

In the Consistory Court of West Yorkshire and the Dales
(Diocese of Leeds)

15-234C

In the matter of St John the Evangelist, Cononley with Bradley

Judgment

1. By a petition dated 20 November 2015, brought in the name of the Revd John Peet, vicar, and Mr David Clarke, churchwarden, a faculty is sought for a reordering of the unlisted church of St John the Evangelist, Cononley, which is operated as a Local Ecumenical Project in association with the Methodist Church. I understand that the Methodist Church in the village has recently closed and that the Airedale Methodist Circuit will be making a substantial contribution to the costs of the reordering.
2. St John's was consecrated in 1864, described in Pevsner, as 'an unaisled rectangle in C13 Gothic, with much use of plate traceried rose windows'. Its architect, FH Pownall seems to have been of no particular note, although the building continues to enjoy a coherent, pleasing interior not untypical of provincial village Victorian architecture.
3. Originally a more substantial reordering was contemplated, which Dr Diane Green of Historic England considered would strip the church interior of much of its historical and aesthetic interest, a view shared by Mr Tom Ashley of the Victorian Society. This led to an exchange of correspondence with the Vicar dealing with particular matters. In the light of the views which had been expressed, modifications were made to what was proposed.
4. In summary, what is now proposed comprises:
 - i. relocation of font;
 - ii. installation of projector screen;
 - iii. extending the width of the chancel steps;
 - iv. removal of the front row of choir stalls in the chancel;
 - v. removal of nave pews (save two to be retained);
 - vi. re-flooring of nave, narthex and chancel;
 - vii. introduction of kitchen and toilet facilities in narthex;
 - viii. install a gallery to include provision for storage
 - ix. relocation and improvements to Victorian screen.
5. The CBC was content to defer to the DAC, which issued a Notification of Advice recommending the works on 8 October 2015. Historic England indicated that it was happy to defer to the Victorian Society which, by email dated 7 October 2015, confirmed that it had no comment to make on the revised proposals. No consultation was strictly necessary in relation to this unlisted building, but I think the parish was wise to go the extra mile, and wish to applaud the petitioners, the inspecting architect and the amenity societies for the helpful and focussed engagement which resulted.

6. Public notice led to one letter being received at the registry. The procedure under rule 9.3 of the Faculty Jurisdiction Rules 2013 was followed. There was no reply from the objector within the stipulated 21 day period. Accordingly I take the contents of the letter into account, together with Dr Peet's letter of response dated 7 January 2016.
7. I do not propose to record the identity of the objector in this judgment as it may well be that there was a misunderstanding as to the status and effect of the letter. In short the letter acknowledged the need for change, commended the various compromises to the original proposal but made an impassioned plea for the retention of at least some of the pews. Various reasons were given.
8. Also in the papers was a letter from a parishioner supporting the petition and emphasising how the village would benefit from the reordering of the church to provide a flexible community space which could be used by various groups including Mums and Toddlers.
9. This being an unlisted building, the guidelines in *Re St Alkmund, Duffield* [2013] Fam 158 are of no application. There is a presumption in favour of the status quo, with the burden of proof on the petitioners to satisfy the court that a faculty should issue. In my judgment, the petitioners have convincingly discharged the burden that lies on them.
10. The petition and accompanying paperwork have been prepared with care and efficiency and the Statement of Significance and Statement of Need are models of clarity. They identify the features of significance in this modest building and articulate in detail the need for the proposed works, but in general and on an item-by-item basis. It is cogent, clear and sensitive, underscored by missional needs of the ecumenical community, and the wider needs of the village community. The petitioners have listened and responded to the helpful observations of consultative bodies but still held firm to their vision.
11. There will be some for whom the loss of the pews will be a source of sorrow and regret. But in my judgment the measured and clear assessment of the PCC ought properly to prevail. Some consolation can be taken from the fact that the floor is not to be carpeted and that the chairs in the nave are to be solid wooden and not upholstered. I consider the parish has been wise in accepting the advice of Historic England and the Victorian Society in these two specific instances.
12. A faculty will therefore pass the seal, conditional upon the following choice of chairs:
 - (a) the solid wooden Rosehill Chantry chair for the nave;
 - (b) such upholstered or un-upholstered Rosehill folding chair for the narthex and gallery as the PCC may decide.Liberty to apply to vary either condition.

13. The St John's LEP is about to enter an exciting new phase in its life and its service to the village community. I wish it well.

The Worshipful Mark Hill QC
Chancellor

25 January 2016