



**MINISTERIAL ADVISORY GROUP**  
FOR ARCHITECTURE AND THE BUILT  
ENVIRONMENT FOR NORTHERN IRELAND

## **DFC Consultation – Ecclesiastical Exemption**

### **MAG Response**

**13 | 6 | 16**

# **DFC Consultation – Ecclesiastical Exemption Ministerial Advisory Group (MAG) Response**

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**By email to:**

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## **1.00 General**

- 1.01 MAG was established in 2007 to advise the Minister for Culture, Arts and Leisure (and since Departmental reorganisation, the Minister for Communities) on the implementation of the Architecture and Built Environment Policy.
- 1.02 MAG welcomes the opportunity to comment on the proposals to remove Ecclesiastical Exemption, and would advise as follows, using the question and answer format.

**Q1 Do you agree with the Department that the Ecclesiastical Exemption should be removed?**

Yes, MAG agrees with the proposal to remove Ecclesiastical Exemption for listed ecclesiastical buildings. This proposal will align churches and other places of worship with existing policy for other listed properties. This is a difficult issue that requires careful balance between ensuring retention of a quality listed building and retention of a building that contributes to its local community and has a viable long term use. Buildings are listed not just because of their architectural significance, but also for their social significance.

Churches have a central position in our community and often inhabit key sites in our towns and villages. It is important to remember that once the planning department is engaged it may be agreed that sensitive and appropriate modification of the interior is the best approach to ensure a long term future for the building. The priority should be to enable ecclesiastical buildings to continue to be used for worship as they were intended, rather than being abandoned as congregations move elsewhere where they are not impeded in moving forward. The meaning of the original architecture is somewhat diminished when it no longer performs the function for which it was designed.

**Q2 The Department could have proposed a parallel system of consents based upon the English model. It rejected this because this was likely to require a complex system of control which would be costly to administer without clear benefits to owners / custodians or to the protection of ecclesiastical heritage assets. Do you agree with this approach?**

Yes, MAG agrees with this approach.

The balance between maintaining the essential character of church buildings whilst enabling churches to grow and adapt with the times is a key issue for many congregations. It is important that ecclesiastical buildings are allowed to change to suit the needs of their congregations. Some representative church bodies have proven great ability in handling this in a sensitive and appropriate way that acts in the best interests of their heritage asset and contributes to the ongoing stewardship of the building.

However, as pointed out in the consultation, other church bodies are less interested in the historic fabric of their church buildings, preferring perhaps to prioritise practicality over stewardship. Sometimes different faiths or new religions move into existing vacant ecclesiastical properties, or buildings are sold on to other bodies or individuals. In this case it is important that the heritage asset is protected for future generations, as the incomer may not hold the asset in the same regard. If one body oversees the system of consent, it would avoid damage to listed properties and ensure greater custodianship of ecclesiastical heritage assets.

Yet it is important to bear in mind that in order to survive in ecclesiastical use, buildings often need to become multi-functional, requiring changes that adapt the building for new purposes in addition to worship. Adaptations for new and more relaxed styles of worship can be antithetical to the built expression of formal worship styles which may no longer be in use. Fixed pews, for example, may completely restrict use of space yet may be very characteristic of the building type. Inviting a planning authority to make a reasoned judgement on such matters would require very clear guidance to be agreed with the churches / congregations that are responsible for the great bulk of these buildings before the longstanding exemption is considered for removal.

Churches occupy prime sites and the act of listing a church building effectively removes significant development value.

If listed building consent were to be required and not granted, there is a risk that making adaptation more difficult or impossible may result in having more disused buildings that rapidly decay. Planning cannot ensure buildings are used – restricting or removing these buildings' adaptability may reduce their potential to have longer useful lives, and hasten their overall decline, as caring congregations leave in frustration that the building may be restricting their growth or even their survival. An unchangeable building has minimal development value; it may also have little or no scope for reuse because of listing requirements to retain certain fixed elements. The building is therefore abandoned and has been made unusable; the forces of nature take over.

At this point, the refusal to allow change which may have seemed significant in an operating church (such as the removal of pews, for example, or a fixed pulpit) now pales into insignificance, as the very future of the building is threatened.

The changes for which consent was granted to RBAI at Christ Church, for example, or the 174 Trust, brought these buildings back into use from the brink of loss. Material considerations may have been that these major changes were necessary to save the buildings, but would these changes have been granted consent had there still been worshipping congregations in these churches? It would be unreasonable if church buildings had to be at the stage of collapse or loss to allow significant change to occur to retain them.

Each application should be therefore be considered on a case by case basis to safeguard not only the architectural quality of a listed building, but also its long term viability.

**Q3 The Department is proposing that the liturgical requirements of places of worship become a material concern in determining relevant applications for listed building consent for such buildings. Do you agree?**

Yes, MAG agrees with this proposal. A liturgical reason for change should become a material consideration in determining applications.

**Q4 Do you agree that best practice guidance on the alteration and adaption of Northern Ireland's listed places of worship should be developed in parallel to the process of removal of the exemption?**

Yes, MAG agrees this would be essential. Best practice guidance should be comprehensive and realistic, and agreed with all affected denominations responsible for listed ecclesiastical buildings before issue. Often, congregations have no idea where to start when faced with problems such as creating better access, improving heating systems or electrics and eliminating damp. These issues are common for almost all listed ecclesiastical buildings. The advice could offer 'best practice' solutions for maintenance and repair. It should refrain from generic design input, instead recommending the appointment of suitably qualified design professionals to assist with the work.

**Q5 Do you agree that the guidance should clarify that listed places of worship do not enjoy permitted development rights and that external changes such as removing windows, doors, taking off render, or changing roof details are 'development' and require planning permission?**

Yes, MAG agrees that guidance on permitted development rights should be included in order to avoid incremental damage to listed heritage assets. We would note that churches have benefited from organic change for centuries, and in many cases depend on such change for their continuing existence. If built forms are not working for the church or congregation, survival demands that they change. The concept of stewardship, leading to informed design solutions, should be reflected in policy so that social need is taken in balance with the need of the listed building.

**Q6 Do you agree that what is understood by 'liturgical requirements' should be clearly defined in the guidance?**

No, MAG does not agree. It would be inappropriate and impossible for an outside body to set out what is acceptable as a 'liturgical requirement' and this should be reviewed on a case by case basis.



## Further comments on the consultation format and paper



MAG has argued in its heritage regeneration paper that window replacements, for example, should not jeopardise a listing, since they can be changed to a different pattern in the future. In the case shown above, it is acknowledged in the consultation that “the church retains its original simplicity of proportion and style.” Changes to windows are reversible, and MAG has argued that such changes should not result in de-listing. After de-listing, the building no longer has any protection and could be demolished forthwith, any significant local interest having been written off by government but probably not by the congregation, whose forebears probably built it in 1818 as well as substantially rebuilding it in 1982. Interestingly, presumably the building has not been demolished, the congregation is “still there, still worshipping” and may be much relieved to be rid of the listing, enabling it to make further alterations, internal subdivisions, etc. or to completely demolish without any listed building consent.

The internal example of adaptation shown as a ‘good’ example on pages 10-11 of the consultation paper shows glazed screens which appear to have been inserted where there were none before. One may wonder whether this is any different from the replacement windows shown in the “after” example above. Both are modern insertions, both reversible. The Planning Appeals Commission will find expert evidence difficult to understand and sustain if it suggests that one of these is good practice and the other is sufficiently unacceptable to result in de-listing.

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