

In the Consistory Court of Bristol

In re Purton, St Mary

Petition for sound amplification system and installation of a projector screen

1. St Mary's, Purton is a fine and beautiful grade I listed church with thirteenth century origins, altered and added to in the fourteenth, fifteenth and nineteenth centuries. Within the past year I have visited this church and can confirm that it is a well loved and cared for building with significant architectural features.
2. By a petition dated 14 January 2013, there is an application for the replacement and enhancement of a sound amplification system, and the installation of a projector screen.
3. I directed that special citation should be given to English Heritage, the Society for the Protection of Ancient Buildings (SPAB) and the Church Buildings Council (CBC). In the event English Heritage have made no submissions to me. SPAB and CBC have submitted written representations to me which they have asked me to take into account.

Replacement and enhancement of a sound amplification system

4. This part of the application is to remove most of the original sound system and replace it with a new, smaller and more discreet system. The intention is to replace the present 6 speakers with 4 and place them in new locations. The present system, I am told, has become unreliable. I am also told that the present system is unsuitable for use at some of the newer styles of worship and for the use of recorded music which is often requested at weddings and funerals.
5. There was one objector to this part of the petition, Mr R B Lawrence. His concern, as I understand it, was that the original sound system had been installed as part of a generous donation by his family some years ago. By a courteous and full letter, the petitioners point out that they do not intend to dispose of all of the original sound system and indeed intend to use some of the components that were purchased by the kind generosity of Mr Lawrence's family, for which generosity they are grateful. In the event no formal objection was lodged by Mr Lawrence.

6. SPAB commended the decision to replace 6 speakers with 4 but urged care both in the fixing of the new speakers to protect any wall paintings, and with regard to their colour. They urged the petitioners to reconsider the choice of black speakers. CBC also urged the colour of the speakers to be reconsidered in line with SPAB's opinion.
7. The petitioners reassured SPAB that none of the discovered wall paintings are in positions where the speakers are proposed to be fixed. They are also firm in adopting the advice of their architect who has recommended that the speakers remain black. They acknowledge that there are different views about whether 21st Century additions to Historic buildings should be camouflaged or not, but repeat that they would prefer to follow the expert advice that they have received.
8. I have no hesitation in granting the faculty for the replacement and enhancement of the sound amplification system. I am satisfied that the petitioners have demonstrated the need for a new system and have worked with care to ensure that the alterations will be as discreet as possible. If it turns out that the colour of the speakers is jarring or otherwise not as discreet as expected, I also grant permission for them to be painted a more appropriate, neutral colour (which colour is to be approved by the DAC). As this is a petition to replace an existing system with a newer, smaller and more discreet system I have no hesitation in saying that the first of the '*Duffield*' questions (see below) would be answered in the negative and I am satisfied that it should pass the seal.

Installation of a projector screen for an overheard projector

9. The petitioners also apply to install a projector screen for an overheard projector. It is intended that the projector screen will be attached to a boom mounted on and behind the front north pillar at the tower crossing. The proposed screen measures approximately 2.5-3 metres by 1.4 metres. When it is not being used it will be rolled up into the boom which will be swung back behind the pillar out of sight.
10. This is a more contentious application. When it is swung out for use the projector screen will act as a barrier, visually and physically, cutting off the High Altar and choir from the rest of the church. To attempt to make this as discreet as possible it is intended that the bracket and holder will be painted a neutral colour so that, when it is not swung out, it should merge into the arch upon which it would be attached. I confess I am a little surprised that the advice with regard to the colour of screen mounting is different to that with regard to the loudspeakers. Nevertheless, this is the expert advice of their specialist architect.
11. There are objections to this part of the petition from both SPAB and CBC. SPAB state:

We appreciate that finding a suitable location for a proposed fixed screen is very difficult given the outstanding quality of the 14th century crossing tower, the nave roof and the painted decoration of the arches. However, even with the boom and screen casing painted a neutral colour they would be very visible when not in use from the south and would require substantial fixings into the stone of the arches. Inevitably, they would have a highly detrimental impact in such a sensitive location

We consider that this is a case where there is no acceptable alternative but to continue with a floor mounted screen especially in the knowledge that the technology is advancing fast and in five or ten years' time there may well be effective but far less intrusive and damaging solutions.

The objections by the CBC reflect SPAB's concerns.

Dealing with the screen... the Council noted that the church has a fine 14th century crossing tower. Clearly the nature of the mechanism for a screen the proposal to operate it manually and the careful choice of a parchment colour had all been aimed at minimising the impact of the screen. However the Council noted that the screen would be visible on coming through the south door, the main entrance into the church, and on passing into the chancel or viewed from the south transept. It therefore recommended that a faculty should be refused for this part of the proposal on the grounds that as a technology changes very quickly it would be a pity to mar this important space with something that could soon be obsolete. As the Council heard that the parish is at the early stages of putting together plans for re-ordering, which may involve the introduction of a nave dais, it felt that the installation of a screen or other appropriate AV equipment might be considered as part of such a proposal as there would be scope for it to be floor mounted.

12. The petitioners respond fully to these joint concerns. They note that neither SPAB nor the CBC question the need for a projection screen. They deal with the visibility of the screen mountings by pointing out that: *'St Mary's has quite a narrow arch at the crossing which is vaulted to support a central spire. This arch greatly restricts the view of the position where it is proposed to stow the screen when not in use. Also behind the screen when stowed are functional, undecorated relatively modern wooden organ pipes so the view from the south into the north transept is not only one of medieval architecture.'* They answer in detail the impossibility of having a floor mounted screen in terms of sight lines and the even greater physical obstacle that this would cause for choir processions or for people moving to the High Altar. They identify that the impact of the proposed fittings is minimal and will be carried out under the guidance of the inspecting architect. They also point out that any future re-ordering is in a preliminary stage and the only part of the proposal to be progressed currently is in relation to the audio visual facilities.

The law

13. The decision I have to make is guided by the authority of the Court of Arches in the case of *Re St Alkmund, Duffield* (2012) 14 Ecc LJ 461-461. These pose a series of questions that replace the 'Bishopsgate Questions' and read:

1. *Would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historic interest?*

2. *If the answer to question (1) is "no", the ordinary presumption in faculty proceedings "in favour of things as they stand" is applicable, and can be rebutted more or less readily, depending on the particular nature of the proposals.*

3. *If the answer to question (1) is "yes", how serious would the harm be?*

4. *How clear and convincing is the justification for carrying out the proposals?*

5. *Bearing in mind that there is a strong presumption against proposals which will adversely affect the special character of a listed building, will any resulting public benefit (including 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) outweigh the harm?*

In answering question (5) it is stated that, the more serious the harm, the greater will be the level of benefit needed before the proposals should be permitted. This will particularly be the case if the harm is to a building which is listed Grade 1 or 2*, where serious harm should only exceptionally be allowed.

14. I have gone through the questions seriatim. In my judgement the answer to question 1 above is "yes". I have seen the plans including the photographs setting out an idea of what the screen would look like when being used. The introduction of this screen is, frankly, jarring in such a lovely interior. Moving on to question 3 the answer to the questions of how serious the harm would be is however, in my judgement, small. The screen will be jarring when it is open and in place but only when not in use. When it is in use, it will be less jarring as it will be fulfilling its purpose by having words and/or pictures projected onto it. When not in use, I am satisfied that it can be swiftly and discreetly hidden behind a pillar. I reject the suggestion made by both SPAB and the CBC that this petitions should be rejected until technology has developed so that the interior would be less 'marred'. I reject that on the basis that it would both be an entirely speculative basis to refuse an application and also on the basis that the petitioners have so far already been sensitive to the need to alter and change equipment as technology has developed. That is, in effect, what the first part of this petition is all about.

15. In relation to question 4 I am just persuaded that there is a justification for carrying out the proposals and I am assisted by this by moving to question 5. I am satisfied that the public benefit in granting an amount of lawful liturgical freedom, the pastoral well being and the opportunities for growth and mission outweigh the harm that will be done.
16. I am persuaded of the public benefit by the sensitivity with which the petitioners have gone about this process. They are alive to the need to maintain a beautiful grade I listed church and have taken care to take advice from an expert to minimise any physical harm that may be done to the fabric of the building. I am also certain that they will be alive to the chance to apply to alter the projector screen as and when the appropriate technology develops
17. I therefore grant the faculty as prayed, subject to that condition that all proposed alterations be supervised by the inspecting architect.

11.12.13

The Reverend and Worshipful Justin Gau,

Chancellor