



CASE NOTES

EDITED BY DAVID WILLINK

Deputy Chancellor of the Dioceses of Salisbury, Saint Albans and Rochester

Re St John the Baptist, Tisbury

Salisbury Consistory Court: Arlow Ch, 21 March 2022

[2022] ECC Sal 1

Windows – masonry repairs – replacement of degraded Victorian glass

The petitioners wished to carry out masonry repairs to the east window of this Grade 1-listed 12th century church; and to replace the glass originally designed by Charles Clutterbuck, which was in generally poor condition, with a new window designed by Thomas Denny, a glass artist of international reputation.

The masonry repairs were urgent and uncontentious, as there was deterioration in the stonework which required the removal of the glass. The Victorian Society objected to the loss of the Clutterbuck window, commenting that too much harm would be caused. In response, the petitioners set out their plans to retain the link between the artist and the church, including the re-use of the four best-preserved panels in another window of the church.

The court considered that Clutterbuck was a well-respected Victorian artist. Applying the *Duffield* framework, the court found that replacing the window would result in harm to the significance of the church as a building of special architectural or historic interest. That harm would be significant but not substantial, being diminished by the poor condition of the Clutterbuck painting.

In considering the justification for the proposed works, the court took particular account of the window's position, which was central to liturgical worship in the parish and so a focal point for the congregation during corporate worship. Accordingly, there was a clear and convincing missional need which outweighed the harm caused, and a faculty was granted subject to conditions regarding the storage and eventual re-use of the original glass.

[Jack Stuart]

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