

Neutral Citation Number: [2024] ECC Gui 1

**IN THE CONSISTORY COURT OF
THE DIOCESE OF GUILDFORD**

Date: 28 April 2024

IN THE PARISH OF CHRIST CHURCH WOKING

In the matter of a petition for a faculty for demolition of the north west wall of Narthex and replacement with glass frontage including a new access door; internal re-ordering to create: expanded kitchen space, upgraded toilets, re-configuration of the empty organ loft combined with rear-extension to create a Community and Youth Centre, replacement of building systems including heating, lighting, ventilation and building management systems, entry access systems; general refurbishment of Nave and other areas including re-painting, new flooring.

JUDGMENT

The Church

1. The Grade II Christ Church Woking was designed by noted Victorian architect W F Unsworth. Pevsner describes it as ‘big in scale, honest lancet brick. Inside, a big kingpost roof above a big apsed space with tiny ambulatory aisles... as with many Late Victorian architects, the cheaper the building, the better the design’. It is built of fine brickwork externally, with clay tile roofs. The windows are simple lancets, apart from the large rose window at the West end and smaller roses lighting the transepts.
2. A continuous brickwork string runs around the building. It is a significant building in the centre of Woking with an important Victorian heritage recognised by the heritage impact assessment. I have taken into account the detailed statement of significance prepared in 2016. The setting of Christ Church on Jubilee Square (the main town square) is of moderate significance but the church building itself is of moderate-high significance.
3. A new church hall was built across Church Street and a new octagonal choir vestry built on the south side of the church in 1975. A major refurbishment and enlargement of the church occurred in 1989-91 to the designs of Robert Potter & Partners. The narthex became a café with offices and small meeting rooms along the south side and a new upper floor at the west end of the nave for a high-level meeting room. The altar, font and communion rails are all by Durtnell and were installed in 1990. Some windows were also removed.

The Petition

4. By a petition dated 16 November 2023 the petitioners applied for a faculty described as follows:

Planning permission was granted by Woking Council in Jan 2020 for a large scheme comprising three essential parts:

- 1) Ground floor re-ordering and rear Community and Youth centre
- 2) Northwest porch / cafe extension and new Nave entrance
- 3) Re-building over the southern bookshop area with additional floor

This faculty application is for Part 1 of this consented scheme comprising:

- * Demolition of NW wall of Narthex and replacement with glass frontage including a new access door.
- * Internal re-ordering of some walls to create:
 - * new expanded kitchen space
 - * new, upgraded toilets
 - * re-configuration of the empty organ loft combined with
 - * rear-extension to create a Community and Youth Centre
- * replacement / upgrade of all key building systems, including heating, lighting, ventilation and building management systems, entry access systems etc.
- * general refurbishment of Nave and other areas including re-painting, new flooring etc.

5. The proposals are designed by Fathom Architects after a 2018 tender process with an independent assessment by the appointed church architect. It is expected to cost just under £5 million. The parish has substantial funds and gifts available and is seeking the balance of £1.5 million. Planning permission was granted on 29 January 2020 by Woking Borough Council subject to conditions. The PCC supported the petition unanimously on 30 January 2023 and work is proposed for the summer of 2024.
6. The proposals are described as a Gateway Project – “Renewing our buildings to fulfil our vision to be fit for purpose, our location and the next generation. We want to enhance our ability to: welcome people into worship, witness to our town community of Woking and reach out to the world on our doorstep.” The aims of the project are:

“Community: dedicated space for community work, young people lonely socially disadvantaged and more; meals, community access through the week
Stewardship: update the whole church building – heating, lighting, kitchens

toilets, step towards reducing our carbon footprint, fit for purpose in 21st century and the next generation.

Space: more space for Sunday's children and youth work, flexible space for midweek activities.

Access: more accessible welcome for visitors, clearer entrances and more visible to the public."

7. Key elements of the plan are to provide a new cafe and an expanded and renovated cafe kitchen for Sundays and community witness during the week, a new entrance and Nave screen to improve the welcome with new toilet and office facilities with storage spaces. A new boiler system is proposed to improve the carbon footprint and ensure a warm welcome. A new youth and community centre will strengthen the witness and outreach of the church.

Statement of Needs

8. This provides that to fulfil the church needs and the Gateway Project objectives the petitioners propose to:

- Open up the west end of the church by restyling/re-positioning the narthex with an open, modern equivalent which makes the church interior more visible while respecting the heritage aspects of the existing narthex.

- Internally reconfigure the existing kitchen, toilets, and other ground floor rooms to create an expanded kitchen to sustain the café, new toilets and storage accommodation.

- Re-configure the bookshop area to enable this to be used as a retail space through the week and group room space on Sundays, including direct toilet access for bookshop & café customers.

- Construct a one-story extension on the eastern end of the church and re-configure the former organ loft to create a split-level Youth & Community Centre with minor kitchen facilities.

- Create new office space above the new Youth and Community Centre, in the high-level space vacated by the organ pipes, which can be used for administrative office space through the week.

- Allow the expansion of the Audio Visual and Public Address systems by including relays to the crèche and other areas.

- Re-design and replace the heating / cooling systems using smart controls to create a more energy efficient and comfortable environment, utilising as far as possible latest, cost-effective solutions to reduce the carbon foot print.

- Re-configure the church office space in a contiguous area so that everyone is co-located and has sufficient storage and meeting space."

9. Christ Church operates a 7-day ministry. The building is open from 8.30am – 5pm Monday to Saturday whilst the café and bookshop are open. The building is also open most evenings for church groups, activities, courses and community groups.

As well as the usual services and youth and children's activities through the week, the building is also used and hired out to community groups and for events. Regular customers include WWF, Woking Borough/Surrey County Councils, the NHS and the Woking Philatelic Society.

10. On Sundays there are three services at; 9am (regular communion), 10.30am Informal Service (Family Service with groups for Children and Young People), and a 'SixThirty' evening service, which is informal and contemporary in style. Overall, the combined adult attendance across all Sunday services averages around 250 with over 60 children and youth attending in addition during the day. On Tuesdays there is a monthly Communion Service and a Monthly evening prayer meeting.
11. Church staff work in offices on the ground and first floor, including the pastoral staff and the operational staff. Three businesses are operated during the week; the popular café, the largest Christian bookshop in Surrey and a busy room-hire service which seeks to maximise the use of rooms for meetings and conferences when not required for Church activity.
12. The church building has struggled to accommodate the activity that takes place. There are insufficient rooms for all the different Sunday and weekday groups that use the site each week, and many of the rooms are tired and in need of modernisation. On Sundays access is hampered by the fact that the café space is needed to be used as the creche, and when the café is fully set up, the main entrance is through a small narrow corridor.
13. There is little glass on the outside of the church, making visibility into the welcome area difficult and this stands in marked contrast to the modernised town centre around. Youth and children's work has outgrown the youth room limiting the ability and effectiveness to run activities. Mechanical systems require replacement and updating. This will reduce the carbon footprint and make the building fit for purpose and more environmentally friendly.
14. The urgency was amplified by the 2011 Building Condition Survey. Architects were first appointed in 2013 and proposals worked through external consultation. A planning application was submitted in April 2019 for a large scheme to expand the building and refresh the infrastructure. Planning permission was received from Woking Council in January 2020 with a 5-year expiry date of January 2025. The subsequent pandemic required a 2 year pause, but the urgency of the need has continued to grow. The petition seeks permission for Phase 1 only while delaying Phase 2 (which is part of the planning permission).

Consultation Responses

15. The amenity societies were first consulted in 2018. The Victorian Society did not comment in 2018 but recently approved “the audacity and ambition of what is now proposed, which represents an improvement on the highly insensitive scheme drawn up in 2016” however opposed the new additions on architectural grounds (“hugely assertive and aesthetically wilful”, “nebulous and unrefined in form”). It suggests that the eastern extension is omitted or moved round the corner to the southwest. I note the updated proposals were broadly supported by Historic England, Historic Buildings and Places, the CBC and the local authority.
16. Historic England commented: “Current proposals would reduce the scale of the approved scheme, with a design that would be more in keeping with the character of the historic building, both in terms of massing as well as the choice of materials. Though the octagonal staircase tower on the north side of the church would still be lost, this would help create a more efficient and clear entrance into the church. Overall, we consider that these revised proposals would be more sympathetic to the historic significance of the church than the approved scheme.”
17. Historic Buildings and Places commented that “there is an audacity to the current scheme. There must be a risk that the extensive newbuild will predominate in views from the Square but that may well benefit the townscape of central Woking and raise the profile of the church community. There is an austerity, even a dullness, to the west and north elevations of the church, particularly as they have been so compromised by the earlier extensions and the new design “addresses” [Jubilee] Square with confidence and some panache.” It made comments about the practicalities of rainwater drainage which have been taken into account.

Discussion

18. *In re St Alkmund, Duffield* [2013] Fam 158, the Court of Arches put forward the following questions:

- (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 , 26–28, and the review of the case law by Bursell QC, Ch in *In re St Mary's Churchyard, White Waltham (No 2)* [2010] Fam 146 , 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 *In re St Luke the Evangelist, Maidstone* [1995] Fam 1, 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 II*, where serious harm should only exceptionally be allowed.”

19. The need for the proposals is clear and well evidenced. They maintain most of the works subject to the planning consent in providing an extension and improved entrance to the café, a dedicated entrance to the nave, a new youth centre, allowing the existing internal meeting rooms to be reconfigured for more efficient use and refurbishment of the other areas of the church. It retains the existing Octagon, housing the bookshop and meeting rooms, reducing the scope and cost of the original proposals.
20. In my view the proposals would result in a low level of harm to the significance of the church. The new design connects the new addition to the original design – particularly the use of terracotta to complement the red brick of the church. The extensions are sympathetic to the architectural angles of the narthex with a series of mono-pitches. They replace modern additions and while the loss of the notable modern stair-tower at the front of the church is a pity in some ways, I agree that it is a better option than removing any key part of the Unsworth original fabric. The replacement retains the architectural significance of the church with brick piers while providing better access and utility including a new escape stair between the existing retained Octagon and the southern side of the narthex.
21. I note that following earlier consultation with amenity societies (particularly feedback from Historic England) the extension between the new entrance and the northern side chapel is now proposed to be set back and the roof lowered to ensure that the gable wall of the side chapel is visible, so that the new does not dominate the old and the rose window is retained. At the rear, the new youth centre is single storey element below the buttressed apse and clad in terracotta to link with the front extension.
22. In my judgement the proposals deliver good quality accommodation to enable the mission and aims of the church in a way that recognises and honours the Victorian original. The terracotta finish to the extensions are well detailed to fit the original

and its wider context. I do not think that the amendments suggested recently by the Victorian Society are practical or necessary and I take into account the generally positive comments of Historic England and Historic Buildings and Places.

23. I have to balance the effect on heritage with ensuring the continued use and mission of the church. In my judgment there is clear and strong justification for carrying out these proposals. The future sustainability of the Parish will be significantly improved by the proposals.
24. In those circumstances I grant the petition for a faculty as sought subject to the conditions imposed by the planning permission and the DAC. The works must be completed within 24 months but must not commence until the PCC has 80% of the overall cost received or pledged.
25. I apologise for the time taken to ensure consultation responses were all addressed and then to produce this judgment. I commend the thorough and detailed approach taken by the petitioners and the comprehensive nature of the many appendices to this petition. I direct that there shall be no judgment fee.

The Worshipful Andrew Burns KC, Chancellor