

In the Consistory Court of the Diocese of Salisbury

**In the Matter of the Abbey Church of
St Mary the Virgin, Sherborne**

Judgment

1. The Abbey Church of St Mary the Virgin in Sherborne ('the abbey') has a long and fascinating history. The site has been a place of worship since at least the early eighth century when the first Saxon cathedral was built under the direction of Aldhelm of Malmesbury, the first Bishop of Sherborne. In the tenth century that cathedral also became the heart of a Benedictine monastic community. In the eleventh century the second Saxon cathedral was built slightly to the east of the original one and it is this which forms the oldest parts of the abbey church we see today. In the mid-fourteenth century the parish church of All Hallows was built to the west of the abbey for the use of the townsfolk, reflecting tensions between the abbey and the town. Those tensions culminated in a catastrophic fire caused by a burning arrow shot by the priest of All Hallows church into the abbey roof in 1437, the effects of which can still be seen in the red hue to the abbey stonework today. After the Dissolution of the monasteries, All Hallows church, being in a ruinous state, was pulled down and the abbey has been the parish church since that time.
2. After a period of post-Reformation austerity, the abbey fell into a gradual state of disrepair and eventually was subject to significant schemes of restoration in the mid- and late-nineteenth century. Further changes were made when the Lady Chapel at the east end of the church was reacquired from Sherborne School (which occupies the adjacent site of the former monastery) in 1920 and it was restored and extended. There has been an ongoing process of improvement and repair into the twentieth and twenty-first centuries, not least the installation of the Great West Window in 1997.
3. As will be apparent from the above, the abbey has had a crucial role in the liturgical, social and civic life of the town of Sherborne for many centuries. That role continues. The abbey is by far the largest church in the town and surrounding area and hosts many large liturgical, school, social and civic events, including the annual Sherborne Abbey Festival, the opening concert of which plays host to over 800 people. Sunday services have a regular congregation of around 200 people. In addition, the abbey attracts some fifty thousand visitors each year both for organised trips and events and those who simply call in to enjoy the peace, beauty and history of the place.
4. This petition concerns a significant scheme of re-ordering which has been in preparation for a number of years. The proposal is to convert the existing two-storey vestry space in the north-east corner of the church to toilets; the

consequential creation of a new vestry space in the north transept and adjacent Wykeham Chapel; the consequential relocation of the significant Horsey Monument from the Wykeham Chapel into the north quire aisle; the introduction of a hospitality unit for the provision of tea and coffee after services into the Lady Chapel; improvements to accessibility; and confirmation of the introduction of a large statue of the Madonna into the Lady Chapel.

5. This petition has, of course, been the subject of wide consultation and public notice over an extended period. Various concerns and objections were raised and initially both the Victorian Society and a local objector took party status in the proceedings. With my permission, a further local objector took party status later in proceedings. Directions were given to progress matters. Adjournments were granted to enable ongoing discussions and engagement with the objectors. This resulted in amended proposals to address some of the concerns which had been raised. I directed that a renewed round of consultation should take place in light of the amended proposals and ultimately the Victorian Society withdrew its objections in light of the amendments made by the petitioners.
6. Having invited representations from the parties about whether this matter should be determined on the basis of written representations or whether a hearing should be held, I directed that the matter would be determined on the basis of written representations but that I would undertake an inspection visit to better understand the physical context of the proposals and the objections. The inspection took place on 12 November 2025 with the parties in attendance. At that visit I inspected all of the affected parts of the abbey including the north transept, the Wykeham Chapel, the Lady Chapel and the current vestry spaces. I also inspected a proposed earlier site for the intended facilities outside the west end of the abbey ('the All Hallows site'), the Abbey Close with its cottages, St Johns' Almshouse which sits at the entrance to the Abbey Close and the nearby Digby Memorial Hall. Each of these locations had been considered or suggested as possible alternative locations for the provision of the facilities which this petition seeks to establish. I am grateful to all of the parties for their assistance and patience in ensuring that I could obtain a clear understanding of the various options and proposals which have been considered in this case.

Advice and objections

Diocesan Advisory Committee

7. The Diocesan Advisory Committee has been involved in the progress of this proposal for more than two years. Their involvement resulted in a Notification of Advice dated November 2024 which recommends the approval of the works subject to a proviso that further work be undertaken in relation to the design of the carrel in the proposed new vestry screen in the north transept in order to lower the visual impact of the screen. That further work has been undertaken and has resulted in the removal of the carrel from the proposed vestry screen and its replacement with more modest oriel.

The Church Buildings Council

8. The CBC has visited the abbey on more than one occasion in order properly to understand the proposals. After having been reconsulted in light of the amended proposals in August of this year the Council confirmed its support of

the proposals subject to advice in relation to a review of the design of the vestry screen which it asks that I take into account.

The Victorian Society

9. The Victorian Society attended two site visits at the abbey and, as mentioned above, it initially took party status in these proceedings. Their significant concerns centred principally around the impact of the proposed new vestry upon the setting of the fine organ loft designed by R C Carpenter and installed in 1856. It expressed concerns about the proposed loss of the spiral staircase in the north-west corner of the north transept and the design of the screen which was proposed to enclose the new vestry. After ongoing discussions with the petitioners and reviewing amended proposals the Victorian Society has withdrawn its objections to the petition.

Local objectors

10. In response to the public notices, the Registry received four letters of objection from local residents and members of the worshipping community. I am quite satisfied that each of those who wrote to the Registry is an “interested person” for the purposes of rule 10.1 of the Faculty Jurisdiction Rules 2015. Two of them have chosen to take party status in these proceedings. The remainder ask that I take their representations into account.
11. These objections are wide and varied in their nature and I have considered them carefully. I trust I do them no injustice in summarising the key objections in this way. Broadly speaking, the objectors accept the need for additional toilet facilities for the abbey. Nevertheless, they raise significant concerns about the substantial cost of the proposed works, querying whether it is appropriate or necessary to spend such significant sums on the project given the other calls on the abbey’s financial resources. It is suggested that alternative locations could be used to provide the necessary facilities, including the Abbey Tea Rooms in St Johns’ Almshouse, two cottages owned by the abbey in the Abbey Close and the nearby Digby Memorial Hall. Both of the parties opponent have argued that a more appropriate alternative for the provision of the toilet facilities would be the pursuit of an option which had been previously considered and then rejected – namely the building of an extension on the All Hallows site.
12. The parties opponent have also raised concerns about the introduction of a hospitality unit in the Lady Chapel and the impact it may have on the nature of the chapel as a space for worship and have raised concerns about the finish and design of the vestry screen.

Other statutory consultees

13. Other bodies have been consulted in relation to the proposed works. Some concerns have, at times, been raised but after these bodies were reconsulted after the amendments to the proposals many of those concerns were withdrawn. The local planning authority, Historic Buildings and Places and the Georgian Group have no comment to make. The Society for the Protection of Ancient Buildings has expressed some concerns but defers to the views of the Victorian Society as those concerns substantially relate to the impact of the new vestry on the Victorian organ loft. Historic England has expressed concerns about the

positioning and design of the new vestry screen and has no further comments to make in response to the amended proposals.

14. In determining this petition I have had regard to all of the representations made by the various people and bodies who have been engaged with the consultation and Public Notices.

The law

15. These proposed changes must be determined by reference to what have become known as the *Duffield* Questions – so called as a result of having been first articulated in the Court of Arches decision of *Re St Alkmund, Duffield* [2013] Fam 158 at paragraph 87 of that judgment. In that case the court suggested Chancellors should approach cases of this sort by addressing the following questions:

“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, 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 questions have been refined further by the Court of Arches in *Re St John the Baptist, Penshurst* (Court of Arches, 9 March 2015) which requires a careful assessment of the special significance of the building before answering the *Duffield* questions.

The special significance of the building

17. The inspection visit to Sherborne Abbey on 12 November was not my first visit to the abbey as I have previously been to the church as a visitor. I am familiar with the building.

18. As well as a substantial Statement of Significance for the abbey, the petitioners rely upon specific Heritage Statements assessing the significance of the two areas principally affected by these proposals – the north transept (and adjacent Wykeham Chapel) and the current vestry area. These documents were commissioned from a doctoral student at Exeter University and are very detailed, painting vivid images of the abbey and its special architectural and historic interest. I have found them extremely useful in assessing the special significance of the building generally and the affected areas in particular. The abbey is, of course, Grade I listed and therefore of the highest significance. I have set out something of its fascinating history in the earlier paragraphs of this judgment. It is a remarkably harmonious example of architectural styles from the eleventh through to the twentieth centuries.

19. The historical and archaeological significance of the current vestry area is set out in detail in a specific Heritage Statement produced for the petitioners. The vestry area consists of the ground and first floor levels in the north-east corner of the abbey. There is also a second floor which houses the abbey library and which is unaffected by these proposals. The area is bounded directly by the Lady Chapel to the south. Immediately outside the vestry area to the west are the coffins and presumed remains of two Saxon kings, Aethelbald and Aethelberht which were moved to this location sometime in the late nineteenth or early twentieth century. Structurally, this part of the building dates back to at least the early seventeenth century, although the oak screens which enclose the area within the abbey are associated with the restoration of the Lady Chapel in the 1920s when this area of the abbey was returned to abbey use having previously served as part of the headmaster's accommodation for the adjacent Sherborne School. The fittings and stairs of these two floors of the vestry are relatively modern and of low significance.

20. The north transept and its small square eastern chapel – known as the Wykeham Chapel – are the proposed location for the new vestry. The significance of this area is set out in two Heritage Statements – one (which has been amended/updated) addressing the special significance of the area and one in relation to the pews which currently occupy that area. The transept itself is dominated by the first-floor organ and organ loft designed by RC Carpenter in the nineteenth century. The loft and organ case are of dark timber and is supported by timber pillars topped by carved angel capitals. The organ loft and case are ornate and beautifully carved. The loft includes a substantial overhang into the north aisle. It is accessed by a Victorian spiral staircase in the north-west corner of the transept. Beneath the first-floor loft sits what remains of a set of 1850s pews which was part of a wider re-ordering scheme from that period, but they are much changed from that original scheme.

21. The Wykeham Chapel is a small space tucked away to the east of the north transept. It contains significant architectural features including Norman fan vaulting and blind arcading. The Horsey Monument dominates the space in the Wykeham Chapel. It commemorates two John Horseys, father and son, the older of whom was responsible for selling the abbey back to the townspeople after the Reformation. The monument partially obscures the north window and the blind arcading in the east wall. It was moved here in the nineteenth century from a much more prominent (though proximate) position in the north transept. It is

believed that the monument may contain the remains of an embalmed body which would need to be subject to special conditions in any faculty granted.

22. Although I have here touched on only a few key areas of the special significance of the abbey, in determining this petition I have also taken careful account of the extensive materials provided to me in order to assess the building's significance as a whole.

Duffield Questions 1 and 3 - would the proposals cause harm to the special significance of the building, and how serious would any such harm be?

23. I am quite satisfied that the conversion of the two floors of the current vestry area to use for toilet facilities would not cause harm to the significance of the abbey. The cupboards and other fittings, including the wooden stair, in this area are relatively modern and of low significance. Their loss would not be harmful. The historic architectural features in this area are not affected by these proposals save that the reversed direction of the new stair would reveal the entirety of the blocked window in the west wall which would, in some small way, have a positive impact. Save for questions of whether toilet facilities of this scale are needed within the abbey itself, no substantial concerns have been raised about the impact of the proposals on the significance of this area.

24. The movement of the sixteenth century Horsey monument to a new location in the north aisle would not be harmful to the significance of either the abbey or the monument. Indeed, I am of the view that it would enhance the significance of the monument. I am very mindful that the monument is not in its original location having been moved at least once in its history. It is believed that the monument was moved in the nineteenth century from a far more conspicuous location in the north transept where it would have been prominently displayed at the centre of the abbey to all who visited. The monument is large and currently heavily dominates the space in the Wykeham Chapel. It gives the impression of having been tucked away out of sight in a way which is not at all in keeping with its grand scale and elaborate detailing. The new location in the north aisle will make the monument much more visible to those who visit the abbey and will better reflect the importance of the monument both historically and architecturally in terms of its part in the story of the abbey. Those descendants of the Sir John Horseys commemorated who could be traced have indicated that they are content with the proposed relocation.

25. The changes to the Lady Chapel, namely the introduction of the hospitality unit and the retention of the statue of the Madonna are said to harm the significance of this area only in so far as the introduction of a hospitality unit into this chapel would impact its nature and atmosphere as a worship space. No significant historic fabric will be lost and the works are reversible. The hospitality unit proposed is a modest bespoke and carefully designed piece which, when the cover is down, will look like an attractive and subordinate piece of furniture. Given the layout of the chapel and its points of access and egress, the hospitality unit would unavoidably sit fairly close to the focal east end of the chapel, but I am satisfied that any harm caused by the introduction of the unit would only be very slight.

26. Though there have been unspecific suggestions made that the Madonna statue is not loved by all visitors and congregants, there has been no significant objection

to the retention of the Madonna statue within the Lady Chapel. It was apparently donated anonymously some time ago and appears to be a piece of some age and quality. I am satisfied that its retention in the Lady Chapel would not cause harm to the significance of the abbey or the chapel. Equally the changes to improve accessibility would not cause harm.

27. The most contentious element of the proposed scheme is the introduction of the new vestry area under the organ loft in the north transept and the adjoining Wykeham Chapel. These works include the replacement of the Victorian spiral staircase with a straight stair to access the organ and the insertion of the necessary screen beneath the organ loft to partition the new vestry area from the main body of the abbey. There have been numerous concerns raised about this part of the proposal by various of the bodies consulted. Of particular concern have been three elements, namely the loss of the spiral staircase; the location of the new vestry screen; and the design of that screen.
28. Having considered the representations made I am satisfied that the changes to the north transept by the creation of this new vestry space would cause harm to the special significance of the abbey. The loss of the spiral staircase would be harmful. The previously open space of the transept will be enclosed and the enclosing screen would detract to some degree from the prominence of the significant organ and organ loft. The pews beneath the organ loft would be lost.
29. I would categorise the harm caused by these changes to the special significance of the abbey as less than substantial. The loss of the north transept pews causes only limited harm. Though the pews are attractive and in good condition, they represent only a small part of a substantial nineteenth century seating scheme, much of which remains in the abbey. The north transept pews have also been subject to repeated adaptation and adjustment since their introduction and represent only a distorted form of their original pattern. The removal of the spiral staircase represents the loss of part of the original RC Carpenter scheme, although all other elements of the scheme are retained. The locating of the screen in front of (rather than behind) the support pillars causes some harm, albeit that is mitigated by the creation of a large glass clerestory at the top of the new screen which will ensure the continued visibility of the angel corbels¹ and a visual separation between the organ loft and the new screen.
30. As far as the design of the new vestry screen is concerned, this has been a source of substantial debate and differing advice. The petitioners have sought to redesign the screen several times to address the concerns raised by the consultees, including commissioning new designs from two additional designers. The resultant design is expressly intended to be subordinate to and limit distraction from fine organ loft and casing above. The petitioners have removed the intended substantial carrel which protruded into the north aisle and have replaced it with a much more modest oriel. They now seek permission for a screen which is stained to a darker colour in keeping with the timber of the organ loft. These amendments have been sufficient to enable the Victorian Society to withdraw its objections and stand down from party status in the proceedings, albeit with some remaining reservations about the small oriel.

¹ I note the intended uplighting will highlight the angel corbels. This will make them much more visible compared to the current arrangement which leaves them difficult to make out against a poorly lit dark ceiling.

31. Overall, although some harm will be caused to the special significance of the abbey by the proposed works, I am satisfied that that would be no more than low to moderate harm, caused principally to the north transept area.

Duffield Question 4 – How clear and convincing is the justification for the carrying out of the works?

32. It is the petitioners' case that these works are necessary to make the abbey sufficiently user-friendly for its regular users and more occasional visitors. The works seek to make adequate toilet provision within the abbey; improve accessibility, especially for those with physical constraints; and improve the ability to offer hospitality both to regular users and to visitors. The abbey is a busy church. It is used regularly and often for a number of purposes alongside the approximately 80 worship services held there each month. Those uses include choir rehearsals and concerts; other concerts and events by visiting groups; the annual music festival; school services and visits; bell-ringing; and approximately 50,000 annual visitors served by a large team of volunteer guides and welcomers. All of this activity requires significant administrative and operative support and a building which will meet the needs of those who use it.

33. Dealing firstly with the justification for the increased toilet facilities, the proposed new toilet block will include sufficient facilities for most day-to-day purposes on the ground floor of the current vestry space with four additional toilets provided on the first floor for use during large events. Such large events often include several hundred people². I am quite satisfied that the current two staff toilets are inadequate for the abbey's needs. There seems to be substantial consensus on this point.

34. Whereas it might be said to be relatively unusual to locate toilet facilities at the east of a church, the current vestry in the abbey provides an appropriate location for toilet facilities within the abbey. The aisles and ambulatory provide clear separation and privacy for the toilets away from the worship space. At a practical but important level the mains sewer access for the building is located immediately outside this location. The ability to immediately join the facilities to the mains sewer is a significant factor given the particularly sensitive archaeological setting of the abbey.

35. The creation of a new vestry in an alternative location within the abbey is a necessary corollary of creating toilets in the current vestry space. As made clear above, the abbey is a busy church. There are usually at least two vergers on duty whilst the abbey is open. Volunteer guides also use the vestry space along with clergy and others. It provides substantial ancillary storage space. The vestry space is vital to the smooth operational running of the building.

36. Various options were considered by the petitioners as possible locations for a new vestry. Significantly, Bishop Roger's Chapel (which sits to the east of the Wykeham Chapel and is used as the choir vestry with all its necessary storage space) was considered as a possible location for the new vestry. The possibility of the introduction of a mezzanine floor to ensure adequate working and

² For example, at the opening concert of this year's annual music festival the abbey hosted around 880 people.

storage space was canvassed. On my inspection visit Bishop Roger's Chapel was seen to be a space which was likely already rather cramped for the substantial choir use it accommodates. The walls are completely covered in historic wall memorials and the introduction of a mezzanine floor would be complex and potentially harmful. The amount of space needed for the choir for robing and storing music and robes is considerable. To move the vestry into this already busy space, even with a new mezzanine floor, would not provide adequate space. The petitioners have considered long and hard and concluded that the Wykeham Chapel and north transept are the better location for the vestry.

37. It has been argued that even if the north transept is the better location, the screen should be set behind the organ loft pillars to emphasise the recessive nature of the vestry function and limit harm to the architectural significance of the organ and loft. The petitioners have carefully justified the need to set the screen further south by reference to the space need for the vestry, including the need for it to be fully accessible to wheelchair users (particularly as the current vestry users include a wheelchair user). The accessibility report of Jane Topliss clearly demonstrates how the reduced space from a more northerly screen would render the vestry incapable of meeting the needs of this busy parish.
38. Moving on to the question of the justification for the hospitality unit on the north wall of the Lady Chapel, the petitioners are very clear that it is no part of their plan to provide a commercial teashop or coffee lounge within the abbey itself. The small unit proposed here is intended only to support the provision of refreshments after services, and the occasional service of refreshments on other occasions. The unit would replace the current trolley-based arrangement which is already used after Sunday services in this location.
39. The provision of refreshments to support a time of fellowship either after or before services is a core part of the hospitality offered by many if not most parish churches each Sunday. At the abbey these needs are currently met through a moveable trolley-based arrangement. The new unit will be a smart, modest and bespoke piece of furniture with a cover for the sink etc which will mean that its purpose is not identifiable until the cover is lifted. The improved accessibility to the Lady Chapel, ambulatory and new toilet block is clearly justified.

Duffield Question 5 - Public benefit vs harm

40. One of the principal arguments of the parties opponent and other individual objectors is that it is wrong for the PCC to spend such significant sums of money on this scheme when a more modest scheme would be sufficient with the remaining funds then available to be allocated to meeting other needs.
41. Over the years many chancellors have repeatedly observed that it is for the PCC, as the democratically elected representative body on the parish, to decide how to use the funds at its disposal. As Deputy Chancellor Humphreys said in *Re St Peter, East Bridgford* [2016] ECC S&N 4:

"However, it is the function of the incumbent and PCC to determine the appropriate division of resources between the various competing demands upon them. That money should be spent on Divine Worship and on meeting the needs of the poor is a given. It is foundational to any body that calls

itself Christian. The appropriate balance between these objectives, and others, is to be determined by the incumbent and PCC in accordance with the law. It is no part of a Chancellor's function to second guess that division."

42. There can be no doubt that the cost of these works is substantial, but the PCC has, after careful and detailed consideration, resolved to pursue the proposals and accept the allocation of its available resources to that end. It is not for me to interfere with that decision, particularly in a case where, as here, there has clearly been meticulous and lengthy attention given to the proposed works and their alternatives.

43. Some of the objections raised have been based upon the argument that although the needs identified by the petitioners are legitimate ones, the location and manner in which the petitioners seek to meet those needs are not appropriate. It has been variously said that toilet facilities and any necessary hospitality facilities can be provided other than in the main body of the abbey, including in two of the Abbey Close cottages, the St Johns' Almshouses, the Digby Memorial Hall and a new extension wing on the All Hallows site.

44. When weighing the intended public benefit against the harm which will be caused by the proposed works, I must consider whether a less harmful proposal would achieve the desired benefit. There will almost always be alternative possible solutions when substantial re-orderings are proposed in major churches. As I said in *Re St Peter Mancroft, Norwich* (Norwich Consistory Court, 15 April 2015):

"I am, of course, not enjoined to decide whether the petitioners should be pursuing any of the alternative proposals which have been mooted; rather I am asked to consider whether the merits of *this* petition mean that a faculty should be granted. Nevertheless, one factor in deciding whether to grant a faculty is the question of whether alternative, and potentially less harmful, options have properly been considered by the petitioners."

Essentially, this means that the assessment of whether the petitioners have shown sufficient justification for the proposed works will take account of whether there is an alternative means of clearly meeting the identified needs adequately which manifestly causes less harm.

45. Of course, the petitioners seek permission for the introduction of the required toilet and hospitality facilities within the abbey itself. The parties opponent in particular have said that it would be better, less harmful and less costly to provide those facilities away from the abbey in one (or more) of the ancillary buildings around the Abbey Close or the slightly more distant Digby Memorial Hall. Alternatively, they should be provided in an extension on the All Hallows site.

46. The All Hallows site was initially favoured as a location for all of the facilities but after some pre-formal consultation and further work the petitioners and PCC decided not to pursue that proposal. This was largely due to significant concerns raised in response to the early consultation and the archaeological implications and the risks of being unable to obtain permission for such a large intervention impacting the important west aspect of the abbey.

47. As far as toilet facilities are concerned, the use of the other possible buildings each present some level of obstacle in providing easily accessible facilities to the abbey's many users. The St Johns' Almshouse is particularly limited in what it can offer in that it is not owned by the abbey, but rather rented by a newly formed CIO closely linked to the abbey in order that it may be used as a commercial tearoom and provide other community facilities. The Almshouse is not always open and when it is the relatively limited facilities there must be available for use by customers. An additional safeguarding issue arises from the use of the upstairs space in the Almshouse for the much-anticipated mental health provision for those aged 11 and over. The Digby Hall is less limited in its availability and has more generous toilet provision but requires users to cross the fairly busy town centre Half Moon Street and walk some distance to the hall³. As was clear from my inspection visit, those facilities are not handy nor readily available to users at the abbey. The use of cottages on Abbey Close has been rejected as requiring extensive works and providing inadequate capacity for the facilities.

48. The petitioners argue that it is not acceptable to expect those who are physically vulnerable, either very young or very old to go out and across the Close (or further) to use toilet facilities, especially in the dark or in inclement weather. Such a suggestion is likely to be particularly impracticable during evening performances and events when a large number of people are likely to need to use the toilets at the same time. I agree that there is a significant difference, in terms of the adequacy and attractiveness of the building's facilities, between having toilets within the envelope of the building and requiring visitors to use toilets elsewhere. I accept that there is a need to provide adequate toilet facilities within the abbey itself given the exceptionally high number and variety of people using the building. No real harm will be caused to the significance of the building by the introduction of the toilet facilities in the current vestry area and substantial public benefit will accrue from their introduction.

49. The availability or creation of alternative hospitality facilities outside the abbey is also given as a reason against the introduction of tea and coffee facilities into the Lady Chapel. Concern is expressed that the new unit will essentially turn the sacred space of the Lady Chapel into something akin to a coffee lounge. As well as being used for regular acts of worship, the Lady Chapel is already also used as a space to provide tea and coffee from a trolley when the congregation gathers after services. The petitioners say, and I accept, that that period of fellowship is much valued. The current proposal creates a much more convenient and less untidy arrangement for what is already taking place. I am quite satisfied that there is no intention to commercialise the provision of refreshments in the Lady Chapel and that the chapel will continue to be used regularly for worship. Public tearooms are, of course, already provided in the St Johns' Almshouse, but these provide an entirely different function to the ancillary facilities proposed in the Lady Chapel. Congregants who would not cross the close to the Almshouse for refreshments after a service are likely to stay and enjoy fellowship if that hospitality is provided within the building. I am quite satisfied that this support of the mission of the church produces a public benefit which outweighs any very minor harm which the introduction of this discreet and appropriate unit may cause.

³ Approximately 150-200 metres.

50.I must also weigh into the balance the public benefit created by the new vestry in its proposed location and form. All accept that new vestry facilities must be provided if the toilet facilities are to be introduced as planned. The vestry is the operational hub of this very busy parish church. It is regularly used as a robing space. It is in use for many hours each day and provides crucial storage and work space. The public benefit to the smooth running of the church and the facilitation of its mission to the town of Sherborne is clear. The loss of the ornate spiral staircase is an unfortunate requirement of the need to ensure sufficient space in the vestry. Importantly, it also ensures a secure and separate access route to the organ so that the regular and often late organ practices can take place without compromising the physical security of the vestry itself⁴.

51.Significant efforts have been made to mitigate the harm caused by the insertion of the new vestry. The space required for these various functions clearly means that the screen has to be placed to the south of the organ loft pillars. Nevertheless, I am mindful that steps have been taken to ensure that the new screen is recessive in style and subordinate to the grand organ and loft. It has been agreed that the colour of the screen will be a dark timber in keeping with the colour of the organ loft above. The metre-high clear glass clerestory creates a separation which ensures that the screen will not compete architecturally and aesthetically with the organ and loft.

52.The Victorian Society still has reservations about the small oriel in the middle of the screen but does not wish to object to its inclusion. The petitioners say that it is an important part of the design in that it provides a useful direct (though limited) view from the vestry into the church and along the aisle. I am satisfied that the oriel should be included. It echoes the protruding oriel in the organ loft above. As well as providing a view into the church, it means that the screen is more than the blank partition which the petitioners were seeking to avoid and might appear incongruous in this part of the abbey. I am mindful that the Church Buildings Council have advised that the cross shaped window in the oriel design is inappropriate as a distraction from the east-west axis of the building and that for that reason religious symbols should not be used. I have some sympathy with that advice and note that the petitioners have indicated a willingness to have a window with a more linear design. Any such amended design would need to be approved by me before works on the new vestry screen commence.

53.Overall, I have come to the conclusion that the public benefit to be achieved by these works significantly outweighs the low to moderate harm that would be caused to the special significance of the building. In reaching this determination, I have taken account of the careful analysis of the available options and various mitigations incorporated within the proposals.

54.Having carefully considered this petition and the extensive representations and advice provided, I would like to pause to acknowledge the contributions made by the petitioners, parties opponent and consultative bodies in this case. Without exception, everyone has approached the process of bringing this matter to determination positively. I am grateful for the clarity and openness with which everyone has made their views known and listened to the views of others.

⁴ The importance of such security is keenly felt in light of recent thefts from the abbey.

In particular I wish to acknowledge the exceptional work undertaken by the petitioners and their architect in the process of consultation and public notice in this case. It is apparent from the earliest documents provided to the Court that the petitioners have approached this project with an impressive open-mindedness. The options appraisals produced are an exemplar of thoroughness and detail. The engagement with the various consultative bodies and persons has shown a genuine desire to listen and take account of concerns raised. They are to be commended for those efforts.

Conclusion

55. It will be apparent from the above that I have decided that a faculty should pass the seal in this case. Detailed conditions will be imposed to ensure the appropriate management of the works through to completion. This has been a lengthy and complex process and I hope and trust that the grant of this faculty will be an encouragement in this season of Advent and that the works will support the flourishing of God's kingdom in Sherborne and the surrounding area.

A handwritten signature in black ink, appearing to read "Ruth Arlow".

Chancellor Ruth Arlow

15 December 2025