

Wessex LBAC Handbook

The Wessex Synod

2024

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Listed buildings & Conservation areas

A Listed building is a structure or building that has been placed on the Statutory List of Buildings of Special Architectural or Historic Interest. Listed buildings are designated by the Secretary of State for Culture Media and Sport, acting on advice from English Heritage. There are three types of Listed status for buildings; Grade I (buildings of exceptional interest), Grade II* (buildings of more than special interest), Grade II (buildings that are of special interest, and deemed worthy of preservation). Prior to 1970 there was also a Grade III which was abolished. The Secretary of State can still List buildings. If it comes to your notice that listing is being considered please contact the Synod Property and Trust Officers without delay.

Listed buildings have legal protection and carrying out work and alterations without the appropriate consent is a criminal offence. Relevant legislation includes the Town & Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990. The legislation places controls on any work that might affect the character and setting of the listed building, but not repairs undertaken on a 'like for like' basis.

Approximately 50 churches in the Wessex Synod have buildings which are Listed. **Listing covers all parts of the building including the exterior and the interior, any boundary walls or railings and any buildings within the curtilage (i.e: immediately adjoining garden or grounds).**

A Conservation Area is an area within a town or village considered by the planning authority as worthy of preservation or enhancement because of its architectural or historical interest. In Conservation Areas planning policy sets out to preserve the setting of an area rather than a specific building. Some development rights usually allowed by law are not available (e.g: demolition, felling of trees, erecting boundary fences and walls). The legislation applies to all property within the Conservation Area, whether Listed or not. Please contact the Synod Property Officer if you are not certain whether your proposals require Conservation Area Consent.

Normally the process for gaining Listed Building and Conservation Area consent for works at private houses and commercial property is managed by Local Authorities. However the United Reformed Church (in common with other denominations) has legal authority to grant Listed Building Consent and Conservation Area Consent for works to URC buildings

primarily used for public worship and ecclesiastical purposes. This statutory provision is known as 'Ecclesiastical Exemption' and the relevant legislation is the 'Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order' (as amended). The Order is regularly reviewed by Government **and it is important that we apply the system properly if we wish to retain the privilege of exemption from local authority control.**

The application of the Order is described in full in "The United Reformed Church and The Planning, Listed Building and Conservation Areas Act 1990, Procedure for Control of Works to Buildings", which is attached as Appendix A.

Church Elders planning to undertake works to Listed Buildings and/or works in Conservation Areas must apply in their capacity as 'managing trustees' to the Wessex Trust (W.T.) who will process the application following the same working practices and principles as a Local Authority, and with reference to relevant planning policy and guidance notes. Additionally under the Ecclesiastical Exemption the W.T. is required to take external advice from specialists in building conservation, and the suitability of the building for ecclesiastical use is also a material consideration. This requirement is met by referring the application to the Synod Listed Building Advisory Committee (LBAC). *NB The Wessex Trust will not normally consider grant applications for work on listed buildings which has not received prior consent from the LBAC.*

How to apply for consent

Making a formal application for Listed Building Consent and/or Conservation Area Consent can be time consuming and expensive so before working up a scheme **churches are strongly advised to discuss matters with your Synod Property Officers (SPOs.)** They are your entry point for this process and will help ensure that your application contains all information likely to be required by the LBAC.

When you are ready, the complete application should be sent to the secretary of the Listed Buildings Advisory Committee (LBAC) . This must be received at least 5 weeks prior to a LBAC meeting - these are listed on the Synod calendar.

Applications for Listed Building Consent must include:-

1. A completed Application Form (comprising LBAC FORM1, 1A and QU). Sample forms can be seen here Your SPO can provide you with the initial forms needed.
2. A copy of your most recent Quinquennial Survey
3. Statement of Significance
4. Statement of Need
5. Plans & Specifications. This would include full, detailed drawings and a detailed schedule of works.
6. Copies of adverts and site notices
7. Photographs and any other supportive material
8. The Wessex Trust will want to see Church Meeting resolutions, signed and dated, relating to the work being done.

Statements of Significance and Need

In most cases it will be necessary to provide a Statement of Significance and Need. A useful point of reference is:

Statements of Significance and Need will not be required from non-listed churches applying for Conservation Consent.

These Statements are two separate documents. The Statement of Significance details the historical development of the property and identifies the special features which are important to the character and setting of the building. It also considers in detail the significance of the area affected by the proposal. The Statement of Need sets out why changes to the building have to be made and how these will benefit the church and community, so as to justify any detrimental impact on the setting and character of the building. Churches will need to involve their professional adviser (i.e: surveyor or architect) when preparing these statements.

Plans & Specifications

It is not possible to make an application for ‘outline’ (or ‘in principle’) listed building consent. Applications must include detailed and specific proposals, to allow the impact of the works on the building to be assessed. If poor plans or inadequate information are provided the application will be declined upon receipt by the LBAC Secretary, which will mean that the proposals cannot be dealt with by the Wessex Trust and LBAC. There is no formal outline/in-principle process, but the LBAC do welcome pre-application dialogue, which may include a site visit and discussion of early-stage ideas.

Churches will undoubtedly need help from an appropriately qualified and experienced professional, most likely an architect, surveyor or project-manager. The architect or surveyor who undertakes your quinquennial survey may be best placed to help, however the RIBA and the RICS can provide more information about professionals in your area:

Royal Institute of British Architects, 66 Portland Place, London. W1B 1AD (Tel: 020 7307 3700) www.ribafind.org

Royal Institution of Chartered Surveyors, 12 Great George Street, Parliament Square, London. (Tel: 020 7334 3781 or 020 7695 1618). www.rics.org

The W.T.’s requirements for plans follows that of local authorities, and includes:-

- Location Plan (1:1250 or 1:2500)
- Existing and Proposed Block Plan (1:200 or 1:500)
- Existing and Proposed Floor Plans (1:50 or 1:100)
- Existing and Proposed Elevations (1:50 or 1:100)
- Existing and Proposed Site Sections and Levels (1:50 or 1:100)
- Roof Plans (1:50 or 1:100)
- Details of all New Windows/Doors/Fireplaces, etc (1:5 or 1:10 or full size)
- Details of Cross Sections (1:50 when raising roof, extending building, altering staircases or changing floor levels)

N.B. In some cases not all of these will be relevant.

Adverts and Notices

The proposals have to be advertised locally by putting up a site notice and, if Grade I or Grade II* or if external works are proposed, an advert in a local newspaper. *This is the church's legal responsibility.* Sample texts can be obtained from the LBAC secretary. The notice/advert should detail what works are proposed, where the plans can be inspected, and the address for comments and objections (i.e. the LBAC secretary). Your notice or advert should be put on display at the same time as submitting the application to the Wessex Trust, and a copy of the notice or advert must be enclosed with the application.

Photographs

Photographs are a useful addition to any application and can be incorporated into the plans and specifications. Photographs and drone footage of the areas to be worked on are a great help. If your application is approved by the Wessex Trust you may be asked to provide a more formal Photographic Record of Condition. Your professional advisers will guide you on this.

Processing Your Application

Upon receipt your application will be vetted by the relevant Synod Property Officer, in consultation with the Secretary of the LBAC. Once this process is complete the application will either be acknowledged and Registered, or, if incomplete or inadequate, returned to you with appropriate comments and guidance. The 10 week LBAC period for considering the application will commence from the date registration is completed.

Once registered the application will be sent to the LBAC, who may arrange a site visit. They will send copies of the application to consultees (including English Heritage and the Local Authority) who have 28 days to comment. Once the consultees' comments are to hand the LBAC will discuss the application and may raise queries. When the LBAC has all the information it needs it will submit its advice to the Wessex Trust and will send a copy to the applicant; *however this should not be mistaken for the final decision.* If the LBAC advice is not fully supportive, then the church would be well advised to consult the LBAC to try to find a way of reaching a scheme which the LBAC can recommend. In practice the LBAC will get in touch with churches proactively if more information is needed or the scheme is "not quite there yet", but they do not give design advice.

The Wessex Trust will make a final decision on the application taking into account the LBAC advice and comments from the consultees. The committee will then formally notify the church of their decision. In non-contentious cases, it should be possible to reach a decision within 8-10 weeks of the application being acknowledged. If the process will take longer then the church will be informed of that fact.

Refusal and Appeals

If the application is refused, or granted subject to conditions which the church feels are onerous, then the church can notify the Secretary of the Wessex Trust that it wishes to