

Neutral Citation Number: [2016] ECC Liv 5

IN THE CONSISTORY COURT OF THE DIOCESE OF LIVERPOOL

IN THE MATTER OF HOLY TRINITY CHURCH, SOUTHPORT

Sir Mark Hedley, Chancellor

JUDGMENT

1. This is a Petition by which the applicants seek a Faculty for a substantial reordering of the parish church. The application is supported by the parish and the PCC and has been recommended by the DAC. Some aspects of the work are, however, opposed by Historic England and the Victorian Society. Neither have sought to become parties opponent but in the circumstances I have thought it right to treat this as a contentious application. There had been an open public consultation on these issues in June 2015 and I inspected the church on 29 December 2015.
2. The building is characteristically Edwardian Free Perpendicular Gothic Revival in style and was built between 1904 and 1914 on the site of possibly two earlier churches. The architect was Huon Matear and the building is listed grade II*. Having been designed and built to cathedral-like proportions, the church is by far the largest in Southport and, given its town centre location, fulfils a number of civic functions. It also enjoys a reputation for a strong, very active artistic and musical tradition. It is clearly a significant feature of the townscape and is an important building in its own right.
3. The application is for permission to undertake urgent repairs to the stonework including window mullions and tracery; to undertake repairs to stained-glass; to repair the guttering between the Choir Vestry and the Chancel; to raise the level of the paving to the south-west porch door to allow level access; to install wrought iron handrails to the Chancel and Lady Chapel steps to improve accessibility; to raise the floor level in the north aisle to that of the adjacent pews with ramp access at each end; to

remove the short pews from the front of the North transept and relocate elsewhere in the Nave. To install self-contained accessible toilet facilities within the north-west porch area. To reorder the church to create a mezzanine floor within the North transept to provide the following: two meeting rooms; and area for children and parents during services; a servery area for refreshment; a space for community use; a small enclosable room for counselling; two offices the clergy use and one-to-one meetings. It is apparent that these proposals are very wide-ranging and are set out in considerable detail in the reports of the consulting architect.

4. It is right to say that the greater part of these proposals are uncontentious. The objections focus in part on the proposal to install toilet facilities in the North West porch area which sits under the tower but the greater objections are to the proposals involving the North transept which in effect amount to the creation of a substantial pod within that area to provide the required facilities.
5. Because of pressing need to obtain grants, I granted certain interim faculties in this matter. Those faculties covered all the non-contentious areas and also covered the toilet facilities. I indicated that I would give my reasons for that in due course and do so now. I reserved further consideration of the whole issue of the North transept.
6. The Planning Authority has been consulted and raises no objection to the scheme in its final proposed form. It must be said that there is very little impact on the exterior of the building involved in these proposals.
7. Historic England offered a series of comments by letter of 8 October 2015. They welcomed the purposes and intentions that lay behind the scheme. They had of course had a site meeting. They accepted that the Northwest porch was the appropriate place for the proposed toilet facilities. They raised a number of suggestions as to how this could be done. In so far as the North transept is concerned HE say this – "this aspect of the proposal would disrupt both the appreciation of the Transept windows and the open design aesthetic of the Church. However, the

proposal could still achieve its targets by keeping the open plan paces to the mezzanine level, thereby removing the need to extend partition walls to the full height of the Transept. The mezzanine area could then either be left open to the Church, or enclosed in a visually light glazed wall."

- 8.** The Victorian Society responded by letter dated 10 August 2015. They welcomed the general repair works proposed and recognised that the majority of the proposed alterations were not contentious. They had reservations about the toilets in the north-west porch but their principal concerns related to the north transept. They say – "the insertion of a two-storey pod in the North transept would compromise the special interest of the North transept, would fundamentally alter its spatial relationship with the rest of the interior and would seriously impede appreciation of the fine vista currently permitted from the nave." They do however recognise that there may be scope for a single-storey pod in the north transept.
- 9.** In subsequent correspondence Historic England expressed the view that they would like to have had further involvement but did not want to oppose the matter in the consistory court. The Victorian Society indicated that they did not wish to become parties opponent but did not withdraw their objections.
- 10.** The architect has provided a detailed response to the objection by reference to his reports. He relies in part upon the enthusiasm of all other consultees for the proposals as they had been formulated by him, subject to minor amendments. One of his concerns is the ability to heat the mezzanine area independently as the expense of heating it by having to heat the whole church would be very considerable.
- 11.** So far as the proposal of installing toilets in the tower by accommodating the same in a pod are concerned, I am of the view that this will have a low impact on the significance and character of this building. In any event I am satisfied that the need for such facilities, and the fact that they are most conveniently located at this point, is a sufficient justification in any event.

- 12.** On the other hand one has to recognise that the proposals in relation to the north transept will have a substantial impact on the character and significance of this building. Given its listing, this means that there will be a presumption against change and accordingly there is a real burden on the applicants to justify their proposals in this regard. I note of course that in making a proposal for a pod, the scheme is, albeit at some expense, reversible.
- 13.** I fully accept that the facilities which it is intended should be included in the north transept are genuinely required and will undoubtedly contribute significantly to the ministry of the church and to the service that it can offer to the community. Having inspected the building, and therefore reflected on the proposals, whilst I recognise the impact they will make on character of the building, I believe that the need for these facilities, and the benefits respectively enuring to them, are sufficient to justify this intrusion on the character and significance of the building as a whole. Whilst it is inevitable that this pod would be in the sight line of those observing the church, it will have a very modest impact on the sense of space and magnificence that impacts on the observer. I therefore reach the view that the merits significantly outweigh the detriments when one considers this as a living place of worship and a living centre of Christian community.
- 14.** I do however share one matter of concern and that is the impact which the proposal will have upon the rather good window that will become partially obscured. Conversations with the architect suggested that a translucent ceiling might be possible but of course would come at extra expense. At the moment I am inclined to require as a condition the continued visibility of the window but I am prepared to give liberty to apply in that regard if it is to be contended that it raises insuperable practical difficulties.
- 15.** I have not considered in any real detail the non-contentious parts of this proposal. I entirely approve of them as indeed do all others who have had a legitimate interest in this matter.

16. Accordingly I propose to grant the faculties sought on condition –

- that there is a photographic record made of the building before any significant works are undertaken and that a copy should be deposited with the church records and the Registry informed that this has been done;
- that before entering a binding contract, the applicant shall certify that 90% of the contract price is either pledged or in the bank or otherwise satisfy the Registrar of their ability to meet the contract price when the same falls due;
- that the proposal is amended so as to maintain the view of the window situated above the proposed pod;
- that the works hereby authorised be completed within 12 months of the date of this faculty;
- liberty to apply.

Mark Hedley

8th February 2016