

CONSULTATION WITH ENGLISH HERITAGE, NATIONAL AMENITY SOCIETIES AND THE LOCAL PLANNING AUTHORITY

(Appendix B Rule 3 of the Faculty Jurisdiction Rules 2000)

Where the works for which a faculty is sought:

(a) involve alteration to or extension of a church which is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 to such an extent as is likely to affect its character as a building of special architectural or historic interest, or

(b) are likely to affect the archaeological importance of the church or archaeological remains existing within the church or its curtilage, or

(c) involve demolition affecting the exterior of an unlisted church in a conservation area

then, at the same time as advice is being sought from the DAC, consultation should take place with English Heritage, any national amenity society likely to have an interest in the church or works and the local planning authority so far as provided by and in accordance with the criteria set out in the following paragraphs.

CONSULTATION WITH ENGLISH HERITAGE

The likely effect of the works for which a faculty is sought will determine whether or not English Heritage should be consulted.

(i) Grade I or II*

Even small alterations to the structure of a church listed Grade I or II* can affect the character of the building. These include the introduction of different materials or features, the covering over or removal of parts of the structure, changing the composition of existing elements such as stained glass windows, sub-division or additions to the fabric as well as removal of elements or piercing through historic fabric. Consultation should take place in respect of any alteration or extension within paragraph (a).

(ii) Grade II

Consultation should take place for a Grade II church in respect of alteration within paragraph (a) which comprises the demolition or removal of all or a substantial part of the structure of the interior. For this purpose the structure of the interior includes principal internal elements such as a staircase, gallery, load-bearing wall, floor structure or roof structure and major internal fixtures such as fixed pews, a rood screen or and organ.

(iii) Archaeology

Consultation should take place in respect of works within paragraph (b) affecting any church or its curtilage.

THE NATIONAL AMENITY SOCIETIES

The age of the church and the nature and likely effect of the works for which a faculty is to be sought will determine which one or more of the national amenity societies should be consulted.

(i) Any society likely to have an interest in the church or works should be consulted in respect of works within paragraphs (a), (b) or (c).

(ii) Consultation in respect of alteration or extension within paragraph (a) should take place to a church of any grade (I, II* or II). Alteration for this purpose has the meaning given below.

(iii) The National Amenity Societies are: -

Before 1715: [Society for the Protection of Ancient Buildings](#)

1700 to 1840: [The Georgian Group](#)

1837 to 1914: [The Victorian Society](#)

1914 onwards: [The Twentieth Century Society](#)

THE LOCAL PLANNING AUTHORITY

Although listed building consent is not required in addition to a faculty, except where there is an external object or structure listed separately from the church building, consultation should take place with the local planning authority in any case falling within paragraph (a) or (b) above. Consultation should also take place for works within paragraph (c).

Consultation in respect of an alteration within paragraph (a) should take place whatever the grade (I, II*, II). Alteration for this purpose has the meaning given below.

Meaning of Alteration for the purpose of consultation with the National Amenity Societies and the Local Planning Authority

For the purpose of consultation alteration of a church includes

- (i) the demolition of a significant part of the structure of the interior, which includes principal internal elements such as a staircase, gallery, floor structure or roof structure;
- (ii) the removal of major internal fixtures such as fixed pews, a rood screen or an organ;
- (iii) the addition of any significant new element such as the creation of new spaces through subdivision.

Documents to accompany consultation

The documents which should be submitted to each of the bodies being consulted include:

(i) designs, plans or other documents (including photographs) giving particulars of the works together with a summary list of the works;

(ii) a Statement of Significance and a Statement of Needs.

The particulars given should be sufficiently clear for a comparison to be made between the church in its existing state and in its future state if the works are permitted to be carried out so as to enable an assessment to be made of the likely impact of the works on the listed building.

Period for response to consultation

At the same time submitting the particulars referred to in the previous paragraph to any of the above bodies, the intending applicants should write to that body stating that a response to consultation will be taken into account provided that it is received within 28 days from the date of the letter.

Diocesan Advisory Committee (DAC)

Intending applicants should inform the Secretary of the DAC which of the above bodies have been consulted and the date when the 28 day period referred to above is due to expire. On receipt of a response within the 28 day period from any of the bodies consulted, the intending applicants should provide a copy of the response to the Secretary of the DAC. The DAC is not obliged to await a response which is not received within the 28 day period before reaching a decision and issuing a DAC Certificate.