

Neutral Citation Number: [2024] ECC SEI 4

IN THE CONSISTORY COURT OF THE DIOCESE OF ST EDMUNDSBURY AND
IPSWICH

In re Chelsworth, All Saints

JUDGMENT

1. This is a petition by the Churchwardens and PCC treasurer to move one of the floodlights installed with Faculty permission in 2011 from the South East to the North West corner of the church and to increase the floodlighting from 25 hours a year to approximately 150 hours a year.
2. The details were particularized in letters sent by the Rector to the parish in October and November 2023 where he explained that the church would be “floodlit for a total of 120 hours from 6.30 pm to 9.00 pm Friday, Saturday and Sunday from November to March and a further 30 hours on Christmas Eve and other special occasions”. This has now been clarified as: 28 hours for special occasions such as Christmas, concerts etc which occur after dusk, 122 hours during weekends between 1st November and 31st March. From November to February it is proposed that the lights will come on at 6:00pm and go off at 9:00pm for 2 days each weekend, either Friday/Saturday or Saturday/Sunday, thus consuming 102 hrs. In March, they will light similarly from 7:00 pm to 9:00 pm consuming 20 hrs”.

3. A further clarification, in light of an expert report from the Bat Conservation Trust on behalf of Natural England, proposes that the lights will only be lit from the 1st November until the first two weeks of March. My estimate is that removes 35 hours of lighting from the total. I have to say, bearing in mind the objections to this proposal, the lack of specificity is a matter of concern for me. It is clear also that poor record keeping in relation to the original Faculty meant that in 2022 the lights were used substantially more than the 25 hours permitted by Faculty.

The petition

4. I have not been furnished with a Statement of Needs or a Statement of Significance as required by the Faculty Jurisdiction Rules so I have had to search out what the necessity for this petition is. In his letter of October 2023 the Rector's reasons for petitioning are;
 - a. 'According to the Church of England floodlighting the church elevates it's presence'
 - b. 'It is a beautiful sight when lit'
 - c. It is 'a comforting presence on a dark winter's night'

I am afraid I have found nothing that substantially elaborates on those reasons.

Objections

5. The fullest objection comes, appropriately, from the people who will be most directly affected by the proposed change. In an email with annexed photographs Dr and Mrs Cullen write (and I make no apology for reproducing their concerns in full);

We are writing in opposition to the above application.

All Saints Church, Chelsworth lies next to the River Brett and uniquely within the boundaries of our property's gardens and grounds (The Grange, Chelsworth), being one of the few churches in the country to do so. Access to the church is via our drive and its walls are a few metres from our house. It is a beautiful, tranquil and special place teeming with flora and fauna. As a family we are dedicated to the preservation of the church for the benefit of the community and environment and have supported it for the past 30 years. Our children have been christened here; we hope our daughter may one day marry here; we have fundraised and donated thousands of pounds to the church; provided it with security; allowed our land to be accessed and dug up for new utilities; accommodated builders and their machinery; provided event car parking; maintained hedging and trees; cleaned the church; emptied weekly refuse bins.

We appreciate and respect the PCCs dedication to maintaining and improving the church for parishioners and villagers to enjoy.

The current floodlighting was introduced without consultation in 2011. Permission was granted for 25 hours per annum. Since then we have endured erratic interior and exterior lighting, sometimes 24 hourly for weeks on end, causing us stress, disruption and sleep disturbance. In 2023 external lighting exceeded 500 hours and internal lighting was on 24 hours/day for months to illegally deter bats. We regularly have had to ask the church wardens to turn off the lights as they hamper our sleep and cause us upset.

Our concerns about an increased planning permission/faculty from 25 hours pa to 150 hours pa (a 500% increase) include:

1. Light pollution of the churchyard, our house and garden. Our proximity to the church and the direction our house faces means that any lighting is brighter than street lighting for us, brightly lighting up living areas and bedrooms at night. Further illuminating the tower means the surface area lit (approximately 3,400sq ft) will be larger and higher and will cause more light to bounce back at our house. The effect of the bright floodlights are far more intrusive than any neighbouring house security lights or the local pub signage lighting.

We are aware that we are very fortunate to be able to enjoy dark skies, stargazing with telescopes and a rural life. We deliberately chose to live in a village without street or artificial lighting. Light pollution "destroys natural darkness that is essential to human health and wellbeing" (Dark Skies Matter). People cherish the pleasure of being able to go out and look at the stars. Something which will be greatly affected by the suggested lights.

"Only one in twenty of us can enjoy a starry sky because of light pollution" (Campaign to Protect Rural England).

The PCC have shared a wide-angle photograph taken from the church porch, trying to show that our house is not nearby and not that visible. We attach iPhone images taken from our ground-floor sitting room window and our bedroom window. As you can see from the photos, much more of the church is visible than claimed. The PCCs claim that only the first floor of our house being visible from the church porch is an irrelevance. What is relevant is the view of the church from our house. Also attached is a photo showing the church's proximity to our house.

2. A waste of valuable resources and energy especially during the current fuel and cost of living crisis. Some of our neighbours in nearby villages regularly rely on food banks and support with fuel bills. Indeed councils and businesses across the country are turning off

unnecessary building lights and street lighting to conserve energy, costs and help protect the environment.

The PCC indicate that lighting costs are minimal and a drop in the ocean compared to the electricity used by the village. They are missing the point. For many people £15 is the difference of having a hot meal, hot water, heating a room or a child having breakfast for a week or not. Chelsworth is probably one of the wealthiest villages in Suffolk so hardly representative of an average household. We feel that lighting a building when not in use is a waste of energy and resources, sending the wrong Christian message to the wider community.

3. Increasing the lighting directly contradicts the Church of England's desire to achieve Net Zero Carbon by 2030 and is not compatible with their wish to be more environmentally friendly and tackle climate change. As the Diocese states on its own website....the Anglican Church's fifth 'Mark of Mission'- 'To strive to safeguard the integrity of creation, and sustain and renew the life of the earth'. The Diocese is committed to shrinking its own carbon footprint to Net Zero by 2030 and to encourage and equip churches and individual Christians to understand the fifth mark of mission and put it into practice in their worship, work and lives.

4. A serious, negative impact on wildlife including bats, invertebrates, badger, fox, otter and owls. "Light Pollution disrupts wildlife and impacts the wider ecology and biodiversity" (Dark Skies Matter). We have all of these creatures in the churchyard and beyond and are alarmed at the negative effect of light pollution on them.

The church and surrounding area is habitat for protected bats including Pipistrelle, Brown Long Eared, Serotine and Noctule. All Saints has been an important roosting site for large numbers of bats for decades if not centuries and is a known maternity roost and hibernation site which are of vital importance to the bat colony. Artificial lighting is known to alter bat habits all year round. The bats feed later and for shorter periods and are disturbed during hibernation, causing starvation and jeopardising breeding (Bat Conservation Trust). Bats are preyed by owls, also in serious decline. Sadly over the past few years the bats have endured harsh and illegal treatment by the PCC including directing artificial lighting at their roosts and blocking their entrances/exits. This culminated in 2 years of major works starting in 2019 to raise the organ, build a kitchen, lavatory and install overhead heating. This was completed without a bat survey or Natural England licence. Please see attached photo of 5 dead adult/juvenile bats found during 2020. The PCC claim that no-one in the village is quite sure what bats are resident. They have in fact been studied carefully for over 20 years. The multiple species resident in the church are as stated above. The PCC claim that bats are 'occasionally seen'. This is a very great understatement, as any visitor to the church and churchyard at twilight could confirm.

5. The four other churches in the benefice are not illuminated at night. There are very few floodlit rural village churches in Suffolk. Those that are lit are within villages where there is already street lighting or they sit apart from nearby housing. Our lovely church has been unlit for centuries and is one of the many charms of the village.

6. We believe our house and the unlocked floodlit church would be a greater security risk with increased floodlighting. They would both be far more visible at night, drawing unwanted attention and increase the chance of opportunist theft and anti-social behaviour.

7. The illuminated church is only clearly visible to 6 out of approximately 70 households in the village if they were to open their curtains. A car driver passing the church will see it

for approximately 6 seconds if they can take their eyes off the road! Who really benefits from its illumination?

Unfortunately this is a divisive issue amongst villagers many of whom have been lobbied by PCC members to support the application and so cannot give a true representation of the picture. Sadly we feel we have been bullied by some actions of some members of the PCC which has been difficult for us. However we appreciate that some villagers are keen to light the building, though others describe it as unnecessary, unattractive, a vanity project and something that would not look out of place in Disneyland.

Of course we are very thankful for the PCCs dedication to maintaining and improving the church for parishioners and villagers to enjoy. Since the church's primary function is as a place of worship it does make sense to light it during evensong/midnight mass in order to 'draw the faithful' and also for safety reasons. We greatly support the existing floodlighting hours for these events and celebrations and are delighted to be able to help the wardens manage the floodlighting over Christmas, New Year and other special occasions.

"As Christians, we are called to be good stewards of the earth which God has entrusted to us. We are also called to love our neighbours; this includes our global neighbours who are feeling the effects of climate change first and worst; and our future neighbours, who will inherit this world from us." (Church of England, Suffolk).

It is clear that we love where we live and feel so privileged to have All Saints as our neighbour. As Christians we want to continue to see our beautiful church, our community and our environment thrive, grow and look to the future. We believe lighting a building when not in use because it is old and some think it beautiful and comforting would be a poor decision and a negative, outdated and backward step that sends the wrong Christian message.

6. It is clear from the photographs that the Cullen's house is very close to the church and the views from the living room and one bedroom are unobstructed and are directly facing the church.
7. In a further email to the Registrar offering her 'option B' to have a Consistory Court or 'option A' to have me decide matters on the papers Mrs Cullen wrote:

Although we would like to send a serious message to the PCC by opting for B we think this will create yet more anxiety for us as we have already experienced bullying behaviour by the PCC. We would have hoped for some sort of consensus with the PCC but this has never been offered to us.

8. Ian Brown, Chairman Suffolk Wildlife Trust, Parish Village Meeting, Trustee RSWT, and Council Member National Trust., wrote;

I am writing to object to the proposal by the PCC to floodlight our village Church. The church is located in a very sensitive environmental area of the Brett Valley, and the PCC has given little or no consideration to the impact of light pollution on nature and biodiversity nor demonstrated to our community the cost benefit of wasting financial resources and energy. To all intents and purposes the proposal appears to be purely for aesthetic reasons.

The Diocese is to be congratulated on its support of Churchyard wildlife projects within the County, and I have been most impressed by work undertaken at locations that I have visited. Furthermore investment policies and environmental measures agreed by The Church of England are directly assisting in the Nation's goal of mediating Climate Change and achieving net zero Carbon omissions. This proposal at our Church would appear to be in direct conflict with these commitments. I therefore respectfully request that the proposal be declined. Obviously, floodlighting related to evening services and scheduled meetings would be logical for health and safety reasons.

9. Rosemary Mason wrote;

1. This is a substantive increase which will have a significant and adverse effect on the quality of life of those residents living close to the church. What is the justification for this increase in floodlighting hours? I do fear it is unfair to inflict this on those residents who live in close proximity to the church.
2. Will this increase be carried on in perpetuity? If so, what is the process for residents to complain if they are unhappy with the lighting on their daily lives? Will there be a review after a given period-for example six months or a year?

3. I am also unclear what the process will be to manage the timing of the lighting to ensure any agreement is complied with. Who will be responsible for this?
4. I fail to see who will benefit from this change, apart from the motorists who drive through the village. The population of the village is so tiny and spread so disparately through the village that there will be little, if any benefit to those of us who live there.
5. Whilst I have heard anecdotally that this increase will have little cost impact, given the economic pressure on local councils and households, it will be perceived that this is simply a wilful waste of money which could better be used for the benefit of the local community. This will be happening at a time when families in the area are using foodbanks and local council are under such severe pressure to save money that even libraries are under threat.
6. Last but not least there will inevitably be an adverse impact on the diverse wildlife we enjoy in our environs despite best effort at mitigation.

10. David Boardman wrote on two occasions setting out his concerns;

- The security of nearby buildings
- The security of the building itself
- The disadvantages to nocturnal wildlife
- The increase in light pollution/light trespass, particularly to the adjoining grade II* Listed Building 'The Grange'
- Waste of an expensive resource: floodlighting the building when not in use might seem like a beacon of ostentation in the face of those in the parish in the grip of fuel poverty (not to mention the other six-plus million UK households in the same predicament)

11. Carol Sugden, a regular attender at the church, wrote objecting under four headings;

1. Lack of necessity
2. Negative impact on dark sky
3. Negative impact on wildlife
4. Contrary to aspirations to be net zero by 2030

She also asserts that 'Corinthians 16.19-20 applies here', a reference that I am afraid I could not follow

12. Philippa Dodgson who is on the electoral roll of the church and who regularly attends meeting of Eco Church and the A Rocha initiative was concerned not just about using more electricity but also of the effect on wildlife, not just bats but also insects especially moths whose 'dorsal light response' will cause them to crash to the ground. She also states that as the church has 'no architectural merit' it is not attractive and there is no reason to light it up.

13. Peter and Missy Graves, object on the basis that there is no need to illuminate the church apart from on special occasions and, as the church is 'tucked away' the lighting is insignificant from the road but 'invasive' to the neighbours next door. They also mention their concerns about the security of the church, light pollution, destroying dark skies, cost of operation, organising and maintaining the system and the effect on resident wildlife. Whilst holding the church building in 'great reverence and affection' they see no reason to justify lighting the church.

14. Susan de Sabata wrote, objecting:

Ever since the flood lights were put in I haven't been keen on either the idea nor the effect. There are several obvious reasons: environmentally, specifically, but also aesthetically, and cause and effect. I always liked the effect of the lights being on inside the church but I had no idea of the damage that caused to the bats – especially since their exit routes have been blocked - which I didn't know about.

I cannot see the church from The Coach House so it doesn't affect me other than I do go out late into the field beyond my garden with my dog last thing at night, and when the floodlights are on the glorious dark night sky we have always had, is gone. We used to love looking at the stars and my late husband was so knowledgeable and it is an important part of my life and memories of Chelsworth.

But the household the flood lighting really affects is the Cullens and their wishes should be taken seriously. We are lucky to have them living there and I am impressed by their research and dedication regarding the bats and other wildlife.

In conclusion, since the lights are in situ I have no objection to them being used when the church is in use and perhaps over Christmas and if there are concerts in the church, but I see no advantage in having them on otherwise, and only disadvantages. There are very few houses that overlook the church and due to that corner I doubt many drivers have the time to look at it. It isn't as if it stands on a hill and is a beacon. I love our church but it isn't a thing of great beauty and I really don't think the floodlights add anything. And I definitely think going to the expense and trouble of lighting the tower is a bad idea. Applying for more hours would, in my opinion be a waste of time, money and resources. We have a responsibility to our world and future generations to set an example of restraint

and to achieve the CofE target of carbon neutrality - and preserve every tiny creature that has adapted to a diurnal world - not an artificially flood lit world.

15. Steven Davidson wrote:

The PCC think it would be nice for passers by to see the church all lit up. I would like to point out that only views of the flood lit church is across a field on a short section of the road with very few people about and even less who would care. Surely irritation of our neighbours having their house lit up outweighs a moment of joy as someone walks to the pub.

Response to the objections

16. The petitioners

17. On 26th July Sir Gerald Howarth one of the two church wardens wrote:

"I am one of the two Church Wardens at All Saints, Chelsworth. Until April I had also been Chairman of the Parish Meeting for the past 4 1/2 years.

I know that James Hall has been in correspondence with Andrew Brash, our PCC member who looks after the fabric of our 14th century church, who tells me you have received a number of representations against the PCC's application to increase the hours of floodlighting operation from 25 to a very modest 150 a year. I am concerned that some of the representations you have received have contained some false information.

I understand that it has been put to you that the lights were on for 500 hours in 2023 which is simply untrue. It is true that we struggled to operate the time switch installed at the time of our major £330,000 project, but we are very conscious that there are residents in close proximity to the church and at no time (apart from Christmas and New Year's Eve) had we intended the lights to be on after 9pm. On those few occasions when we were informed that the timing was out, we sought to rectify the matter immediately.

We were not told that there were internal church lights on. If complainants were so concerned, why did they not contact us? I understand that it is suggested that our proposal creates a security risk, but the '500' hours of lighting does not seem to have generated any reports of attempted burglaries.

To suggest that the £15 pa energy cost can in any way be linked to the current cost-of-living debate is, frankly, absurd. Furthermore, the fact that we are buying energy from 100% renewable sources surely kills the argument about environmental harm.

You will have seen the report from the Bat Conservation people which broadly supports our proposal, but I gather one of the submissions has a picture of dead bats apparently murdered by us. The truth is rather less dramatic: they were found dead on the floor so placed on a windowsill so that when the bat people came to the church they would be able to identify the species. It is also completely untrue that we have blocked access by the bats to the church. Indeed, evidence of bat activity in the church was noted in the bat report.

To suggest that the village was 'bullied' into supporting the PCC is

unworthy and belied by the responses received from villagers when the Parish Meeting carried out an extensive survey of every household last October. I attach a memo setting out some of those responses and remind the Diocese that the PCC proposal received support from 86% of respondents at the time. Conversely, it seems that the objections to the proposal have been orchestrated. It is remarkable how similar I am told they all are! And interesting that 5 late objections were received on the same day (1st July), but after the consultation period had closed.

I also understand that the PCC is accused of bullying. This may relate to one incident 2 years ago. I was accosted by someone objecting to the lights. Words were exchanged and the person concerned claimed that she felt intimidated. I object strongly to the inference that I acted in an intimidatory fashion. I was bold in the expression of my views but so was she in expressing hers. In truth, the PCC itself has felt somewhat intimidated by the tactics and aggressive emails it has received on this event and the whole proposal.

At least one of the objectors makes reference to their Christian faith, claiming a commitment to the church. With 3 exceptions, none of the objectors worship regularly at the church or contribute directly to it financially, although they may contribute to events held in the church such as the Christmas Fair. We therefore find the several claims of affinity to the church rather at odds with the actualité.

On a recent visit to Blythburgh, my wife and I found this comment in a frame on the wall of the church: 'I frequently travel the A12 road from London to Beccles and on every trip I am always reassured by the illuminated church at Blythburgh as a beacon that I am nearly home. More importantly, at a time when much of the Church of England is in decline and many Norfolk/Suffolk church buildings are threatened, it is

very pleasant to find a church that is not afraid to publicise its presence and faith.'

We trust that the PCC proposal, commanding overwhelming support of the villagers (including virtually all the regular worshippers who fund the running costs of All Saints), is approved."

I have read and noted the comments from approximately 11 people whose support in favour of the scheme has been summarised by the petitioners.

18. In a document headed 'Floodlight Faculty Application' the PCC Fabric Officer set out a response to the objections received by them:

3.1 That the proposed hours was too many and would disturb those living close to the church.

This concern was raised by 5 people and in consequence, as an act of goodwill, the PCC agreed to reduce the suggested hours from 170 to 150 hrs. One objector, despite arguing that the floodlights were injurious to the bats, nevertheless suggested that 100 hrs would be acceptable. However, the PCC did not feel that it was right to negotiate when the overall outcome was so heavily in favour.

3.2 That the cost of flood lighting is a waste of valuable resources which is inappropriate in a time of austerity.

The PCC disagrees. Given that Chelsworth village spends more than £40,000 a year on electricity, we believe that £13.86 is really not material and it will anyway be funded privately, not by the church.

3.3 Contradicts the Church of England wish to achieve Net Zero Carbon by 2030 and is not compatible with their desire to be more environmentally friendly and help tackle climate change.

A £13.86 cost is really trivial in the scheme of things. Most cathedrals and many churches are lit at night. In terms of the environmental cost of generating this power, about 10kg of carbon dioxide equivalent would be emitted to atmosphere, were the power generated by a typical UK mix of suppliers. However, the PCC has just (end of March) changed electricity supplier with this in mind and now buys power which is exclusively supplied by renewable sources such as wind. We therefore argue that the environmental impact of this power usage is zero.

3.4 A massive negative impact on night wildlife including bats, invertebrates, badger, fox, otter and birds.

The effect on bats is dealt with separately in paragraph 4. As regards other wildlife, 6 hrs per week in an area of 50 x 50 metres (0.6 acres) is hardly massive when it is surrounded by unlit countryside. The area to the south of the church, which includes the River Brett, is clear of housing and roads for an area of about 100 acres.

3.5 The church and surrounding area is habitat for protected bats including Pipistrelle, Brown Long Eared, Serotine and Noctule.

The effect on bats is dealt with separately in paragraph 4. Neither the PCC or anyone else in the village (as far as we are aware) knows what bat species inhabit this area or what species live in the church, despite requesting visits from the Bat Conservation Trust on 2 occasions. We suspect that the species in the church are Pipistrelles because there is a known colony of this species in a house 200m from the church.

3.6 Light pollution of the churchyard, nearby houses and gardens which mean that church lighting is similar to street lighting.

The nearest house to the church can be seen in the photos below. At its nearest point, it is approximately 50m from the church. The downstairs rooms are hidden from the church by a 2.5m high by 1.5m wide evergreen

yew hedge: the photos below are taken from the church porch towards the house. Given the density and height of the yew hedge, we suspect this means that the lights will barely be seen from downstairs rooms or from the garden. And assuming that upstairs rooms are bedrooms, lights out at 9:00 pm should mean that sleep is not disturbed. Two other houses are approximately 85m from the church and less affected.

3.7 The illuminated church is visible to precisely 6 out of approximately 60 houses in the village.

A car driver travelling from Monks Eleigh and within the speed limit will observe the lit church for approximately 6 seconds. Who really benefits? Incorrect – we believe that up to 15 (out of 73) houses in the village will have a partial view of the lit church. Anyone walking to the pub or driving will see it and most people think it's a beautiful sight.

3.8 Increased security risk for the church and nearby houses as they are more visible.

This works both ways, lights could attract or deter. And most properties have alarm systems, on the roof for the church lead.

3.9 Unaware of other local churches that are illuminated at night

There are several local churches that light up at night:

- o Boxford for 2-3 hrs per night during the winter months
- o Lavenham
- o Kersey for 2 hrs per night during winter weekends
- o Elmset and Woolpit for some hours on winter nights.

It should be noted that 2 other properties in the village are floodlit all night (including the Peacock pub) and many houses have porch or security lights on at night.

3.10 That the lit church is unattractive and is 'cheapened' by the lights.

The person making this comment has also described it as "disgusting". The PCC believes that the lit up church is beautiful and this view is supported by the vast majority of the village

19. The Senior Bat Advisor for the Bat Conservation Trust acting on behalf of Natural England wrote:

Considerations to lighting procedure to protect bats and their roosts

The floodlight can be moved from the south-east corner to the north-west corner of the church.

The movement of the floodlight away from the south aspect of the chancel roof will provide enhanced roosting opportunities for bats on the southern aspect. This will have a positive impact on summer south facing roost availability for the bats.

However, the light spill into the tower via the sound outlet must be prevented, as the sound outlet window is used as an access point into the tower and bats use the interior of the tower during the winter. To prevent the new light position adversely affecting the bats, a hardboard (or similar) cover must be affixed to the inside of the sound outlet to prevent light spill and subsequent disturbance to any bats present, to retain the roost site.

The floodlights are currently in use and bats appear to be active within the church during the winter. As the only known access point is over the door to the south porch, which will remain unlit, it is unlikely the proposed extended hours for floodlighting the church will have a negative impact on the bats.

The plans to extend the illumination of the tower into March may have an adverse impact as this is a critical time for bats when their energy reserves are depleted from hibernation and they may need to forage in less ideal conditions, therefore use should be minimised in March if at all possible, or perhaps restricted to the first half of the month before spring equinox, and extra care must be taken that there is no light spill around the church and only the building itself is lit

Discussion

20. I have set out extensively above the evidence I have had to consider. I set out the issues as I see them here. The petitioners assert;

- a. It would be aesthetically pleasing,
- b. It will identify the Church and 'publicise its faith'

21. The objectors assert;

- a. The lights will adversely affect wildlife, including and especially bats

- b. It is a waste of resources,
- c. It is contrary to the Church of England's net zero aspiration
- d. It will lead to more crime
- e. It will cause unnecessary light pollution
- f. It will not be sufficiently visible to make 'any appreciable difference'

22. I will deal with the objections first.

- a. Having read all the evidence, including the expert evidence, I am satisfied that with sufficient controls the lighting as prayed will not in fact adversely affect the wildlife in particular the bats,
- b. I accept that the resources to be expended are relatively small and are to be covered by private funds.
- c. I accept that a well-lit church is a secure church. I also note that there appears to have been no issues with security or damage with the lighting currently allowed by Faculty.
- d. I accept that the PCC have changed to an electricity provider that uses renewable sources of energy and will not add to the Church's carbon footprint.

23. The last two objections I will take together. The petitioners claim that the effect of light pollution will be minimal and particularly dismiss the objectors concerns in relation to the effect on the principal objectors' house. The petitioners similarly dismiss the objections that the floodlighting will be sufficiently visible to have any affect save on those who object to it.

24. I confess I find the tone of some of the petitioners' rebuttals regrettable. The main objectors set out very clearly why they object to the lighting. They identify the importance of their house in relation to access to the church and the

assistance they have offered to the church but, commendably, do not seek to use these matters as bargaining tools.

25. I note that the Registrar had to intervene to stop the floodlights being used at all as they appear to have been quite uncontrolled some time ago. One can sympathise with why the objectors' now express concern about any future use of floodlighting, let alone for longer periods. Accordingly I dismiss the petitioners assertions that these statements about the lengthy periods that the lights were on as 'untrue'. The Registrar clearly acted on clear evidence in making his decision and I have seen no evidence from the Petitioners attempting to challenge it. What is of note is that the objectors had to alert people that both the floodlights and the lights inside the church were on at times when they should not have been. This gives the lie to the petitioners' assertion that the church will become more noticeable if it is floodlit.

26. In terms of visibility the petitioners reject the objectors' assertion that 6 out of 60 houses in the village will be able to see the church claiming that '15 houses out of a total of 73' in fact have a 'partial view of the church'. They also accept that the church will be visible to a car being driven past for 6 seconds but claim that 'anyone walking to the pub or driving' will see the illuminated church. I am not, I am afraid, overwhelmed or persuaded by these arguments.

27. Were this petition to be unopposed it would have passed the seal without any difficulty. The issue here is now one of neighbourliness. The petitioners seek to extend the time of floodlighting the church but can give me no substantive reason for doing so, particularly in the light of the objections from those who are to be most directly affected by it. I accept the objectors' submissions in relation to the increase in light pollution, particularly to the house occupied by the

Cullens. I have seen no justification for the alteration of the Faculty of sufficient weight to justify altering the current state of affairs.

28. The Faculty prayed for is, accordingly, refused. The present Faculty is still extant. Any further breaches of the timings as agreed by that Faculty are to be referred to me.

28th August 2024

Justin Gau
Chancellor