

**In the Consistory Court of the Diocese of Worcester**

**Archdeaconry of Worcester: Parish of Suckley: Church of St John the Baptist**

**Faculty petition 14-63 relating to re-ordering of the church**

## **Judgment**

---

### **Introduction**

1. The parish of Suckley is one of the largest in the county, but also one of the least populated – in remote, hilly countryside on the boundary with Herefordshire. The Church of St John the Baptist was built in the late 1870s, to the designs of the Worcestershire architect William Jeffrey Hopkins. It is on the site of a medieval structure dating back to early Norman times; some of the memorials and other items from that earlier building were transferred to the new church. The church is described by Bridges (in *Churches of Worcestershire*) as “a very urban looking church”; Sir John Betjeman noted that it “would grace a Birmingham suburb”.
2. This petition is for a faculty for the re-ordering of the church, to make it usable for both worship and other activities, including for use by the nearby Suckley Primary School, together with prior investigative works. The petitioners were the team vicar and the churchwardens. The Revd Andrew Bullock, the team vicar, has since retired; and a new team vicar, the Revd Anne Potter, was licensed on 24 March 2015. I have not directed that she be joined as a petitioner in respect of the existing petition, as it was prepared and submitted before she was in any way involved in the life of the parish; but I would expect her to be a petitioner in relation to any subsequent petition or application for approval of details necessary as a result of this judgment.

## **The proposal**

3. The proposed works together constitute a remarkably ambitious programme that would, if implemented in its entirety, radically transform the building into a multi-purpose space capable of use for much more than merely Sunday worship. The impetus for carrying out such a programme arises from an awareness by some of those in the worshipping congregation and the wider community that, if such rural churches do not change, they will not survive.
  
4. The principal elements of the programme are as follows:
  - (a) Under-floor heating is to be introduced into the nave. In order to achieve that, and to facilitate use of the nave by the School during the week, the present floor is to be removed, and replaced with a new timber floor.
  - (b) The pews in the nave are to be removed, and replaced with “more versatile seating, such as a mixture of stackable more comfortable pews and chairs to facilitate flexible worship and all other anticipated uses of the space.”
  - (c) A nave altar is to be provided.
  - (d) A room is to be provided in the area currently used only as a vestry, to the south of the chancel, that can also be used for children’s groups, meetings, and as a quiet space. This is to be separated from the main church by glazed screens, and the organ will be moved to a new location.
  - (e) New toilets and catering facilities are to be provided – in the base of the tower and along the south wall of the south aisle – along with associated facilities for water supply and drainage. Some of the memorials currently in the tower are to be moved to the north transept.
  - (f) Storage is to be provided, both for church equipment (such as the benches and chairs) and for school equipment when not in use.
  - (g) Improved IT facilities are to be provided and, in due course, modern audio-visual (AV) facilities for worship – although the latter is to be the subject of a subsequent faculty petition.

- (h) A new meter enclosure is to be provided on the north side of the tower.
  - (i) The porch is to be glazed, to provide a weatherproof entrance and to retain heat.
  - (j) A new storage area is to be provided for the ride-on lawnmower, currently stored in the base of the tower. It appears that no details have yet been provided of this.
  - (k) In the churchyard, the access between the school and the church is to be improved, and the path to the vestry door reinstated.
  - (l) All the existing and proposed facilities in the church and the churchyard are to be accessible by those with limited mobility; and a hearing loop is to be provided.
5. The cost of the works is estimated to be £300,000 +. Of that, £5,000 is to come from existing PCC funds; the remainder is to come from grants or fund raising.
6. The petition contains a great deal of supporting information, but is nevertheless still in a somewhat embryonic form. It is noticeable that the DAC recommends the works, but subject to a proviso that they must not be started until a full specification has been submitted and approved.
7. The petition was supported by 49 letters and emails from individuals and couples.

### **The objections**

8. The very fact that the programme is so ambitious has led to opposition from some in the community, who argue that the proposed changes are not necessary or, if they are, that they are not realistically affordable. Only one formal objection has been received, from Mrs Jenny Taylor, who is a member of the PCC. The grounds for her objection were as follows:

- (1) the use of our place of worship as a gymnasium, with the apparatus needed stored in the church;
- (2) unnecessary removal of pews, aisle and floor, to put in under-floor heating, which is inappropriate and unnecessary;
- (3) an inappropriate “catering” size kitchen housed in the church;
- (4) the church will not be open as a place of worship five days a week from 8.00 am to 6.00 pm during term-time, and in holidays if used as a summer venue for holiday clubs etc.; and
- (5) the Victorian integrity of the Church will be irrevocably destroyed.

9. Mrs Taylor also raised concerns as to the way in which the proposals had been drawn up, and as to the level of public involvement that had taken place. Her objection was thus supported by a petition in fairly general terms, signed by 62 people. She subsequently supplied a list of their names and addresses, and details of their various roles of involvement in the church (16 are on the electoral roll) and the community. Mrs Taylor has filed particulars of objection, and has thus become a party opponent.

10. English Heritage (the predecessor to Historic England) was concerned as to the loss of the pews, the loss of the existing nave floor, and the glazing of the porch. It accordingly objected to the petition, although it made suggestions as to how its objections could be overcome; and it stated that the petition could be determined without further reference to English Heritage, which I take to be an indication that it would be content for its written representations to be taken into account without the need for a hearing.

11. The Victorian Society had also initially raised objections to a number of aspects of the scheme; as a result, the scheme was altered, and the Society is now generally in favour. However, it still considers that the removal of the majority of the pews would be regrettable, as a major loss of historic fittings from a complete and coherent

Victorian interior. It suggests that a small number should be retained, perhaps in the side chapel, to provide historical continuity. It also seeks the retention of the tiled flooring in the aisles, to retain the axial focus of the interior, and to avoid the destruction of high quality historic fabric.

### **Procedure**

12. When I first saw the petition, I considered that it would need to be the subject of an oral hearing. I accordingly arranged for a directions hearing to be held, in the church, so that I could make a preliminary inspection of the building and also hear the views of the parties as to the appropriate procedure to be followed. That meeting was attended by the two churchwardens, and by Mrs Taylor and Mr Tony Davies. At that meeting, the petitioners and Mrs Taylor indicated that they were content for the matter to be dealt with on the basis of written representations, without the need for a hearing.
13. Mrs Taylor was accompanied at the directions hearing by Mr Tony Davies, who indicated that he too was a party opponent, although I have not seen any particulars of objection from him. He initially indicated that he was requesting an oral hearing. Had he remained of that view, it would have been necessary to determine whether he was indeed an objector and a formal party opponent; however, on reflection, he decided that he too was content for the matter to be dealt with on the basis of written representations, so the issue of his status does not need to be resolved.
14. Having seen the building myself, and read the very full written representations submitted by the petitioners, by Mrs Taylor, and by the Victorian Society and English Heritage, and the oral representations of the petitioners and Mrs Taylor at the directions hearing, I have decided that it would be expedient to determine the petition without holding a hearing.

## **Consideration of the proposals**

15. The starting point in considering this package of proposals is to realise that the petitioners are correct in their analysis that churches in rural areas such as this, if they are to survive, will have to adapt so as to be usable by the whole community. This is reflected in much current thinking in the Church of England and elsewhere – see for example *A Little History of the English Country Church*, a polemical work by Roy Strong written some 25 miles away, with churches like Suckley very much in mind; and more recently *Church Buildings: Burden, Blessing and an Asset for Mission*, a discussion documents produced earlier in 2015 by the Places of Worship Support Officers of this and neighbouring dioceses.
  
16. However, the correct way forward for any particular church building, and any particular community, needs to be considered carefully to ensure that proposals are appropriate. They must thus be neither too timid – which is the more usual problem – nor unrealistically ambitious. Further, it is essential that proposals are drawn up in such a way as to the command as far as possible the whole-hearted support of both the regular worshipping community and, insofar as they are involved, those living in the neighbourhood. The church exists to serve that wider community, and it will not be able to do that if it is internally divided or opposed by those who purport to be concerned for the wider common good.
  
17. In the present case, the proposals fall short of complete success on both counts. The church is probably far larger than will ever realistically be required for such a small, remote rural community – although that is of course neither anyone’s fault nor capable of remediation. But to embark on a programme estimated to cost more than £300,000 is extraordinarily ambitious. The business plan is not based on any detailed estimates of costs or professional fees. Nor is there any indication of income to meet those costs, other than the additional rental income from the school – which at £8,000 per annum will do not much more than cover the increased outgoings on heat and light, and wear and tear. As for acceptance by the wider community, this proposal

seems to have upset a lot of people in a small settlement, which suggests that it has not been cleverly presented.

18. It follows that the objectors are also at least in part correct in their analysis, feeling that the proposals may be over-ambitious. And they will certainly have a very significant, and largely irreversible, effect on the character and appearance of the church. On the other hand, simply to resist all change will not be the solution. It will be essential for the whole community, churchgoers and others, to work together to establish what is really necessary, as opposed to what is merely desirable in an ideal world, and then to raise the necessary funds to enable it to happen.
19. Finally, I note that these proposals have only been drawn up in very generalised terms. That is probably inevitable, as the cost of the professional fees cannot be justified in the absence of an approval in principle. But it does mean that for each element of the proposals, it will be necessary to draw up a detailed specification, and for that to be approved, and accurately costed, so that the necessary funding can be raised before works are started. Those intending to build a tower should first sit down and estimate the cost, to see whether they have enough to complete it (see Luke 14 v 28). The more significant works will need to be approved by the court, after consultation with the DAC and, in some cases, the Victorian Society and Historic England; other works can be simply approved by the DAC (or by the court if necessary).
20. Against that background, I now turn to consider each item in the package of proposals.

*(a) Removal of present floor and introduction of under-floor heating beneath a new timber floor*

21. This is a major element of the proposals. The church will have to be properly heated if it is to be used for more than just occasional worship. I agree that under-floor heating is probably the most appropriate method, although I note that the details of the heat source are yet to be finalised. That will require the existing floor to be lifted. No-one

appears to be questioning the introduction of a new timber floor where the pews are currently located; but both the Victorian Society and English Heritage have suggested that the existing tiles in the aisle should be re-laid.

22. It seems to me that a final decision cannot be made on the finished floor surface until the heating system has been designed and costed, and the alternative layouts of the different floor surfaces have been designed and costed. And the Victorian Society and Historic England (as well as the DAC) will have to be involved at that stage, to see what is the most appropriate floor treatment in all the circumstances. This item will also need to be the subject of publicity and consultation just as with a full faculty petition. In the light of any views expressed as a result of such consultations, the final decision on this item will be a matter for the court.

*(b) Removal of pews in the nave, and replacement with stackable pews and chairs*

23. Linked to the previous item is the question of nave seating. I agree with the Victorian Society that the existing nave pews represent a major element in a complete and coherent Victorian interior; they are of better quality than many pews of that period. I note that there are in the north transept some benches of the same design as those currently in the nave, which have been adjusted so as to be moveable. They are heavy, and will clearly need to be moved on suitable trolleys acquired for the purpose. But I see no need to replace them with modern stackable benches – which will probably also need to be moved on similar trolleys. The trolleys can perhaps be stored in the new cupboards proposed for the side chapel.
24. I note the concern of the objectors that the church will in effect be used by the school as a gymnasium, and that the Victorian integrity of the church will be destroyed. I note too the comment by the Headteacher of the School that some space for PE is required, which will necessitate the temporary removal of at least some pews. But the petitioners point out that the school is proposing to use the nave for only three hours per day, for four days a week, in term time (around half the year); and that PE will be a

small element of that use. I have seen a number of instances elsewhere of a church being used for secular purposes (such as children's playgroups, with large coloured foam mats) and there is no doubt that the building is still a church – and will revert to its normal appearance in the evenings and at weekends. But in a small village such as Suckley it is not sensible (nor is it a good use of public funds) to build a separate school facility, when there is a suitable public building very close by that is unused throughout the week.

25. Once again, it will be necessary to consider actual layouts, to see how many pews need to be retained, how they can be adjusted to make them moveable, and how much open space should be created. And here too the Victorian Society, Historic England and the DAC will have to be involved, and the more detailed proposals publicised – no doubt at the same time as the proposals under item (a). When a firm proposal has been agreed by the key stakeholders, the faculty can be amended if desired to authorise the removal of a few pews to create some open space. And if it proves impossible or undesirable to retain more than a few pews, but not otherwise, their replacement with new stackable benches could then be considered.

*(c) Provision of nave altar*

26. No details have yet been supplied of this item; so it will have to be the subject of a future petition or an amendment to the faculty granted in response to the present petition. But I imagine that it would be appropriate for the court to approve such an amendment once such details have been produced, taking into account any views that may have been expressed by the DAC, at the same time as authorising the detailed specification of items (a) and (b) above.

*(d) Creation of a room in the area currently used only as a vestry, to be used for children's groups, meetings, and as a quiet space, separated from the main church by glazed screens; and moving of organ*

27. This appears to be a sensible proposal, and has not led to any objections. However, I am concerned that it is detailed properly, particularly as to the way in which the

glazing meets the stonework; and I suspect that resolving such problems will not necessarily be easy to achieve, and may lead to changes to the precise location of the screens. I hope that it will be possible to produce a detailed scheme that is acceptable in detail, but to grant a faculty in advance, for a scheme that has only been designed in general terms – somewhat on the basis of an “outline” planning permission – could lead to pressure in future to approve a sub-standard scheme, which might be unfortunate.

28. I am therefore only prepared to authorise this aspect of the proposals once I have seen a scheme that has been recommended in detail by the DAC (that is, without a proviso requiring the further approval of a detailed specification) and costed.

*(e) Provision of new toilets and catering facilities in the base of the tower and along the south wall of the south aisle, along with associated facilities for water supply and drainage; moving of some memorials currently in the tower to the north transept*

29. I am satisfied that there must be appropriate toilet and catering facilities. And I do not think anyone is arguing against that in principle.
30. However, the plans at present show a very elaborate range of facilities, some along the south wall of the south aisle, and some in the tower. Having seen a number of modest rural churches in which it has proved possible to introduce carefully designed facilities on a much more modest scale but which have nevertheless been entirely adequate, the present proposal seems to me to be excessive. In particular there seems to be no need for two toilets; one would suffice, provided of course it was accessible by those who have limited mobility. And I agree with Mrs Taylor that the “catering” sized kitchen facilities seem inappropriate. By removing one toilet, that is likely to release enough space for all of the facilities for catering and flower arranging to be housed satisfactorily in the tower area. To introduce an additional range of facilities in the south aisle would mean that they would dominate the interior, and would necessitate the removal of more seating than might otherwise be necessary, and require more complicated water supply and drainage. It would also be significantly more expensive.

31. If it can subsequently be proved that there is a need for facilities in the south aisle, or elsewhere, it would of course be open to the parish to submit a subsequent petition.
  
32. I note that the Victorian Society was unhappy about an earlier scheme in which the screen separating the new facilities in the base of the tower came forward of the arch separating the tower from the nave, but following a redesign, the Society is now content with the design of what is proposed. And English Heritage too is content, although it is understandably keen to ensure that the extent of any interference to the tiles floor of the tower is minimised.
  
33. I am accordingly content that facilities should be introduced along the north and south walls of the tower, at ground floor level, broadly as shown on the plans accompanying the petition. And this would obviously include arrangements for water supply and drainage. The precise configuration and layout of the new facilities will have to be the subject of detailed drawings, once it has been determined what is to be included.

*(f) Provision of storage, both for church equipment (such as the benches and chairs) and for school equipment when not in use*

34. Storage is always essential – and frequently omitted when schemes of this kind are proposed. The suggestion to put cupboards along the west wall of the side chapel seems sensible, although detailed designs will need to be prepared (for approval by the DAC) once it is known precisely what is to be stored.

*(g) Provision of improved IT facilities and, in due course, modern audio-visual (AV) facilities for worship*

35. Improved IT and audio-visual (AV) facilities will no doubt be desirable, here as elsewhere. No details have been included as part of the petition, so such facilities cannot be approved at this stage – as recognised by the petitioners. However, it will be essential to consider these matters when designs for the preceding items are being

finalised – so as to incorporate, for example, suitable space for cable runs, which might be much more expensive to introduce later.

*(h) Provision of new meter enclosure on the north side of the tower*

36. The suggestion to provide a new enclosure for the gas meters in the vicinity of the north wall of the tower seems sensible, although I note that the DAC suggests that the new enclosure should be free-standing rather than a lean-to structure attached to the base of the wall. The details will need to be approved by the DAC.

*(i) Glazing of porch, to provide a weatherproof entrance and to retain heat.*

37. I note that English Heritage is objecting to the glazing of the porch, as being out of character with the building. I agree; and I do not believe that it forms an essential part of the present scheme, especially in view of the likely shortage of funds. However, I also agree with English Heritage that the grading of the floor of the porch is desirable, to facilitate access by those who find steps difficult. In the absence of a glazed screen, it will be necessary to revisit the design for this area. This will therefore need to be the subject of a future petition.

*(j) Provision of new storage area for ride-on lawnmower, currently stored in the base of the tower*

38. No details have yet been supplied of this item; so it will have to be the subject of a future petition or an amendment to the faculty granted in response to the present petition.

*(k) In the churchyard, the access between the school and the church is to be improved, and the path to the vestry door reinstated.*

39. The improvement of the path towards the school and to reinstate the path towards the vestry room seems sensible, although the details will need to be approved by the DAC. And it may well be inappropriate to pursue the latter item until the remodelling of the vestry has been approved.

*(l) Ensuring that all of the existing and proposed facilities in the church and the churchyard are accessible by those with limited mobility; and provision of hearing loop*

40. This is not strictly a separate item, but it will be necessary to ensure that the needs of the disabled are fully taken into account when the other items are designed in detail.

## **Conclusion**

41. A faculty should issue to authorise in principle:

- (i) the introduction of new heating under the floor (items N3, N4, SA1 BR1 to BR4 on drawing 3062.3 P1 revision F), followed by either
  - the installation of a new timber floor (items N2, SA1) or
  - the relaying of the tiles along all or part of the existing aisle and the laying of a new timber floor elsewhere;
- (ii) the carrying out of adjustments to the pews in the nave, to make them moveable, and the purchase of suitable trolleys;
- (iii) the introduction of toilet and catering facilities along the north and south walls of the tower, at ground floor level, broadly as shown on the plans accompanying the petition (as items BoT1 to BoT15), along with associated arrangements for water supply and drainage (items W1, W2, W3, and drawing 3062.3 P2 revision B) and moving of memorial (item SC1);
- (iv) the introduction of storage cupboards along the west wall of the side chapel (item SC2);
- (v) the erection of a new enclosure for the gas meters at the base of the north wall of the tower (items G1 to G3); and
- (vi) the improvement of the access between the school and the church, and the reinstatement of the path to the vestry door (items OS3 to OS6).

42. The faculty should be subject to the conditions that:

- (1) no works shall be carried out on each of the above items (i) and (ii) until a fully costed specification for the works in that phase has been approved in writing by the court, following consultation with the Victorian Society, Historic England and the DAC and full publicity;
- (2) no works shall be carried out on the above item (iii) until a fully costed specification for the works in that phase has been approved in writing by the court, following consultation with the DAC;
- (3) no works shall be carried out on each of the above items (iv), (v) and (vi) until a fully costed specification for the works in that phase has been approved in writing by the DAC or, in default of such approval by the court;
- (4) each item of work (i) to (vi) shall be carried out in accordance with the details approved under conditions (1) to (3);
- (5) no works shall be carried out on each of the above items until an amount equal to at least 90% of the estimated full cost of the works in that item, including any professional and other fees and taxes, has been raised or promised to the satisfaction of the registry; and
- (6) that the DAC Archaeological Advisor, or another archaeologist approved in writing by the Court following consultation with the DAC, shall be given an opportunity to inspect and record the building before, during and after the works.

43. The other items that form the basis of the present petition will need to be re-visited in the light of this judgment.

**CHARLES MYNORS**

Chancellor

8 April 2015