

Re All Saints, Cossington

Leicester Consistory Court: Blakett-Ord Ch, 1 August 2012

Extension to church

A faculty was refused for the construction of a large, two-storey extension on the north side of the Grade II* listed church. The proposed extension would be the same length, and almost the same width, as the nave, and the apex of its roof would be higher than the highest point of the aisle roofs. The intention was that the extension should provide two large meeting rooms, a vestry office, plant room, kitchen, WC and entrance lobby. English Heritage (EH) and the Society for the Protection of Ancient Buildings (SPAB) were strongly opposed. In particular, EH raised concerns about the scale and quality of design of what was proposed and the manner in which it would dominate its setting. The chancellor had directed that the petitioners should serve a reply that addressed the particularised concerns of EH and SPAB as well as a number of issues that he had identified, which related primarily to the size and appearance of the proposed extension. The petitioners' reply failed to address those matters adequately. There was no explanation of why an extension of the proposed size was needed; and even if there were a case for such an extension, an architectural design of the very highest quality would be required. The petitioners had not proved a necessity for an extension of the size proposed and, in any event, it would damage the church aesthetically and architecturally in a manner that was not justified. The chancellor observed that, even though the courts frequently disagree with EH and the amenity societies, petitioners should treat opposition from them seriously and should take architectural advice accordingly. [Alexander McGregor]

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Re St Mary, Purton

Bristol Consistory Court: Gau Ch, 14 August 2012

Pews – necessity

The petitioners sought a faculty for, inter alia, the permanent removal and disposal of two pews at the front of the nave to create a flexible space for the music group, performances and other liturgical uses. The pews had already been removed under an archdeacon's temporary licence and the petitioners wished to make the change permanent. Twelve parishioners raised objections to the removal on the basis that the change was unnecessary. The chancellor made a without notice site visit where he attended Sunday services and held discussions with the priest-in-charge and churchwardens. The chancellor refused to grant

the faculty as sought on the basis that the grounds of necessity had not been made out. Any flexibility needed could be achieved by making the pews removable in order that they could be moved when required. The chancellor was prepared to grant a faculty in those terms should the petitioners wish to pursue that course. [RA]

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Re Holy Trinity, Wandsworth

Southwark Consistory Court: Petchey Ch, 4 September 2012

Font – relocation – circumstances out of the ordinary

The petitioners sought a faculty for the substantial re-ordering of the church, including the re-location of the font to the east end of the church. The font was currently located in a screened baptistery at the west end of the church, within which the petitioners sought to create a servery. The baptistery was unused and for the last 70 years baptisms had taken place with a portable font at the front of the church. The Diocesan Advisory Committee supported the petition but English Heritage, the Church Buildings Council and the Victorian Society raised objections, particularly in relation to the proposals for the font. None of those bodies chose to become parties opponent within the proceedings.

The chancellor reviewed in detail the historical and canonical background to the location of fonts. He reviewed much of the case law and the House of Bishops' Response of 1992 on the issue of fonts. The chancellor emphasised that he rejected the view that the qualified requirements of Canon F 1 – that the font shall stand as near to the principal entrance of the church as conveniently may be – were no longer of application. He further rejected the suggestion that the House of Bishops' Response altered the position in relation to Canon F 1, as the amendment of the Canons is vested in the General Synod rather than the House of Bishops. The chancellor held that the basic rule was that the font should be as near the principal entrance into the church as conveniently may be and for the authorising of an alternative location there needs to be shown circumstances out of the ordinary.

In determining the petition the chancellor first considered whether the requirements of Canon F 1 had been met, before going on to consider the *Bishopsgate* questions. He found that the font in its current position inside the baptistery was effectively redundant. The case for moving it was, thus, made out. He then considered whether the requirements of Canon F 1 meant that the font should be moved to another location nearer the principal entrance,