

CHAPTER 17

ECCLESIASTICAL BUILDINGS

POLICY BACKGROUND

- 17.1 PPG15 establishes a general presumption in favour of the preservation of Listed Buildings and emphasises the need to protect churches from unnecessary demolition or unsuitable and insensitive alteration. At the same time, it recognises that historic buildings should be kept in active use and that this may involve change. When change is proposed, the special architectural and historic interest of the building should be protected. The PPG acknowledges that well-considered change within the context of long-established ownership is often conducive to the long-term preservation of an historic building.
- 17.2 PPG16 establishes a presumption against the disturbance of important archaeological remains and recommends that when works take place which bring about such disturbance, then those responsible for the works must arrange for mitigation and recording required by the Council. A programme of archaeological investigation and evaluation may be required before the application is determined. This means that the impact of the proposal can be fully assessed.
- 17.3 The Care of Churches and Ecclesiastical Jurisdiction Measure 1991 aims to ensure that Church of England churches are properly cared for and works carried out in the best possible way. However, the policy behind the Measure also stresses that churches – while being of great significance to the historic environment – exist primarily for worship. The Measure therefore provides that those carrying out functions of care and conservation shall have regard to the role of the church as a local centre of worship and mission.

LEGAL REQUIREMENTS

- 17.4 Any works for the demolition of a Listed church or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, will require Listed Building Consent or its equivalent. The Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994 provides for an exemption from Listed Building Consent for those denominations that have created an approved system of control. Currently this applies to the Church of England, the Church in Wales, the Roman Catholic Church, the Methodist Church, and the United Reformed Church and those Baptist churches where the Baptist Union acts in the capacity of a Trustee. The exemption does not apply to planning and Building Controls. Under the arrangements, the congregation must advertise their proposals and consult the Local Planning Authority, the relevant national amenity societies and English Heritage about works that would otherwise require Listed Building Consent.

- 17.5 All other religious denominations will require Listed Building Consent before they undertake works to a Listed church.
- 17.6 The process is enshrined in the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 and subsequent Rules. It consists of two key formal stages around which a number of consultation rounds, both formal and informal, will take place. The first stage consists of seeking advice from the Diocesan Advisory Committee (DAC) and the second involves obtaining a Faculty from the Chancellor of the diocesan court ('consistory court'). (For some categories of work, the Archdeacon is empowered to grant a Faculty, although this does not extend to works which would affect the character of the building. If compared to the secular planning system, the DAC's function is roughly comparable to that of a planning officer, while the Chancellor's role can be equated with that of a planning committee.
- 17.7 Under the Church of England's Faculty Jurisdiction Rules any repairs, alterations or extensions to a church building or changes to its contents or churchyard require a faculty, which is a licence authorising the work. The only exception to this rule is minor works specified by each individual diocese. The requirement to obtain a faculty before undertaking any kind of works is a legal obligation and there are significant powers to deal with breaches.
- 17.8 Listed Building Consent, even for exempt denominations, is required for the demolition of a church, except in the case of Church of England churches demolished under the provisions of a pastoral redundancy scheme under the Pastoral Measure 1983. In such cases, the Church Commissioners will request a non-statutory enquiry if there are reasoned objections from the local planning authority, English Heritage or the national amenity societies.

REDUNDANT CHURCHES

- 17.9 Redundant churches that are considered to be of sufficient interest may be vested in the Churches Conservation Trust, or in cases where the recommendation was not that the building should go to the Trust, to make further efforts to find an alternative use and to engage in further consultation with the Secretary of State before using the Pastoral Measure powers to demolish the building. Redundant Churches by definition are not exempt as they are not for the time being used for ecclesiastical purposes. They are therefore subject to full Listed Building Control.
- 17.10 Planning permission and, if necessary, Building Regulations, is needed for any alteration or extension that materially affects the external appearance of an existing church. If the development affects a Grade I or Grade II* Listed church, the local planning authority will consult English Heritage before determining the Listed Building and / or planning applications.
- 17.11 Churchyard features such as memorials, lych-gates, and boundary walls may be Listed Buildings in their own right (subject to Listed Building Control) or,

exceptionally, scheduled ancient monuments and subject to separate statutory consent requirements.

INTERIORS

- 17.12 Locating new facilities (such as toilets, meeting rooms, etc) within an existing church building offers several advantages. It is more convenient and avoids the difficulties that often accompany proposals to extend historic places of worship. Internal alterations need to take account of the spatial qualities of the interior and the main architectural axis as well as the significance of individual fittings. There will be cases where the quality of the interior is such that there is very little scope for internal adaptation. In general, the more rare or complete an interior the stronger will be the presumption in favour of its preservation unaltered.
- 17.13 Historic churches and chapels have fixed seating. Medieval and immediately post-medieval fixed seating is so rare that it should always be retained. However, most churches have seating that dates from the 19th century. If this is of very high quality and is contemporary with the church or forms part of a significant historic scheme of re-ordering, the degree of flexibility may be limited. Elsewhere, rearrangement is sometimes possible, especially in less-used areas of the church. Major re-seating schemes should not run counter to the main architectural axis of the building and careful thought should be given to any new floor finishes and the design and colour of new seating.
- 17.14 Where there is a need for additional “social” spaces, whether primarily for the congregation or for broader community use, it is sensible to consider existing and other nearby facilities that might be an alternative for these purposes. When a small meeting room, crèche or lavatory is required, a space that can easily be divided from the rest of the building might already exist, such as the base of a tower or the area under a gallery. In churches without galleries or discreet spaces, it may be possible to form a room at the liturgical west end, perhaps under a new gallery or at the end of an aisle. Single storey spaces are generally easier to integrate, and to reconcile with access requirements, than structures with multiple levels. Where discreet spaces do not exist, it is often possible for utilitarian features such as small kitchens to be “designed” as items of freestanding furniture rather than built in units and thus made visually more acceptable.
- 17.15 Internal partitioning should respect the main internal spaces and avoid physical damage. Partitions should be set back behind arcades or gallery columns or, where the detailing is simple, be set on the centre line. The design of partitions requires care. Generally, their finish should reflect those of the principal internal wall surfaces or existing screens, be they plastered or panelled. A glazed solution is sometimes possible, although large areas of glazing can be prominent and out of character with historic church interiors. Individual freestanding ‘pods’ or units may be an alternative to attaching partitions to the historic fabric, but should be carefully considered and designed.

SERVICES - HEATING AND LIGHTING

- 17.16 New services are often ephemeral in the life of the building and every effort should be made to avoid damage in their installation and to allow for easy later removal. With the possible exception of light fittings, modern service installations are usually utilitarian in appearance; they should be designed and located to be as unobtrusive as possible.
- 17.17 Current codes of practice and standards, including British Standards should be taken into account but it may be appropriate to modify certain non-statutory codes to take account of the particular needs of historic churches. Provided that such modifications are made with the benefit of specialist advice, they should not compromise health and safety.
- 17.18 Some historic services may themselves be of interest for their contribution to the design of the church or as rare examples of historic technologies. Examples might include light fittings, historic radiators or heating solutions, which in some 19th century and 20th century churches are an integral part of the design. Where possible such survivals should be preserved, preferably in use, and retained.
- 17.19 The installation of heating may involve various alterations to the building, ranging from excavation of floors or the penetration of walling to accommodate pipes to the displacement of pews to allow space for radiators. The impact of these alterations must be assessed when judging a proposal.
- 17.20 Further information on servicing and other common works can be found in *New Work in Historic Places of Worship*: English Heritage 2003.

EXTERIORS AND EXTENSIONS

Church showing various stages of extension, which form part of the history and evolution of the church



- 17.21 Where a wholly internal solution is not possible or desirable, it is often possible for existing ancillary structures, both within the boundary of the church or outside it, to be adapted to accommodate new uses. Where these are available, their use for such purposes is recommended. Provision of facilities in a new detached building, within or adjacent to the churchyard, may be considered if the building does not

- significantly harm the setting, archaeology or associated features of special interest, including standing monuments.
- 17.22 Where facilities are not available, or where there is an accepted need for linked facilities under one roof, an extension to the building may be considered. Whether an extension is likely to be regarded as appropriate depends on a number of factors. These include the architectural character of the church and its relationship to its setting as well as the physical and visual impact of such additions, both on the standing structure and on below ground building features and burials. Most churches are in a conservation area, and the District Council has a legal duty to have special regard for the preservation or enhancement of the character and appearance of such areas.
- 17.23 The fundamental issue of controls over Listed Buildings is that works, which would affect their character, must be justified and necessary (PPG15 Paragraphs 15.3 – 4). This must apply to both the principle and the scale of an extension. The Faculty Jurisdiction Rules require the submission of a “statement of needs” with faculty applications. The issues of scale and compatibility are paramount: “Extensions should not dominate the existing building in either scale, materials or situation... Successful extensions require the application of an intimate knowledge of the building type that is being extended together with a sensitive handling of scale and detail” (PPG15, Paragraph C.7). There will be cases where an extension of any form or scale would be impossible without causing unacceptable harm to a church building, to the archaeology of the churchyard or to the conservation area.
- 17.24 Some large churches may be able to accommodate quite substantial additions successfully. Significant enlargement of smaller churches is more difficult, although in such cases it may be possible for new facilities to be provided in porch- or vestry-like structures. Many churches, particularly medieval ones, are accretive in nature and such buildings are often capable of further additions provided the necessary care is taken. It is not simple to extend buildings constructed by a single designer or those that display a degree of architectural completeness. In such cases, there may be a strong argument against any addition.
- 17.25 Sometimes there is an elevation with a considerable degree of later and perhaps inferior work, which is not prominent in the village scene, and which is not close to any sensitive archaeology. There are a number of churches with a façade which is not prominent, much repaired or much restored where a well-designed extension would be acceptable if no alternative exists. The Faculty Jurisdiction Rules require the submission of a “statement of significance” with the faculty applications. The purpose of that statement is to protect “significant fabric”, a principle shared in the advice given by the District Council.
- 17.26 The most satisfactory additions to historic churches are those, which form a harmonious composition with the building to which they are attached and consequently appear to be a natural development from the building. Aisles,

transepts, chapels, vestries and porches all provide an established vocabulary for church extension. It is crucial that the details, such as roof forms, and materials used respect those of the existing church. Examples where a deliberate contrast has been struck can harm the setting and appearance of churches. These need to be particularly well designed to be successful based on the individual needs of the building.

17.27 New structures attached to churches by narrow, often glazed links are seldom aesthetically satisfactory. Linked additions do not compose well with the buildings to which they are attached, especially when attached to freestanding churches in churchyards. It is recognised that such linked extensions have often been provided in an attempt to avoid obscuring or damaging historic fabric. However, if the architectural design or archaeological significance of the fabric is so sensitive as to preclude an integrated addition, then an extension may not be the appropriate solution.

17.28 When the Council receives an application for Planning permission for an extension it will have regard to its established policies (for example in terms of access, parking, its physical impact on neighbours and its effect on the character and appearance of a conservation area) and the following:

- 1. Church extensions will not be approved where there would be interference with historically and architecturally significant fabric.**
- 2. Extensions for lavatories and modest kitchens will be considered positively but will not be permitted where those facilities can be provided inside the building without significant harm to its architectural or historic interest.**
- 3. Extensions for meeting rooms, offices or nurseries will not be permitted where there is an alternative site in the churchyard or nearby, where the interior of the church could be re-ordered to provide all or part of the facilities or where alternative facilities (such as a parish hall) exist nearby.**
- 4. Where an extension is agreed in principle the Council will expect it to be designed in the form of an attached chapel, transept or aisle (rather than a separately roofed volume with a linking corridor or circulation area) unless there are overriding considerations to the contrary. In all cases compatible roof forms, building materials and details will be required and the advice on extensions in PPG15 must be complied with.**

ACCESSIBILITY WITHIN CHURCHES

17.29 Under the terms of the Disability Discrimination Act 1995, churches are regarded as “service providers” and are required to take reasonable steps to remove, alter, or get around physical features that make it impossible or unreasonably difficult for

disabled people to use a service. This legislation applies to all places of worship but does not supersede or take precedence over existing legislation governing the conservation of historic buildings.

- 17.30 Making physical alterations to a building is only one of a number of options. The legislation does not override existing secular or ecclesiastical laws governing historic buildings, and the obligation is to take “reasonable” measures. There will be cases where “physical” barriers cannot be overcome without causing unacceptable damage to the historic asset. However, such cases are rare and a solution is usually possible, given sufficient care and thought.
- 17.31 Congregations should be encouraged to arrange for an access audit of the historic building and draw up an access plan. Each plan must be site specific, reflecting the constraints and opportunities inherent in the design function, and setting of the church in question as well as the needs of its users.

ROOFING - MATERIALS AND THEFT

- 17.32 Nationally there have been a large number of thefts of metal on church roofs, mainly lead, which has arisen from the high cost of metals. Despite the cyclical nature of metal pricing, the issue of theft is still relevant. Ecclesiastical Insurance, in conjunction with English Heritage and the SPAB, has produced guidance notes regarding the theft of metals. Not only is there a loss of the historic fabric, but also the cost of replacement can be high. The thefts involve all metals, including lead, copper, stainless steel, and aluminium.
- 17.33 Measures to protect the building by increasing security include:
- Making access to roof tops more difficult
 - Storing ladders away
 - Protecting exposed scaffolding
 - Keeping gates locked
 - Regular inspections of the building especially after inclement weather
 - Encouraging local support to become more alert
 - Security lighting – however, this option needs to be considered in relation to planning policies
 - Use of anti-climb paint, only if necessary, to down pipes and guttering
 - Use of ‘Smartwater’ which is a security product that links the thieves to the crime scenes, however, this option may need DAC Consent

- CCTV

- 17.34 If the metal roof has been stolen, it is recommended that it be replaced on a “like-for-like” basis. However, if the same material has been repeatedly stolen, it may be possible to look at alternative solutions. These can be temporary until the price of metal goes down and so that the appropriate material can be replaced at some point in the future.
- 17.35 Change in roofing material may require Planning permission particularly if the roof is visible. However, if the roof pitch is low and not visible then it may be possible to replace the covering with an alternative without the need for Planning permission. Each circumstance will be viewed on its own merits and will involve consultation with English Heritage and the Council.
- 17.36 Lead is a highly sustainable material and provides excellent protection from water ingress. Alternatives such as terne coated steel and Sarnafil have been suggested in light of repeated metal thefts. South Cambridgeshire District Council may support either of these materials, but each case will be judged on its own merits.

PART III: APPENDICES



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