

In the Consistory Court of the Diocese of Chichester

Re St George, East Worthing

Judgment

1. The vicar and churchwardens of St George, East Worthing have petitioned for a faculty for a modest re-ordering of this Grade II listed Victorian church to include the construction of a new servery at the rear of the nave, the removal of a timber narthex screen from the rear of the church and improvements to the toilet facilities.
2. The works have been recommended by the DAC. No objections were elicited as a result of the public notices displayed. The proposed works to the servery and toilets are uncontested. Given the lack of objection and the fact that the remainder of the proposals would, in the words of the CBC, have a “modest impact” on the interior of the church, I am content that a faculty would ordinarily pass the seal in relation to those works. However, the works to the servery are contingent upon the petitioners being granted permission to move the narthex screen, as its current location obstructs the intended location for the servery.
3. The advice of the Church Buildings Council has been sought in relation to the proposed works and consultation has taken place. There remains one aspect of the works in issue: Both the Church Buildings Council and English Heritage have expressed concern about the removal of the timber narthex screen. In the words of English Heritage, which reflect those expressed by the CBC,;

“... we consider [the timber screen] is an attractive feature providing both historical and visual interest in the open spacious interior, whilst still allowing views through to the body of the church. We do not consider that the current submissions have sufficiently justified the need for its removal...”

“We consider that all options to retain the screen within the body of the church have not been explored.”

4. English Heritage has confirmed that it does not wish formally to object to the proposals, but I take their written representations into account in determining this petition.

5. As this church is listed, in determining this petition I must apply the guidelines set down by the Court of Arches in its decision in *Re St Alkmund, Duffield* [2013] Fam 158, namely:

- “ 1. Would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historic interest?
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 on the particular nature of the proposals (see *Peek v Trower* (1881) 7 PD 21, 26-8, and the review of the case-law by Chancellor Bursell QC in *In re St Mary’s, White Waltham (No 2)* [2010] PTSR 1689 at para 11). Questions 3, 4 and 5 do not arise.
3. If the answer to question (1) is “yes”, how serious would the harm be?
4. How clear and convincing is the justification for carrying out the proposals?
5. Bearing in mind that there is a strong presumption against proposals which will adversely affect the special character of a listed building (see *St Luke, Maidstone* at p.8), will any resulting public benefit (including matters such as liturgical freedom, pastoral well-being, opportunities for mission, and putting the church to viable uses that are consistent with its role as a place of worship and mission) outweigh the harm? In answering question (5), the more serious the harm, the greater will be the level of benefit needed before the proposals should be permitted. This will particularly be the case if the harm is to a building which is listed Grade I or 2*, where serious harm should only exceptionally be allowed.” (*para 87 of the judgment*).

6. Firstly, I must decide whether the proposals, if implemented, would result in harm to the significance of the church as a building of special architectural or historic interest. The most striking feature of the interior of this church is the undivided nave and chancel which provide a large, single, column-free space, interrupted only by the narthex timber screen. The significance of this uninterrupted open space is highlighted by the listing entry in which one of the principal reasons for the designation of this church as Grade II is given as the fact that it provides “a telling example of Victorian church-building for Low Church clients in terms of its broad, undivided nave and chancel and lack of iconography”. I note that the reservations expressed by the CBC in relation to the screen’s removal seem to be based in part on a misapprehension that the screen was part of the original scheme for the church’s interior when it was built in 1868. It is clear from the papers before me that the screen was added to the church in 1922 and relocated to its current position in the 1980s. Although the screen itself contains attractive wiry Gothic tracery it has been described by members of the DAC as having “no architectural merit”. The parish architect is of the view that “the joinery...is not of such a standard that it should override the pastoral needs of the church”.

7. I have found it difficult to determine whether the proposed removal of the screen would result in harm to the significance of the church. The screen is referred to in the listing entry, although this is perhaps unsurprising given the fact that, apart from the pews, it is almost the only fixture in main body of the building. There may be those who would argue that the screen’s removal would *enhance* the significance of the

building as an example of Victorian Low Church architecture. On balance I find that the removal of the screen *would* result in harm to the significance of the building, but given the principal importance of the uninterrupted space of the interior, I find that that harm would be only modest.

8. This takes me to the fourth part of the *Duffield* guidelines: How clear and convincing is the justification for carrying out the proposals? Both English Heritage and the Church Buildings Council suggest that the removal of the screen is unjustified, particularly in light of the fact that the screen could, they say, be retained but moved towards the chancel to provide space for the proposed servery and welcome area. English Heritage suggest that there is no need for a sink in the servery area (as one is already located in the existing washing up area) and the removal of the servery sink from the plans could reduce the size of the servery making retention of the screen easier.
9. By way of justification for the proposed removal of the screen the petitioners say that they carefully considered the retention and relocation of the screen at an earlier stage, but they point out that the presence of the screen creates a 'pinch point' or 'bottleneck' where the routes for the fire exit, toilet facilities and church office all converge causing severe restrictions upon the already overcrowded hospitality and welcome area. Further, the petitioners say that their intention is to unify the original space of the main body of the church, thereby creating much greater flexibility for the current and future mission of this church, especially the children and family work, including monthly Messy Church for 60-80+, Holiday Clubs, a growing toddler group and regular visits from three local schools. They say that the Christian hospitality which the church is able to offer to its community and visitors would be hampered if the servery and welcome area were to be reduced and constrained by the retention of the screen. I note that the petitioners were encouraged to consider the removal of the screen as part of the advice given by the DAC.
10. On balance, it is my view that the petitioners have discharged the burden of showing a clear and convincing justification for the proposed works. Relocating the screen rather than removing it would unavoidably reduce the intended size of the hospitality area at the back of the church and the fixed nature of the screen will limit the flexibility with which that area can be used. Numbers currently using the church are significant (I note that the church hosts over 3,500 souls every December) and are, I am told, growing. Given the modest nature of the harm to this Grade II listed building which would be caused by the proposed works, the resulting public benefit from the works, in the form of increased opportunities for Christian hospitality and mission and wider use of the church building more generally, outweighs that harm.

11. It follows from the foregoing that a faculty should pass the seal in relation to all of the proposed works, and I so order, subject to the conditions below.

- i) All electrical works shall be undertaken by an NICEIC registered/ECA approved contractor;
- ii) The water boiler cupboard shall be made of softwood and painted to match the adjacent wall;
- iii) The works shall be executed under the direction of the inspecting architect; and
- iv) The works shall be completed within 12 months or such extended time as may be allowed.

Ruth Arlow

6 February 2015

Deputy Chancellor of the Diocese of Chichester