the removal of the electric organ at the base of the tower and replacement by an organ to the west end of the nave. I am sure this is because there is no controversy about that. I require the DAC secretary to confirm to the Registry before the issue of the Faculty that the DAC supports the organ proposal. If for any reason they do not or want more time, I will give further directions. However, if the DAC support the organ proposal they may be included in the faculty issued.

## **Conclusion**

29. I will issue a faculty for the works as proposed less the disassembly of the pulpit and the removal of the chancel pews.
30. Conditions will include:
  - (i) Archaeological mitigation strategy is required with a watching brief
  - (ii) If during works any disarticulated human remains are uncovered and it is necessary to the same, they may be moved and reinterred elsewhere in the churchyard under the supervision of a priest. All work must stop, and further directions obtained from this court of articulated human remains are uncovered which it is necessary to move.
  - (iii) The Mechanical Services Specification should be tied into the Architects Specification, if this has not already been done. The DAC secretary can 'sign this off' once this has been done.
  - (iv) Electrical requirements for new wiring should be FP200 cable or similar approved.
  - (v) the Scarborough Nixon bat report must be provided to the contractors who must work to it
  - (vi) the conditions of the planning permission are conditions of this Faculty
  - (vii) the requirements of the insurers as set out in their letter are also conditions of this Faculty.
31. In respect of the final DAC proviso (confirmation to the DAC about the base level of lighting) I assume that this has been done and the DAC have no further comment to make. No doubt the DAC secretary can inform the Registry before the issue of the Faculty if this is not the case and I can give further direction if required.
32. I am most grateful for the careful work done in the preparation of this case for these proceedings, including the analysis of these proposals by Mr Hughes of the VS. I wish the parish well with this exciting project.

The Reverend and Worshipful Chancellor His Honour Judge Mark Bishop

16<sup>th</sup> February 2019