

IN THE CONSISTORY COURT OF THE DIOCESE OF DURHAM

RE ST. THOMAS STANHOPE

JUDGMENT

Background

1. The Church of St Thomas the Apostle is a Grade II* listed building sited just outside an Area of Outstanding Natural Beauty and within the Stanhope Conservation Area in Weardale. The church occupies a prominent place on the North side of the Market Place, Stanhope. It is a popular attraction for visitors to the area.
2. The church dates mostly from the 12th and 13th centuries, but it has undergone extensive restoration and alterations in the course of its history. It is now a substantial parish church consisting of a 4-bay aisled nave, a west tower, south porch, chancel, north vestry, and an organ chamber. The church is orientated east-west, geographically and liturgically. In its early years it consisted of an aisle-less nave and chancel. In about 1210 a tower and south aisle were built, and a north aisle and north chapel were added in about 1225. Between about 1310 and 1315 new windows were put into the chancel and south aisle. In the 15th century the north chapel was rebuilt. Extensive restoration works were carried out in 1663 and a few years later in 1671 two bells were installed in the tower. Two galleries, a new pulpit and a reading desk were provided in 1743. More major restoration works were carried out in 1867, including the removal of the galleries, the rebuilding and enlarging of the north and south aisles, new roofs, a new south porch and a new organ chamber. A new pipe organ was installed in 1877. More recently, reordering in the north aisle has provided an accessible w.c. and servery facilities.
3. In 2024 the PCC obtained a faculty for the entire replacement of the wooden church floor in the nave, north aisle, south aisle and tower, with a limecrete floor and sandstone flag finish. The faculty was granted to deal with a major rot outbreak in the

former boiler house located underneath the west end of the north aisle. That work is due to be carried out in the first half of this year.

4. In parallel with those developments the PCC considered the future reordering of the church to achieve a more flexible and accessible space for both church and community use. The current re-ordering petition presented by the two churchwardens (the parish is in an interregnum) seeks faculty approval for removal of the pews in the nave and under the tower, their replacement with stackable chairs, new heating under the tower in the form of an infrared chandelier, installation of storage cabinets by the north and south sides of the tower, similar south aisle storage cabinets in the south aisle near the main entrance to the church (this area is described by the Petitioners as a ‘welcome hub’), a curved dais at the eastern end of the nave to replace the chancel steps, with a lifting platform at its southern end, and a wooden ramp within the porch at the south aisle entrance.
5. There is also a proposal in relation to the fonts. The church is unusual in having three fonts. The font currently in use is an 1863 Frosterley marble font with a carved oak cover dating back to 1907. This font is positioned near the main entrance to the church at the western end of the south aisle. A much older stone font stands below the western respond of the north arcade; it has a circular shaft and bowl, is believed to be of Saxon origin, and was once recovered from the churchyard. A third font, a small 19th century example, stands at the east end of the south arcade; it previously belonged in the chapel at Crawleyside which closed in the 1950s, and was rediscovered in a garden serving as a bird bath in 1985. The petition seeks to move the Frosterley marble font to the east end of the north aisle (but without its oak cover), position the Saxon font where the Frosterley marble font is currently situated, make the Saxon font mobile so it can be easily moved for use during baptisms, and relocate the Crawleyside font to a garden of remembrance within the churchyard.

PCC’s statement of need

6. The PCC have four objectives behind their proposals. They wish to (i) enhance fellowship and discipleship, (ii) reach out to tourists, (iii) foster a spirit of hospitality, and (iv) provide a flexible space. They have assessed the repair needs of the nearby church hall and anticipate it will need to be sold; looking ahead into the future, this would mean activities that take place in the church hall would need to be relocated – a reordered church would provide a flexible space for some of those activities (such as the Toddler Group). The PCC recognise that the church needs to be fully accessible, with a level access for all who have difficulties with mobility including wheelchair users, and for prams and buggies. They consider the pews are a major stumbling block

to creating flexible patterns of worship and to opening up the church space, and they wish to remove the pews save for two of the shorter pews which would be retained as a historical record (one would be in the north aisle, parallel with the north wall, and the other would be in the south aisle with its back to one of the new cabinets, facing east). The PCC argue that using individual chairs instead of pews would give flexibility for differing patterns of worship and for arrangements within the church for community events. Their preferred replacement chairs are the Durham Stackable Contemporary Cathedral Chair, although they have not yet made a final decision.

7. The PCC has looked at the setup of the Sunday Eucharist. They consider that the priest's current position at the altar feels somewhat distant, potentially reinforcing a separation between clergy and congregation, whereas the new proposed dais within the east end of the nave would bring the priest and the congregation into closer proximity, fostering a stronger sense of unity and encouraging everyone to feel part of one body. The Chancel flooring is currently two steps higher than the nave. The proposed dais would be level with the chancel floor, with a curved step edge to the main body of the nave and inward curved edges to accommodate the eastern arcade columns. The elegantly designed inconspicuous lifting platform would make it accessible to all. The two stone steps to the dais and the surface of the dais would be finished to match the new nave floor finish (authorised under the 2024 faculty). A band of Stanhope black limestone would be set back along the edge of the top dais.
8. The PCC argues that flexibility of space would bring about more inclusiveness in worship for the congregation. An example of this would be baptisms. At present, when a baptism takes place, the congregation has to turn around in the pews to catch a glimpse, as if they were spectators rather than active participants. A font on castors would mean that it could be moved as needed, for example positioned centrally in the nave with the congregation seated around it and feeling more connected to the service. The Saxon font is simple in design – it has a circular shaft and bowl. The proposal to make it mobile would be achieved by putting it on a cylindrical wooden plinth with spring-loaded castors. A metal sleeve would hold it securely in place on the plinth to avoid the risk of damage or toppling when being moved and in use. The sleeve would be constructed from galvanised mild steel and powder coated in a sandstone colour to mitigate any visual impact around the base of the Saxon font. Between the metal sleeve and the font there would be invisible rubber separation matting as a protection buffer between the hard face of the metal and the sandstone font. The fit would be compression tight within the rubber separation matting, thereby avoiding stress to the font stonework. When in use, the stone bowl would hold a container for the water.

9. Existing heating within the tower consists of two cast iron radiators behind pews. As part of the 2024 faculty, underfloor heating is going to be installed in the main body of the church, and the radiators will be removed leaving the tower space without any heating. The PCC seek to install a Herschel Halo 7.8kW electric infrared chandelier heater, which has three levels of power to give flexibility. It is designed for churches and other heritage buildings. The PCC contend that the heater uses modern infrared technology and adopts sensible energy efficiency principals.
10. The PCC argue that the church has a distinct lack of storage capacity across all areas. The tower is the principal area identified to address this need. Reordering proposals include the installation of floor cabinets to both north and south sides of the tower floor. The cabinets would be constructed without a solid plinth, which would facilitate the moving in and out of a bespoke trolley system on which the stackable chairs would be held. The cabinets would be constructed predominantly from European oak. The proposed new storage at the west end of the south aisle would be used for books, orders of service, leaflets and similar items. It would be a freestanding storage cabinet and would act to segregate the entrance area (the ‘welcome hub’) from the south aisle chapel; it would be constructed predominantly from European oak.
11. The main entrance to the church in the western end of the south aisle has a single step about 8 inches deep. To make it a more accessible entrance the PCC wish to install a permanent wooden ramp at a 1 to 12 gradient with handrails within the footprint of the south entrance porch. Push pads located within the entrance porch and south aisle would allow automatic operation of the entrance door for those with mobility difficulties.
12. The Frosterley Remembrance Plaque was introduced into the church two and a half years ago following the closure of St. Michael & All Angels. It measures about 37 inches by 31 inches and has been temporarily located resting on the floor against the north side of the chancel adjacent to the sanctuary steps. It has a wooden frame, and a glass cover with four columns of names and an inscription at the base that reads “*Denotes those men who made the Supreme Sacrifice”. The proposal is to relocate the plaque to the south wall of the tower, above the proposed storage cabinets to the east side of an existing tower lancet window. It will be fixed using hooks set into horizontal mortar joints. The PCC feel the current position of the memorial is unsuitable and that it would be more visible to visitors in its proposed new place. This uncontroversial proposal was omitted from the Schedule of Works or Proposals in the petition, but I give permission for the petition to be amended to expressly include it.

13. A key concept of the PCC is to grow hospitality as a church. The PCC wish to create a space within the church for fellowship over tea and coffee (there is already a servery and accessible w.c. located in the western end of the north aisle). At present space is cramped, and it can be uncomfortable for people to enjoy refreshments after services. In addition, the PCC wish to make welcome the many tourists who visit the church and the area; they have noted that the nearby community centre often reaches capacity, and they wish to be able to offer tea and coffee to tourists for a few hours each day. The PCC believe a flexible space can be used to create a welcoming environment to introduce visitors to both the church and its mission. If tea and coffee were offered at set times during the week, the PCC feel they could also reach out to locals who might not otherwise come to church.

Objections

14. In response to the public notices eighteen people sent written objections to the Registry, and a written objection was also received from the local Stanhope Parish Council. One objector is resident in London, having moved away from Stanhope as long ago as 1964. I am not satisfied that this person is an ‘interested person’ within the meaning of rule 10.1 of the Faculty Jurisdiction Rules 2015 (‘the Rules’), but in any event she raises nothing new that is not covered by some of the other objectors. None of the objectors has chosen to become a party opponent. I have read and carefully considered all the objections.
15. The objection received from Stanhope Parish Council stated that Councillors believed there had been very little consultation on the proposed plans, and in particular the Parish Council had not been consulted. The Parish Council therefore objected. No other reason was given, and there was no attempt to comment on the merits of the petition. The Petitioners responded to this objection by informing the court that the PCC had held a public meeting so that the proposals could be discussed, and some members of the Parish Council were present. I note that under the Rules there is no obligation on the PCC to consult the Parish Council.
16. I trust I do the objectors no injustice if I summarise their objections collectively rather than refer to each one. Most objectors opposed the removal of the pews and their replacement with stackable chairs. Some argued that it would detract from the beauty of the church, affect it as a place of calm and comfort to the many people who would visit it, and undermine its much-loved atmosphere. They contended that chairs would look out of place, and would not be easy to be rearranged and moved by an ageing congregation. Eight objectors were opposed to moving the Frosterley marble font on the grounds that the proposal was without justification and would diminish the font’s

significance; three considered converting the Saxon font into a moveable font to be impractical on the grounds of weight and difficulty to move around; and three specifically opposed moving the Crawleyside font to a garden of remembrance. A number of objectors considered the village of Stanhope did not need another community space or hub, because the needs of the community were adequately met by existing facilities elsewhere. The anticipated cost of the project came in for criticism, and suggestions that such cost was not necessary or justified. A couple of objectors argued that the storage cabinets under the tower would obstruct sight lines of a section of a 17th century reredos under the west window, and also prevent access to the on/off mechanism for the clock chimes; they also considered the proposed infra-red heating in the space under the tower would be uncomfortable. Two objectors opposed the idea of badminton being played in the church. I am not sure how this misconception arose, but I am quite satisfied from the Petitioners' responses to the objections that there is no intention to hold badminton sessions in the church, and nor, of course, would it be appropriate to use the church as a sports hall.

17. In addition, some of the letters of objection mentioned that the plans were not available to view at the outset of the period of public notice. This defect was cured by a direction from the Diocesan Registrar under rule 6.4(e) of the Rules that the public notice period be extended for a further 28 days with plans made available to view throughout that period.

Advice and Consultations

18. The Diocesan Advisory Committee issued a Notification of Advice dated 19th June 2025 recommending the works and proposals for approval by the court.
19. The following bodies were also consulted: Historic Buildings and Places, the Society for the Protection of Ancient Buildings, the Victorian Society, Historic England and the Church Buildings Council.
20. Historic Buildings & Places did not object to the removal of the pews, and welcomed the retention of two pews as a historical souvenir. They did however regret the choice of the proposed replacement chair asking whether the colour finish would fit in with other woodwork within the church. They had no concerns with regard to the proposals concerning the Saxon font, nor of the re-siting of the Crawleyside font to the memorial garden (being of little intrinsic interest). However, strong representations were made against the proposal to remove the oak cover from the Frosterley marble font, on the grounds that the cover and the font form a satisfying and complementary unity.

21. The Victorian Society did not wish to comment other than to support the comments made by Historic Buildings and Places.
22. Historic England were of the view that the proposals for re-ordering were sensitive, and balanced present needs with the significance of the church's interior. It was noted that the pews to be removed were of a basic 19th century form and level of craftsmanship, and that the storage areas were to be discretely located. No objection was made to the changes in respect of the three fonts, except hope was expressed that the font cover for the Frosterley marble font could be retained and kept within the church. Historic England suggested that the main change would be the installation of the curved dais at the east end of the nave and access to it from the side. It commented that the form and detail were handled well, using traditional materials and a simple shape to blend with the interior whilst remaining a modern reflection of changed liturgical practice and accessibility. In summary Historic England had no objection to the petition.
23. The Church Buildings Council ('the CBC') was supportive of efforts to make the church more welcoming to community groups and accessible for people with disabilities. The CBC was also supportive of the parish taking the opportunity presented by the floor being replaced to consider how the layout of the church might serve their needs better, and of the efforts to improve storage so that clutter would be kept to a minimum.
24. With regard to the pews, the CBC noted that the pews were of 19th century origin, of low significance and that some of the pews had suffered damage from the old rotting timber floor. It was pleased that the PCC had chosen to retain two shorter pews to provide a narrative of the evolution of the church fabric and that the PCC was considering chairs in line with its amended guidance on seating issued in October 2018. However, the CBC wanted to encourage the PCC to explore whether the chairs could be stained darker to better fit the interior. Likewise with the storage cabinets, the CBC considered that a finished colour in keeping with the rest of the woodwork in the building would be preferable to match the overall tonal qualities of the building.
25. Regarding the moving of all three fonts, the CBC would have liked to see stronger justification in the Statement of Needs for their relocation. The CBC considered the Frosterley marble font to be a very fine piece of design and that it might better serve the aesthetic significance of the church in its existing location. Furthermore, the CBC had a strong presumption against the disposal of church objects such as the 1907 font cover and preferred its retention within the church. As for the Saxon font the Council

queried whether it would need to be treated to hold water. It encouraged the PCC to consider having the colour of the wooden plinth to be in keeping with the rest of the church's woodwork. The CBC did not support the relocation of the Crawleyside font to the garden of remembrance - its use as a churchyard ornament would be against its guidance on repurposing fonts issued in May 2024.

26. The CBC supported the extension of the chancel step to benefit the parish's worship style; the choice of stone to match the nave floor already authorised by faculty was welcomed. It also noted that the dais created by the extension of the step would be made accessible, and it was supportive of the proposal to make the south porch entrance accessible through the provision of a ramped access.
27. The CBC was pleased to see that the parish was proposing to extend the church heating system through the introduction of a Herschel Halo chandelier heater, thereby making the tower a viable space for community use. It noted, however, that there was a possibility that it might be hung in such a way as to obscure part of the west window, which contains fragments of mediaeval painted glass.
28. The CBC did not wish to comment on the relocation of the Frosterley memorial plaque to the tower, other than to confirm it was pleased to see that the fixings would be to the mortar joints only.
29. The Society for the Protection of Ancient Buildings chose not to respond.

The Law

30. This petition must be determined in accordance with the familiar principles and questions set out by the Court of Arches in the case of *Re St Alkmund, Duffield 2013 Fam 158*, and *Re St John the Baptist, Penshurst (2015)*.
 - (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. Questions 3, 4 and 5 do not then 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 character of a listed building, 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 I or II*, where serious harm should only exceptionally be allowed.

31. Question (1) cannot be answered without prior consideration of the special architectural and/or historic interest of the church. St Thomas, being Grade II* listed, is a particularly important building of more than special interest. As noted earlier, it dates mostly from the 12th and 13th centuries, albeit with extensive restoration and alterations over the years, especially in 1663 and 1867. I know from my visits to the church that it is a memorably beautiful church, set in a delightful rural area.

Analysis

Pews

32. The proposal which received most opposition from the objectors is the plan to remove all but two of the shorter pews. I note, however, that none of the statutory consultees advised against their removal.
33. The earliest introduction of the existing wooden pews within the nave, north and south aisles and tower can be traced back to the restoration work of 1867 when both north and south aisles were rebuilt and enlarged. Alternatively, the pews could have been introduced in the later restoration works carried out in 1892. Their provenance and age are therefore 1867-1892. The pews are laid out in a traditional east-west liturgical setting. Within the nave the pews are mostly long, crossing over into both north and south aisles. In the south aisle there are shorter matching pews which serve as dedicated seating for the side lady chapel. Within the space under the tower there are similar short pews. Some pews had previously been removed from the north aisle and at the east end of the nave as a result of minor reordering in the later 20th century, and more notably in 2012 when an accessible w.c. and servery were installed in the north aisle.
34. The pews are constructed from pitch pine and varnished. They have an inclined plain back panel, terminated at the top with a flush curved capping, with a shelf for hymn books integrated to the rear. Pew ends are squared and have small carved cross and flower motifs. The tower pews and the rear pews in the nave have cinquefoil leaf decoration. The pews are secured to flush pew platforms via timber dowels. Long red pew cushions have been incorporated to improve congregational comfort.

35. The pews are indicative of late 19th century ecclesiastical joinery work. It is clear that they are of low historic and aesthetic significance in the context of this historic church interior, being plain in design. Furthermore, the existing pew layout is incomplete because of the earlier removal of pews during earlier minor reordering and alteration work. Removal of the remaining pews and their replacement with stackable chairs would cause some harm, but I assess the degree of harm as low, and so disagree with those objectors who believe the beauty and calm of the church will be badly affected.
36. The justification for removal of the pews, as put forward by the PCC, is clear and convincing. Their removal and the introduction of stackable chairs will give the PCC the flexibility they need. The resulting benefit to the public will comfortably outweigh the low degree of harm. They will have more liturgical freedom; they will be better placed to welcome and provide for visitors; fellowship after services will be encouraged; and the church will be put to viable uses that are consistent with its role as a place of worship and mission. The argument that there are other places in the village where people can meet over coffee is not germane here; the PCC's intention to make the church a centre for the whole community is to be welcomed, not criticised. Likewise, objections based on cost are without merit. It is for the PCC, and the PCC alone, to decide how to spend and invest their own resources. The court would be concerned with cost only if finances were so constrained that a project was incapable of being implemented, which is not the case here.

The dais

37. Turning to the installation of the curved dais at the east end of the nave, to which nobody seems to object, it is clear from the plans that its design has been carefully considered. It will be constructed from traditional materials and will blend into the nave, because the stone to be used will match the stone of the nave floor already authorised by faculty. I am satisfied that installing the dais will cause no harm to the significance of the building. The justification for the proposal is clear and convincing; it will facilitate the parish's worship style, and improve accessibility with the installation of the lifting platform.

The fonts

38. Proposals in the petition in respect of the fonts have given rise to significant controversy and opposition – in particular with regard to the Frosterley marble font and the Crawleyside font. In light of the various representations made, the PCC have now reconsidered their proposals for the Frosterley marble font. They now no longer seek to move it from its existing place, and would keep its cover in situ. I commend them for their reappraisal, and am satisfied they have come to the right decision.

However, they have not provided satisfactory justification for removal of the Crawleyside font to the churchyard. It is a small font which does not take up much space, and I am of the view that a place within the church should continue to be provided for it; this will not cause any inconvenience or interference with plans to make the church more flexible.

39. Provided the wooden plinth for the Saxon font is stained in a colour to match the church's existing woodwork (in particular the colour of the woodwork for the servery and w.c.) I see no harm to the significance of the building by making the Saxon font mobile and more usable. I am satisfied by the proposed modifications that it will be easily moveable, and that it will be safe to move. It will be the only font in use, and therefore there will be compliance with the House of Bishops 1992 guidance that the ideal is to use just one font for baptism. I realise concern has been expressed by some Chancellors about the use of mobile fonts (see for example *Lenham St Mary (2014)*), but the ability to have a mobile font at the centre of the congregation for a baptism during Sunday worship is in my judgment sufficient justification to depart from the norm set out in Canon F1. The use of a mobile font so that the whole congregation can comfortably see and feel part of the baptism is certainly in keeping with the spirit of Canon B21:

(1) *"B 21 Of Holy Baptism*

(2) *It is desirable that every minister having a cure of souls shall normally administer the sacrament of Holy Baptism on Sundays at public worship when the most number of people come together, that the congregation there present may witness the receiving of them that be newly baptized into Christ's Church, and be put in remembrance of their own profession made to God in their baptism."*

Storage cabinets

40. The proposed storage cabinets in the tower were criticised by two objectors on the grounds that they would obstruct sight lines of a section of 17th century panelling set below the west window, and also prevent access to the on/off mechanism for the clock chimes. The 17th century carved panelling, formerly part of the reredos, was transferred to the Crawleyside Chapel in 1867 and returned after the chapel closed in the 1950s. The Petitioners have responded to the objection by pointing out that sightlines of the reredos are currently obscured by the pews in the tower. Removing the pews will improve the visibility of the reredos. Furthermore, the Petitioners contend that the design of the cabinets has been carefully considered – they will be situated against the north and south walls of the tower with a depth that would be sufficient for the storage of stackable chairs but not so deep as to impede or obscure the reredos and west window. The reredos will therefore be fully and clearly visible.

As for the chiming mechanism, it is operated by a braided wire and rope hanging down through the timber ceiling in the tower; it can only be reached at present by stepping onto one of the existing pews, which the Petitioners contend is not satisfactory from a health and safety viewpoint. The proposed storage cabinet to the south side of the tower would be below the wire and rope, which in the absence of the pews could be more easily and safely accessed using a handrail stepladder.

41. I am satisfied that installation of the cabinets, both in the tower and by the south door, will cause no harm to the significance of the church as a building of special or architectural interest, but will be an asset so that items can be tidily stored when not in use, thereby reducing clutter. This is subject to one proviso, that the storage cupboards are stained in a colour or shade to match other existing woodwork in the church, in particular the colour of the woodwork for the servery and where the w.c. is housed.

The Frosterley Remembrance Plaque

42. Relocating the plaque to the south wall of the tower is a sensible and appropriate step to take. In its new position it will be given the prominence it deserves. Fixing it using hooks into mortar joints will cause no harm to the building.

Heating in the tower

43. Heating for the area under the tower is necessary, so that it can be fully used throughout the year. Installation of the proposed infrared chandelier here, in place of the existing radiators, will cause no harm to the significance of the building. That is subject to the proviso that the chandelier is to be hung in such a way that it does not obscure from view any part of the west window.

Access ramp

44. The access ramp with handrails and push pads will make the main south porch entrance accessible. It will not harm the significance of the building. There is clear justification for the proposal.

Conclusion

45. A faculty for the proposed works is granted, subject to the following conditions:
- (1) The Frosterley marble font is to stay in its current position, complete with its oak cover;
 - (2) The Crawleyside font is to be retained within the church – any new position for it is to be agreed with the DAC, and in default of agreement, the matter is to be referred back to court for further directions;

- (3) The position of the Saxon font when not in use is to be agreed with the DAC, and in default of agreement, referred back to the court for further directions;
- (4) All new woodwork on the Saxon font and the storage cabinets is to be stained in a colour that matches and is in keeping with existing woodwork – in particular with the servery and where the w.c. is housed. Likewise the new stackable chairs are to be so stained.
- (5) If the PCC decide to introduce a chair other than the Durham Stackable Contemporary Cathedral Chair, the DAC is to be consulted, and in default of agreement, further directions are to be sought from the court.
- (6) The infrared chandelier heater is to be hung so that it does not obscure the west window from view.

Adrian Iles,
Chancellor

19th February 2026