

Who else might I need to consult?

Guidance notes from the Church Buildings Office

From 1 December 2015 all consultations will be carried out by the Church Buildings Advisers via the online faculty system: <https://facultyonline.churchofengland.org>

Under the Faculty Jurisdiction Rules 2015, along with obtaining the advice of the DAC, consultation may also be necessary with Historic England (formerly English Heritage), the Church Buildings Council (CBC), the Local Planning Authority, and/or the relevant National Amenity Societies. This consultation process should start as early as possible, and will be carried out by the Church Buildings Advisers where necessary as soon as applications are received via the Online Faculty System.

The types of works that will require consultation include the conservation of or disposal of historic objects or works of art; extensions; internal reordering; installation of new facilities (WC, kitchen); alterations to the exterior of the building or the churchyard; or works affecting the archaeological importance of the church or archaeological remains within the church and its curtilage.

HISTORIC ENGLAND should be consulted on any works that involve alteration to or the extension of a grade I or II* listed building which would be likely to affect its character as a building of special architectural or historic interest, along with works which comprise the demolition or removal of all, or a substantial part, of the structure of the interior of a grade II listed building. They also need to be consulted on works that are likely to affect the archaeological importance of any building, or archaeological remains within the building or its curtilage. The Historic England consultation form (obtainable from the Church Buildings Office or from the 'Church Buildings' section of the Diocesan website) lists in more detail the items that they need to be consulted on.

The relevant **NATIONAL AMENITY SOCIETY** should be consulted where works involve (a) alteration to or the extension of a listed building of any grade to such an extent as would be likely to affect its character as a building of special architectural or historic interest; or (b) they involve demolition affecting the exterior of an unlisted building in a conservation area. The NAS likely to have an interest in the works will depend on the date of the church, or the date of the part to be affected.

The **LOCAL PLANNING AUTHORITY** should be consulted where works (a) involve demolition of a listed building of any grade or its alteration or extension to such an extent as would be likely to affect its character as a building of special architectural or historic interest; (b) are likely to affect the archaeological importance of a building or archaeological remains within the building or its curtilage; or (c) involve demolition affecting the exterior of an unlisted building in a conservation area.

The **CHURCH BUILDINGS COUNCIL** should be consulted where proposals involve (a) the introduction, conservation, alteration or disposal of an article of special historic, architectural, archaeological or artistic

interest; (b) the alteration, extension or reordering of a church in a way that is likely significantly to affect the setting of an article of special historic, architectural, archaeological or artistic interest; or (c) the movement or removal of an article of special historic, architectural, archaeological or artistic interest such that the article might be adversely affected unless special precautions are taken.

Secular Permissions

In addition to the Faculty Jurisdiction there are a number of other statutory controls which apply to churches. It is important to be aware of the permissions required for different types of work.

PLANNING PERMISSION is needed for development in the same way as for any other building (the Ecclesiastical Exemption provides for exemption from listed building consent only). Permission is likely to be required for works to the exterior of churches, such as alterations affecting the external appearance of a building and extensions. It may also be needed for items such as a new noticeboard and for some repairs such as a new roof if it affects the appearance of the building. Archaeologically significant sites and monuments of national importance may be protected as **Scheduled Ancient Monuments**. The definition of an ancient monument specifically excludes church buildings in use, and churches cannot therefore be scheduled. However, archaeological sites in churchyards and archaeological remains under church buildings may be scheduled. Any work affecting them requires scheduled monument consent in addition to a Faculty.

Building works may involve the need for **Building Regulations** approval. The parish's architect/surveyor will usually deal with this. Where works to **trees** that are in a Conservation Area or protected by a Tree Preservation Order are proposed, it may be necessary to obtain permission from the Local Authority.

If the proposed works affect a grave or memorial maintained by the **Commonwealth War Graves Commission**, the agreement of the Commission should be sought.

If there is the possibility that **bats** will be disturbed as part of any works, the advice of Natural England should be obtained before petitioning for a Faculty, and the letter of advice submitted with the Faculty Petition. In the first instance, contact the Bat Conservation Trust on 0845 1300 228 for an initial free visit from a bat warden.

This is information sheet 3 of 4 on the faculty application process. Please also see:

1. How do I apply for a faculty?
2. What information do I need to submit?
4. Online faculty system - tips

For further information and guidance, please contact

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