

## What is a faculty and why do I need to apply for one?

The majority of our churches are listed buildings and are therefore of national importance. All buildings in England are subject to planning and listed buildings legislation. Church of England buildings that are used for worship are exempt from listed building control under '[ecclesiastical exemption](#)'; instead you must seek faculty permission which is a licence to carry out work.

Like listed building control, any work carried out in the absence of a faculty is illegal and is a criminal offence. It is the duty of the incumbent and the churchwardens to obtain the relevant permission before carrying out any alterations to a church building (and often church halls). Any person undertaking works without a faculty may be liable to both civil and criminal procedures. The PCC would also be in breach of trust and the incumbent may face disciplinary proceedings.

The faculty process does take time and you will often need to submit a lot of detailed information such as plans and reports. Whilst this can seem frustrating and time consuming, you and the diocese have a legal duty to ensure that the changes you make to a building do not harm its character and appearance. Changes to a church should be carefully considered to ensure that they protect and conserve the building and are of benefit to the mission and life of the church.

When considering a faculty application the DAC and the chancellor have to make very delicate and nuanced decisions. They will look at the changes you want to make to the church and assess whether this will cause harm. This can be harm to the historic fabric, to the appearance or plan form of the church, to its use or function or to its cultural heritage etc. Most works will cause some harm, and so the DAC and chancellor will then look at what benefits the changes will bring. These can be benefits to the mission of the church, to its sustainability credentials, its ongoing conservation, heritage interpretation etc. If the benefits are considered to outweigh the harm the DAC will recommend your faculty application to the chancellor; if this is not the case the DAC will not be able to recommend the work.

It is the responsibility of the incumbent, churchwardens and PCC to submit a thorough and robust faculty application. The DAC will help you through the process and provide as much help and guidance as possible. Working with the DAC, even if it means making changes to your plans, will help the process run smoothly.