

Neutral Citation Number: [2021] ECC B&W 1

IN THE CONSISTORY COURT OF  
THE DIOCESE OF BATH AND WELLS

Re: The Church of St. Philip and St James,  
Norton St Philip

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JUDGMENT

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1 Although this petition for the removal of the main block of nave pews and the introduction of chairs is formally unopposed, both Historic England and the Victorian Society have expressed grave concerns about the proposals. Each of these consultees has submitted written representations (respectively dated February 3rd and February 2nd 2021) which refer back to the responses to previous consultation about this re-ordering. I have taken account of their representations in reaching my decision, and set out my conclusions in this judgment.

2 The parish church of Norton St. Philip has a grade II starred listing. Mediaeval in origin it was the subject of substantial refurbishment and repair by George Gilbert Scott in 1847 to 1850. The seating now to be found there is Scott's work. In essence the objection to the proposal is that the removal of the pews (or to use Scott's terminology, benches) will cause unjustifiable harm by compromising the interior as designed by that eminent architect. Thus in approaching the proposal I have borne in mind the guidance given by the Court of Arches in re St. Alkmund, Duffield.

3 In my evaluation of the benches the report of Jerry Sampson dated April 2015 has been of assistance. According to the Rector, The Reverend

Caroline Walker, the benches are uncomfortable and, having survived regular use for 170 years, show signs of damage. Mr Sampson's report is consistent with this view. They are also inflexible, being fixed to platforms; hence any activity involving a North/South orientation is very difficult while use of the Eastern part of the nave as an open space is impossible. Thus their functional value as seating is limited. Instead they are said to be of aesthetic importance as a major component of Scott's design for the interior. That interior, as Mr Sampson observed, is "already damaged but relatively complete." The benches themselves are not highly decorated; according to Mr Sampson their design is based upon precedents in Wiltshire and Buckinghamshire, without any notable local influence.

4 It is of significance, although the point is rather dismissed by the Victorian Society, that the Petitioners have modified their proposals by deciding to retain the block of Scott benches at the West end of the nave. This sensible concession means that, if a faculty is granted, specimens of the nave seating will survive for inspection and use.

5 Taking all the preceding factors into account, the loss of the benches as proposed by the Petitioners will involve moderate but not serious harm to the interior of the building.

6 The Petitioners seek to justify the proposed change in two principal ways. First, they contend that the flexibility achieved by the use of chairs will enhance the opportunities for worship and for functions involving the wider community. Letters of support have been provided by the (secular) parish council and the local school. The proposal has the recommendation of the D.A.C., which in giving its advice will have had regard to the needs articulated by the Petitioners.

7 The second aspect concerns the means of access across the nave. Currently this is unsatisfactory; the proximate cause is the presence in the North-West corner of a structure known as “The Hub” which was introduced under faculty after fund-raising in 2004. The Hub blocks the gangway which previously extended the full width of the church from the South door, so that access to it is either through the benches or along a circuitous route past the pulpit.

8 The Hub, the winner of an architectural award in 2008, is an asset to the parish. It contains a server, a lavatory, the vestry and storage space at its lower level. Upstairs is a meeting room. Given the level of activity in and around the Hub, the current obstructions are problematic. The difficulties involved have been recognized by the consultees and by the Church Buildings Council, all of whom urged the Petitioners to seek other strategies, short of removal of the benches for overcoming the problem. The only substantive recommendation which emerged, however, was the removal or relocation of the Hub.

9 The displacement of the Hub, which is now an important element in the effective functioning of the church, is not a viable option. The submission of the Rector, that the cost of such an operation would be prohibitive, is compelling. Furthermore, were the Hub to be sited elsewhere in the building, it would be visually intrusive, and its appearance would detract from the Victorian interior to a greater extent than the loss of the benches. Since the Hub must remain where it is, the Petitioner’s solution to the obstructed access, namely the removal of the benches, appears to me to be the only realistic way forward.

10 Taken together, the Petitioners' reasons for the re-ordering exercise constitute the sort of robust justification required in cases of this nature. The outcome sought, which will enhance the role of the church in the local community, as well as promoting its functions of worship and mission, outweighs the harm inherent in the loss of the benches.

11 The Victorian Society has also challenged the Petitioners' choice of chairs. This aspect of the proposal has however, been addressed by the D.A.C. whose advice is subject to the proviso that the chairs should be "LAMH" from Alpha Furnishings, stained to match the existing woodwork.

12 It is therefore directed that a faculty shall issue for the proposed works, including the lowering of the pew platform and other ancillary matters, subject to the condition that the chairs shall accord with the recommendation of the D.A.C. The Petitioners shall have leave to dispose of the redundant benches as they see fit, although I hope that the opportunity will be taken to make use of some of the timber elsewhere in the building.

Dated the 9th day of March 2021

Timothy Briden

Chancellor