

Diocese of Exeter

Chancellor

Date: 21st April 2015

Parish: St Jude, Plymouth

JUDGMENT

1. By a Petition lodged on 4th July 2014 the Vicar and Churchwardens of the Parish of St Jude in Plymouth seek a Faculty to authorise a comprehensive reordering of the parish church for which they are responsible.
2. The church was built in 1876 to a design by James Hine, with its spire being added in 1881. Fortunately it escaped major damage during World War 2 and, save for the removal of choir stalls in 1995 and the removal of the organ in 2012, the structure, both internally and externally, remains largely as it has been for the past 140 years. It is a Grade II Listed Building.
3. The proposed reordering is, on any view, radical and involves a 90° re-orientation of the focus of worship from the current traditional East facing arrangement of Victorian pews looking towards the Chancel, to an ‘auditorium’ curved configuration of moveable chairs which face towards a centre for worship along the North side of the Nave. A total immersion Baptism Pool is planned for the centre of the North side of the Nave. Behind the new centre of worship, partition walls will be erected to separate off the North aisle and thereby provide a space for a WC, Sunday School room and two store rooms.

4. The current main entrance in the centre of the West end will become a lobby and a new entrance is to be established by opening up the North wall of the North Transept. The Petitioners say that the process of creating an entrance in the North wall of the transept requires that the tracery window that currently dominates that wall be removed.
5. On entering the building, a visitor will pass through internal doors on the South wall of the North Transept into a 'Welcome Area' established in the cross area between the Transepts and the Nave/Chancel axis. This Welcome Area is to be screened from the main body of the Nave by a floor-to-ceiling glass screen; the Chancel will remain largely in its present form at the East end. The South Transept is to be partitioned off to become a kitchen. As well as providing a space for those entering the church, the Welcome Area is intended to have a variety of uses including as an area for refreshments with space for tables and chairs to be positioned within it.
6. The proposals promoted by the Petitioners have been the subject of very extensive discussion and consultation with the DAC and the relevant heritage bodies, English Heritage (as it then was) ['EH'] and the Victorian Society. The resulting scheme is now supported by the DAC, subject to a number of provisos (which are accepted by the Petitioners), but is opposed by EH and the Victorian Society. The Church Buildings Council approves of the scheme.
7. Following directions given in September 2014, EH became a formal objector to the Petition.
8. On the 22nd October 2014 EH filed 'Particulars of Objection' in Form 5 and by a letter of the same date EH set out a full and clear explanation of its objections to the scheme. In summary these are:
 - a. The cumulative effect of the various elements in the proposal has resulted in a scheme which will cause significant harm to the significance of the building;
 - b. There are alternative, much less intrusive, options that would achieve the facilities that the parish require;

- c. The well preserved interior has a strong axial emphasis, which would be lost in the planned re-orientation – particularly as a result of the glazed barrier between Nave and Chancel, the 90° re-direction of the focus of worship, the seating plan and the treatment of flooring and other surfaces;
 - d. The fine and elegant tracery window in the North wall of the North Transept would be lost.
9. By a letter dated 24th October 2014 the Victorian Society continued to express its strong objections to the scheme, lack of resources, however, prevented the society from becoming a formal objector. The Victorian Society, which fully endorses the objections made by EH, relies upon the objections that it first made to the scheme in a letter dated 4th July 2012. That letter describes the scheme as ‘breathhtakingly insensitive to the existing building’. The cumulative effect of the individual changes are said to substantially erase the existing character of the interior of the church, which is an important example of Victorian church architecture in the city and which, as a building in its own right, has significant merits. Detailed observations are made as to the key elements of the scheme. In particular it is argued that by glazing the nave arch, the chancel will be cut off from the rest of the church and the resulting space dismembered from the main body of the building.
10. The Revd Tim Smith, Vicar of St Jude’s, responded in detail to the objections of EH and the Victorian Society by letter dated 8th November 2014 in which he stressed the commitment of the church community at St Jude to move forward by developing the church building by establishing a new narrative for the building, whilst taking care not to destroy the old narrative by the deployment of glass screens. Detailed responses are given with respect to each element of the scheme. The core decision to re-orientate the central worship area is justified by the creation of a space which will be both more intimate and less austere.
11. A feature of the submissions made by the Petitioners, EH and the Victorian Society is that all seem to agree that, in contrast to the consultation with the DAC, there was a lack of engagement between the church and the two heritage bodies at the early

stages of the development of the scheme, with the result that the current detailed stand-off has become established only after the parish has spent a deal of time, thought, prayer and money in developing its full proposals. Each side is, to a degree, critical of the other for allowing this state of affairs to become established. In that regard it was therefore welcome that EH suggested a meeting with the Petitioners in November 2014, notwithstanding that the court process was by then almost complete. The meeting took place on 19th November and EH set out its views in the light of having seen the church and discussed the plans in a letter dated 24th November. The visit reaffirmed the view that an alternative scheme could provide the needed facilities but without eroding the special interest of the building to the degree that is currently proposed. EH, however, identified three specific areas of primary concern which, if addressed, would lessen their concerns to such a degree that they would not wish to pursue them to a full court hearing. The three identified areas are:

- i. The substantial margin of infill that is planned between the outer edge of the glazed screen across the Chancel Arch and the surrounding stonework of the arch itself;
- ii. The loss of or compromise of the tracery window in the North Transept;
- iii. The proposed use of the Chancel space as a café.

12. This letter from EH prompted a full response, on the same date, from Revd Tim Smith in which, having recorded his welcome for the fact that, albeit late in the day, a meeting had taken place, he sets out the case for the Petitioners with respect to the three identified areas of primary concern. With respect to (iii), the use of the Chancel, he provided reassurance that the primary use of the area created by enclosing the Chancel is to establish the main circulation space at the centre of the site, which would only be used as a café on certain occasions. The space, apart from simply being the 'welcome area' and circulation space, would also be used for small weddings, small funerals, prayer meetings, discipleship groups, quiet times, training courses and other meetings. The parish, however, maintained its position with respect to (i) and (ii). I will summarise the arguments on each side in due course.

13. On 2nd February 2015, having read the material that arose from the November meeting, I maintained the view that the Petition was contested and that it was necessary to hold a short Directions Hearing in the church attended by representatives of the Petitioners and EH. At the same time the observations of the parties were sought under Rule 13.1 on the need for a full oral court hearing.
14. The directions hearing took place on 21st March 2015 at St Jude’s Church. I wish to record my appreciation to all involved for facilitating a process over the course of an hour during which I am confident that I heard from and fully understood the scheme as a whole and the arguments for and against the main areas of contention. Both parties having indicated that they are content for the Court to determine the issues on the basis of the very full written submissions that have been made, it now falls to me to come to a decision on these matters.

The scheme as a whole

15. The Court of Arches has suggested the following guidelines in *St Alkmund, Duffield* [2013] Fam 158 as being relevant when considering a major church reordering scheme [paragraph 87] albeit that a chancellor is engaged ‘on what is essentially a balancing exercise’:
 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 (see *Peek v Trower* (1881) 7 PD 21, 26-8, and the review of the case-law by Chancellor Bursell QC in *In re St Mary’s, White Waltham* (No 2) [2010] PTSR 1689 at para 11). Questions 3, 4 and 5 do not arise.
 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 (see *St Luke, Maidstone* at p.8), 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), 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.”

16. The judgment in *St Alkmund's* case makes it plain that ‘harm to the significance of the church as a building’ is a matter that requires the court first to identify what is the special architectural character and historic interest of the particular church, before going on to consider whether there will be an overall adverse effect on the building by reason of the proposed change [paragraph 52].
17. The Grade II listing citation for St Jude’s notes the ‘large geometrical traceried windows to the gable ends of chancel, transepts and nave’ and, with respect to the interior the following only is noted: ‘corbels and capitals all carved by Hems. Fittings: choir stalls by Hems. Stained glass: patterned leading by Fouracre & Sons; S aisle window 1895 with figures by the same firm.’ [‘Hems’ is Harry Hems, an architectural and ecclesiastical sculptor, of predominantly Gothic style, whose main base was in Exeter].
18. The Petitioners (in the Statement of Significance) aver that most of the proposed works will have little permanent effect on any areas of significance, save with respect to the removal of the tracery window from the North Transept.
19. The Victorian Society [letter 4th July 2012] describe St Jude’s as ‘one of the better survivals [of Victorian churches in Plymouth], making it arguably more deserving of protection than a more splendid church elsewhere’. The Society draws attention to the church’s merits as being ‘a bright, well-proportioned space, featuring a chancel with a fine East window and reredos, coloured tiling in the nave aisle, and beautifully carved capitals to its columns’.

20. By its letter of 10th April, EH stresses the need for an understanding of the significance of the building so that any proposed changes may be undertaken without harm and with an eye to what sensitivities need to be taken into account. EH considers that the Statement of Significance lacks any analytical assessment of the impact of the proposed changes on the building's significance. EH therefore urges a re-consideration of the scheme.

21. In its formal 'Particulars of Objection' dated 22nd October 2014 EH describes the significance of the building as follows:

'St Jude is a fine example of a gothic church by the prolific Plymouth architect, James Hind. Built in a single phase in 1875-6; it retains an attractive harmonious quality that contributes to its prominence as a landmark building within the community.

The interior has a strong axial emphasis with notable local craftsmen contributing to create a high quality well preserved interior. Elements of the church retain influences from the Oxford Movement, such as the reredos and the stained glass. Although some of the fittings may not hold specifically high value in themselves, they all contribute to the overall homogenous individual quality of this gothic church interior.'

22. Both EH and the Victorian Society consider that the building was designed to have an East/West alignment and the proposed change to North facing worship will dramatically affect the building's character. EH considers that the proposals 'will have a substantial impact on the overall architectural design of the space as well as jarring with the strong east-west emphasis of the building' and that 'the external impact on the significance of the church is the loss of a fine and elegant tracery window, which will break the elegant cohesive appearance of this fine Victorian church.'

23. Whilst it accepts that the pews do not look particularly distinguished, the Victorian Society considers that they provide structure and their loss will affect the character of the building.

24. To answer these central points, throughout the documentation the Petitioners have been plain that a principle driver for this scheme has been for the church to be able to utilise the space available at the site of the Upper Hall, a separate building which lies just beyond the East window. The position of this space, and the need to draw it in and connect it with the main church building dictates that the entrance to the resulting complex needs to be towards the East end of the church, rather than the West end where the main entrance is currently located. As Revd Tim Smith states, the Petitioners ‘have no “desire” to move the entrance for any reason other than it’s the only way the site will work. If the Church’s spatial characteristics are retained with its entrance at the West End then there is no possibility of utilising an existing adjoining building, the Upper Hall, to improve the facilities’. Once it is accepted that the new entrance needs to be at the East end, Revd Smith argues that it is simply naïve to contemplate retaining the current liturgical alignment; he says ‘liturgical realignment is necessary once the decision is taken to move the entrance’. From the decision about the entrance many of the other details of the scheme have flowed; for example, the need to rationalise the floor levels around the Chancel, the orientation for worship and the glazed screens.
25. Although the position of EH following the meeting in November 2014 has altered so that if the three specific areas of primary concern (chancel arch infill, North transept window and ‘café’ use of chancel) are addressed they would not wish to pursue their overall objection to the scheme to a full court hearing, it remains necessary for the court itself to engage with an overall appraisal of the significance of the church building as a whole and consider, in the context of the *St Alkmund* guidance, whether what is proposed will result in harm to the significance of the church as a building of special architectural or historic interest.
26. The starting point must be that this is a Grade II listed building. A Grade II listing indicates that this is a building of special interest, in contrast, on the one hand, to an unlisted building (which may lack ‘special interest’ warranting every effort to preserve

- it) and, on the other hand, to a ‘particularly important building’ of more than special interest (Grade II*) or a building of ‘exceptional interest’ (Grade I).
27. The first *St Alkmund* question is ‘would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historic interest?’
28. In this regard it is the case that, with the important exception of the tracery window in the North Transept, the proposed changes will not alter the external appearance of the church, which will remain a prominent Victorian landmark within the surrounding community. It is also the case that the interior embellishments by Hems and others, the stained glass windows and other architectural features will remain. What will change are the orientation of the internal layout and the architectural flow from the Nave up to the Chancel and East window. These features will be replaced by a radically different layout and by the separation of the Nave space from the Chancel and East end. EH and the Victorian Society regard these changes as harmful to the significance of the building. The Petitioners disagree and believe that, despite the radical nature of the internal reorientation, the features that make this building significant will be preserved.
29. I do not regard the resolution of the dispute between the parties on this point to be an easy task. On the one hand the Petitioners are correct that almost all of the features mentioned in the Listing citation are to be preserved. However, the fact that the internal orientation and unified architectural scheme are not expressly mentioned in the citation should not be surprising as such matters are almost a ‘given’ in the context of churches, certainly of this age, and may not require spelling out as factors of significance.
30. Having given this matter much thought, my conclusion is that the special architectural character and historic interest of this church does not turn on the orientation of the worship space in the Nave or the preservation of full architectural unity between the Nave and Chancel. The special interest is in the building as a

whole, being a good example of a Plymouth Victorian parish church, and in the architectural flourishes provided by the tracery windows, stained glass windows, corbels, capitals and other features typical of that period. The building itself and all of these features, with the important exception of the tracery window, are to be maintained and will remain on view. I do not regard the proposed removal of the North Transept tracery window, if permitted, to be so significant as to cause harm to the significance of the church building as a whole. Neither do I regard the proposed re-orientation and glazed partition between Nave and Chancel to be changes that impact upon this church as a building of special architectural or historic interest. In some respects the changed orientation may in fact re-focus in a positive manner on some features, rather than detract from them. Although the current traditional orientation and internal integrity of the building were obviously at the core of the architect's concept for this church, I do not regard these changes, which do not remove or alter any of the key architectural features of the church (save, as is proposed, for the North Transept window), as causing harm to the architectural/historical significance of the building.

31. I therefore conclude that the answer to the first *St Alkmund* question with respect to these proposals is 'no', with the consequence that the ordinary presumption 'in favour of things as they stand' applies, but can be rebutted if the proposed scheme is seen to have sufficient merit.

32. The reasons put forward by the Petitioners as to the 'need' for a radical reordering are very largely accepted by EH, whose case is that the looked for facilities may be achieved by less radical means. It is not necessary for me to descend to detail on the question of need. The Petitioners have made a strong case, which has been accepted by the DAC and which has not generated any opposition locally, for the opening up of this church and its surrounding buildings to a more flexible use both for worship and more widely based community use. I too accept that the case on 'need' is fully made out.

33. Going further, I consider that the presumption in favour of things as they stand is rebutted in this case on the basis explained by the Petitioners that I have summarised at paragraph 24 above. The key to the proposals is the integration of the space available at the Upper Hall site into the church building. Once that is accepted as necessary, which I accept that it is, the whole orientation of the building changes so that Chancel becomes its fulcrum as opposed to its architectural climax. Those visiting the new complex in order to gain access to the Upper Hall site will not be well served by entering at the West end. To maintain separate entrances to the Upper Hall building and at the West end would substantially thwart the aim of drawing both buildings into one unified complex. As a result I accept that the main entrance has to be, as proposed, directly into the Chancel area from the North Transept. From this core decision, as the Petitioners argue, all of the other less significant, but nevertheless important, changes flow; the glazing of Chancel arch being one of the most prominent.
34. EH have made helpful and well reasoned proposals of alternatives to certain aspects of the detail of the scheme. The alternative proposals to which they refer as providing a less intrusive option than the Petitioner's scheme, do not, however, suggest an alternative to the core proposal regarding the move of entrance from the West end to a central point feeding into the Chancel space.
35. In short, I would answer the second *St Alkmund* question in favour of the proposed scheme on the basis that the ordinary presumption against change is readily rebutted in this case by the recognised need for change and the internal logic that flows from the sensible proposal to bring the Upper Hall into full use as part of the newly created complex.
36. In the circumstances it is not necessary for me, in the context of considering the scheme as a whole, to give detailed consideration to questions 4 and 5 in the *St Alkmund* decision. For the sake of completeness, however, I should record that if, contrary to my conclusion on question 1, I had concluded that the proposals would result in harm to the architectural and/or historical interest of this church, I would

have concluded that there is a clear and convincing justification here for these changes (question 4) for the reasons that I have given at paragraphs 31 to 34 above. I would have also answered question 5 in favour of the proposals on the basis that the degree of 'harm' is not at the 'serious' end of spectrum and that this is, in any event, a Grade II building so that the need for exceptionality would not be in play as it would in a Grade 1 or 2* listing even if the harm were 'serious'.

37. In conclusion with respect to consideration of the scheme as a whole, and having undertaken the required balancing exercise in the manner required by the *St Alkmund* decision, I am sufficiently persuaded by the Petitioners' case on need and the internal logic of the proposed scheme to approve the overall design concept.

38. It therefore remains to consider the two important aspects of detail, namely the extent of the unglazed portion of the proposed Chancel Arch screen and the removal of the North Transept tracery window, which formed much of the focus of the directions hearing.

Surround to glazed Chancel Arch screen

39. In the light of my decision to approve the overall scheme, subject to the remaining details, the principle of floor-to-ceiling glazing in the Chancel Arch is established; the remaining question relates not to the glazed area but to the unglazed plaster margin that is proposed between the glass and the arch. The margin, which is to run around the inner edge of the whole arch, will be about 1 metre wide and is intended to reflect a similar border that runs in the same eye-line around the stained glass window at the East end of the church. In addition to matching the East window border, the margin is intended to reduce the Chancel arch glazed area to the same size as the other three new glazed screens.

40. EH contend that the margin is not necessary and its presence will restrict the view from the Nave up to the Chancel and the East window in a manner which accentuates the division that will be created by glazing the arch, thereby compounding the 'dislocation' of the current integrity of the building as a whole.

41. I was advised that, whilst internally the margin, which is hollow, will contain the structural members necessary to support the glass, it is possible for the whole space to be glazed (without a margin). The Petitioners estimate that to remove the margin and glaze the whole space will add something of the order of £25,000 to the cost of the project.
42. Whilst, in the end, the choice to be made is to an extent a matter of aesthetics, the arguments put forward by EH go back to basic principles and, in my view, are well made. St Jude's is a lovely, wide and light church. Although this decision will sanction a radical reordering, there is a need, where possible, to preserve the current 'wow' factor experienced when standing in the Nave and looking around the internal space and towards the East end. The border around the stained glass window, whilst of the same dimensions as the proposed Chancel arch margin, is serving a different purpose and is part of the outer wall, the end of the view, as opposed to an internal feature. The original architects did not consider that the Chancel arch should be reduced or have an internal rim in order to reflect the East window; to the contrary the Nave arches lead the eye to the East window. I was struck by the helpful attempt to show the scale of the margin during the directions hearing; a 1 m band around the whole arch will intrude to a marked degree on the current opening. I consider that the proposed Chancel margin will unnecessarily restrict the view from the Nave up to the Chancel. Its inclusion is not, in my view, sufficiently justified either by a perceived need to mirror the East end wall or the other new glazed panels. The increased costs are, of course, a factor, but in a scheme which is due to run to some £900,000 the additional cost is not, itself, sufficient reason to cut down the size of the glazed area.
43. My conclusion on this point therefore is to grant permission for the Chancel arch to be glazed, but on condition that the glazing occupies the entire space within the arch without any substantial margin. I appreciate that there will now be a need for redesign of the interface between glass and arch with, inevitably, some form of buffer/mounting to secure the glass in place. Such detail must be the subject of

consultation with the DAC, EH and the Victorian Society. If all are agreed I am content for this detail to proceed in accordance with any provisos required by the DAC. In the event of disagreement as to detail, then the matter will have to be returned to me for further consideration.

North Transept tracery window

44. A key consequence of the decision to move the main entrance to the church from the West end to the area around the transepts and chancel is that a new entrance must be punched into the current outer walls in that location. Given its proximity to the main road, the architects have, understandably, proposed that the new doorway should be in the North face of the North Transept with the consequence that part or the entire tracery window will require removal. The current plans provide for the entire window to be removed and replaced with a glazed screen, within which the new entrance door will sit. The perspective from outside the building will therefore include a sightline across the Chancel, at right angles to the Nave, and through to the upper part of the tracery window on the South face of the South transept.
45. EH, which accepts the principle of a new entrance at this location, considers that it could be executed in a manner that minimises loss of historic fabric, and is more harmonious to the attractive, and largely unaltered, church exterior. EH regards the North Transept tracery window as one of the most attractive and notable elements of the North façade of the building which, because of its orientation with respect to the road, is the side that is most on view. Internally it forms a balancing feature with its companion in the South transept.
46. EH propose that the entrance door could be accommodated either entirely below the cill of the current window, or by raising that cill to a modest degree. EH points out that this option had been put forward for consideration as part of an earlier design proposal by the parish.
47. In response, Revd Tim Smith points to the positive impact that the proposed new entrance will have when viewed from Beaumont Road if an holistic view is taken of

the whole building within its streetscape. 18 different design options were considered and this one was chosen because of its impact on those passing by and because of the manner in which it allows an observer's eye to be drawn into the building. The DAC and the local planning authority have approved the proposed design. He argues that the design for the new front door was chosen because it was the right one in the setting of the project as a whole and also 'because it demonstrates that the church has a new interior and a new entrance, for a local population who have known it [the entrance] elsewhere, at the East End for the last 140 years'. In short: it is a clear statement demonstrating the change and renewal that is to take place inside the building.

48. Revd Tim Smith points out that, whilst it is correct that the EH proposal was one of the 18 proposals originally considered, it was rejected for a number of practical reasons. The current cill would not leave sufficient height for a doorway. If the cill were raised, the proportions of the window would be changed and the result would not be aesthetically sound. On a yet more practical level, sadly, St Jude's has been subjected to vandalism with the consequence that all of the glass in the tracery window is now covered in heavy metal grilling, which, whilst not detracting from look of the stonework externally, within the church the result reduces the amount of light quite markedly (as was evident on the day of my visit).

49. At the directions hearing the representatives of EH stressed that, whilst EH was unhappy about the radical internal changes, the proposed removal of the tracery window was one of the two critical aspects of the project over which they felt most strongly. They questioned whether it was really necessary to remove the window and pointed to the symmetry of design that currently exists between the tracery in the North and South transepts. Revd Tim Smith argued, in line with his earlier written submissions, that there was a need for there to be as much glass as possible at the entrance into order to draw the eye into the building itself and to make a real statement that this is a building that has changed. I was also told that the respected architect member of the DAC, Sue Spackman, had observed that to insert a modern

door beneath the tracery window would create a pastiche which was neither one design nor another.

50. I found the visit to St Jude's to be of great benefit in the context of coming to a decision over this important element of the scheme. Fortunately the weather was clement and it was possible to spend time looking at the tracery window from the road and judging its impact inside the building on a relatively sunny day. Seeing the scale of the space that would be left for an entrance door if the current plan were trimmed back so as to preserve most of the tracery window also assisted me.
51. The starting point of both parties is that it is accepted that a new main entrance to the building must be created in the North face of the North Transept. All other points have to be considered in that context.
52. The tracery windows are significant elements in the overall design of this church and are expressly cited in the Listing. Whilst good, they are, however, not suggested to be particularly fine or noteworthy in their own right in this Grade II building. The removal of this tracery window would leave the South Transept window still in place.
53. Of the arguments made with respect to the window, I consider that the Petitioners submission to the effect that the proposed design of entrance is the right entrance arrangement for the scheme taken as a whole is of particular weight. I also consider that there is much in the point that the proposed new entrance will catch the eye of the community and make a real statement as to the drive for change and renewal that is taking place inside the building and within the worshipping congregation there. Finally, I am in agreement with the reported observation of Sue Spackman; if the current dimensions of the window were reduced and it came to sit atop a modern glazed door, then the overall architectural integrity of the current window would be substantially compromised.
54. In short, whilst understanding the case for preserving the tracery window in the North Transept, I consider that the case for change in the form of the proposed new

entrance door is made out and the Faculty that will issue will authorise an entrance as proposed by the Petitioners, subject to any relevant DAC provisos.

Lessons for the future

55. Before leaving this case, all who were gathered at the directions hearing agreed that, whatever the rights and wrongs of what had transpired during the period of consultation and development of this scheme, there may well be benefit in the parties coming together once all matters are settled to see if any lessons for the future may be identified so that earlier and more effective communication can take place than has been the case here. I would very much encourage such a process and would invite the Diocesan Registrar to call a meeting to be attended by Revd Tim Smith and representatives of the DAC and EH to look back at the process with respect to St Jude's in this regard. It may well be that others could be included in the meeting and my list is not intended to be prescriptive. One option to consider is whether there should be a requirement in larger projects for there to be a more formal engagement with EH at an early stage. Another option is to consider whether some form of 'outline planning permission' might be considered in a large project so that views can be sought and, if necessary, a determination made, at an early stage and before plans become embedded and substantial professional costs are incurred.

CONCLUSION

56. For the reasons that I have now given, I make the following directions:

Let a Faculty be issued in the terms of the Petition, but subject to the following conditions:

- i. Each proviso in the DAC Notice must be satisfied;
- ii. Permission for the glazing of the Chancel Arch is subject to amendment of the present scheme to remove the proposed margin;
- iii. The detail of the revised specification for the Chancel Arch screen is to be approved by the DAC, EH and the Victorian Society, or, in default of agreement, further order of this court.

The Rt Hon. Sir Andrew McFarlane
Chancellor of the Diocese of Exeter

21st April 2015