

**Neutral Citation Number: [2025] ECC She 1**

**DIOCESE OF SHEFFIELD  
In the Consistory Court**

Her Honour Judge Sarah Singleton KC  
*Chancellor*

**In the Matter of  
ST MARY THE VIRGIN SPROTBROUGH**  
Re-ordering of the East End

**Judgment**

1. St Mary the Virgin Sprotbrough is a Grade 1 listed medieval church. The works which are the subject of this Petition are recommended for approval by the Court by the DAC.

2. **The Works**

The proposed scheme of re-ordering has been in preparation for many years. The purpose of the scheme is to open up the East End and chancel of the Church physically and visually and to create a more open and flexible space for worship and events.

The works as initially described in the Petition (and in the DAC minutes of their relevant meeting) were as follows:-

1. The removal of the green curtain behind the altar, and the re-purposing of the rood screen to create a reredos, with removable panels reflecting the liturgical seasons and matching altar falls.  
*In the future (not this petition) The removal and replacement of the sanctuary carpet.*
2. Relocation of the choir stalls (with misericords) to the sides of the chancel. This will improve sight lines and access into the chancel.
3. Removal of two of the front pews with their book rests and wooden plinths, with any historic woodworks being re-utilised elsewhere in the church.  
*to remove a pinch point and facilitate access for people with disability and*
4. Lowering and relocating the pulpit to the south side of the nave.  
*improving sight lines and making it usable as reading desk.*
5. The removal and disposal of the sound board.  
*if an alternative use cannot be found. It may be possible to relocate this to above the organ*
6. The adaptation of the current lectern/priest's desk (currently one large unit) into two separate and movable items. The lectern to be re-purposed as a sound/lighting desk at the rear of the church adjacent to the organ.
7. The re-routing of all necessary electrics and heating in a sympathetic and discreet manner.
8. The relocation and modernisation of the existing sound and projection system. The repositioning of the existing light controls and the provision of additional 13 amp sockets.

9. The complete redecoration of the interior with plaster repairs as required.

I have underlined those parts of this list which in fact are comment or explanation which need not be included in the Faculty to be issued.

Following my reading of the extensive documentation lodged with this application I was concerned about the destination of the sound board and the adaptation of the current lectern and priest's desk. The Registry have helpfully followed up my query with the QI architect Mr Andrew Wiles AABC and I now understand that:-

- a) the sound board would move with the pulpit to be placed/hung over it as before in their new location. The list of works at number 4) should now read 'Relocating the pulpit intact with the sound board to the North Aisle, and item 5 which refers to the removal and disposal of the sound board should be deleted;
- b) the Pace combined lectern and priest's desk is to be divided so that the lectern part remains and becomes freestanding and moveable although remaining largely where it is. The dark timber of the desk will be applied to make good the lectern following such division and the remainder deployed elsewhere if that is possible. The list of works re-numbered should then read at item 5: The adaptation of the current lectern/priest's desk (currently one large unit) so that the taller part remains a lectern which will be moveable but is to remain primarily placed where it is at present. The remaining timber of the lower, desk part, after being applied to the making good of the separate lectern are to be used elsewhere if possible.

The documents lodged in support of this petition have made a rather confusing read. I considered requiring the schedule of works to be redrawn and resubmitted to the DAC. I decided against such a course knowing how important it is to the Petitioners that works so long in the planning should have the Court's decision as soon as possible. The works as now proposed no longer include the removal of the sound board.

I hope that in future, works such as these which have undergone several iterations in response to consultation might be concisely and accurately summarised for the DAC and in the Petition

### 3. **The Church and its history**

I have been assisted in the preparation of this paragraph by the helpful and vivid Statement of Significance lodged by the Petitioners. Sprotbrough St Mary the Virgin is a Grade 1 listed medieval church, initially established in the C11th on a site of prior Saxon worship. It now lies at the centre of a conservation area in an attractive extended village cum suburb to the west of Doncaster. Although the church may well have been founded at the end of the 10<sup>th</sup> century the earliest physical features date from 1170. The building has undergone numbers of changes over the centuries since. The Chancel was rebuilt in the 13<sup>th</sup> century followed by the addition of a south aisle; a north aisle was then added. In the 14<sup>th</sup> century, the nave and both aisles were extended westwards and the tower added. Sometime in the 15<sup>th</sup> century, the top of the tower was rebuilt and the vestry added. In the 16<sup>th</sup> century the line of the roofs was lowered and the upper part of the nave rebuilt incorporating clerestory windows.

The north porch was added in the 17<sup>th</sup> century. In 1963 the tower was heavily restored due to structural faults and the bells rehung lower down to prevent further damage to the structure. In the 20<sup>th</sup> century a small extension incorporating a new boiler room, toilet & sink area were added between the end of the north aisle and the vestry, a first floor was also re-inserted into the original vestry.

The interior of the church has been the subject of numbers of changes during the centuries.

In 1726 an Archdeacon's Visitation recommended that the screen betwixt church and chancel be taken down. There is no record as to whether this instruction was carried out or not.

In the early 19<sup>th</sup> century the church was re-pewed and other fittings were probably re-positioned at the same time. In 1850 the chancel roof was replaced and the stone angels added to support it. Sometime after 1851, the organ and singing lofts were removed and a new organ installed at floor level thereby blocking the arch to the tower and west door. A new access to the tower base was formed by knocking through from the tower stairs.

In 1915 Lady Bewicke-Copley of Sprotbrough Hall (now demolished) sponsored a major "restoration" of the church in memory of her parents. This was overseen by the eminent church architect, Sir Ninian Comper. The work carried out included: -

- The releveling of the floor to the front half of the nave, side aisles and the chancel.
- A new concrete floor slab throughout.
- The removal of the box pews and family pews from the front half of the nave and side aisles.
- The provision of new pews incorporating the historic carved panels from the old.
- A new pulpit to match the original, incorporating the original panels.
- The repair and repositioning of the tester to the above
- The rebuilding of the screen and stalls, with new reading desks being added.
- The relocation of various memorials including two 14<sup>th</sup> century stone effigies.
- The construction of a memorial chapel in the south aisle to Lady Copley's parents which includes a new stone canopy, all in "medieval style".
- The replacement of the three light east windows with a new "medieval" tracery window.
- Re-plastering of the chancel and the replacement of the wooden panelling behind the altar with older panelling from the family pews from the side aisles.
- Re opening of the squint in the south aisle
- Complete redecoration.

In 1956, the remainder of the box pews in the rear of the church were replaced due to rot. Some of the new pews incorporated medieval panels from St Peter's, Old Edlington. At the same time, the font was moved from near the south door to the east end of the north aisle.

In 1963, a medieval altar slab found in the tower base and this was used to form a new altar in St Thomas's chapel.

In 1973, the organ was rebuilt and extended reusing the old case. Gates were added to the south porch and doors to the north to improve security. The interior doors were then replaced with new glazed oak doors.

In 2000, a new link building was constructed between the east end of the north aisle and the vestry. This contained a link passageway a new toilet and boiler room and small “kitchen” area. The new link building required a new doorway at the east end of the north aisle. To allow for this, the font was repositioned to the centre of the church at the junction of the cross and main aisles.

A sound system has also been introduced, with a screen and projector being added in 2018. The church was completely re-roofed in 2014 with new steel beams being inserted to relieve the original timbers of any load. New insulation and lighting were added at the same time. Other recent works include the overhaul of the organ and works to the heating system and boilers.

The entry for this church in the 2011 edition of Betjeman’s Best British Churches reads:-

*The 13<sup>th</sup> Century church has a notable Decorated tower, with an added Perpendicular upper stage. The South porch is very pretty with a half-timbered gable end. Inside there are perpendicular arches and a chancel arch with Royal Arms for King George 1<sup>st</sup> above*

*The characterful interior has a rood screen with decorated tracery adjacent to two stalls with misericords. In the chancel is a strange stone seat with a caryatid bust of a man; it is thought to be a frith stool (a seat which offered sanctuary to the occupant) Set in the chancel floor is a ledger stone to Thomas Fitzwilliam (d 1482), a former rector, shown in vestments holding a chalice.*

#### **4. The Petitioners’ explanation of the need for the re-ordering**

The Statement of Need has been carefully edited and amplified during the years that these works have been planned. It is a full and persuasive document. It addresses the Petitioners’ wish to improve the experience of those coming to the church for the purpose of worship and also their wish for flexible spaces at the front and rear of the pews in the nave to facilitate the running of suitable community events.

Saint Mary’s Sprotbrough serves a parish of 8555 people. There are 129 members of the parish on the electoral role. Weekly communion services and monthly all age worship services are held along with regular separate services for baptisms and numbers of occasional offices including weddings and funerals.

The Petitioners aspire to change the presentation of the chancel to enable it to be fully seen and to promote a greater unity between the officiating priest and the congregation. At present the combination of the chancel screen and the design of the pulpit prevents the congregation having a full focus on the altar. This is of importance at the Eucharist when focus on the symbolism of the celebrator’s words and movements is, for some, a key part of their worship.

The present screen provides only a narrow entrance to the chancel area through its doors. This can inhibit the flow of the congregation to the altar rail; it is also problematic for pall bearers at funerals and an obstruction for wheelchair users and families with buggies.

The church has begun to hold regular events outside worship which are attracting increased community involvement. This has included a wedding dress exhibition, a Christmas tree festival and other events of educational engagement with local schools and relevant organisations.

The church has an excellent audio-visual system which has made the building attractive for concerts and talks. These encouraging developments have been facilitated by the removal of some pews from the back of the nave with the temporary permission of the Archdeacon. Even with those pews removed, craft events have required tables to be positioned up and down the aisles. This restricts available space and safe access in and out of the church.

The increased community engagement has included musical events when more than one musical group including choirs have attended. At present the lack of space in front of the congregation means that such choirs have had no choice but to sing from their allocated pews. There is a plan to introduce a regular singing group who would sing from the space the Petitioners wish to create in front of the nave. Such a space would also facilitate presentations of drama.

The petitioners wish to retain most of the pews whilst at the same time creating a much more flexible space to accommodate events outside the regular and occasional services held.

The plan proposed by the Petitioners to achieve their objectives is to move the chancel screen to stand behind the altar table and for it to become a reredos. It would remain intact apart from the removal of one door. The screen would replace a green velvet curtain which hangs in that location at present. The new reredos would be visible, and, it is hoped, become an inspiring focal point for the congregation.

The original plan was to lower and relocate the pulpit which has not been used for some considerable time. The plan following consultation is now to move it, largely intact, to the North Aisle. This would improve sight lines and allow the pulpit to be used as a reading desk.

The sound board which is located over the pulpit in its present location is to be moved with it to be similarly placed.

It is proposed to divide the 20<sup>th</sup> century lectern/priest's desk designed by George Pace into two. The lectern would be retained in its present location and continue to be used as a lectern. In its separated state it could be moved and used elsewhere when necessary.

The petitioners have worked up the current scheme including extensive consultation to be sympathetic to and respectful of the historical and architectural significant features of this grade one listed Church whilst at the same time allowing for necessary change to promote unified worship and to facilitate events which place this church in the heart of its community. In their planning the Petitioners replicate the patterns of change implemented for this beautiful church over the centuries of its existence.

## 5. Consultation

A public consultation was carried out between October 2020 and November 2021. The results were overwhelmingly in favour of all of the proposals and in favour of increased use of the church building by the community.

In April 2022 following that consultation detailed plans for this re-ordering were prepared by Mr Andrew Wiles the quinquennial inspecting architect for this church and were unanimously accepted and adopted by the PCC.

Pre-application consultation took place between the Parish with the DAC and Church Buildings Council and then with relevant National Amenity Societies namely: Historic England, the Society for the Protection of Ancient Buildings and the 20th Century Society. That consultation involved formal and informal site visits. Following critical responses from those consulted, key aspects of the original proposal were successively revised to meet and address the criticisms. The CBC recommended a survey of the historical timber.

The Petitioners decided after proper consideration of the alternatives and in consultation with the CBC, to instruct Mr Wiles to undertake the recommended timber survey of the historic timber in the church.

The proposals were further amended following Mr Wiles' survey of the relevant woodwork and, by the summer of 2024, the CBC and Historic England were content to leave further advice on the plans to the DAC. SPAB were also ready to defer to the DAC but expressed continuing reservations and regret about the plans: they continued to regret losses such as the 'breaking-up' of the church's (early C20th) L-shaped choirstalls and requested that the chancel screen, once repositioned under the east window as a reredos, would be given protection against the environment.

## 6. The Wiles Timber Survey

The report is an impressive document prepared with care and skill.

I have found myself assisted in terms of my understanding of the issues by Mr Wiles informal conclusions set out in Appendix 2 of the document

Overall, following this survey of the timber in the church and its history Mr Wiles considered that the plans should be amended in parts.

- **Reredos**: he thought the panels presently located behind the altar table and referred to as a Reredos were not of great importance because only fragments of C17 wood are incorporated into 1915 wood of no particular significance.
- The **Altar Rail** is to remain unaltered and is unaffected by the proposals.
- **Choir Stalls**: Mr Wiles describes these as “a really butchered about collection of fragments, mostly 1915 with some C15 or earlier pieces. There is no evidence that they have ever really belonged at this church. We are planning to re-use just about all that is of historic merit” He therefore advised that alteration and relocation was justified.
- **Rood Screen**: He thought that the screen and probably the doors were 16th Century. He therefore thought that a relocation of the screen to the east end was justified but only as a “full component” although this would involve an overlap of the 1915 panels.

- **Pulpit**: He considered the pulpit to be a composite of 1915 timber and construction with parts from C16 and C18. He therefore advised that he considered it reasonable to relocate the pulpit intact.
- **The Sound Board**: Mr Wiles considered that the sound board might be the original one from the 1770s remounted lower in the 1915 re-ordering. He therefore did not consider that its removal and permanent loss could be justified and wondered if it could stay where it is
- **Reading Desk**: George Pace C20 (1955). Mr Wiles says, "This is going to be lost as a feature but the pieces re-constituted into a sound desk. The relative significance of work by architects of the Post War period is always under review and many would view this as an undignified end to a piece once dedicated to the service of the parish"
- **Pews**: Mr Wiles considered that the plans for modification of the Pews which are composite 1915 and 16<sup>th</sup> Century (main Nave) and composite 1955 and 19<sup>th</sup> century (Upper Nave) are straightforward. The plans include using all the historic elements and the retention of numbers of examples of the original pieces from the 19<sup>th</sup> and 20<sup>th</sup> centuries.

Following this report and its conclusions the plans of the Petitioners were further amended in line with the recommendations. Confirmation of those further amendments in respect of the sound board has been obtained during the deliberations for this judgment.

## **7. The Objection from the 20<sup>th</sup> Century Society**

The 20<sup>th</sup> Century Society maintained their objections to the works proposed by the Petitioners. They have been served with the relevant notices and have decided not to become formal parties opponent but ask that their views be taken into account. My source for the objections is the email of Coco Whittaker who is head of case work at the Society. Her objections were emailed to the DAC secretary on 10<sup>th</sup> July 2024 and reads as follows:

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*The Twentieth Century Society has been notified of proposals to re-order the east end of the Church of St Mary the Virgin in Sprotbrough, which is Grade I listed. We wish to register our objection to the proposals which we feel would adversely impact the significance of the listed 20<sup>th</sup>-century church interiors.*

*St Mary's accommodates significant 20<sup>th</sup>-century work by Sir Ninian Comper (1864-1960), a major church architect of the period. Comper's work at Sprotbrough involved the careful and sympathetic re-use of earlier (medieval, 17<sup>th</sup> and 18<sup>th</sup> century) furnishings to create a new and unified whole. The church is included in the gazetteer of the Symondson and Bucknall book, Sir Ninian Comper: The Last Gothic Revivalist (2006, p.310). The authors list 600 churches where Comper undertook work and highlight 90 of those as worth going to see – Sprotbrough is highlighted and is therefore considered amongst the top 15% of Comper's work by significance.*

*The current proposals to open up the chancel and remodel the interior would be destructive and result in the loss of the significance of the 20<sup>th</sup>-century work.*

*We note the submission of a report on the significance of the historic timber furnishings, which was requested by the SPAB amongst others. The report however was not carried out by an independent specialist but by the architect working with the parish on the proposals. It is therefore not an independent, objective report on the significance of the fittings but arguably a biased assessment and one which ultimately seeks to justify the proposals. Amongst the*

*documents submitted, the comments on the 'Wood Report Quotes' are telling: under [d] 'Hugh Harrison' (a well-respected expert on historic woodwork) it notes 'It does seem as if he is intrigued and enthusiastic about the collection as it stands and might be less supportive of the proposed changes'.*

*We have serious concerns about the proposal to remove, cut down and relocate Comper's chancel screen to a new position beneath the east window. The screen is a key 1915 fixture of the Comper scheme which demarcates the chancel from the nave. It contributes to the character of the church and its theological significance. Removing it from its original position would detrimentally impact the character of the church interiors, and reducing it to facilitate its relocation would result in harm to a significant historic fixture.*

*We also take issue with the proposal to remove the front two rows of pews in the nave which were installed by Comper in 1915. This would result in the permanent loss of significant 20<sup>th</sup>-century fixtures. We note that pews in the SW corner of the church, which were installed by Ron Sims in 1956 (and are arguably of less significance), were removed last year. We did not object to the removal of the Sims pews on the basis that other examples would be retained in-situ. We are however concerned that the church appears to be gradually removing 20<sup>th</sup>-century pews in sections over time. This approach if adopted would slowly erode the character and significance of the listed church interiors.*

*The Society maintains that it would be possible to achieve many of the stated needs without the proposed level of alteration and destruction. The Comper scheme does not have any fixed furnishings in the chancel between the altar rails and the choir stalls adjacent to the screen. From the photographs and drawings provided, it appears to be a dignified, uncluttered space with ample room for visiting choirs, performers and temporary exhibits, if full access is provided by the church. To improve sight lines, could the church's AV system not be extended and used with discreet cameras in the chancel so that the congregation in the nave with restricted views could clearly see all the activities taking place? We are not convinced that other options like this have been properly considered. Even if the chancel screen was removed, it would not completely solve the issue of restricted views – it would be impossible to see into the chancel space from many of the pews in the north aisle, for instance.*

*We would take issue with the removal and relocation to the south of the pulpit and the removal of its sounding board. However it appears that this aspect of the scheme has been revised (as in 'Revision B') to relocate the pulpit with its sounding board slightly to the north. This revision is an improvement on the initial proposal. It is unclear what the proposals are for the 1950s George Pace reading desk. The desk was due to be removed, reduced and relocated to the west end of the church by the organ when proposals involved moving the pulpit to this location. We would object to such a proposal. If the pulpit is being moved slightly north (as in 'Revision B'), the reading desk should be retained in its entirety in-situ.*

*Overall, it is the Society's view that the proposed work would have a seriously detrimental impact on the character and significance of the listed 20<sup>th</sup>-century church interiors. We object to the proposals in their current form and urge the church to re-assess its plans.*



## 8. The Response of the Petitioners

These objections were considered by the Petitioners and Mr Wiles has replied to them on behalf of the Petitioners as follows:-

- He pointed out that some of the comments were directed at features of the works which were no longer included in the plans of the Petitioners. It will be noted that, if so, I entirely understand how easily such mistakes might be made given the complexity of the lodged documents and the difficulty of deducing which proposals remain and which have been abandoned or changed.
- Mr Wiles acknowledges the importance of the work of Sir Ninian Comper in the interior of the church but points out that the most complete and extensive piece of Comper's work, in the south aisle of the church would be left completely intact.
- He refutes the Society's attribution of the chancel screen to Comper pointing out that it predated his involvement although Comper carried out some restoration of the screen. Comper designed the screen for the south aisle chapel.

Mr Wiles says:-

*As an aside, the chancel screen existed long before Comper's involvement at the church and there is no guarantee that it would have originally been in this position, or indeed even in the building. It may have arrived there from another church in the Victorian period much like some of the other bits and pieces collected in the interior. It is certainly wider than the stone chancel arch and has to sit slightly behind it.*

Mr Wiles points out that the moving of the screen as now planned is completely reversible.

- Mr Wiles addresses the criticism of his instruction to carry out the recommended timber survey by pointing out that his instruction had been suggested/approved of by the Church Building Council as being a reasonable way forward when the costs of the originally suggested expert were found to be prohibitive. He points out, with some force that considerable efforts were made for the report to be an objective piece of work. The outcome of that effort is reflected in the fact that the design plans changed in respect of the Chancel Screen and the Pace lectern seat following the recommendations of the report.

Mr Wiles refutes the 20<sup>th</sup> Century Society's suggestion that in effect these plans are just the start of a longer-term plan to remove more pews and he expresses reassurance that this is not the case. He points out that the pews to be removed are the most modern and the least significant of the pews in the church suggesting minimal impact except to the overall appearance of the nave.

- Overall, he puts in issue the contention that the works under this petition would be destructive and cause the loss of significant 20<sup>th</sup> Century work.
- He also points out the theological reassessment behind the chancel plans and the desire to move away from a rigid separation of the chancel and the creation of "private areas" for landed families.
- He says:- *The proposed changes seek to respond to worship in our time, 2024. All are part of the evolution of the worshipping community on this ancient site*

Mr Wiles concludes by asserting that the Petitioner's approach to the Comper items models the work of Comper himself in retaining them and where necessary and possible repurposing them rather than removing significant features contributed in previous ages.

I set out my conclusions in respect of these objections below.

## 9. Response following Public Notices

Following the posting of the required public notices the Registry received the following objections to the proposed works in a letter of 4<sup>th</sup> June 2024 from Mr William Rimington, a parishioner on the electoral roll of the parish, the letter reads:-

*Before spending such a large sum of money on any venture we should ask ourselves*

- 1. Is the venture necessary?*
- 2. Will the proposals have the desired results?*
- 3. Is it worth it?*

*I say the venture fails on all counts.*

*As I understand it the point of the alterations is to make the church more open, and 'user friendly' thereby making it a more appealing space with the expectation of increasing the congregation.*

*There are three main points to the plans;*

- 1- The provision of a new kitchen suite in the north west aisle.  
NB this is not part of the works for which permission is sought by this petition*
- 2- Re-siting of the screen as a reredos and relocating the historic artefacts disturbed in the process.*
- 3- Re-siting of the pulpit, steps and tester to the north east aisle.*

### Objections

*1—There is no need for a new kitchen. We already have a kitchen which is quite adequate for the provision of light refreshments. It is true that the creation of the new general purpose area and its use for refreshments necessitates carrying materials further than before but this is a self- inflicted wound. Prior to the alteration we had light refreshments in the chapel It was not ideal but involved less carriage of materials and I heard few if any complaints. Is it worth the expense?? I think not.*

*2—As a traditionalist admit that I am prejudiced and would like to see the church left as it is with no alterations save what is truly necessary. However, I must concede that my earlier fears for the historic screen and associated artefacts appear to be unfounded and the re-siting is visually acceptable. As a result I object to the proposal on the grounds of cost since there is no need to re-site the screen and associated artefacts. In the past any adverse comments regarding the screen have been aesthetic or spiritual rather than practical. Is it worth the cost?? I think not.*

*3—I object strongly to the re-siting of the pulpit for a number of reasons.*

*a) --- I am no architect and my measurements and understanding may be wrong but as I see it little or nothing will be gained in terms of space. The plans appear to show that the steps, tester and pulpit will be reassembled in the north east aisle as one unit. If that is the case and my measurement of the entire depth of the pulpit and steps at c.7' is correct, the complete assembly will **protrude c7' into the aisle — about 3' more than now** - since presently the protrusion is about 4'. Since the relocation of the unit will only take it to about 3' from where*

*it is at present - to just the other side of the north arcade wall - I can see more loss than gain from the move despite the sad removal of the front two pews. Am I missing something here??*

*b) ---The move will necessitate the re-siting of the Wrightson tablet and accompanying memorial plate. In itself this must be a risky procedure but forgetting that, where will they go? The north east aisle has always been the traditional area for the Wrightson memorials and that should not be altered without good reason. Also, the repositioning can hardly benefit the appearance of the fine, Faith, Hope and Charity Wrightson window presently situated in the east wall.*

*c)--- A sizeable part of the congregation believe that the pulpit should be used. That however is rightly the prerogative of the incumbent. Nevertheless, perhaps the most disturbing issue regarding the relocation is that it seriously prejudices the ability of any future incumbent to exercise that prerogative. It has been said that the pulpit is still there and may still be used if so desired but can we seriously imagine any incumbent happy at the prospect of preaching to the north aisle?? I think not.*

*With the removal of the front pews the pulpit is not presently an obstacle. It should remain where it has been for perhaps three centuries; visible, venerable, appreciated and available. Cost hardly comes into the issue of the pulpit. I believe that the proposals are not only unnecessary but retrograde and inimical to the spirit of the church.*

*But the key factors are; will the proposals make the church more appealing and will they increase the congregation. Both are matters of opinion but while the first is certainly true for some it is not for others and as to the matter of increasing the congregation, many will say that that is a matter of spirituality and how we as a congregation 'sell the church' rather than how we move the furniture.*

*In any event it is my view that whatever else is done the pulpit is sacrosanct and that in any event the proposals are unnecessary and as a whole too costly.*

Mr Rimington did not wish to become a party opponent but asked that his views be taken into consideration. I have had the advantage of a short response on the part of the Petitioners. They express regret that he is so opposed to the scheme. There is a compassionate understanding of his resistance to any change in a building where he has worshipped for many years. I am also sorry that Mr Rimington is so upset. However, the justification for the works has been fully explained by the Petitioners and has the backing of an overwhelming majority of their community consultees. They can also point to the care with which the plans have been put together and the deference of those plans to the features affected which are of architectural and historical significance. I note that Mr Rimington whilst maintaining his objection to any change is mollified in part at the retention of the chancel screen as a feature behind the altar table which he considers to be visually acceptable. Mr Rimington describes himself as a traditionalist. However, the Petitioners' reasons for seeking the changes proposed are fully explained and apparently reasonable. The visual and physical opening of the chancel space matches the present style of worship at this church. The change of location of the pulpit is part of that scheme. It is not clear to me that Mr Rimington is correct in his assertion that it has been in its present location for centuries. The pulpit includes very old timber and is to be retained intact. It will remain venerable and venerated and available. It is not clear to me why Mr Rimington suggests that its move is "inimical to the spirit of the church"

The additional space in the nave will allow the church to renew and consolidate its importance to the community surrounding it by the facilitation of suitable events. Such events are also a source of revenue to the church.

Mr Rimington's stance as a longstanding member of the congregation of this church deserves respect and should not easily be set aside. However, the evidence supporting the need for the works and the fact that the harm to the significant features of the church is limited is powerful and persuasive.

#### **10. The Law**

The law applicable to petitions for works to listed buildings has been extensively considered and is now settled. Permission or not for such works must be considered with regard for the answers to the *Duffield Questions* derived from paragraph 87 of the Court of Arches decision in *Duffield, St Alkmund* [2013] Fam 158.

The questions are these:-

- i. Would the proposals if implemented result in harm to the significance of the church as a building of special architectural or historic interest?
- ii. 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.
- iii. If the answer to question (1) is yes, how serious would the harm be?
- iv. How clear and convincing is the justification for carrying out the proposals?
- v. Bearing in mind that there is a strong presumption against proposals which will adversely affect the special character of a listing building, will any resulting public benefit (including matters such as liturgical freedom, pastoral mission, 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 (v) the more serious the harm, the greater will be the level of benefit needed before the proposals should be permitted.

This will be particularly the case if the harm is to a building which is listed Grade 1 or 2\* where serious harm should only exceptionally be allowed.

#### **11. My Decision**

I set out my responses to the crucial questions of the legal test in this matter particularly taking into account the written positions of the 20<sup>th</sup> Century Society and Mr Rimington in this exercise.

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

*Change is not harm in and of itself and the hurt felt by Mr Rimington when a building which is an old friend is changed is not of itself evidence of harm.*

I consider that change and harm are not one and the same where the change is implemented with respect for features which are of architectural and/or historical significance, particularly where the change is one of simple relocation of those features.

The removal of the least significant and most recent pews is justified and causative of minimal harm.

The reshaping of the pews located behind the chancel screen at present does amount to harm to those pews but the plans of the Petitioners to reconstitute the remaining pews, as has previously happened, with the oldest parts of the pews to be reshaped limits the harm.

The relocation of the Comper-renovated chancel screen so that it becomes a feature drawing the focus of the congregation beyond the altar table into an opened up chancel space is likely to improve its visual impact and is therefore causative of minimal harm. It is also a move which could be reversed in the future. I endorse the advice of the SPAB that measures are taken to protect the screen from ingress of the weather.

The relocation of the pulpit and its sound board preserves the pulpit and sound board as features of architectural and historical significance but reduces their visual dominance from the perspective of those in the nave. The pulpit is not used but it is available for use. The move will make its use in the near future for preaching less likely. Any reduction in the height of this feature is probably not easily reversed. That said, I consider its retention largely as it is including the sound board in the proposed new location allows for its return to a position of prominence to the congregation in the nave if the style of worship at this church changes again to require such a return.

The proposal to remove the seat and desk from the Pace lectern and priest's desk will cause irreversible harm to a significant 20<sup>th</sup> Century feature which could not be reversed. However that harm is partially mitigated by the retention, in the same location as at present, of the lectern. I consider the lectern to be the most striking aspect of this feature, hence my view that this retained feature and its proposed position reduce the harm of the plans for this piece which has enjoyed an honourable 70 years or so in its present position.

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.

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

I have sought to answer the questions of whether there would be harm and its gravity in one answer for each of the features.

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

*Bearing in mind that there is a strong presumption against proposals which will adversely affect the special character of a listing building, will any resulting public benefit (including matters such as liturgical freedom, pastoral mission, 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?*

The Petitioners' reasons for wanting to bring about the proposed changes of this re-ordering are well argued and well evidenced. They enjoy the support of the majority of those consulted.

The overarching effect of the re-ordering is one of visual change without serious harm to historical or architectural significance.

The works are recommended for approval by the DAC (28<sup>th</sup> May 2024) subject to clarification of the plans for the screen and the lectern/priest's desk which has now been provided.

I think it appropriate to approach the reordering holistically whilst not ignoring the impact upon individual features. The features most seriously impacted are the pulpit, to be moved with the sound board to a less prominent position in the church and the George Pace lectern/priest's desk which is to be divided in two.

For the reasons I have set out in describing my perception of the harm in respect of the pulpit. I consider the proposed move of the pulpit and sounding board to be necessary to achieve the opening up of the chancel physically and visually. That opening up has been fully justified by the Petitioners by their Statement of Need. This ancient church must be suitable for worship in the 21<sup>st</sup> Century and, by its hosting of suitable events, a crucial piece of the substructure of the community where it has been located for more than 1000 years. That is if the historians are correct about its origins. The present design of the chancel space including the pulpit are inhibiting those purposes achieving realisation. I conclude that the proposed changes to the pulpit and its relocation with the sound board are justified. I conclude that the plans for the pews in the chancel are justified. I do not consider the suggestion that the Church's AV equipment be augmented to facilitate remote viewing of the chancel area fulfils a justified need for openness and direct visual inclusion.

The Petitioners and the Court were/are faced with a stark choice in respect of the Pace lectern and priest's desk. Its division into two preserves the lectern in a prominent position as deserved by its significance architecturally and historically. That comes only with a permanent change to the item as designed by Pace achieved by its division. This causes serious harm to the significance of the entire item but preserves its most striking feature in a prominent position, used as intended by its designer, as a lectern in that position. The alternative would be to require it to remain intact but moved from its central and imposing position. Such position is all the more imposing when examined in the context of the other changes. I consider, having taken into account the reasoning of the 20<sup>th</sup> century society, that the proposals submitted by the petitioners with respect to the lectern/priest's desk should be permitted. The changes as a whole are fully justified and these changes form part of the whole scheme. They allow the retention of the most striking aspect of this valued feature, in a prominent position.

I propose, therefore, to direct that the faculty sought by this Petition be issued, subject to the works being described in the Faculty as set out in this judgment and not as set out in the DAC Certificate of Advice or the Petition because they do not accurately reflect the works finally proposed by the Petitioners. I do not consider it necessary to require the Petitioners to reconult with the amenity societies or to post new public notices. The position of the amenity societies other than the 20<sup>th</sup> Century Society is clear, namely, to leave the matter with the DAC. I have taken into account the 20<sup>th</sup> Century Society's objections. I have taken into account the objections of Mr Rimington.

The list of proposed works, as finally determined, therefore now reads as follows:

1. The removal of the green curtain behind the altar, and the re-purposing of the rood screen to create a reredos, with removable panels reflecting the liturgical seasons and matching altar falls;
2. Relocation of the choir stalls (with misericords) to the sides of the chancel. This will improve sight lines and access into the chancel;
3. Removal of two of the front pews with their book rests and wooden plinths, with any historic woodworks being re-utilised elsewhere in the church;
4. Relocating the pulpit intact with the sound board to the North Aisle;
5. The adaptation of the current lectern/priest's desk (currently one large unit) so that the taller part remains a lectern which will be movable but is to remain primarily placed where it is at present. The remaining timber of the lower, desk part, after being applied to making good the separate lectern is to be used elsewhere if possible;
6. The re-routing of all necessary electrics and heating in a sympathetic and discreet manner;
7. The relocation and modernisation of the existing sound and projection system. The repositioning of the existing light controls and the provision of additional 13 amp sockets;
8. The complete redecoration of the interior with plaster repairs as required.

**HHJ Sarah Singleton KC**

**Chancellor of the Diocese of Sheffield**

**20<sup>th</sup> January 2025**