

**Neutral Citation Number: [2022] ECC She 4**

**DIOCESE OF SHEFFIELD**

**In the Consistory Court**

**Her Honour Judge Sarah Singleton KC  
Chancellor**

**In the Matter of St Peter Conisbrough**

**Judgment**

### **1. The works and the faculty process**

By a Petition dated 26<sup>th</sup> May 2022 the incumbent and churchwardens of St Peter Conisbrough, a Grade I listed church seek permission to remove pews from the South Aisle of the nave and to install carpet tiles to cover the floor in the area where the pews would be removed from.

Historic England and the Victorian Society have been consulted.

Public notice requirements are completed

The DAC considered the works at their meeting of 26<sup>th</sup> April 2022 and recommended them for approval subject to a proviso that :-

*Woodworm in the floor should be confirmed probably dead and subsequently monitored biennially. Confirmation required too that carpet tiles are breathable, to hinder recurrence of woodworm.*

### **2. The Parish and the Church**

The parish population is 14,000 located in an area of relatively high deprivation.

Church flourished in the 80s but then declined. There has been a new incumbent since 2016 and the parish has begun to revive since. The worshipping community stands at 175 members with attendance on Sundays averaging 110. The Parish wishes to support and encourage the attendance of younger families.

### **3. The need for the works**

Photographs demonstrate that the pews are generally in poor condition and afflicted by woodworm.

The Petitioners explain that the pews are uncomfortable and not really useable because of their poor condition. The pews in the church at present are of mixed styles making for an unattractive and confusing aesthetic.

The Petitioners seek to create a more flexible space suitable for all age worship, to enable use of the space for serving refreshments and for stalls at the Summer and Christmas fairs and for displays for heritage open days.

The north aisle and the back of church already have blue carpet tiles installed and the Petitioners wish to install matching tiles in the floorspace left by the pews they seek permission to remove.

The floor is generally in a sufficiently poor condition as to need additional covering to make its use comfortable and safe.

The Petitioners' plan includes the retention of 20<sup>th</sup> Century Mouseman pews in the Central aisle. These pews are comfortable and admired by the congregation.

The Petitioners' case is that the works will result in a more uniform presentation to enhance the beauty of the church interior.

#### **4. The History of the Church**

There has been a church at the site since 8<sup>th</sup> Century and this is one of the oldest churches in England still in use today. It has, as might be expected, been substantially altered on several occasions during the centuries since the 8<sup>th</sup> Century. Its most radical changes occurred in the mid 15<sup>th</sup> century. There were further works in the 1860s and in 1914/18. Both the interior of the church and the churchyard include several precious artefacts and historical features.

#### **5. Responses of the Consultees**

##### **Historic England**

By their response of the 22<sup>nd</sup> November 2021 Historic England considered the proposed removal of pews to be an acceptable level of intervention within the interior of a Grade 1 listed church causing limited harm. They considered the public benefit of a more flexible interior space to outweigh the harm. They did not comment on the installation of the carpet tiles.

##### **The Victorian Society**

The Victorian Society do not oppose the removal of the pews. They object to use of carpet tiles to cover the floor exposed by such removal saying:-

*We note the presence of carpet tiles in the church. However, this does not alter our views or the advice that we offered previously. Carpet is not an appropriate floor finish, especially in a church of the highest designation, as the C of E's official guidance indicates. The CBC encourages the removal of carpet where it exists, as does the Victorian Society. Its presence usually erodes the character of the interior, and it is often the case that it conceals from view historic floors, and can even result in the accelerated degradation of those floors. They are practically unnecessary and visually harmful and, on that general basis, are best avoided. In many cases the removal of pre-existing carpet can also mitigate the harm that a wider scheme of reordering can affect. We suggest that that may apply in this case.*

#### **6. The Response of the Petitioners**

The Reverend Martijn Mugge (the incumbent) has helpfully replied to this contribution from the Victorian Society. He points out the very poor condition of the floor in the South Aisle. He argues that the floor would be unfit in its present condition for use by families with crawling or toddling children unless the carpet tiles are permitted. He points out the presence of blue carpet tiles in other parts of the church and the imbalance that would be created unless permitted here.

His response also hints at future reordering plans in which all the blue carpet tiles in the church would be removed to make way for a properly refurbished floor. He says:-

*If at some point (e.g. total re-ordering) the carpet tiles need to be removed, this will be very easy to do and the wooden floor is in such a poor condition already that no further damage can really be done.*

Decision

It is unnecessary to set out seriatim the Duffield Questions in this matter by reason of the unanimity of perspective that the justification for the removal of the pews from the North Aisle of this church as proposed substantially outweighs the limited harm that would be caused by such removal.

I agree and endorse that reasoning.

I agree with the view of the Victorian Society as to the presence of carpet tiles on the floor of a Grade 1 listed building. However, for the reasons set out by the incumbent in his sensible and reasoned reply to their contribution on this, it would be unfair and impractical for me to obstruct such installation now as part of the proposed works. The aesthetic imbalance that would be created by refusing such permission by reason of the presence of blue carpet tiles elsewhere would be unacceptable. The floor exposed by the pew removal would be unusable, unattractive and potentially harmful in its present condition for its intended purpose as a suitable location for children to crawl and play. The installation of carpet is self-evidently removable without harm and is a proper, albeit medium term plan for the floor in the nave.

I do, however, strongly encourage the Petitioners to work with the DAC and the amenity bodies and to devise a scheme to repair/renovate the whole of the flooring in the nave of the church whether as a discrete plan or part of a greater proposal.

I direct a faculty, subject to the DAC Proviso be granted accordingly.

**HHJ Sarah Singleton KC**

**Chancellor**

**23<sup>rd</sup> October 202**