

CASE NOTES

EDITED BY RUTH ARLOW

Chancellor of the Dioceses of Norwich and Salisbury

Re St Luke, Tutshill

Gloucester Consistory Court: Collinson Dep Ch, 25 September 2017
[2017] ECC Glo 1

Re-ordering – removal of pews – harm

Objections to various aspects of a petition for the extensive re-ordering of a Victorian Grade II listed church – which included the removal of all the pews from the nave and the introduction of upholstered chairs – had been received from Historic England and the Victorian Society. Both considered that the removal of the pews would have an adverse impact on the significance of the interior of the church and that the harm involved was not justified by the statement of needs. The deputy chancellor, having visited the church and having noted that the pews were deteriorating badly and were nearing the end of their useful life, held that their removal would not result in harm to the significance of the church. That being so, the ordinary presumption referred to in the second of the *Duffield* questions applied and had been rebutted by the need for replacement seating identified by the petitioners. The removal of the pews would accordingly be permitted. The Victorian Society had also objected to the replacement seating being upholstered and had cited guidance issued by the Church Buildings Council which recommended wooden seating without upholstery. The chancellor nevertheless considered that the petitioners had good reasons for preferring upholstered seating. They had been using upholstered chairs to supplement the pews for some 22 years and were satisfied with the durability of the upholstery. Upholstered chairs were considered to be more satisfactory for use by children from the parish school when they attended the church. Upholstery on the chairs was also considered to counter-balance the acoustic change that would otherwise result when carpeting in the nave was removed (as part of the proposals). The introduction of upholstered chairs would be permitted subject to subsequent approval of details of their colour and some other matters. [Alexander McGregor]

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