

Neutral Citation Number: [2025] ECC Bri 2

In the Consistory Court of Bristol

Re. Church of St Mary the Virgin, Marshfield

JUDGMENT

1. By a petition dated 5th April 2025 a faculty is sought for the construction of cupboards and the removal of a total of 6 pews in the north and south aisles to create extra space and more importantly the creation of and an enhancement of the existing worship space, at St Mary the Virgin, Marshfield, South Gloucestershire.
2. This is a Grade I Medieval church, the original building having been consecrated in June 1242 by Walter de Cantilupe, the then Bishop of Worcester. The Church in its present form was dedicated to St Mary the Virgin from about 1470 when the monks of Tewkesbury Abbey rebuilt it in the perpendicular style. There was, it is said, a drastic restoration of the building in the 1860s in which it is said many original features were lost. Significant renovation of a more sympathetic type took place in or around 1902-3 including much work to the side screens and panelling in the chancel, the renovation of the tower and the repaving of the Chancel floor.
3. The church is now under the jurisdiction of the Diocese of Bristol and has been so since 1897, having historically been controlled by Gloucester or the combined Diocese of Gloucester and Bristol.
4. In order to consider this application I visited and inspected the church on the 13th of October 2025 to meet with the incumbent and the Petitioner, Mr Paul White the Churchwarden whose combined knowledge of the history of this beautiful church soon became apparent to me.
5. The first aspect for me to consider is the provision of cupboards in the west end of the church. It is of note that the refreshment area to the right of the rearmost doors has been refurbished in light oak and it is of a very high quality and very discreetly positioned. To the left of the doors are some existing cupboards. There is some criticism that the church is cluttered and some of the pews have been utilised as a storage area - indeed some of the pews in the south aisle nearest the organ are subject to this Faculty application for removal – more of which later.
6. The Parish has engaged with the DAC and I have considered the input from SPAB and the observations of other Amenity Societies. The CBC defer to the DAC. Seemingly the

DAC do not oppose but by the same measure do not give its recommendations to the proposals of the Parish. Although the petition is not formally unopposed, the objections themselves are not severe in nature.

7. Applying the Duffield framework and in consideration of the material before me it is crucial to approach this matter on the basis and presumption that proposed works which adversely affect the character of a listed building should be declined. I must consider on the issue of harm the proposals individually and holistically.
8. In terms of the cupboards the existing high quality carpentry I examined in respect of the refreshment area and the existing cupboards will be replicated on a similar style with the provision of the additional cupboards at west end of the church. To my mind, in consideration of potential alternatives are perhaps cupboards which are movable rather than affixed to the church fabric.
9. In terms of justification no other facility is available. This provision would eradicate the unsightly clutter which has accumulated in a few of the pews and will enhance the community use at the building. I remind myself that the church has on Sundays at least 70 members of the congregation and extra storage facilities will be at great benefit to the church as a whole.
10. In my Judgement the benefit of the proposed change in respect of the provision of cupboards outweighs the potential harm to the historical and architectural significance of the church.
11. A balance must be struck – sometimes it is a delicate one with the need to advance missionary flexibility that takes into account the future purposeful changes whilst preserving where possible the heritage of this Grade I church. The cupboards proposed are not intrusive or unsightly and will blend in with existing high quality light oak fittings. There will be no radical or real change to the appearance of the west end nor will the provision of the cupboards cause significant harm to the church.
12. Accordingly I shall grant the faculty in relation to the provision of the cupboards providing that the wood used is in keeping with the existing timber fittings at the west end.
13. The remaining issue is the removal of pews. I deal first with the pews by the organ in the south aisle. These are rather unremarkable and the removal of the first set of pews nearest the organ is required since it is restricting access to the vestry door. It is undoubtedly a tight space and it appears in living memory, given the position of these pews, parishioners prefer not to sit there. They have been utilised for some years now for storage of various random items. In essence the pews are not being used but overarching this in the fact that the walkway between the organ screen and the pews serving the vestry is narrow.
14. Again I revert to the principles in Duffield. This change, that is to say the removal of the first line of pews is justified. We do not know with certainty whether these pews were installed during the CE Davis reordering at the 1860s or from what has been referred to as the Brakspeare alterations of the 1920s. This is not a wholesale reordering but a removal of one set of pews. The remaining pews are unaffected. The benefit of

the change is a safer and more appropriate walkway and such provision outweighs any harm which to my mind is minimal.

15. In reality there is no alternative to their removal and I grant the faculty in respect of these pews being removed.
16. To the north of the church is a rather splendid worship space, in which it is proposed to remove 4 pews.
17. The sole purpose here is to create a much larger worship space and thus maximise the use of this area of the church. There are a significant number of other pews in this area which will be unaffected by the proposal I have to consider. The congregation is enjoying steady and sustained growth from what I had learnt at the site visit but the available space is not insufficient.
18. In my Judgment the architectural significance of these pews is very low as is their historical significance. I can well understand the need to create a really useful and vibrant worship space in this area without destroying or altering the character of the church.
19. Accordingly I grant the faculty to enable the pews to be removed.

I attach these conditions

- 1) In respect of the cupboards the joinery and use of wood shall correspond closely to match where possible that used in the refectory/refreshment area.
- 2) In respect of the pews both north and south in location that upon removal any doors that can be salvaged together with their associated ironwork are retained by the church to be reused when others require repair/renewal in other pews.
- 3) The sale proceeds to parishioners of the pews sold are utilised by the church towards costs of these works.

Mark Stewart
Deputy Chancellor
20 October 2025