



## LISTED BUILDINGS AND ECCLESIASTICAL EXEMPTION

### Does this apply to you?

This section applies to you if your church or any part of your church property:

- is in England, and
- is listed or in a conservation area

The Secretary of State adds buildings to the list from time to time; if your church or any part of it becomes listed, he must inform you. Please tell the appropriate Synod officer and enclose a copy of the listing.

### Abbreviations/terminology

'The Procedure' or 'the United Reformed Church Procedure' means The United Reformed Church and the Planning (Listed Buildings and Conservation Areas) Act 1990 Procedure for control of works to buildings, 2007 edition (as amended 2010).

The full text is available from the United Reformed Church website:

[www.urc.org.uk/what\\_we\\_do/plato/procedure\\_for\\_the\\_control\\_of\\_works\\_to\\_buildings](http://www.urc.org.uk/what_we_do/plato/procedure_for_the_control_of_works_to_buildings)

LBAC = Listed Building Advisory Committee (for more details see the first schedule of the United Reformed Church Procedure).

SPC = Synod Property Committee.

Consultative Bodies include English Heritage, (for buildings listed Grade I or II\*, and Grade II where the alterations are substantial) the local planning authority and others, which are listed in the second schedule of the URC Procedure.

### Introduction

The United Reformed Church is one of the denominations which benefit from Ecclesiastical Exemption, which means that the denomination is able to deal with matters which would otherwise require Listed Building Consent or Conservation Area Consent from the local authority. It is important that we apply the system properly if we wish to retain the privilege of exemption from local authority control. Synods are required to have due regard to the role of a Local Church as a local centre of worship and mission. Local authorities vary considerably in their understanding of church requirements and for this reason the United Reformed Church has elected to retain its Ecclesiastical Exemption.

The Procedure was most recently revised in 2007 and amended in 2010 to take account of Government policy changes.

Each Synod has its own Listed Buildings Advisory Committee, defined in paragraph 2.11 of the United Reformed Church Procedure.

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## Application and scope

### Listed Buildings

If your church premises, (ie, the building whose primary use is as a place of worship) are listed and you wish to carry out any alterations, internal or external, you must follow the United Reformed Church Procedure. Exemption (and therefore the United Reformed Church Procedure) applies “by association” to buildings within the curtilage of the church other than those listed in their own right. This generally means property within the same boundary, although the precise definition of curtilage is currently the subject of discussion. If in doubt consult the Listed Buildings Advisory Committee Convener or the Synod property officer.

Your church site may also include buildings, or have walls, gates or railings, which are separately listed. Ecclesiastical Exemption does not apply to these: if you wish to make alterations to such items you will have to apply to your local planning authority.

### Unlisted premises in Conservation Areas

If your church is unlisted but within a conservation area, the present advice is that the United Reformed Church Procedure will apply on each occasion when local authority Conservation Area Consent would normally be required.

### General Considerations

You should have a copy of the listing particulars, which state the grade of listing and the main features. It is available at:

<http://list.english-heritage.org.uk>

Your local planning authority should be able to supply a copy, but will usually charge for this.

Please ensure that your Property Committee secretary and the Listed Buildings Advisory Committee secretary have copies.

### Repairs

Although “like for like” repairs will not normally need Listed Buildings Advisory Committee approval, you must ensure that the correct materials are being used. Many of our older buildings have suffered from the use of incorrect materials, which can easily worsen problems such as damp penetration. Your Listed Buildings Advisory Committee convener may be able to give you some advice about the necessity for seeking approval. In some cases (Grade II\* and above) grants may be available from English Heritage, in which case a very detailed specification of the works will be required.

### Procedure

The Synod Listed Buildings Advisory Committees urge you to discuss your proposals with them at a very early stage, as set out in the Government’s Planning Policy Statement 5. This will reduce the time spent on preparing applications and you may be told that work is sufficiently minor not to need consent.

If the Listed Buildings Advisory Committee route is required, a series of forms is used, adapted slightly for each Synod. You need to apply on Form 1, available from your Synod Property Committee secretary or equivalent or from some Synod

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websites (for example [www.urcyorkshire.org.uk/ci.html](http://www.urcyorkshire.org.uk/ci.html)). Form 1 has appendices for you to provide sufficient detail of your proposals.

The normal sequence of events is straightforward:

- Having obtained Church Meeting approval for your scheme, send Form 1 with appendices to both the Listed Buildings Advisory Committee and the SPC secretary. Additionally, send all the specified supporting documents to the Listed Buildings Advisory Committee. If you do not supply all the necessary information, you simply make extra work for yourself and other people, and create delay. Find out from your SPC secretary the number of copies your Listed Buildings Advisory Committee requires (see paragraph 5.1 of the United Reformed Church Procedure).
- If external works are involved, check with the local planning authority whether planning permission is required. You may have to explain that Ecclesiastical Exemption applies so that you do not have to submit a Listed Building or Conservation Area application to them. Some alterations (internal or external) may need Building Regulations approval.
- The Listed Buildings Advisory Committee secretary will inform you and the SPC secretary, using Form 2 (in version A, B or C) of their advice, and will supply a copy of Form 6 if necessary. The Listed Buildings Advisory Committee should respond within 10 weeks. Form 6 is required if the Listed Buildings Advisory Committee have declined to support the proposals, or placed significant conditions on the works.
- If Form 6 was supplied, you should complete it, and return it to the SPC Secretary within 6 months. The SPC Secretary will distribute it to the relevant Consultative bodies and the Listed Buildings Advisory Committee, who have twenty eight days for further comment.
- The SPC will make its decision based on the Listed Buildings Advisory Committee advice and your Form 6, if appropriate (see paragraph 7.3 of the Procedure). The SPC secretary will issue the appropriate version of Form 3 to you and the consultative bodies.
- In the case of unqualified approval, the SPC secretary will also issue Form 4, for you to return on completion of the works.
- If the Synod declines to support the proposal, you may appeal. The process for an appeal is the fourth schedule of the Procedure.