

In the Consistory Court of Lincoln
In the matter of St Nicholas, Addlethorpe

Judgement

1. The parish church of St Nicholas, Addlethorpe is a grade 1 listed church which means that it is within the top 3% of listed buildings in England. It has a particularly fine 15th century porch, from the reign of Edward IV, which is the subject matter of this application for a faculty. The porch has been worked in Ancaster ashlar limestone and, according to the Statement of Significance, the entrance arch is ornamented with fleurons, initials and an ogee niche together with the other details that are therein set out. The DAC Secretary's letter dated 28 August 2014 also sets out the high qualities of the south porch describing it as a 'wonderfully intact example of a small stone built porch'.
2. Of great interest is the evidence of the porch being a gift from John Godard; there is an inscription on the east wall of the south porch:

‘ Ihu Cyst yit sufferd grete panys and hard – Hafe mercy of the sawle of Jhon Godard-That thys porche made-And meny oder thynges dede ther for Ihu Cryst-Qwyte hym hys mede’

3. Regrettably, thieves have had little respect for John Godard's gift and have stolen the lead from the roof of the porch on 2 occasions the last time being around 6 years ago. The roof has had temporary covering since then. The PCC want to move to a permanent new roof. It is agreed that since it was constructed the porch has borne a metal roof. Mr Halliday in his letter states that this building forms part of a number of Perpendicular style buildings that were intended to be roofed in lead. The pitch of the porch was calculated to enable visitors to see the expensive lead above the parapets on the flanks of

the building. Beneath the external roof, the porch retains its fine carved wooden roof.

4. The Application is for a faculty to re-roof the porch, not in lead (for obvious reasons) nor in Terne Coated Steel (TCS), which has been used in similar situations in other churches elsewhere, but instead in plain tile. The DAC do not recommend this proposal and favour TCS.

The arguments for plain tile.

5. I have been greatly assisted by the careful and detailed letters from the Rector, the Reverend Malcolm France (now retired), in which he set out his views and those of the PCC . It is obvious to me that the Rector and the PCC have spent much time carefully considering this question and are anxious to do what is best to preserve the wonderful gift of John Godard for future generations.
6. The arguments in favour of plain tiles which have been placed before me are:
 - (i) I should not feel bound by the fact that John Godard gifted the porch in the 15th century with a metal roof, if the alternative of plain tile is authentic and will ensure that his gift will be maintained for many generations to come.
 - (ii) re-roofing in lead would make the roof vulnerable to attack from thieves.
 - (iii) re-roofing in TCS creates a risk that if thieves climbed the roof having been fooled by the weathered appearance into thinking it was lead, and found only TCS, that might lead them to target the lead flashings and do more damage to the porch roof.
 - (iv) re-roofing in TCS is not a traditional material.
 - (v) plain tile is a traditional material that was becoming widely used in the East Midlands in the same era that this porch was constructed.

- (vi) other churches in the local area of similar age to St Nicholas and the porch have had plain tile installed.
- (vii) the porch can safely support a plain tile roof.
- (viii) any difference of cost is not a significant factor in choosing plain tile.

7. ELDC have given planning permission on 10 June 2014 for the porch to be re-roofed in plain tiles.

The arguments against plain tiles

8. The DAC have not recommended the use of plain tile. Mr Halliday's letter dated 28 August 2014 sets out the DAC concerns which are:

- (i) the use of plain tile would not be equally authentic as a metal roof. Although glazed roofing tiles are occasionally found in elite buildings of the 12th and 13th centuries, most tiled roofs were roofed in shingles made usually from oak. Clay roofing tiles were becoming available in the area at the time that this porch was being constructed. There is no example known to the DAC of plain tiles being used on a church roof until after the Reformation. Patrons of elite buildings (like John Godard) did not include the use of plain tiles. Mr Halliday points out that even a brick constructed church in Lincolnshire, like Lutton, had a lead roof. He submits that a metal roof is authentic and tiles are not.
- (ii) the DAC accepts that lead would be inappropriate to re-install given its attraction to thieves.
- (iii) TCS is not a traditional material but after weathering it gives the appearance of lead which has proved acceptable to conservationists.
- (iv) there is a cost difference between steel and tiles which is 10p per square metre. If the life cycle of TCS is 60-100

years this cost difference is negligible when balanced against the appropriate choice of roof covering.

Discussion

9. English Heritage stated its opinion in David Walsh's letter dated 11 October 2013. They stated that they would not object to the replacement of the lead with either TCS or plain tiles. They state that 'plain tiles could be an acceptable alternative' to TCS. They were firmly against the use of Welsh slate which seems to have been an early proposal which is now not suggested.

10. When I first considered these papers I asked that EH be asked for any further comment they may have in the light of the competing arguments set out by the Rector and the PCC and Mr Halliday on behalf of the DAC. By an email dated 24 November 2014 Mr Walsh confirmed that the EH view was that TCS was the best alternative to lead in most cases, and that there was little difference between TCS and plain tile in terms of cost. In the light of that Mr Walsh states:

“we consider the DAC's endorsement of terne coated stainless steel for the south porch is well founded and we would defer to their recommendation in this instance.”

11. The Churchwardens have commented on Mr Walsh's comments by their email dated 12 February 2015. They repeat their concerns that weathered TCS looks like lead which may encourage lead-thieves again. Attacks to the vulnerable roof may resume.

12. In weighing the merits of the application to replace the stolen lead with plain tiles on the porch roof, I must have regard to the framework set out by The Court of Arches in their decision in St Alkmund, Duffield. The test is to ask (1) 'would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historic interest?'

13. 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.

14. If the answer to question (1) is “yes”, then I must ask how serious would the harm be? Furthermore, how clear and convincing is the justification for carrying out the proposals?

15. Bearing in mind that there is a strong presumption against proposals which will adversely affect the special character of a listed building, 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?

16. In answering this final question, 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 1 or 2*, where serious harm should only exceptionally be allowed.

17. I am satisfied that the answer to question (1) (‘would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historic interest?’) is ‘yes’: if the proposal for plain tiles was granted then this would result in harm to the significance of the church as a building of special architectural or historic interest. I am also satisfied that the level of harm done would far outweigh any benefit that could be obtained from the use of tiles over the use of TCS.

18. My reasons for this finding are that it appears to be accepted that this porch roof was always designed for a metal roof and has had lead throughout its life until the recent thefts. There is no justification for changing the roof covering from metal to plain tiles when this porch was designed to show off its metal roofing from the 15th century, when TCS is now available. TCS is an acceptable alternative to lead on conservation grounds. Once it has weathered there is no, or very little, difference in the appearance to lead. To maintain the metal roof is in keeping with the intentions of the donor of the porch and how the porch has been presented to the world over the last

500 years or more. To change to plain tile would result in serious harm to the architectural/historic significance of this porch.

19. I have considered the concerns of the PCC who justify the use of tiles to ensure that would-be lead thieves are not disappointed when they get on the porch roof and realise that what they thought was lead is in fact weathered TCS, and do more damage to the vulnerable roof. I do not regard this as a reason to permit tiles to be used instead of TCS. Many churches have placed signs indicating that they have TCS and/or that there is security marking in place. I am sure that the Archdeacon and the DAC secretary can give advice here.

20. I must therefore reject the application for tiles to be used on re roofing the porch. I permit TCS.

21. I recognise that this judgement will be a cause of disappointment to the rector and the PCC. I am sorry about this. I would not want to contribute to any further negative thoughts in the parish following these lead thefts which are always very demoralising to everyone. However, on a positive note I would like to emphasise what a jewel St Nicholas plainly is. There cannot be many places that have such a clear connection with someone who worshipped in the same building over half a millennium ago, and whose witness can still speak so directly to people today. I wish those entrusted with the care of this place of worship well for the future.

Mark Bishop

Chancellor

20 February 2015