

## In the matter of St Pancras, Chichester

### Judgment

#### Introduction and background

1. A petition is sought for the following works at St Pancras, Chichester, which is a grade II listed building:

“Replacement of existing 33 year old upholstered chairs in Church nave and small ancillary rooms with 150 new upholstered chairs which are lighter in weight and stack more easily.”

2. The proposal has been subject to consultation with the Victorian Society, Historic England, the Local Planning Authority and of course the DAC. The Victorian Society objected but did not elect to become a party opponent. No other party wished to comment. The petitioners responded to the objection and the DAC ultimately recommended the proposal for approval. I also have the benefit of brief supporting comments from the parish’s inspecting architect, Mr Richard Meynell, and have taken all these matters into account, along with the Statement of Significance, Statement of Needs, and listing description.

#### Discussion

3. The Victorian Society’s objection can be summarised as follows:
  - In terms of character and aesthetics, the proposed chairs represent no real improvement on the existing and the proposal is an unacceptable and unjustified missed opportunity.
  - The Church of England’s own published guidance on new seating indicates that all-timber, un-upholstered seating is generally far more congruent in nationally important historic church interiors.
  - Upholstered chairs are not intrinsically more comfortable than well designed all-timber chairs and are usually heavier and so harder to rearrange and stack.
  - The choice of new seating should be made in the context of a wider, holistic scheme for the entire interior taking account of the need to remove the carpet and make decisions over the floor treatment. This may influence the choice of seating and a characterful, well-preserved historic floor may survive beneath the carpet.
4. As the church is a listed building there is a heavy presumption against change and the current approach is set out in the *Duffield* framework.<sup>1</sup> This poses 5 questions, the first of which are:
  1. Would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historic interest?

---

<sup>1</sup> *Re St Alkmund, Duffield* [2013] Fam 158, para 87, as clarified by the Court of Arches in *St John the Baptist, Penshurst* [2015] (9 March 2015, unreported) and subsequently recited in *Re St Peter, Shipton Bellinger* [2016] Fam 193, para 39.

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, and questions 3 to 5 do not then arise.
5. The first *Duffield* question begs another, namely what is the significance of the church as a building of special architectural or historic interest? The principal reasons for the designation of the church as grade II listed building were:
  - "it is a small town church built in the mid-C18, extensively altered and extended in the mid-C19";
  - "its unusual history of Civil War destruction, Georgian rebuilding and Victorian embellishment"; and
  - "its combination of classicism with Gothic touches, executed in characteristic Sussex materials."
6. Having regard to those reasons and the full content of the Statement of Significance, the significance of the church owes nothing to the existing chairs. They were introduced when a further reordering took place at the end of the 1980s. As explained in section 1.1 of the Statement of Significance and reiterated in the parish's detailed response to the comments from the Victorian Society, the pews, choir stalls and pulpit were removed during that reordering. The Victorian pews had been constructed on wooden decks with just earth below. The void over the earth was backfilled with concrete and the floor screeded over. Carpet was laid on this screed and there is no opportunity to uncover a well-preserved historic floor.
7. Furthermore, as is apparent from photographs submitted with the petition, the existing upholstered and metal framed chairs are showing signs of wear. They are some 35 years old, and many have been recovered and do not match the originals. Others are wearing thin. As well as being heavy, difficult to move, stack and link, they look untidy and detract from the appearance of church's interior.
8. I afford due weight to the Church Buildings Council guidance which advocates the use of high quality, un-upholstered wooden chairs and pews and says that upholstered chairs are, among other things, "not consonant with the quality of a highly listed church." This church is not "highly listed" or of "national importance", as the Victorian Society suggests (without further elaboration). I would nevertheless agree that un-upholstered wooden chairs and pews are generally preferable. However, replacing the existing rather shabby, absorbent, upholstered chairs with new ones, upholstered in a consistent, neutral coloured, water-resistant fabric would not harm the significance of the church as a building of special architectural or historic interest. Indeed, it would result in an aesthetic improvement, such that the answer to the first *Duffield* question is 'no'.
9. As an aside, I do not criticise the Victorian Society for arguing that the opportunity to make an improvement should be maximised, and I note the parish's plans for extensive reordering of the church and hall. That scheme may come to fruition over the next few years, but it is subject to approval and, in any event, does not currently include plans to alter the carpeted, concrete floor, in a way that might render the proposed chairs unsuitable. This diminishes the weight of the Society's argument on that score, but I note that, if appropriate the parish would use the new chairs in the redeveloped hall.

10. As the second *Duffield* question makes clear, there is still a presumption in favour of things as they stand, but I am satisfied that it can be readily rebutted in the present case because:
- The existing chairs:
    - are in a shabby state and difficult to clean;
    - are bulky, heavy to lift and stack;
    - are difficult to rearrange, cannot be comfortably linked, and provide limited flexibility in terms of seating arrangements;
    - take up considerable space when stacked, in a small area, which often needs to be rearranged for different activities; and
    - have sharp and abrasive metal frames.
  - By contrast, the proposed chairs would be:
    - covered in a durable, stain and water resistant, neutral coloured fabric;
    - lighter and easier to lift, stack and store;
    - easier to rearrange and link, providing comfortable shoulder room and a tidier appearance when the church is set out for services and events such as concerts.
11. These factors must be considered in the context of a busy church with a growing congregation and healthy community role. St Pancras hosts a range of activities throughout the week, in addition to services, including: a student group; Alcoholics Anonymous meetings; youth bible study classes; a craft group; parents and toddlers’ group; a youth group; warm spaces/film nights; and occasional concerts. In view of the matters set out above, the proposed seating would facilitate and enhance opportunities for local mission and result in a public benefit. As indicated in the section of the Statement of Significance addressing ‘Historical Value’, “continued use of the church as a place of worship reflects the character of Christian worship on the site and is of considerable value.”
12. Although I have limited details, I am told that a variety of sample chairs, including wooden chairs and those with and without upholstery, were delivered so that the congregation could compare them with others. The “overwhelming consensus” was that the Alpha SB2M fabric covered chairs best met the needs of the church. Like the Victorian Society, I am not convinced that all-timber chairs are inherently less comfortable than upholstered ones, but those involved in the sampling considered the proposed chairs to be the most comfortable. Importantly, those who move and stack the chairs every week were impressed with the lightness of the proposed chairs and the ease with which they could be stacked.
13. Against that background, on 18 September 2023, the PPC unanimously resolved (with 11 of the 14 voting members present) as follows:
- “We the PCC of St Pancras Church Chichester wish to replace the current church upholstered chairs with 150 Alpha SB2M upholstered chairs with Panaz Marna fabric 919 Zinc”.
14. In light of the parish’s response to the Victorian Society’s objection, the DAC recommended the proposal for approval by the Court. Having regard to all the matters before me, I am satisfied that a faculty should be granted.

### **Conclusion and order**

15. A faculty shall therefore issue, subject to the following conditions:

- i. The approved chairs shall be installed within 12 months of the grant of this faculty or such extended time as the Court may permit;
- ii. The chairs shall accord with the specification in quotation No 13297 C A from Alpha Furnishings Ltd dated 19 September 2023, including the choice of fabric (Panaz Marna waterproof, stain resistant fabric – Zinc 919);
- iii. The chairs shall not be ordered until the court fees have been paid in full.

The Worshipful John Murray

Deputy Chancellor of the Diocese of Chichester

7 February 2024