

IN THE CONSISTORY COURT OF THE DIOCESE OF SOUTHWARK

IN THE MATTER OF ST MARY'S CHURCH, MORTLAKE

AND IN THE MATTER OF A PETITION BY REVD AYOOB ADWAR, MS VIRGINIA WATERKEYN AND MS ANITA LARSEN

JUDGMENT

1. This is the petition of the Revd Ayoob Adwar, Ms Virginia Waterkeyn and Ms Anita Larsen, the Team Vicar and Churchwardens respectively of St Mary's Church, Mortlake. By it, they seek a faculty for a new screen dividing the north aisle from the rest of the church and for the extension and refurbishment of the kitchen situated in the north aisle of the church.
2. St Mary's Church, Mortlake is an attractive building which is listed Grade II*. The tower dates from the sixteenth century and the body of the church from the late nineteenth and early twentieth century. In 1979 it was re-ordered to the design of the architectural firm of Maguire and Murray. This was a partnership of the distinguished architects, Robert Maguire and Keith Murray, whose most famous work is St Paul's, Bow Common. The north aisle was separated by a screen from the body of the church and turned into church hall accommodation and a kitchen. Further, the internal accommodation was re-orientated. The westward facing pews were replaced by northward facing benches with a new Holy Table appropriately introduced into the body of the church.
3. The re-ordering did not stand the test of time and the benches are now orientated to face east¹. I am not entirely sure why this has happened but it does of course reflect the original design of the church. In my experience those attending worship do very often feel more comfortable with an arrangement which thus goes with the "grain" of the church. It does mean however that the quite distinctive screen that enclosed the north aisle and was intended to be the "backdrop" to worship no longer fulfils this latter function.
4. What is now proposed has two elements. First the kitchen contained within the north aisle is to be enlarged and refurbished. This will enable the catering at the church to be improved and with that the scope for both church and community use of the building. The second is to replace the existing screen with one of a new design.
5. The first proposal, which is uncontroversial, will enhance the church as a place of worship and mission. The second proposal is also said to enhance the church as a place of worship and mission. This is both because the existing screen is now perceived to be a distraction to worship and the proposed, more neutral screen, will be beneficial to it. The way it is put in the Statement of Significance is that the new screen will *provid[e] a more harmonious visual setting to the principal space of worship*.
6. The DAC has recommended the proposals to me. Of the heritage stakeholders consulted only the Twentieth Century Society wished to comment. It made the following representation

We regard this screen to be a minor work by a very significant twentieth century architectural practice. It would be preferable to retain the screen if possible, as it adds to the richness of the interior of this church.

¹ I do not think that this required a faculty because it was always envisaged that worship might take place in the traditional orientation as an alternative to what Murray and Maguire envisaged was going to be the usual orientation.

7. The Society does not want to become a party opponent to the petition, asking me nonetheless to take its representation into account.
8. Without seeing a drawing and/or photograph of the existing screen and a drawing of the proposed scheme it is difficult for a reader of this judgment to understand what the issue that is thus raised is about. In words the existing screen has

at the top a glazed enclosure with a fine horizontal grid of small glass panels supported by a primary vertical structure of black-painted mullions; centrally, a red-painted timber framework in front of black panels, has the appearance of hanging, like portcullises, above the recessed screen and doors, decorated with a dark-green stain.

9. By way of comparison

the new scheme retains from the existing arrangement a vertical differentiation between three levels, to reduce the impression of flatness, and at the lowest level the plane of the screen is articulated through the application of timber 'fins' that rise up the face, terminating either at the full height of the glazing mullions above, or alternating to the level of the panelling internal to the upper room behind the glazed section. Between these on the lower section are additional applied oak battens, with the effect that the material bulk of the screen diminishes in a graduated fashion up into the arches.

10. It does seem to me that, robbed of its function, the existing screen is discordant. This is illustrated by the fact that the parish has taken positive steps to remove it (I note that the vote of the PCC was unanimous and followed consultation with the congregation). Thus its replacement with a more harmonious screen is something which is intrinsically beneficial in architectural terms and will also be beneficial in terms of the use of the building as a church. This said, the loss of the screen will be a loss of an historic feature. I think that it may be putting it somewhat high to say that its removal will subtract from the richness of the interior of the church but I think that against the fact that the re-ordering did plainly have architectural merit, the loss of this feature does represent in a modest way some harm to the building. The same proposal can be, and in this case is, simultaneously both beneficial and harmful. Overall however it seems to me that it is plainly beneficial.
11. I am required to consider situations where there is harm or potential harm to a listed building by reference to the answers to the *Duffield* questions i.e. the questions identified by the Court of Arches in *In re St Alkmund, Duffield*². I think that the proposal will result in a modest degree of harm to the listed building but that that harm is outweighed by the benefit to it. In these circumstances I do not think that it is necessary to look for any wider public benefit but that, if it were required, it has been shown to exist. The harm is modest, there is a clear and convincing justification for the proposals and the public benefit clearly outweighs any harm.
12. The work is to be funded by money from two legacies. It is appropriate that I should record thanks to these two generous donors.
13. Accordingly I direct that a faculty should issue. The works are to be completed within twelve months of the date of the faculty to the reasonable satisfaction of the Church's Inspecting Architect. It shall be a condition of the faculty that, before the works start, the

² [2013] Fam 158 (Ct of Arches).

layout of the kitchen (including white goods, hand basin, dishwasher, and ducting routes) are to be agreed with the Diocesan Advisory Committee (in the event of disagreement the matter to be referred back to the Court).

PHILIP PETCHEY

Chancellor

10 November 2025