

**Neutral Citation Number: [2024] ECC She 5**

**Diocese of Sheffield  
In the Consistory Court**

**Her Honour Judge Sarah Singleton KC  
*Chancellor***

**In the Matter of St John the Baptist, Wales - Removal of pews and replacement**

### **Judgment**

#### **The Works**

1. Wales St John the Baptist is a grade II \* listed church. It dates from the 12th century and over the centuries has been variously altered and added to. The parish consists of the villages of Wales, Waleswood and Kiveton Park. The statement of significance lodged with this Petition vividly explains the changing social setting of the church. The community around moved from rural and agricultural with a small population through the industrial revolution and the development of the area to accommodate a growing working population to the present day when the setting is an attractive and convenient commuter suburb. The church has changed over the centuries to meet the needs of its parish.

The church benefited from a substantial extension of its nave in 1897 in response to a growing local population at the time of industrial development and in particular the sinking of the Kiveton Colliery. Industrial development changed the setting of the church from small rural village. The pews installed at that point are agreed to be of mediocre and deteriorating quality; this is amply demonstrated by the photographs lodged by the Petitioners. Their Petition seeks permission for the removal of twelve of those pews and their replacement with 100 chairs. Public Notice requirements have been fulfilled and no objections have been received.

2. Given the history and status of this listed church, there has been appropriate consultation with the relevant amenity societies. Ultimately, following appropriate probing as to the quality and history of the pews to be replaced, the CBC and the Victorian Society did not object in principle to the removal of the pews particularly since the parish proposes the retention of older higher quality 18<sup>th</sup> century box pews in a different and older part of the church. However, both the CBC and the Victorian Society object to the works whilst they entail the replacement of the pews by upholstered chairs. It is rightly pointed out that the introduction of such replacement seating stands in breach of the Church of England statutory guidance as to replacement seating. That guidance firmly recommends seating to be of good quality wood without upholstery. In response to this the Petitioners have lodged a fuller statement of their needs expanding their reasons for their preference in respect of the upholstered chairs. On the 1st of March 2024 the DAC issued a notification of advice recommending the proposals including the use of upholstered chairs, noting the expanded reasons lodged by the

Petitioners. Neither the CBC nor the Victorian Society seek to become objecting parties notwithstanding the expanded reasons of the Petitioners. I must, however, consider their representations and the Church of England guidance in reaching my conclusions.

3. This church is a well loved family church. Its monthly family service is well attended. It has a number of fascinating features reflecting the changes in the community surrounding the church. The church has an active relationship with local schools and there are numbers of events and activities for local school children sometimes including their parents throughout the year. In addition, the church has excellent acoustics and an impressive organ making it an excellent venue for musical events and performances. The church is a favoured venue for baptisms, weddings and funerals. Removal of these pews will allow for greater flexibility of worship. It will also permit expansion and development of community activities that already take place in the church and the development of others including the church café to inside the church building as well as the parish hall.
4. The plan for the works has been in development since 2017 in consultation with the DAC. The pews to be removed are situated in the expanded nave. The 12<sup>th</sup> century north aisle area of the church will retain box pews introduced in the early 18<sup>th</sup> century.
5. The PCC's preferred choice of replacement chairs for the pews to be removed is for the "Apollo" stackable model of chair supplied by Alpha Furnishings in beech with upholstered seats in "nappa sangria" which looks to be a light brown/fawn colour which tones with the wood of the proposed chairs. The chairs are stackable and come with trollies to facilitate removal and storage when necessary. The proposal anticipates their introduction by instalment whilst sufficient funding is achieved. The plans are for 50 chairs with and 50 without arms.
6. The Petitioners offer the following reasons for their choice of upholstered chairs:-
  - a. Upholstery would provide a warmer surface for users to sit on;
  - b. Upholstery would not show signs of wear-and-tear in the same way as wooden chairs, such as scratches and dents;
  - c. Upholstery would provide some absorption of sound and echo which currently affect congregations and audiences.
  - d. The upholstery chosen is waterproof, so can be easily spot-cleaned with water if any dirt or spills occur, and is Teflon so has durability testing to approx. 250,000 rubs which would provide good longevity in use.
  - e. There is concern that wooden chairs with loose cushions or tie-on cushions would not wear well and end up getting untied or the ties breaking, they would get lost or left on the floor, or would look tatty.
  - f. Plain wooden chairs cost significantly more to buy in the first place, and cost more to replace any damaged chair seats, whereas re-upholstering any fabric chairs is a lot less.

The relevant guidance from the Church of England as to replacement seating reads as follows (see [https://www.churchofengland.org/sites/default/files/2019-01/ccb\\_seating\\_guidance\\_2018.pdf](https://www.churchofengland.org/sites/default/files/2019-01/ccb_seating_guidance_2018.pdf))

In particular:-

***The view of the Church Buildings Council:*** *With many years of experience and having seen a range of completed schemes, the Church Buildings Council generally advocates the use of high quality wooden chairs (i.e. unupholstered) and pews where seating is necessary.*

*The Council's experience is that wooden chairs have the greatest sympathy with historic church environments, present the best value for money with long life-spans, and that a well-designed, ergonomic wooden chair can provide as much comfort as an upholstered design.*

*Upholstered seats are not considered to be appropriate for the following reasons:*

- *They have a significant impact in terms of colour, texture and character which is not consonant with the quality of a highly listed church;*
  
- *Experience demonstrates that upholstered seating needs more regular refurbishment (wear and tear, staining) than seating without upholstery. This is especially true of multi-use churches where it will be:-*
  
- *normal to eat and drink regularly on the chairs;*
  - *They are heavy and therefore more difficult to arrange and stack;*
  
  - *The addition of soft furnishings can alter existing acoustics.*
  
  - *Wood tones and textures fit well within church buildings and have been used for centuries in this context, whilst some colours have associations with other types of buildings such as offices.*

## 7. Discussion

The CBC guidance is issued under s55(1) (d) of the Dioceses, Mission and Pastoral Measure 2007, and as statutory guidance must be considered carefully.

As the CBC point out in their response to the DAC in this matter departure from the guidance must be justified by reasons set out clearly, logically and convincingly.

I take this to mean that generally, where a view is based upon experience and/or expertise I should accept the reasoning of the guidance over that of the parish.

I do so in respect of:

- a) Relative vulnerability to wear and tear; it seems to me in any event obvious that wood is more enduring and less vulnerable than fabric including tough fabric.
- b) Vulnerability to staining or to becoming grubby generally even when fabric has been specially treated. Wood is more easily cleaned and maintained.
- c) The impact upon the acoustics of the space. I note that it is believed that this church has excellent acoustics at present with seating all made of wood. I accept the experience of the CBC that upholstered seating may change the acoustics of a building.

Most importantly I accept the Guidance as to wooden seating being more consonant with the setting of a listed church than upholstered seating even in a neutral wood toning colour as selected by the Petitioners.

I understand the Petitioners' concern as to the relative comfort and warmth of upholstered seating over wooden seating but consider that this point is neutral in my reasoning since it heavily depends on the design of the seating chosen in either case.

I have considerable sympathy with the Petitioners in respect of the cost of plain wooden seating over upholstered seating accepting that in general seating with upholstery is less expensive and this is a very important factor for church communities highly pressed for financial resources. Unfortunately, despite my sympathy, the costs are not a factor which can justify a departure from the statutory guidance in this matter. Appropriate upkeep of listed spaces, including their furnishing, is expensive. I pause to note that the lesser cost of upholstered seating may be reflective of quality and durability.

I do recommend to the parish reference to the links on the CBC guidance for examples of appropriate simple stacking wooden seating and to their suggestions for funding.

I propose therefore to provide that a faculty be issued as sought in this matter subject to the proviso that the replacement seating must be wooden and not upholstered. I know that this will disappoint the Petitioners but hope that it will not prevent their otherwise excellent proposals from going forward as planned.

**HHJ Sarah Singleton KC**

**Chancellor of the Diocese of Sheffield**

**17<sup>th</sup> June 2024**