

Neutral Citation Number: [2016] ECC Lei 2

Ref:	2014-000090	Church:	Sheepy Magna: All Saints
Diocese:	Leicester	Archdeaconry:	Loughborough
Created By:	Mr Rupert Allen (05/12/2014)	Contact Tel.:	01455292940
Status:	Application with Registrar		

Chancellor's Determination

Action Issue Faculty (subject to public notice)
 Faculty Refused
 ✓ Return Application to Registrar

Directions or other Observations

IN THE LEICESTER CONSISTORY COURT (2016) ECC LEI 2

IN THE MATTER OF SHEEPY MAGNA, ALL SAINTS CHURCH

CHANCELLOR BLACKETT-ORD

26 January 2016

DIRECTIONS

1. I have before me a Petition from the Vicar and a churchwarden and the project leader of the Parish of Sheepy with Ratcliffe Culey Sibson, Orton-on-the-Hill and Twycross in the Diocese of Leicester, relating to proposed reordering of the Church of All Saints, Sheepy Magna. The church is Grade II* listed, and its architectural value lies in its Victorian stained glass and interior.
2. Unusually, I have already had to consider the proposed reordering of this church as recently as April 2012, when I rejected the Petition insofar as it sought the removal of the pews and the replacement of the pew platforms and Victorian tiled aisles, with York stone and underfloor heating.
3. The present proposal is very similar. I am perfectly prepared to consider it on its merits. There are no formal objectors, but I have seen correspondence with Historic England and the Victorian Society in which those bodies express their concern about the proposals. I take those concerns seriously and I do not feel that the Petitioners have done themselves justice by answering them coherently.
4. I would be assisted by a further representation from the Petitioners dealing with the following matters:
 - (a) In general, the Petitioners do not seem to have addressed the fact that the church has a Victorian interior which is worthy of protection, and the complete removal of pews and replacement of the floor by limestone slabs will tend to be destructive of this character of the church.
 - (b) It is intended that the pews be replaced by 44 chairs ("single seat pew benches") and by 30 double-seater and 7 triple-seater benches. It seems to me that these will provide less seating than the existing pews do and they invite the question of where they may be stored when not in use. The proposal is that this should be under the tower, where the WC is now situated. I wonder whether this is realistic. At my recent visit to the church I noticed that the church already has a storage problem in that the back three pews were occupied to a greater or lesser extent by stacked books and other paraphernalia even without the arrival of the proposed new chairs.
 - (c) I am not convinced by the calculations which purport to show that the proposed underfloor heating would suffice but will only work if it extends under, and requires the removal of, the existing tiled aisles. Those aisles do not take up a very large part of the total floor area.

(d) I fear that the Petitioners have appreciated clearly the position taken by the Victorian Society and Historic England. Thus, for example, on 16 January 2015 the Victorian Society wrote to the DAC: “However, particularly, as regards the floor, we feel the proposals still require some further development so as to bring corresponding interest to the interior as the existing historic furnishings and mitigate the harm caused by their removal...”.

Michael Clews, the architect, states in his letter to the DAC of 23 March 2015:

“We are pleased that the Society is supporting the proposals for floor, Porch and pews...”.

I am not sure that this is a fair understanding of the Victorian Society’s position.

Similarly, on 8 September 2015 Historic England wrote:

“We have always believed that the removal of the pews is regrettable and harm to the special interest of the church. In our view, the justification for removal needs to include agreement on an appropriate replacement which serves the needs of the parish through flexible usage though also seeks to reveal, enhance and preserve the special interest of the church. An appropriate bench has been selected, which is welcome. However, we did not support the option to combine pews and chairs as this could result in a visibly compromised scheme. In this context, we are now concerned by the proposed plan and furniture layout”.

An anonymous response to this from the PCC to the DAC secretary on 1 October 2015 states “We note that the proposal to replace the present fixed pews with freestanding stackable pew benches is welcomed by Historic England”.

This might be a slight misreading of the letter from Historic England.

I would like to give the Petitioners the opportunity to reconsider and respond more carefully to the letters of dissent received from Historic England and the Victorian Society going back to at least 22 November 2013 when Historic England wrote:

“We continue to advise that the complete removal of the pews will result in the greatest change to the historical and architectural significance of the interior of this Grade II* listed place of worship... We have not changed our view that to remove the pews is harmful to significance, and would require a very robust justification”.

5. So in the directions which I now make, I give the Petitioners a further opportunity to make a representation answering the criticisms of their scheme. Of course I have already seen several statements from the Petitioners, but I would benefit from something a little more focused.

6. Then there is the question how we shall proceed. If the Petitioners desire it, the Petition can be resolved by me on consideration of the written submissions. I would be happy to adopt that course and it would be cheaper and quicker for the Petitioners. On the other hand, I am perfectly happy to hold an oral hearing where the views of the interested parties could be heard more fully.

7. Against this background I make the following Directions:

(1) The Petitioners by 4.00 pm on Friday 4 March 2016

(a) may serve upon the Diocesan Registrar any further representation in writing that they may wish to make in support of their case; and

(b) must state in writing to the Diocesan Registrar whether or not they consent under Part 13.1(2)(b) Faculty Jurisdiction Rules 2013 to the proceedings being determined by written representations rather than at an oral hearing.

(2) The Diocesan Registrar upon receipt of any written representation under 1(a) above shall send a copy of it to Ellis Scott at Historic England and to Sophia Laird at the Victorian Society with a copy of these directions.

(3) If the consent mentioned in clause 1(b) above is given, the matter shall be returned to the Chancellor for a ruling whether consideration of the matter on written representations is expedient, and if so he shall determine all the issues accordingly.

(4) If the consent is not given, or if the Chancellor rules that determination on written representations is not expedient, then the matter shall be returned to the Chancellor for further directions for holding an oral hearing.

Mark Blackett-Ord
Chancellor
The Feast of the Epiphany
26 January 2016

IN THE MATTER OF SHEEPY MAGNA, ALL SAINTS CHURCH

CHANCELLOR BLACKETT-ORD

The Feast of the Epiphany

6 January 2016

DIRECTIONS

Diocesan Registrar

Summary reasons for granting the faculty (if applicable)

Conditions of Faculty (if any)