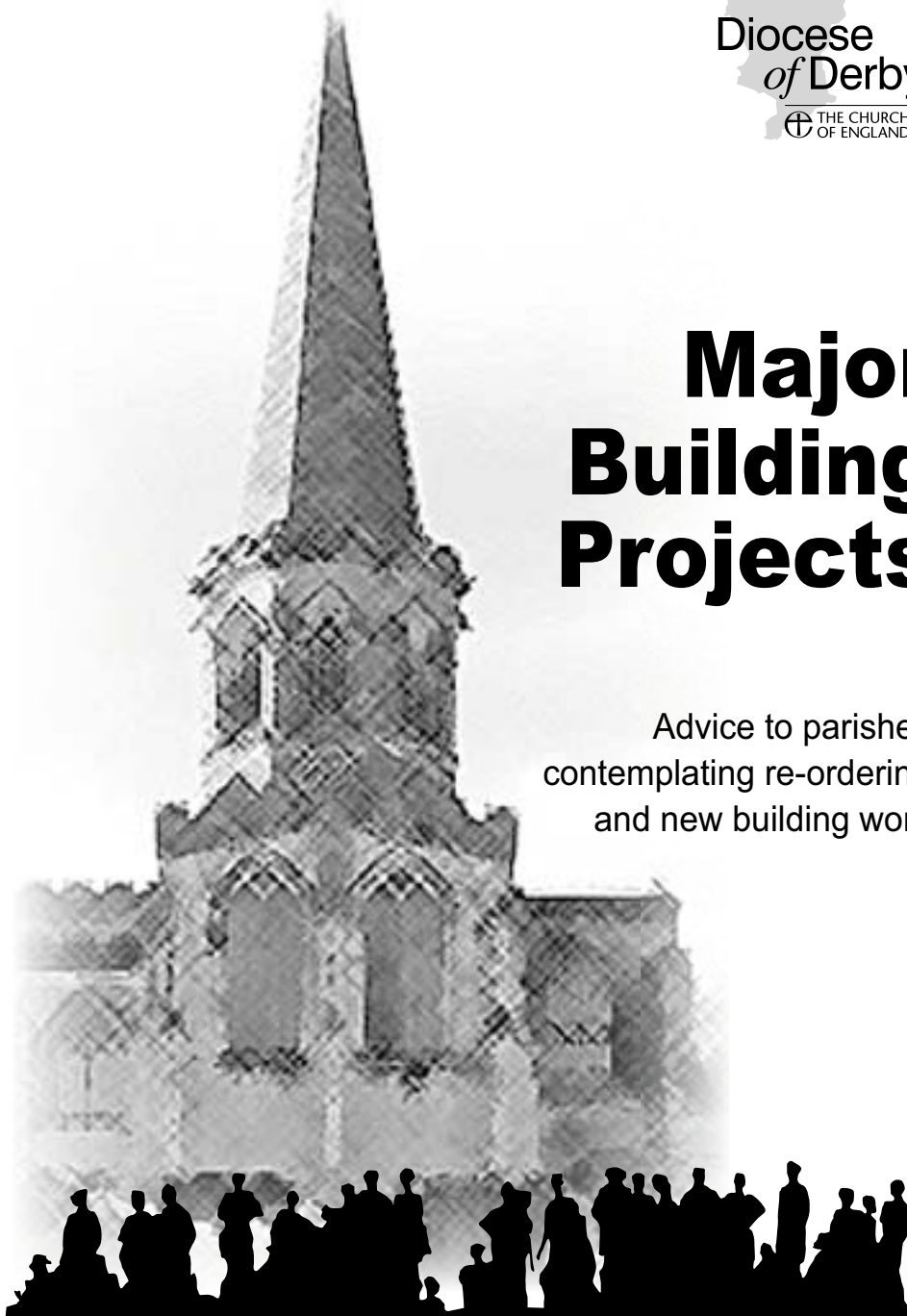


# Major Building Projects

Advice to parishes contemplating re-ordering and new building work



*Derby Diocesan Advisory Committee for the Care of Churches*

## **Introduction**

This booklet is intended to provide useful advice to parishes contemplating major projects such as the re-ordering or extension of churches to meet changing worship needs or create wider community use. It aims to outline and guide parishes through the formal procedures and requirements that have to be followed in order to gain the approvals necessary for such schemes.

Those responsible for the care of our church buildings will be aware that they are custodians having responsibility to future generations. At the same time, it is also true that many of our best churches are the product of centuries of change and adaptation to new tastes, needs and patterns of worship. Guidance from the Council for the Care of Churches and heritage bodies acknowledges the importance of maintaining the continuity of use of our churches. Meeting the challenges for our church buildings in the future therefore involves balancing practical needs with identifying and preserving the qualities that make our church buildings special.

## **Ecclesiastical Exemption and the Faculty System**

The Church of England is one of a number of denominations that enjoy 'Ecclesiastical Exemption'. This means that some church buildings are exempt from certain aspects of normal secular planning laws. This exemption has been gained because the Church of England operates its own internal system which is considered equivalent to that operated by Local Planning Authorities. This system is called the Faculty System: the Faculty (or approval) is granted by the Chancellor of a Diocese following advice given by the Diocese's Advisory Committee (DAC). The DAC is made up of a mixture of clergy, lay members, architects, and representatives of local authorities and amenity societies.

The benefit of Ecclesiastical Exemption is that it allows the needs of the parish to be considered in determining approval for works, repairs and alterations. The Faculty System is subject to external scrutiny at local and national level. It is necessary for the DAC to be able to demonstrate that procedures have been correctly followed, including consideration of national Planning Policy requirements.

## **The Role of the Diocesan Advisory Committee**

The official role of the DAC is to advise the Chancellor of the Diocese on the suitability of proposals put forward by a parish. In practice the DAC adopts procedures providing advice to a parish as proposals are developed to try and ensure that it can make a positive recommendation to the Chancellor. This booklet explains these procedures.

## **Appointing An Architect, Surveyor or Designer**

All parishes are required, in accordance with the *Inspection of Churches Measure* to appoint an Architect or Surveyor approved by the Diocese to carry out a five-yearly (or quinquennial) inspection of the fabric of the church. It is strongly recommended that you also use your church architect as the lead professional for any other building work and projects that the parish may be considering. An ongoing relationship with your architect ensures that the needs of the building and parish are combined and can be planned for the long term. Your architect will possess both technical knowledge and design skills.

If, for any reason, you wish to change your architect, or employ a different architect or designer for a specific project, your existing architect must be notified.

If you are appointing a new architect to carry out roles that include the quinquennial inspection, the architect should be on the Diocese's approved list. There is no requirement to use an approved architect to co-ordinate works other than the quinquennial inspection, but this is recommended. In choosing a new architect you may wish to consider recommendations by other parishes. It is particularly important that there is a good relationship with your architect and so you should meet with candidates. Past projects, technical knowledge and experience may be a consideration, as may enthusiasm and vision. Whilst proposed fees or charging arrangements will also be an issue, this should not normally be the primary factor in choosing the right designer.

It is strongly recommended that any proposals for new design or building work are produced or co-ordinated by a fully qualified architect. An architect has the combination of design and presentation skills and technical knowledge that can ensure that even modest proposals are well considered. While it is understood that parishes may wish to try and save money by avoiding employing appropriate professionals, this is normally reflected in the quality of submissions to the DAC and tends to serve only to make the process of developing and obtaining approval for a project more difficult.

The term 'architect' is legally protected and only a person registered with the Architects Registration Board (ARB) may use it - their registration can be checked on the ARB's website [www.arb.org.uk](http://www.arb.org.uk). A 'Chartered Architect' will also be a member of the Royal Institute of British Architects. If your church is a Listed Building and you may need to apply for grant aid for repairs from English Heritage. English Heritage requires architects co-ordinating repair work to be on the Register of Architects Accredited in Building Conservation (AABC); Surveyors must be accredited in conservation by the Royal Institution of Chartered Surveyors.

## **The Typical Project Development Process**

The following is an outline of the steps and stages that a project might be expected to follow. However in some cases it may be necessary or appropriate to vary the order in which certain steps are taken, which might depend on the size of the project, the architectural or historical importance of existing buildings, and how clearly the needs of the parish can be defined.

### **1 - The Statement of Need**

The first stage of any project is to identify why change is needed.

Change may be considered necessary for various reasons including:

- There is insufficient space due to an expanding congregation;
- The existing layout of a church hampers preferred modes of worship;
- Alterations required to improve facilities and access for people with disabilities;
- A desire to try and encourage wider use of under-used church buildings by the local community;
- A desire to enhance facilities or the quality of the environment within or outside the church building;
- A desire to rationalise and reduce a parish's building stock for practical and financial reasons.

The parish should give careful consideration to the identification of both current demands and expectation of future need. The analysis and conclusion of this process should be recorded in a document known as the 'Statement of Need'.

The Statement of Need has a number of functions. Firstly, and perhaps most importantly, it is a means for a parish to identify and agree its own immediate needs and challenges, and so help shape its longer term aims and objectives. It is also a helpful way of demonstrating these thought processes to people from outside the parish.

Ultimately the Statement of Need is a very important document: it helps explain and justify why change is required to the DAC and other external consultees who may otherwise not be able to understand and fully appreciate the background to a project. A good Statement of Needs therefore has to be clear and relatively 'businesslike' - where possible backed by facts and figures. It may also be helpful to include additional information regarding the characteristics of the parish, demographic information, and any special pastoral considerations.

It is particularly important in the context of projects involving Listed Buildings as the Statement of Need can in some circumstances be used to weigh, balance and justify loss of historic fabric. For historic churches there is generally a strong presumption against loss of original or old building fabric and a well presented, strong and factual Statement of Need may sometimes help provide a case for an exception to be considered.

## **2 - The Statement of Significance**

The Statement of Significance is an important document that allows the DAC and third parties to understand the context of proposals that a parish puts forward in relation to their impact on any existing buildings or building fabric.

The Statement of Significance should be an honest assessment of the development and architectural and historical significance of the church building, its fittings and furniture, its setting, and its importance within the parish. The Statement of Significance might include:

- Whether the church is a Listed Building, and if so, the Grade;
- Whether the church is within a Conservation Area;
- The historical development of the church, including approximate dates of construction - consult guidebooks, see if the church has an entry in 'Pevsner' (the Derbyshire edition of the '*Buildings of England*' series of books now published by Yale), check libraries/local studies for J. Charles Cox's '*Notes on the Churches of Derbyshire*' (published in 4 volumes between 1873-9), obtain a copy of the Listing Description from your Local Planning Authority (if the building is Listed) or ask your Church Architect;
- Include dates and information on known phases of restoration;
- Include information on fittings and furnishings, including whether they are contemporary with the original construction, or have been introduced later, and whether or not they are in their original positions;
- It may be appropriate to refer to the state of repair of building fabric and fittings;
- It may be appropriate to refer to other buildings and/or structures within the churchyard, or that are also owned by the parish;
- Consider if any issues should be highlighted - are there any buildings or important views or vistas surrounding the church that might need to be protected?
- Provide extra focus on aspects relevant to proposed works;
- Also useful is an overall summary and understanding of the historic and architectural character of the interior and exterior of the church.

The Council for the Care of Churches also produces additional guidance on how to prepare a Statement of Significance including model examples (available from the DAC Secretary).

### **3 - Consultation with External Organisations**

Early consultation with external bodies is recommended. The appropriate time to consult could vary - if the parish has a clear idea of what form any proposals are likely to take then this may be appropriate in advance of contacting the DAC for informal advice, or in parallel with such discussions.

If a scheme is likely to involve an extension, then the Local Planning Authority (which is a part of your local borough or district council) can be contacted and Planning Officers may be able to give some form of indication as to whether or not such development might be possible in principle. If the building is Listed or within a Conservation Area then the Planning Officer may feel it appropriate to approach the Authority's Conservation Officer for further advice.

English Heritage must be consulted in respect of any proposal to re-order, extend or develop within the churchyard of any Grade I or Grade II\* Listed church. They must also be consulted with regard to any proposal which involves substantial removal of original fittings or partial demolition of any Grade II Listed building.

For Listed buildings, the Society for the Protection of Ancient Buildings (SPAB) should be consulted on proposals that may affect pre-Georgian buildings, building fabric and fittings. The Georgian Society must be consulted in relation to buildings etc. from that period, and the Victorian Society for the period up to 1914. For Listed churches dating from after the First World War the Twentieth Century Society must be consulted.

If your church has received money from grant-giving organisations in the past, for example English Heritage, the grant offer may have included conditions requiring you to consult them regarding any future projects.

### **4 - Informal Advice Applications and Site Visits**

The DAC is happy to offer such advice as it can at any stage in a project when asked by a parish. You may therefore wish to contact the DAC at a very early stage and 'test the water' before progressing very far with a project.

However, in many cases it will be helpful to the DAC if some of the groundwork has already been covered and questions answered by the preparation of the

Statement of Needs and Statement of Significance. Where these documents are available, it is normally possible for the DAC to offer a greater degree of advice.

If the parish has already consulted external bodies, then the DAC should be provided with copies of any correspondence.

In many cases it is considered helpful for a Site Visit to be arranged. In such cases representatives from the DAC will meet with members of the parish and options can be discussed, or outline proposals presented. The DAC is normally represented by the Archdeacon, a clergy member of the committee (one of whom chairs the meeting) the DAC Secretary, and one of the DAC architects, although occasionally other DAC members will attend. The DAC members present may offer such advice as possible, and the DAC Secretary will produce a report of the meeting. The views expressed on site do not necessarily constitute the official advice of the DAC: this can only be confirmed once the outcome of the meeting is reported to the next full DAC meeting.

The PCC may choose who it wishes to attend the Site Visit: this typically includes the incumbent, Church Architect and additional members of the church as appropriate to represent the views of the parish. It should be noted that whilst there is no set limit on the number of parish representatives, it can sometimes prove difficult to keep a meeting focused where a lot of people attend.

It is often also very helpful to invite representatives of the other external consultees to the Site Visit. This may include Planning or Conservation Officers from the Local Planning Authority and representatives from English Heritage, SPAB, the Victorian Society etc. as appropriate. The DAC Secretary can normally co-ordinate this on behalf of the parish when asked to do so.

Informal advice from the DAC can be invited by writing to the DAC Secretary. If the parish thinks a site visit may be useful, this will need to be raised and agreed by the DAC at its meeting in order to allow DAC members to be appointed to attend. Informal advice applications are considered by the full DAC, and the Secretary will contact the parish to relay any advice, or request additional information where considered necessary.

## **5 - Feasibility Studies and Options Appraisals**

On larger development projects it is unusual for there to be only one possible design solution. Often there may be a number of options, each with both

advantages and disadvantages. It is normally helpful to show that these options have been properly explored in order to be certain that the most appropriate solution is adopted.

This is typically presented in the format of a Feasibility Study, a document which identifies and presents the relevant issues, and tries to see which of the various options best satisfies these needs. Clearly the Statement of Need is important as it includes much of the background information and functional requirements for the project. Similarly the Statement of Significance is important in highlighting many of the issues likely to be important to protecting or enhancing the character of existing buildings.

The content of a Feasibility Study will depend on the size and scope of the project, but may consider major issues such as:

- The functional and programmatic requirements of the project, identified by the Statement of Needs;
- Requirements for changing future needs, flexibility, long term aims, demographic change, etc.;
- The existing buildings and land owned by the parish, including the church building, parish halls and associated land;
- Analysis of why existing buildings and facilities may fail to meet identified needs;
- The historical significance of buildings and structures, identified by the Statement of Significance;
- Construction/development costs and likely sources of funding.

The study may also consider other issues such as:

- Reports on state of repair of existing buildings;
- Local Authority planning policies constraints, for example Conservation Area status, special planning policy zones eg. Green Belt, etc.
- Advice and policies on development published by other bodies, for example, English Heritage and the Council for the Care of Churches;
- Practical constraints, eg. drainage, services connections, car parking, archaeological constraints,
- Architectural and design quality of proposals, creating new buildings and spaces of appropriate character, or preserving and enhancing the quality of existing buildings and spaces;
- Running and maintenance costs;
- Security, safety and management of buildings and environs;
- Environmental considerations.

Having considered these issues it may then be appropriate for the Feasibility Study to look at the more obvious ways in which the basic requirements of the project could be solved, identifying and considering the good and bad points for each alternative. For example, the identified needs of a parish could be met by subdivision of an existing church building, by providing an extension, or by providing a new separate building, each with benefits and disadvantages in terms of satisfying need, cost etc. In the case of historic buildings there are also likely to be a further range of issues related to the need to preserve their character and setting.

A Feasibility Study can be a useful aid to the DAC and to the Local Planning Authority (for those schemes that also require Planning Permission) to demonstrate that the most appropriate solution has been adopted. It can also be useful in seeking funding from grant bodies.

## **6 - Finalising The Brief and Producing Firm Proposals**

Once the Statements of Need and Significance have been completed and, for those projects that warrant it, a Feasibility Study carried out, it should be possible to define and confirm the final design brief to your architect. Your designer can then draw-up, develop and present firm proposals.

Your architect may well have been involved throughout the whole process and may have produced the Feasibility Study on the parish's behalf. In such cases the confirmation of the brief may be a formality, but it will still ensure that there are no doubts about the aims of the project for either the parish or designer.

## **7 - Presentation to the DAC**

### **Purpose of the presentation**

Normally parishes do not present their proposals in person to the DAC. Schemes may be straightforward and essentially self-explanatory requiring no further presentation other than the submission of the Formal Advice Application.

However, for major projects there can now be the facility for parishes to have opportunity to present their scheme at one of the regular DAC meetings. The perceived benefit of the presentation is to speed up the advice process by allowing the DAC members to obtain a fuller understanding of a project and give an opportunity to put questions direct to parish representatives.

As DAC meetings are only held monthly, if members have queries or concerns about a proposal then it is necessary to defer a decision until a parish can provide information that satisfactorily answers the concerns. The DAC tries to speed up this process through its system of standing committee meetings, held a week before the full DAC meeting to allow the business of the main committee to be planned, and giving the DAC Secretary opportunity to try and obtain outstanding information from parishes. However, occasionally on complex projects it can still take several months of correspondence between parish and DAC before a project can be taken forward. Although sometimes unavoidable, this can still be frustrating for a parish and a well considered and prepared presentation may provide a significant opportunity to short-cut these difficulties.

### **Invitation by the DAC**

If the DAC considers that a scheme is a 'major project' that could benefit from a presentation, the DAC Secretary will contact the parish to advise them that, if they wish, they can have the opportunity to make a direct presentation to the full DAC. If the parish wish to accept this invitation they should liaise with the DAC Secretary to arrange a suitable date.

### **Scheduling the presentation**

DAC meetings are held monthly and often last several hours with a full agenda. As a result the presentation will need to be fitted within the other business of the meeting. Time constraints mean that only one presentation by a parish will be possible each month and as a result PCCs can only be offered a single opportunity for a direct presentation to the full DAC for each project. When several parishes may wish to make a presentation at about the same time it will unfortunately be necessary for some to have to wait for subsequent meetings. Parishes are advised to liaise with the DAC Secretary as soon as they believe they may be ready to make a presentation in order to allow a suitable meeting date to be programmed.

### **Parish representation**

Representation will normally consist of the church architect and one member of the parish (for example the incumbent, churchwarden or nominated PCC member). The purpose of having the architect present is to allow the design proposals to be explained, and to allow any technical questions to be answered. The other representative will be able to present the parish viewpoint, considering pastoral issues and explaining the Statement of Needs.

### **Information to be submitted prior to the presentation**

In order to help members of the DAC have an understanding of the proposals and background to the project, and so be able to engage in positive discussion, the parish should submit their Statement of Significance and Statement of Needs at least two weeks prior to the date of the presentation. The information must be received in good time to allow it to be distributed to DAC members otherwise it may be necessary to postpone the presentation. In addition to the Statements of Significance and Need, it may also be helpful to include a summary of the design proposals and other supporting information provided that this is supplied in a concise format that can easily be copied and sent out to members.

### **Format of the presentation**

The parish representatives will only be able to join the DAC for the presentation itself, and should contact the DAC Secretary as to the approximate start time. If the parish have any displays, models or computer presentations, it may be advantageous for these to be set up before the meeting starts, and this can be arranged with the DAC Secretary.

Proposals involving re-ordering, alterations, extensions or new buildings should be illustrated by plans and (where appropriate) elevation and section drawings of at least 1:100 scale, adequate to give a clear impression of the works or changes proposed. Generally it is helpful to have both 'as existing' and 'as proposed' (ie. before and after) drawings. Also useful are photographs, both general images and more detailed pictures of features of significance or areas that may be focus of change. The presentation may also include 'artists impressions', computer visualisations, models, reports (for example, access audits) or any other material that the parish feel will be helpful to give DAC members an understanding of their project.

When the appropriate time is reached in the agenda the parish representatives will be invited to join the DAC meeting. The presentation should be planned so that, if possible, it takes no longer than twenty minutes: smaller projects may require less time and, exceptionally, very large projects may take a little longer. The parish should discuss and plan with their church architect the best way to make use of this time, the issues that it feels should be highlighted, and how it should structure the presentation to convey this to the DAC.

When the parish have completed their presentation there will be an opportunity for DAC members to ask questions or make informal comments. During this session DAC members may highlight individual concerns as part of discussions.

The parish must be aware that these views, whilst offered in goodwill, may not necessarily form part of the collective DAC view.

### **Following the presentation.**

When DAC members have no further questions or points they wish to highlight to the parish, the Chairman will thank the parish representatives for attending and then ask them to leave. The DAC will then discuss the parish's proposals further and agree its collective advice. The DAC Secretary will then write to the parish to confirm the advice or recommendations that the DAC wish to offer.

## **8 - The Formal Advice Application**

If the DAC is satisfied about the principle of a parish's proposals it will write to the PCC to recommend the project is developed in more detail so that an application for Formal Advice can be submitted.

The information that the DAC will require for a Formal Advice Application will need to be comprehensive and detailed. The DAC has to be satisfied that all aspects of the proposals are acceptable.

Information the DAC may require, depending on the nature of the project, could include:

- General arrangement drawings (plans, elevations, sections), 'as-existing' and 'as-proposed' at 1:100 or 1:50 giving an overall impression of proposed changes, or showing smaller changes in context;
- Detailed drawings (1:20 or larger) showing important new features, construction information, details of joinery and fittings etc.;
- Details of heating, lighting, electrical systems, sound systems, or other building services;
- Details of proposed finishes and materials;
- Design statements by the architect and any other designers/artists;
- Written specifications and schedules of work or repair.

In general your church architect is likely to be aware of the level of detailed information likely to be required for the Formal Advice Application, but in cases of doubt the PCC or the church architect can contact the DAC Secretary for clarification.

The DAC may consult some of its own advisers on specialist matters, such as electrical or heating works, or works affecting bells, organs, archaeology, historic artifacts etc. Normally all correspondence will be sent via the DAC Secretary.

Occasionally, to speed up an application, arrangements may be made to allow a parish's design team to contact or meet directly with an adviser or DAC Architect to resolve specific design issues. As all of the DAC's professional advisors give their time on a voluntary and unpaid basis, this arrangement can only be made for special cases.

If the DAC is satisfied with the information provided, a Certificate giving the DAC's recommendation to the Chancellor will be issued. The certificate may also include recommendations for conditions to be attached to a Faculty. If the DAC has queries, or requires additional information, the DAC will contact the PCC or (if the PCC prefers) the church architect to request the clarifications or amendments needed in order to satisfy the DAC and allow a Certificate to be issued.

## **9 - Applying for Faculty**

The DAC Certificate does not in itself give the parish permission to make a start on physical changes or construction works. The PCC must apply for a Faculty from the Chancellor (ie. Judge of the Diocese's Consistory Court). This is administered by the Registrar's Office rather than the DAC.

The PCC will need to complete and return the Faculty Petition, together with the DAC Certificate, in accordance with guidance notes from the Registrar. As part of the procedure a public notice must be displayed at the church for 28 days to allow time for objections. Parishes should be aware that the process can itself take several weeks, and that the Registrar and Chancellor may have their own queries that need to be satisfied, particularly regarding legal matters, before a Faculty can be issued.

It is not necessary for a PCC to have the support of the DAC in order to apply to the Chancellor for a Faculty. Although the Chancellor is obliged to receive the advice of the DAC he doesn't necessarily have to follow it. In rare cases a Parish may decide to apply for a Faculty against the recommendation of the DAC, in which case a Certificate will be issued not recommending the proposals and the Faculty Petition is submitted and processed by the Registry in the same way as usual.

## **10 – Archdeacon's License for temporary reordering**

Occasionally a parish may wish to carry out a temporary re-ordering as part of the feasibility and design development process of a larger project. In such cases it is recommended that the PCC contact the DAC Secretary to determine whether use of an Archdeacon's License may be an appropriate measure.

## **11 - Other Approvals: Planning Permission, Listed Building Consent, Building Regulations Approval.**

Approval from the Diocese in the form of a Faculty may not be the only official approval required before works can commence.

Any proposal that involves the physical extension of an existing building, or new building works will almost certainly require Planning Permission. Parishes need to be aware that it may be possible to convince the DAC of the need for new building and yet fail to prove the case to the Local Planning Authority. Hopefully if the parish has developed the project in line with the recommendations in this booklet, and has consulted the Local Authority throughout the process, such situations can be avoided. In applying for Planning Permission the parish may find it helpful to include Statements of Need, Significance, Feasibility Studies and the advice of the DAC so that these factors can be considered by Planning Officers and members of the Planning Committee. There will be a fee for any application for Planning Permission.

Ecclesiastical Exemption means that there is no need to apply for Listed Building Consent for works relating to a Listed church. However, works relating to separately Listed churchyard structures, boundary walls, or independent Listed buildings may still require Listed Building Consent from the Local Authority. Works involving demolition of buildings or felling or lopping of trees within a Conservation Area will require Conservation Area Consent. Parishes should also check if trees protected by Tree Preservation Orders are affected.

Building works involving structural alterations, changes to drainage, introduction of insulation etc. that are not simple repair or maintenance may require Approval by the Local Authority's Building Control Department.

## **12 - Good Practice Examples & Project Feedback.**

The Diocesan Advisory Committee maintains a folder of projects to provide examples and guidance to parishes contemplating re-ordering and new building work. This can be viewed by contacting the DAC Secretary.

The DAC is keen to facilitate and promote successful projects as guidance and support for other parishes. For this reason we would be grateful for parishes keeping us informed as to how their projects develop, whether or not they are successful, what is good and what could, on reflection, have been better. Sharing such knowledge will hopefully allow both the DAC and parishes to build on the experience of successful projects.

## Further Reading

*Church Extensions and Adaptations (2nd edition)* Council for the Care of Churches 1996, published by Church House Publishing (£10).

*New Work in Historic Places of Worship*, published by English Heritage (can be downloaded for free from the English Heritage website).

## Contact Details

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*DAC Secretary:*

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English Heritage, East Midlands Region

44 Derngate Northampton NN1 1UH, Telephone 01604 735400

The Society for the Protection of Ancient Buildings (SPAB)

37 Spital Square, London E1 6DY, Telephone 020 7377 1644

The Victorian Society

1 Priory Gardens, Bedford Park, London W4 1TT, Telephone 0870 774 3698

The Georgian Group

6 Fitzroy Square, London W1T 5DX, Telephone 020 7529 8920

The Twentieth Century Society

70 Cowcross Street, London EC1M 6EJ, Telephone 020 7250 3857

Contact details for Local Authority Conservation Officers can be found on the Derbyshire Historic Buildings Trust website:

[www.derbyshirehistoricbuildings.org.uk](http://www.derbyshirehistoricbuildings.org.uk)

## Typical Project Development - Summary

