

**IN THE CONSISTORY COURT OF THE DIOCESE OF ROCHESTER**

**Re: PLAXTOL PARISH CHURCH**

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**J U D G M E N T**

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1. By a petition presented on 6<sup>th</sup> March 2017, the petitioners, being the Churchwardens, Mr Rodney Charles Crouch and Ms Adrienne Brewin, and the P.C.C. Treasurer, Mr Graham Shewell, applied for a Faculty for the internal reordering of Plaxtol Parish Church, to include the introduction of lavatories and a tea station at the base of the tower; the introduction of a ramp to access the base of the tower; the replacement of an existing wooden ladder; the removal of pews, pew platforms and pew frontals, in various areas within the church; the relocation of the font; the introduction of carpet to the welcome area in the south-west corner, and to the west end of the nave after the removal of pews; the reduction of size of a platform; and the provision of storage cupboards in the south chapel.
2. I have been able to set out the proposed works in outline because there was no dispute about, or objection to, them, apart from the introduction of carpets in the nave. Thus on 29<sup>th</sup> March 2017, I made an Order permitting the works proposed save for the carpeting in the nave. The appropriate Faculty was granted, and those works are now well in hand.
3. On 29<sup>th</sup> March 2017, by special citation, I ordered that Historic England and S.P.A.B. be given 28 days to make any representations that they might wish to make. I also ordered that all parties be given 28 days to indicate, if they so wished, that they were willing for me to deal with the petition on written submissions.
4. On 30<sup>th</sup> May 2017, all interested parties having agreed, I directed that I considered it expedient and appropriate to deal with the petition on written submissions. Subsequent to making that Order I had the opportunity of visiting the church, where, as I have said above, the uncontested works are well in hand.

5. Plaxtol Parish Church is Grade II\* listed, and dates from about 1640, hence historically it was not associated with any particular saint. It was substantially reordered in Victorian times, without any great apparent regard for its Cromwellian origins.
6. The P.C.C., at a meeting on 20<sup>th</sup> March 2017, unanimously resolved to approve the proposed works. There were no objections to the public notices.
7. The D.A.C., by its Notification of Advice dated 13<sup>th</sup> December 2016, recommended all the proposals, save those relating to carpeting in the nave. The D.A.C. gave as its opinion, inter alia, that it did not consider carpeting to be: "appropriate material for a Grade II\* church, being too domestic in appearance," and that tiling would be a better option. It did go on to say that were carpet to be permitted, it should be introduced in such a way as to ensure that if at some future date the use of tiles were to be desired, such could be achieved; in other words the D.A.C. wanted the works, if allowed, to be reversible. The petitioners are content to abide by such a recommendation if I allow the proposed carpeting works. In passing I should note that were tiles to be used they would have to be new ones. Interestingly, the D.A.C. opined that none of the proposed works were likely to affect the character of the church as a building of special architectural or historic interest, or the archaeological importance of the church
8. The petitioners, before presenting their petition, sought the views of Historic England, S.P.A.B, and the C.B.C.
9. S.P.A.B. have not responded to the special citation referred to above. The C.B.C. have adopted the stance of the D.A.C., and have, effectively, left it to the latter. They have taken no part in these proceedings. Historic England, by their email of 9<sup>th</sup> May, in consenting to the matter being dealt with on the basis of written representations, also stated that they did not wish to be joined as formal party opponents. This, inevitably, deprives me of the opportunity of hearing and seeing their witnesses give evidence, and of having that evidence tested in cross examination. However, by their earlier letter of 28<sup>th</sup> April 2017, Historic England set out their position. Their objections were restricted to the introduction of carpeting in the three areas sought. Ms Pollard of Historic England, put it thus; "Whilst floor finishes would at first sight seem to be a minor element of the proposed reordering scheme.... we.... consider that the proposed installation of carpet

within the west end of the nave is likely to be harmful to the significance of the building... (in that it) is likely to dilute and compete with the building's established aesthetic treatment and character." Ms Pollard goes on to concede that the chancel and south transept are already carpeted, but suggests that the carpeting there; "has less of an impact on the character of the building."

10. In reply, the petitioners have written a letter dated 17<sup>th</sup> May 2017. They point out, correctly, that churches are not, and are not to be regarded as museums, but should be "living, breathing places of worship" (Churchwardens Manual). That has to be correct. They do not accept that the impact of carpeting will adversely affect the aesthetics of the church. Having visited the church I have to say that I agree with this statement, and I bear in mind here the opinion of the D.A.C. set out in paragraph 7 above, to the effect that none of the proposed works were likely to affect the character of the church as a building of special architectural or historic interest.
11. The petitioners go on to make what is perhaps their main point, that the purpose of having carpet is to enhance ministry, and outreach. They want; "to create an environment in church that will be welcoming, comfortable, familiar, even cosy for young families and the elderly." The areas are to be used for children and babies, and midweek for the elderly. The petitioners' aims are to be applauded.
12. Without in any sense wanting to criticise Ms Pollard, or her views, the fact is that they are personal and subjective. I have not heard evidence from her tested in any way. Having read the petitioners' evidence and seen the church, I do not accept the criticisms.
13. The P.C.C., the petitioners, and all those involved in the church, have clearly prayerfully considered their proposals over a prolonged period of time. They have sought expert advice, taken on board criticisms, and made appropriate adjustments where they have felt able to do so. I reject the objections made. The petitioners have made out an overwhelming case on need and desirability.
14. Thus, whilst the church is undoubtedly of special architectural and/or historic interest, (its Grade II\* listing establishes that), I do not accept that the provision of carpeting will have the impact claimed. My views are bolstered by the fact that carpet has

already been laid and is in use in the chancel and south transept, areas which can hardly be said to be hidden from view. To say that the use of carpets in those areas has less of an impact on the character of the building, is, in my judgment, a specious view.

15. Accordingly, the test as set out in **Duffield, St Alkmund 2013 Fam 1** is not engaged. If I am wrong in this respect then my finding is that no harm will be done by the provision of carpets as sought. The petitioners have demonstrated a sufficiently good reason for the provision of carpets. I am, therefore, wholly satisfied that the petitioners have made out their case.
16. For the reasons given above, I reject the objections advanced, and am wholly satisfied that the proposed works are both needed and are appropriate.
17. I note that the petitioners are more than happy to ensure that the provision of carpets will be carried out in such a manner as to be reversible, in other words they will ensure that tiles can be laid if, say, a later generation desires such. I require an undertaking to be given to this effect by the petitioners. I will leave the precise wording of the undertaking to be agreed between the petitioners and the D.A.C.
18. In the premises I direct that faculty issue. The works should be completed within 12 months or within such period as may be further ordered.
19. The petitioners must pay the Registry and Court costs of and incidental to the petition, in the normal way. There shall be a correspondence fee to the Registrar in a sum to be agreed, or as I direct.



**John Gallagher**  
Chancellor  
5th July 2017