



***Faculty** – Grade II listed, New Town church (mostly rebuilt in 1866-7 by J. W. Hugall in the Early English style) – Proposed installation of wall-mounted television screens on either side of the chancel arch – Local planning authority, as statutory consultee, supporting the proposal – DAC not recommending the proposal for approval – Historic Buildings and Places (with the support of the Victorian Society) supporting the DAC in pressing for a comprehensive exploration of all kinder options than the proposed solid television screens, and wishing to press for retractable, rather than solid, screens – No person electing to become a party opponent so faculty application formally unopposed – Whether solid TV screens causing harm to listed church building – Whether any harm to significance of church outweighed by benefits of TV screens – Faculty granted for a trial period of five years in the first instance*

Application Ref: 2024-104366

IN THE CONSISTORY COURT
OF THE DIOCESE OF OXFORD

Date: Sunday, 28 September 2025

Before:

THE WORSHIPFUL CHANCELLOR HODGE KC

In the matter of:

St Michael & Mary Magdalene, Easthampstead

THE PETITION OF:

**The Reverend Gareth Morley (Rector and Area Dean of Bracknell) and
Lee Townsend and Judith Collyer (Churchwardens)**

This is an unopposed faculty petition determined on the papers and without a hearing.

Objections were received to this petition from Historic Buildings and Places and the Victorian Society. No-one elected to become a party opponent

The following cases are referred to in the Judgment:

Re Jesus College, Cambridge [2022] ECC Ely 2

Re St Alkmund, Duffield [2013] Fam 158

Re St Laurence, Combe [2022] ECC Oxf 5

Re St Luke the Evangelist, Maidstone [1995] Fam 1

Re St Peter & St Paul, Aston Rowant [2019] ECC Oxf 3, (2020) 22 Ecc LJ 265

JUDGMENT

Introduction

1. This is an online faculty petition, dated 20 March 2025, by the Rector of this Grade II listed church (and Area Dean of Bracknell) and the two churchwardens. It seeks:

To install the televisions currently used in the church onto brackets which shall be fixed on the walls in the locations shown on the attached PDF.

The area affected by the proposed works is the stonework next to the chancel arch, where eight anchor bolts will be fitted, with four on either side. The petition proclaims:

We have considered alternatives and this we believe is the best solution considering the design and history of the Church.

The parish wish to undertake these works as soon as possible. They estimate that it will take them 24 hours to get the televisions installed, and a further 24 hours to make good the cabling. The work is to be carried out by voluntary labour.

2. This proposal has the full support of the Parochial Church Council. It is also supported by the local planning authority, as statutory consultee. The proposal is not recommended for approval by the Diocesan Advisory Committee. Objections have been raised by Historic Buildings and Places; and these are supported by the Victorian Society. Neither body has elected to become a party opponent so the petition is formally unopposed. But I must bear the negative advice from the DAC, and the objections raised by Historic Buildings and Places (with the support of the Victorian Society) firmly in mind when I determine this faculty application.

The church

3. The church of St Michael & St Mary Magdalene, Easthampstead lies to the south of the New Town of Bracknell, in the Archdeaconry of Berkshire. The setting was once rural, but the church now lies within a housing estate as the area around the church became more developed with the construction of Bracknell New Town. The church is used most days of the week for

the worship of God. The church was first listed Grade II as long ago as 30 March 1951. The listing entry records that the main church was built in 1866-7 by J. W. Hugall, in the Early English style. The church comprises a nave, north aisle, chancel, south chapel, west tower and south porch. There is a 20th century extension linked to the north aisle. The listing entry for the interior reads:

INTERIOR: plastered. Nave has three bay arcade to north aisle, with pointed arches; columns with stiff leaf capitals and moulded bases. Four-bay roof with arch braced collars with curved struts to upper collars. Curved windbraces to two sets of trencled purlins, upper braces are straight, lower curved.

Chancel: four-bay barrel roof. Ceramic and painted reredos depicting Christ on cross. On either side, niches with trefoiled heads, depicting saints.

Under the heading 'Monuments' there is reference to:

Stained glass east window by Burne-Jones, 1876, represents the Last Judgement. Window in north aisle by Kempe, 1893.

4. The entry for the church at page 191 of the volume of *Pevsner's Buildings of England for Berkshire* (edited by Geoffrey Tyack, Simon Bradley and Nikolaus Pevsner, and published in 2010) describes St Michael and St Mary Magdalene as "quite an imposing church, though coarse ... Better inside", with the stained glass as "the main attraction". The description of the church interior in *Pevsner* is fuller than the Historic England listing entry. That is not uncommon with early listing entries. *Pevsner* refers also to the north aisle reredos, the pulpit, and the screen; and includes a much fuller description of the stained glass.

The proposal

5. An illustrated document described as 'Application' explains that there are presently two large televisions on mobile TV trolleys in the church. They have been used by the church for several years. They are used in services and also by other community organisations, including schools. (There are ten schools in the parish.) The screens have also been used for weddings and funerals. The Rector would also like to use the screens for baptisms. This will help further to reduce the use of paper. The appearance of the screens, however, is a little unsightly for the aesthetic of the building, and presents a tripping hazard. It also obscures and hinders the use of the side chapels. The parish would like to install the televisions using heavy duty cantilever TV brackets affixed to the walls on the north and south sides of the church, below the chancel arch. I have taken the first four of the images which appear at the end of this judgment from this document; and the fifth from the later proposal document referenced at paragraph 12 below.

6. The parish have considered alternatives such as televisions that are mounted behind the arch and swing out; but this would block the organ pipework and it is not considered to be an acceptable solution. The parish have also considered a projector with a screen; but there is no suitable place to mount a projector, and it would obscure the beautiful Burne-Jones window at the east end of the church. The parish have also considered leaving things as they are, but this is considered to be unacceptable. The present proposal is considered to be the best solution. Because of the design and inherent beauty of the church, which draw the eye naturally to the east window, the parish feel that mounting the two televisions where they propose will not damage the overall beauty and aesthetic of the church. In fact, the televisions will be used to give

close-up images of architectural features within the building, such as the great east window, for visitors to the church.

7. The parish will need to install heavy duty, cantilever wall mounts, as well as anchors into the masonry, to ensure that the screens are securely fixed to the walls. The screens are three feet tall by five feet two inches wide. They will need to be angled so as to ensure as little protrusion into the chancel as possible. On the north side, it may be necessary to lower the crucifix that is displayed above the pulpit a little. On the south side, there should be no need to relocate the existing speaker. The screens will be placed in line with the columns so that the capital and base of each column should remain visible.

8. In conclusion, the parish wish to tidy up the existing arrangements in the church and to prevent any slips, trips, or falls, whilst also enhancing the beauty of this Grade II listed building. This year, an individual has already tripped and fallen on the base of the TV stand on the south side of the nave. Thankfully, they were not injured. But the parish would like to make the church a safer place for all.

9. According to the statement of needs, this proposal is intended:

- (1) to address the slipping and tripping hazard presented by the existing television screens that are presently displayed on stands inside the church;
- (2) to improve the visual aesthetic of the church building, and to retain as much as possible of its Victorian character; and
- (3) to create a church fit for the 21st century that can make full use of audio-visual technology in the worship of God by the people of the church.

The parish aim to achieve these aims by removing the existing two televisions from their stands and placing them high up on the walls using heavy duty brackets so that all in the church can view the screens.

10. The parish justify this proposal on the basis that the harm to the stone work is minimal, and is outweighed by what will be gained by the use of the screens. The screens will provide the ability to reduce paper costs, enhance the architectural features of the church by providing close-ups, communicate clearly upcoming church functions, and assist with school services that predominantly use audio-visual, rather than paper, resources. The proposal will also enable the parish to hire out the church for talks or other functions.

11. When processing the application, the church buildings case officer requested statements of need and significance in support of the application, together with close-up photographs of the areas affected, including the columns with their bases and capitals; and further details as to how, and precisely where, the brackets were proposed to be fixed to the walls, including the material of the fixings. He noted that, typically, fixings should be non-ferrous, and should be made into mortar joints or plain plaster.

12. The parish duly uploaded the photographs and documents requested to the supporting documents and images section of the Online Faculty System (the **OFS**). Later, in February 2025, the parish uploaded a 22-page illustrated, updated proposal document entitled *‘AV PROJECT Application to install TV screens in the church’*. This proudly describes the church “as a beacon of faith and community in Bracknell, with a rich history and a vibrant congregation that continues to grow and thrive ...

having increased our congregation size 122.62% since 2022 from what was the usual Sunday attendance of 77”. This document explains the current audio-visual arrangements in the church, with two televisions on stands. It explains how, at present, the television on the north side partially obscures a Reredos panel behind the altar in the Resurrection Chapel in the north aisle, designed by John W. Brown in 1905, and depicting the Walk to Emmaus; and how it completely obscures the north side of the pulpit, which is part of the original church. It also explains how the television screen on the south side currently obscures a brass memorial of a half-length figure of a clean-shaven, bare-headed man with bowl crop hair (c. 1443), and a screen made up of a 14th and 15th century rood screen and elements of the 17th century pulpit, which is the oldest woodwork in the church. The document emphasises the need for a permanent solution to what has been a temporary solution introduced during the Covid pandemic, which has proved invaluable to the use of the church.

13. The parish explain that in drawing up their proposal, they have taken advice from an audio-visual professional in the congregation, and some advice from a local audio-visual specialist company, although they have not commissioned any survey as they feel that the advice they have received admits of only one possible solution. The document proceeds to describe (with lavish photographs) the church, its fabric, its contents, and its general history. The parish explain that they have considered the advantages, and the disadvantages, of televisions, projectors, and other technology. They have discounted the use of LED walls, a video wall arrangement, a large format display, and other technology, including interactive whiteboards. They explain the advantages of television screens, and discuss the constraints upon their positioning. The parish explain that the existing television screens can be positioned at the front of the church, above the pulpit, and to the side of the Rector’s stall, in such a way as not to obstruct any decorative stonework, or the masterpiece that is the east window and the highly decorative sanctuary. Screens so positioned would obscure the columns, but not their decorative capitals and bases. They would also be all that is required for the church. The parish consider the merits, and the demerits, of projectors. The document relates that 100% of those who responded to a poll preferred televisions mounted at the front of the nave over the introduction of projector screens. The document therefore concludes that the congregation would reject any decision to install projector screens because of the obstruction they would present to views of the great east window, the south window, and the north chapel window.

The Notification of Advice

14. The church buildings case officer considered that this proposal required no consultation. It was considered at a meeting of the Diocesan Advisory Committee (the **DAC**) held on 10 March 2025. According to the publicly available minutes of this meeting, the matter was considered under the heading: ‘Casework – For ratification of officer recommendation’. The proposal was described as: *Installation of 2 no wall-mounted TV screens to chancel arch*. The minutes note that there had been no site visit. The minutes record:

The proposals to install 2 no television screens on wall-mounted brackets either side of the chancel arch are considered harmful to the appearance of the listed building, and that harm was not felt to be outweighed by the purported benefits of the scheme.

The applicant wishes to petition the Chancellor for a faculty notwithstanding the advice of the DAC. The DAC ratified the CBO’s recommendation that the DAC issue a ‘not recommend’ Notification of Advice to the Chancellor.

15. The Notification of Advice (**NoA**) was issued on the following day (11 March 2025). It did not recommend the works or proposals for approval by the court. The principal reasons for not recommending the works are stated to be as follows:

- (1) The proposals are felt to cause harm to the appearance of the listed church building, and this harm is not felt to be outweighed by the purported benefits of the scheme.*
- (2) The applicant has not undertaken a professional options appraisal to properly investigate alternative options for AV provision which might reduce the harm to the appearance of the building.*

The author of the NoA ticked the box stating that the work was likely to affect the character of the church as a building of special architectural or historic interest. The NoA also stated that in the DAC's opinion, rule 9.9 of the Faculty Jurisdiction Rules (the **FJR**), relating to the publication of notice on the diocesan website, did not apply. This was because the church was listed Grade II (rather than Grade I or II*), and the works did not relate to the exterior of the church building.

16. In an email to the Registry, the church buildings case officer indicated that should the Chancellor be minded to grant the faculty, the DAC would wish to see the following provisos imposed upon the works:

- (1) That the parish should follow the current diocesan guidelines for electrical installations and maintenance in churches.
- (2) That the church architect or surveyor should agree the locations of equipment and cable routes with the contractor on site before any works commence.
- (3) That any fixings should be non-ferrous, and made into mortar joints or into plain plaster.

The progress of the petition

17. The usual public notices were duly displayed between 2 April and 2 May 2025. No objections were received in response to these notices.

18. The petition was referred to me on 20 June 2025. Having looked at the case papers on the OFS, I noted that the NoA stated that the proposal is likely to affect the character of the church as a building of special architectural or historic interest. I therefore inquired of the DAC, through the Registry, whether there should have been consultation with the local planning authority (the **LPA**) and any interested national amenity societies (such as the Victorian Society) under rules 4.5 (4) (a) and (2) (a) of the FJR. As a result of my inquiry, the DAC consulted the LPA and the Joint Committee of the National Amenity Societies.

19. The Society for the Protection of Ancient Buildings were consulted, but they were content to defer to the views of the DAC.

20. Bracknell Forest Borough Council, as the local planning authority, responded to the DAC's request for statutory consultation under the FJR about the parish's proposal to install television screens in this grade II listed building by letter dated 14 August 2025. The letter stated that the council's conservation and urban design officer had been consulted and is supportive of the proposals, especially given the health and safety benefits relative to the existing arrangements. The letter continued:

Your diligent and thorough optioneering process by which you have arrived at the least intrusive option, as evident in your supporting information, has been noted. Bracknell Town Council has also commented that it is supportive of such option. Your inclusive approach to worship is welcomed and therefore, in the light of the above, I confirm that Bracknell Forest Council is supportive of the proposals and raises no objection and I thank you for the opportunity to provide observations.

21. The response of the ecclesiastical caseworker for Historic Buildings and Places (formerly the Ancient Monuments Society) was less enthusiastic. Their email response to the statutory consultation, dated 10 August, reads:

Thank you for your referral.

Given the significance of this rich High Victorian interior we certainly support the DAC in pressing for comprehensive exploration of all kinder options than the proposal.

However isn't there a fundamental problem here given the wish to use solid TVs rather than retractable screens?

Such sizeable kit as super-sized TVs cannot sit well within such lavish and considered architectural display – particularly as I would hazard a guess that if St Michael and All Angels were to be assessed against present criteria now that it would be upgraded to II - Hugall is not a well-known architect but the stained glass, especially that by Burne-Jones, the carving credited to the O'Shea Brothers, championed by John Ruskin and the stallbacks of 1633 from Christ Church are clearly of national interest - all being set within a work commissioned by Ruskin's tutor with financial support from the Downshire family which were especially well regarded as architectural patrons.*

The obvious advantage of a retractable screen is that it is (almost wholly) invisible when not in use. To ensure guaranteed functionality it will need servicing but that is true of any electronic equipment.

If the next step were to be a site meeting I shall do my best to attend.

22. In an email, dated 22 August 2025, the senior conservation adviser of the Victorian Society supports the comments offered by Historic Buildings and Places that the parish should explore the option of a retractable screen and projector as this would have a lesser impact on the significance of the interior of the church building.

23. In light of the comments from the Victorian Society and Historic Buildings and Places, I directed that special notice should be given to each of them pursuant to, and in accordance with, FJR rules 9.3 and 9.5. This was duly done. No response to this special notice was received from the Victorian Society. Historic Buildings & Places confirmed (by email dated 23 September 2025) that they do not wish to become a party opponent in this case.

Representations from the petitioners

24. Subject to the issue of lack of due statutory consultation, my original directions to the Registry also invited them to ask the petitioners: (1) whether they were content for me to deal with the petition on the basis of written representations, rather than at a hearing; and (2) whether they would wish to submit any written representations in support of their petition over

and above the documents they had already uploaded to the OFS, particularly in response to the DAC's reasons for not recommending the proposal for approval by the court.

25. The petitioners responded by way of a four-page letter, dated 15 July 2025, from the Rector to the court (via the Registry). This confirms the parish's agreement to the matter being determined on the basis of written representations, rather than at a hearing. It also offers various reflections in response to the DAC's reasons for not recommending approval of the proposal; and it articulates more fully the discernment, and the vision, that underpin this proposal.

26. In summary, the PCC raise the following concerns about the DAC's recommendation:

(1) The installation of a projector would be more disruptive to the space and not offer the same quality (as confirmed by the parish's in-house AV advisor). The parish feel that they would never entertain the idea of a suspended projector from the chancel arch as it would affect worship by impeding the beauty of the chancel and the east window, taken as a whole.

(2) A suspended projector and associated cabling would be likely to interfere with existing systems, including the aspiration system within the chancel roof. The parish's fire service contractor has confirmed that this system would require special protection during installation, and consideration as to how the projector would be installed.

(3) In contrast to the projector system, wall-mounted televisions are reversible, cause minimal physical impact, and offer clear pathways to '*making good*' should any changes be required in the future.

(4) Aesthetic and liturgical sightlines had been thoughtfully considered and remain preserved in the parish's current design.

27. The Rector points out that the Archdeacon of Berkshire recently visited the church and expressed concern about the aesthetic and liturgical impacts of a projector screen. He affirmed that the proposed TV screens are a more discreet, and less intrusive, solution, especially given the significance of the eucharistic space. This email is attached at the foot of the Rector's letter to the court. It is dated (Friday) 13 June 2025, and is addressed to the relevant church buildings case officer (with a copy to the Rector). It reads:

I was at Easthampstead Parish Church last night for the Visitation service. I looked at the sites which are under discussion for the location of the TV screens and/or projector screen.

I'm surprised that you are proposing a central projector screen in preference to TV screens being mounted either side of the chancel arch. It seems to me that the former would have a substantially more damaging impact on the aesthetics of the church, particularly on the theologically/ liturgically most significant parts of the church where the eucharist is celebrated. The side pillars offer a more discreet and less intrusive location.

Please could I ask you to reconsider your advice as to the best way forward, many thanks.

28. On the issue of technical input and integrity, the Rector explains that whilst no formal external options appraisal has been commissioned, the parish have received professional advice from a member of their congregation who is the director of two audio-visual companies, one of which is a world leader in its specialist field of providing audio-visual systems for large-scale venues, such as arenas and auditoriums, with expertise in delivering high-quality presentations and live-streaming for global esports events. Although this person's background is not

specifically in heritage or ecclesiastical environments, his experience in designing audio-visual solutions for large halls and presentation spaces is directly relevant to the church's scale and liturgical needs. His guidance has helped to shape the parish's proposal thus far. This is said to balance functionality, discretion, and feasibility; and to present the only practicable option. As trustees, the parish are mindful of their obligations under Charity Commission guidance concerning the need to use charitable funds responsibly and in furtherance of their charitable purposes. In light of the Archdeacon's support for their proposal, its unanimous local endorsement, and the clear pastoral and architectural advantages of their proposed scheme, the parish believe that commissioning a formal external options appraisal at this stage would not represent a proportionate, or prudent, use of charitable resources. Nevertheless, they remain open to undertaking such a review should it be deemed necessary by the court; and they would do so in a spirit of openness, transparency and collaborative discernment.

29. The Rector's letter goes on to address the growth of the parish, in both depth and breadth of engagement, and its worshipping life. This growth is said to reflect not only increased numbers but also deepening discipleship, intergenerational belonging, and vibrant liturgical participation. The Bishop of Oxford is said to have referenced the demonstrable growth at Easthampstead in the Rector's letter of appointment as Area Dean. *"The proposed screens therefore are part of this evolving landscape, supporting clearer communication, inclusive worship, and accessibility for all who gather."*

30. The letter addresses the issues of consultation and pastoral discernment. Following feedback from the DAC, the Rector had conducted a parish-led survey, simply presenting three clear options:

- (1) taking no action
- (2) installing wall-mounted televisions; and
- (3) installing a concealed projector system.

The outcome (36 replies) was unanimous: 100% support for the television installation. Respondents included both congregation members and visitors to the church. Overwhelming support was also received from the wider community: local schools and scouting groups. Separate qualitative feedback included observations that placing the televisions on the walls would help the congregation to see the existing television screens more effectively, and that a projector screen would block the east window and diminish the quality of worship. This broad consensus is said to reflect a shared commitment to a solution that enhances accessibility, hospitality, and intergenerational engagement.

31. The Rector next addresses the issues of architectural integrity and liturgical sightlines. He refers to *Unlocking the Church: The Lost Secrets of Victorian Sacred Space* (Oxford University), where the Reverend Canon Professor William Whyte (a member of the Oxford DAC) is said to explore how Victorian church architecture was designed not merely to house worship, but to shape it. He writes that Victorian church buildings were intended *"to teach, to preach, to move, to convert, to lead people closer to God"*. A central principle of this design was to draw the eyeline upwards, towards the chancel, guiding both gaze and spirit towards the altar - the theological and architectural heart of the space. Whyte emphasises that Victorian churches were *"active agents in their own rights, capable of conveying theological ideas and designed to shape people's emotions"*. Any projector screen would interrupt this architectural choreography, obscuring the east window, and severing the visual and

symbolic line that Victorian builders so carefully constructed. In contrast, the proposed wall-mounted television screens offer a discreet and reversible solution that preserves the eyeline, respects the rhythm of the space, and supports the building's original intent: to lift the gaze and the spirit. As Professor Whyte is said to remind us: "*We see churches through Victorian eyes*"; and the expectations we carry today are shaped by their vision of sacred space. The parish's proposal seeks not to undermine that vision, but to honour it: enabling clarity and inclusion, without sacrificing beauty or meaning.

32. This parish's ministry is described as being "*shaped by the call to Nurture Faith and Grow Disciples*". The parish view their proposal as not merely technical, but as a thoughtful, and pastoral, response to a diverse and dynamic congregation. Screens will improve accessibility for those with visual impairments, empower children and young people to lead worship, and foster participation across all generations. Accessibility, in this context, is said to be a theological imperative: a living expression of Paul's words in 1 Corinthians 12, which remind us to honour every part of the body of Christ. The proposed screens are not distractions; they are instruments of inclusion, enabling worship that is clear, hospitable, and participatory.

33. The Rector invites me to visit the church to view the proposed installation sites, if that would be helpful. He offers to arrange a guided visit at my convenience. He observes that experiencing the space in its lived, worshipping context may offer valuable insight into the intent and pastoral spirit of the parish's proposal. Equally the Rector offers to arrange a '*video chat*' online to show me the ecclesial space.

34. The Rector concludes that in presenting this petition, the parish are mindful of the responsibilities laid out in the FJR, and of the broader heritage framework of the Church of England. They recognise the need to balance architectural integrity with the evolving needs of worship, accessibility, and communal life. In the spirit of collaborative discernment, the parish would also be willing to install the screens on an initial trial basis, subject to any conditions the court might wish to impose. Following this, they would undertake a further parish and community survey to assess whether the scheme continues to receive the same level of overwhelming support. This approach should allow for lived experience to inform final judgment; and reflects the parish's commitment to transparency, responsiveness, and responsible stewardship of both the church building and their charitable resources. As a parish rooted in tradition, and oriented toward invitation, they respectfully submit that these works would honour the character of the church building, which they love so much, whilst enabling it better to serve those who gather within it — in faith, in love, and in shared belonging.

The response of the DAC

35. At the same time as directing that special notice should be given to Historic Buildings & Places and to the Victorian Society, I indicated that I would welcome: (1) any comments the DAC might wish to make on the Rector's letter of 15 July, and (2) any observations that the Archdeacon might wish to make in relation to the parish's reliance upon his email of 13 June 2015, which forms part of the parish's response. I have not heard anything from the Archdeacon; but the church buildings case officer responded by way of letter dated 18 September 2025. This reads as follows:

Further to your direction of 29 August 2025, the DAC has at its 8 September 2025 meeting ratified the following comments on the abovementioned petition.

The Church of St Michael & St Mary Magdalene, Easthampstead, is a Grade II listed building. The DAC is therefore statutorily obliged to exercise special regard for its significance when considering proposals affecting its historic fabric. In the exercise of that regard, the expert members and advisers of the DAC have concluded that the present proposals are harmful to the appearance (and therefore significance) of this listed building and that it has not been demonstrated that this harm would be outweighed by any benefits resulting from the works proposed. It was for this reason that the full committee resolved at its meeting on 10 March 2025 to issue a Notification of Advice 'not recommending' these proposals to yourself for approval.

This harm arises from the insertion into the principal vista within the building of two large, black rectangles in the form of screens, interrupting views of the exceptionally fine east window (designed by Edward Burne-Jones and manufactured by Morris & Co) and partially obscuring the carved capitals (believed to be the work of the O'Shea brothers, celebrated for their work for John Ruskin at the Oxford University Museum) of the chancel arch itself. It is proposed that the brackets for these screens would be at least partly fixed into dressed stone, causing permanent damage even if they were subsequently removed. In addition to its liturgical importance, the east end of this church building is of primary heritage significance and the DAC feels that the harmful effects of the present proposals on this significance have not been clearly and convincingly justified.

A key factor in reaching this conclusion was the fact that the PCC has not sought independent, professional advice on their proposals. Without such professional input, it cannot be considered that the PCC has appraised itself of the various options available and opted to petition yourself that which offers the greatest benefit and least harm. I advised the Reverend Gareth Morley to this effect via email on 10 & 17 December 2024. No such options appraisal was commissioned.

Consequently, the present proposals are on several counts at odds with the Church Buildings Council's statutory guidance on audio-visual equipment in church buildings. Specifically:

i. The CBC states that PCCs should 'seek professional advice from an independent adviser.' No independent professional advice has been sought in relation to the present proposals. Mr Oliver Aldrige, the company director whose input the Revd Morley cites in his letter of 15 July 2025, is a member of the congregation and so cannot be considered 'independent.' Furthermore, as the Revd Morley states, 'Mr Aldrige's background is not specifically in heritage or ecclesiastical environments' and so it is questionable as to whether Mr Aldrige possesses the necessary experience and expertise to devise the sort of 'ingenious solutions' envisaged by the CBC.

ii. The CBC states that 'the layout of most historic churches doesn't work well with large screens and there are inevitable problems with sightlines and positioning. Ingenious solutions are often needed to get a professional-looking arrangement.' Notwithstanding the Revd Morley's comments on sightlines in Victorian ecclesiastical architecture, the problems of sightlines and positioning anticipated by the CBC in relation to installations of large screens in historic church buildings have not been adequately addressed. An independent, professional options appraisal could have addressed these issues and made recommendations accordingly, but was not undertaken.

iii. The CBC states that ‘screens should be able to be retracted and moved out of sight when not in use.’ The present proposals do not enable the large screens to be retracted or removed from sight when not in use. Rather, it is proposed that the screens will be fixed in place permanently obscuring from view the polished colonnettes of the chancel arch and carved stonework attributed to the celebrated O’Shea brothers.

iv. The CBC states that ‘monitors or plasma screens should not be fixed to the fabric. Sturdy freestanding moveable stands should be used, providing sightlines are conducive and wiring is not overly restrictive.’ The present proposal is to replace moveable stands with screens fixed to the historic fabric. The PCC refers to an incident in which a member of the congregation tripped on trailing cables from one of the monitors, but has not demonstrated how it has considered options to mitigate this risk (for example, through the provision of additional power outlets or the use of cable tidies specifically designed to reduce trip hazards) without harming the significance of the listed building.

All four of these points would, it would be hoped, have been addressed by an independent, professional options appraisal by an AV consultant with experience of ecclesiastic contexts.

Furthermore, I wish to offer three points of clarification:

i. Contrary to the Revd Morley’s letter, a retractable projector is equally as reversible as the proposed wall-mounted screens – if not more so given that the application documents show fixings for the brackets into dressed stone.

ii. The Revd Morley’s letter of 15 July 2025 presupposes a binary choice between a projector mounted behind the chancel arch and television screens mounted on its pillars. I believe that this responds to my citation in an email of 10 December 2024 of a retractable projector screen as one example of what a professional AV consultant might have suggested if appointed. A professional options appraisal would, it is assumed, present more than two possibilities and it is unfortunate that the lack of this has resulted in only two options being considered (and these incompletely) – especially given the Revd Morley’s statement that the PCC ‘would never entertain the idea of a suspended projector’.

iii. Finally, whereas the Revd Morley appends to his letter an email from the Ven Stephen Pullin to myself of 13 June 2025, in which the Archdeacon asks that I ‘reconsider my advice,’ by this date the DAC had already issued a formal Notification of Advice following its 10 March meeting and the PCC had submitted its Petition to yourself for determination.

The parish’s rejoinder

36. I directed that the parish should receive a copy of the DAC’s response; and I invited them to make any further observations in support of their petition. In doing so, I was conscious that it is the petitioners who bear the burden of demonstrating a sufficiently good reason for making any changes to this Grade II listed church building, and so they should have the final word on the petition. I also asked the parish to confirm that they remain content for the petition to be determined on the basis of written representations, rather than at a hearing.

37. The Rector responded promptly by way of email to the Registry dated 22 September 2025. This reads as follows:

I am content for the Chancellor to make a determination without my presence.

However, I would like to offer the following clarifications:

- The televisions will not obstruct the carved stonework, contrary to the suggestion in the letter. This was made clear in the initial report.

- Other AV options were considered (see original report)

- The church is not open outside of worship times - a point repeatedly raised with the DAC. It is therefore unclear who would benefit from a retractable screen when the building is locked and empty? Forgive me but to put it simply, we also still fail to see how a TV screen blocking a blank wall is more intrusive than a projector screen in front of the masterpiece that is the east window?

- Contrary to the DAC guess, the trip hazard was caused by the TV stand, not the cable. The cables are tidied away. Sadly large screens require substantial counterbalancing (large feet), and despite control measures, this remains a challenge in a large, active church such as ours. Since the original incident, we have had two further trips - one involving an elderly parishioner who sustained bruising only a month ago.

- Mr Aldridge's comments were verified by a local expert two years ago. This was relayed to the DAC. While I referred to Mr Aldridge as a member of the church, this was solely in relation to his ongoing free technical support. He is not a regular worshipper, nor does he serve on the PCC, electoral roll, or any committee. Like many churches during the pandemic, we engaged external AV expertise; ours came from outside the regular congregation, for free, and he has stayed.

- The missional need remains clear and pressing. Last Sunday, our 9:30 service welcomed 194 people - Bishop Mary herself described us as "bursting at the seams". We already have seven school Christmas concerts, two harvest concerts, and the Waitrose Head Office carol concert booked. With many more pending. We are looking at over 70 baptisms this year. Easthampstead is in the 95th percentile for every measure except funerals where we are in the 50th percentile.

- Support for the scheme is widespread and unequivocal: Bishop Mary, Archdeacon Stephen, local clergy, our congregation, eight primary schools, scouting groups, local businesses including Lumos (who recently held a classical concert in the church), and the local councillors as well as Bracknell Forest Council itself have all expressed their backing. The DAC remains the sole voice of opposition that we have received.

If you had further questions that require me to attend I would be most happy to.

The legal framework

38. Since St Michael & Mary Magdalene is a listed church building (presently Grade II), the court is required to have regard to what have become known as the *Duffield* guidelines. These are named after the decision of the Court of Arches in the leading case of *Re St Alkmund, Duffield* [2013] Fam 158, and have been considered and refined in later cases. The court must first consider whether the implementation of these proposals would cause any harm to the significance of this church as a listed building of special architectural or historic interest. If so, the court must then consider how serious that harm would be, and how clear and convincing is the justification for carrying out the proposals. The court must bear in mind that there is a strong

presumption against proposals which will adversely affect the special character of a listed building. Where a church is listed Grade I or II*, only exceptionally should serious harm be allowed. The court must ask itself whether the petitioners have demonstrated a clear and convincing justification for their proposals, in terms of any resulting public benefits which would outweigh any resulting harm. At paragraph 87 of their judgment, the Court of Arches made it clear that in this context, ‘public benefit’ includes

... matters such as liturgical freedom, pastoral well-being, opportunities for mission, and putting the church to viable uses that are consistent with its role as a place of worship and mission.

39. As I observed at paragraph 19 of my judgment in this diocese in *Re St Laurence, Combe* [2022] ECC Oxf 5, following the *Duffield* guidance, the court must bear in mind that:

- (1) The burden rests on the petitioners to demonstrate a sufficiently good reason for making any changes to this listed church building;
- (2) The more serious the harm, the greater the level of benefit that will be required before the proposed works can be permitted; and
- (3) Only exceptionally should serious harm be allowed to a building which is listed Grade I or II*.

The court must also consider:

- (4) Whether the same, or substantially the same, benefits could be obtained by other works which would cause less harm to the character and special significance of this church building. As I pointed out in my judgment in this diocese in *Re St Peter & St Paul, Aston Rowant* [2019] ECC Oxf 3, (2020) 22 Ecc LJ 265 at paragraph 7:

If the degree of harm to the special significance which would flow from proposed works is not necessary to achieve the intended benefit because the desired benefit could be obtained from other less harmful works, then that is highly relevant. In such circumstances, it would be unlikely that the petitioners could be said to have shown a clear and convincing justification for proposals which would, on this hypothesis, cause more harm than is necessary to achieve the desired benefit.

40. At paragraph 81 of my judgment in *Re Jesus College, Cambridge* [2022] ECC Ely 2 (delivered as Deputy Chancellor of the Diocese of Ely) I referred to the requirement enshrined in s. 35 of the *Ecclesiastical Jurisdiction and Care of Churches Measure* to have due regard to a church’s purpose. This provides that:

A person carrying out functions of care and conservation under this Measure, or under any other enactment or any rule of law relating to churches, must have due regard to the role of a church as a local centre of worship and mission.

I explained that the statutory predecessor of that section (s. 1 of the *Care of Churches and Ecclesiastical Jurisdiction Measure 1991*) had been considered by the Court of Arches (Sir John Owen, Dean, and Chancellors Goodman and Sheila Cameron QC) in *Re St Luke the Evangelist, Maidstone* [1995] Fam 1. This was the first occasion on which the Arches Court of Canterbury had sat in its new constitution of a three-member court. At page 7, the Arches Court held that in the absence of words expressly limiting the wide jurisdiction long enjoyed by chancellors, the

section could not be said to apply to chancellors, since they were not persons who carried out “*functions of care and conservation*”. Rather, in carrying out their functions under the faculty jurisdiction, chancellors were required (in the words of what is now s. 7 (1) of the 2018 Measure) to “*hear and determine ... proceedings for obtaining a faculty*”. However, the Arches Court went on to make it clear that: “*If the section had applied to the chancellors it would have added nothing to the existing duty and practice of chancellors.*” I said that I take that to mean that, independently of s. 35, when exercising the faculty jurisdiction, a chancellor should have due regard to the role of the particular church as a local centre of worship and mission. I also note, and bear in mind, the Court of Arches’ observation (at page 8) “... *that a church is a house of God and a place for worship. It does not belong to conservationists, to the state or to the congregation but to God.*”

Analysis and conclusions

41. Since this is an unopposed faculty petition, and the petitioners consent to this course, I am satisfied that it is expedient in the interests of justice, and in furtherance of the overriding objective of the FJR, for me to determine this application without a hearing, and on the basis of the considerable volume of written and illustrative material that has been uploaded to the OFS, and is available to the court. Doing so will save expense, and will enable the court to deal with the case proportionately, expeditiously and fairly. Despite the Rector’s generous invitation for me to do so, I have not found it necessary to visit the church. That is because the considerable number of helpful images of the church interior that have been uploaded separately, or included within documentation uploaded, to the OFS have given me a very clear impression of the present appearance of the interior of the church. It is necessary for me to envisage how different potential audio-visual specifications will look, and operate, within the confines of this existing church interior.

42. In considering this faculty application, I have had regard to the DAC’s NoA, all the consultation responses and observations, and the views and responses of the parish, as so clearly articulated and expressed by the Rector. I have also consulted the Church Buildings Council’s illustrated *Guidance Note on Audio Visual Equipment in Church Buildings* (updated in August 2016), as referenced by the church buildings case officer in his letter dated 18 September 2025. I bear in mind that this is statutory guidance and, as such, it must be considered with great care. The standards of good practice set out in this guidance should not be departed from unless the departure is justified by reasons that are spelled out clearly, logically and convincingly. I bear in mind the need for professional advice from an independent adviser; that the technical specification for any fixed installation is crucial, and will depend upon the particular church building and usage; and that although the technical details will be unique to each church, there are some general principles that fall to be considered when looking at new installations which impact on the fabric and appearance of the church.

43. I begin by expressing my personal agreement with the assessment of the ecclesiastical caseworker from Historic Buildings & Places that if this church were to be re-assessed now, against present listing criteria, and almost three-quarters of a century after its original listing, I would expect it to be upgraded to II*. I consider that I should approach this faculty application on the footing that it would require exceptional justification before the court should permit any serious harm to the significance of this church building.

44. I am satisfied that the parish have demonstrated a clear and convincing justification for the installation of some form of replacement audio-visual equipment within this church. The

CBC statutory guidance recognises that: *“The majority of Anglican churches now use audio visual equipment as part of regular services”*. On the evidence, this church is no exception. I note that the local authority's conservation and urban design officer supports the present proposal, particularly in light of its health and safety benefits relative to the existing arrangements. It is clear that the existing two televisions, displayed on stands placed at the east end of the north and south aisles, either side of the chancel arch, represent a tripping risk, obstruct the congregation's views of significant features of the church building, and are unable to meet the visual and presentational needs of the congregation. I am satisfied that the parish have discharged the burden that rests upon them of demonstrating a sufficiently good reason for making some change to the audio-visual offer of this listed church building.

45. I therefore turn to consider whether the implementation of this proposal would cause any harm to the significance of this church as a listed building of special architectural or historic interest; and, if so, how serious that harm would be. In my judgment, the degree of harm resulting from this proposal is only moderate. The permanent presence of these fixed TV screens will be visually intrusive, and will detract from the views, and the appearance, of the east end of the church – the chancel and the sanctuary; but these are only minor detriments. The proposal offends against the CBC guidance that screens should retractable and moved out of sight when not in use. The screens will need to be installed using heavy duty, cantilever wall mounts, as well as anchors into the masonry to ensure that the screens are securely fixed to the wall. This will cause a degree of permanent damage to historic fabric, even if the TV screens were subsequently to be removed. However, I cannot agree with the DAC that, notwithstanding these detriments, the parish have failed to demonstrate a clear and convincing justification for this proposal, in terms of the resulting public benefits for the church's worship and mission.

46. I turn then to consider whether the same, or substantially the same, benefits could be obtained by other works which would cause less harm to the character and special significance of this church building. Here, again, I differ from the assessment of the DAC. I prefer the assessment of the Rector, and the parish, that this is the best technical solution for this particular church, bearing in mind its design and usage. Because of the design and inherent beauty of this particular church, which draw the eye naturally to the east window, I agree with the parish that mounting the two televisions where they propose will cause less damage to the overall beauty and aesthetic of the church than any alternative proposal of positioning a screen behind the chancel arch, to be lowered electrically during services. I bear in mind the Rector's point that this church is not open outside of worshipping times, so it is unclear who will benefit from a retractable screen when the building is locked and empty. I agree with the Archdeacon's assessment that a central projector screen, to be lowered during services so as to obscure the congregation's view of the magnificent Burne-Jones east window, is likely to have a substantially more damaging impact upon the aesthetics of the church, and the congregation's appreciation of its most significant features, than the parish's preferred alternative of TV screens mounted either side of the chancel arch. I would agree with the Archdeacon that the side pillars would seem to offer a more discreet, and less intrusive, location. I bear in mind that this church is a house of God, and, first and foremost, a place for worship, rather than an architectural and historical curiosity.

47. Whilst I acknowledge that no entirely independent professional advice has been sought in relation to the present proposal, or any alternative options, there has been no challenge to the professional competence of Mr Alridge, apart from his lack of experience in heritage or

ecclesiastical environments, or any suggestion of any partiality on his part. Indeed, one may question whether any professional can ever be perceived to be truly *'independent'* of the party who retains and instructs them. The original *'application'* document uploaded in support of the application does refer to the consideration of alternative audio-visual solutions. I also bear in mind that in their consultation response, the local planning authority noted *"the diligent and thorough optioneering process by which you have arrived at the least intrusive option, as evident in your supporting information"*.

48. It is not often that I disagree with the recommendation and advice of the DAC; but on this occasion, I feel compelled to do so. In my judgment, in this intensely fact-specific setting, the parish have demonstrated a clear and compelling justification for the proposed installation of wall-mounted television screens on either side of the chancel arch as the least intrusive, and the least harmful, audio-visual solution. I am satisfied that this proposal will best honour the character, and the significance, of this magnificent church building, which the parish love so much, whilst enabling it better to serve those who gather within it - in faith, in love, and in shared belonging.

Disposal

49. Against the factual and legal background I have set out in the earlier sections of this judgment, I have arrived at the clear conclusion that I should grant this faculty application. However, I recognise the sense in the parish's suggestion that the TV screens should be installed on an initial trial basis. I would propose an initial period of five years. Following this, the parish are to undertake a further parish and community survey to assess whether this proposal continues to command their general support. This approach will allow for the lived experience of the parish to inform any final judgment, and reflect the parish's commitment to transparency, responsiveness, and responsible stewardship of both the church building and their charitable resources. Following the results of this survey, the parish are either: (a) to apply to the Registry in writing (with the results of their survey) for a variation of this faculty to make it permanent; or (b) to apply for a faculty for some alternative audio-visual solution.

Following the suggestions of the church buildings case officer, I propose to impose the following conditions:

- (1) That the parish should follow the current diocesan guidelines for electrical installations and maintenance in churches.
- (2) That the church architect or surveyor should agree the locations of equipment and cable routes with the contractor on site before any works commence.
- (3) That any fixings should be non-ferrous, and made into mortar joints or into plain plaster.

I would also impose the following further conditions:

- (4) That the TV screens should not impede access to, or the use of, the pulpit.
- (5) That the TV screens should be installed on a trial basis for an initial period of five years. Following this, the parish are to undertake a further parish and community survey to assess whether this proposal continues to command their support. Following the results of this survey, the parish are either: (a) to apply to the Registry in writing (with the results of their survey) for a

variation of this faculty to make it permanent; or (b) to apply for a faculty for some alternative audio-visual solution.

I will allow three months for the implementation of this proposal.

David R. Hodge

The Worshipful Chancellor Hodge KC

The Fifteenth Sunday after Trinity

28 September 2025

1. Overall view of the east end of the church



2. View of the north aisle – east end



3. View of the south aisle – east end



4. Projected view of the east end with the screens in place



5. Image of a projector screen within the chancel arch

