



Historic England

Extended Pre-application Advice for Places of Worship FAQs

These notes address the questions raised by faith groups about the changes made to Historic England pre-application advice as part of the introduction of four paid-for Enhanced Advisory Services. For more information on the new Enhanced Advisory Services as well as our free services go to our website: HistoricEngland.org.uk/EAS.

In summary:

- There is a free Initial Pre-application advice service. The nature of this service is in many ways unchanged from what has previously been provided, and will continue to be available **at no charge up to a maximum of fifteen hours** to individual congregations for each project about which they need, or are required to obtain, Historic England's advice.
- If further advice is required beyond the initial 15 hours Historic England can provide Extended Pre-application advice. This is subject to a charge except in particular cases (for example, if the building is on a published Heritage at Risk Register). **No congregation will be charged unless it has formally agreed to the Terms and Conditions associated with Extended Pre-application advice.**
- Formal Pre-application advice at the end of the process remains free.

The first part of this note relates to Pre-application Advice (Initial, Extended and Formal Advice). The second deals with wider questions, such as exemptions and HE's management of the process.

Please note that this note only deals with pre-application advice, and does not describe the general process you should go through when considering a change to a listed place of worship. There is a good deal of other advice on HE's website, and you should, of course, always consult your denomination.

Part One: Pre-application Advice

1. What is Initial Pre-application advice?

The purpose of all pre-application advice is to reduce the risk to the applicant of an application for consent being refused by the determining body, with all of the abortive costs that would entail.

Pre-application advice is the advice you get when you contact Historic England (HE) to ask for comments on a project that is being planned e.g. the introduction of a lavatory, removal of pews, addition of an extension, but which is still at the development stage.

Initial Pre-application advice refers to the first fifteen hours of HE time, which is not charged for.

2. What should we do before asking for Pre-application advice?

Before asking for such advice you will have:

- thought about what you need to achieve and drafted a Statement of Need explaining why you now need to make these alterations to the building;
- had some preliminary ideas about what areas of the building might be affected by the proposals and considered the pros and cons of different options;
- drafted a Statement of Significance, telling the building's story and looking at the significance of the areas affected by the proposals.¹

However, the proposals are not at the stage where you have all the plans, drawings, architect's specification and other information to allow you to apply for permission through your denominational advisory body or local authority. What you need now, to help you develop the ideas, is input from HE, which might include a site visit, discussions by telephone or email, and letters. Getting this means you are receiving help from experts who understand the significance of the building and what you want to do so you can continue using it.

3. When do the free 15 hours start?

We will provide up to 15 hours of Pre-application advice without charge. (This is *Initial* Pre-application advice, the 'Initial' indicating only that it is not charged for up to the 15 hour limit, not that further advice will necessarily be required.) Once we have agreed to be involved in the case because you have provided the basic information we need to start to understand it, e.g. draft Statements of Significance and Need plus an indication of the options you've considered for meeting the needs, the 15 hours will start. We will send an 'Agreement to Advise' letter, so you know that the time has begun and all staff time spent on advising on the case from that point will be counted. This includes site

¹ On-line help to develop Statements can be found on <http://www.churchcare.co.uk/churches/guidance-advice/statements-of-significance-need>, <http://www.methodist.org.uk/static/rm/statementsignifneed.pdf>, Church of England congregations can prepare their Statements through the Church Heritage Record and other denominations and faith groups can use the on-line system at <http://www.statementsofsignificance.org.uk/>

visits, travel time to site, telephone calls, desk-based research, assessment of information received and administration time.

4. How will congregations know that they are getting to the end of the free 15 hours?

When a case has gone over 10 hours, HE will consider whether the case is likely to require (or benefit from) more than 15 hours of advice. If so, we will send a letter advising you that the free 15 hours is nearly up and give you the choice about whether you want Extended Pre-application advice or not.

5. What is Extended Pre-application advice?

If the proposals are complex and negotiations have not concluded within the free 15 hours of Initial Pre-application advice, congregations can ask HE to give continuing pre-application advice over and above the 15 hours. The term ‘Extended’ means this is advice given after the initial free fifteen hours. This Extended Pre-application is discretionary and (except under special circumstances, for which see question 11) HE has to recover the cost of providing that additional time. Congregations that are interested in this service will be provided with a price estimate for cost recovery on their case,² which they will need to agree to before HE carries out any further work on the case.

6. What if we aren’t able to pay or don’t want to?

If you do not want to pay for more advice after the free 15 hours, then you can say so and HE will send you a letter giving our advice based on our engagement up to 15 hours. You can then come back, when you have the full package of information ready to apply for permission to do the work and ask for HE’s Formal Pre-application letter (see question 9 below) so that the decision-making body knows HE has been consulted on the final version of the proposals.

7. What if we want to consider paying for Extended advice?

HE will send you a letter advising you that the free 15 hours is nearly up and asking if you’d like to consider Extended Pre-application advice. If you indicate that you are interested in considering further advice HE will provide you with a cost estimate based on the total amount of time we expect to spend on the case (unless you are exempt – for which see question 11). You will be sent this estimate and our standard Terms and Conditions. You will be able to consider these before confirming whether you want to go ahead on the basis of the cost involved. Once you confirm your agreement then we will be able to undertake further work on your case. You will be invoiced on a quarterly basis if the case lasts for more than three months, or at the completion of your case if sooner.

8. Is there an hourly rate for Extended hours in addition to the free 15?

We are not seeking to make a profit so we will simply recover the cost based on the actual staff time involved in delivering the advice you need. The way we do this is strictly set out in Treasury Guidance, *Managing Public Money*. The hourly rate will depend on the seniority of the staff, the area of work and their location. We will provide

² Full cost recovery means that HE will ask applicants to pay exactly what it costs HE to provide the additional advice over and above the 15 hours of non-charged time. There will be no element of profit or surplus.

a bespoke estimate for each case and cannot publish a 'standard' rate because every project will need specific skills, expertise and, in some cases, specialists e.g. engineers. Until we know exactly who will be involved and whether they will need to make further site visits or research we can't say what the cost will be. Broadly speaking we are giving a guide figure that 15 hours of paid-for advice might cost between £1000 and £1400 excluding VAT. Before undertaking any paid-for work we will provide a cost estimate for the specific case.

9. What is Formal Pre-application advice?

Formal Pre-application is the stage when you have worked up the complete proposals and think you are ready to apply for permission. By this time you may have asked for and received Initial and perhaps Extended Pre-application advice, and incorporated that into your proposals. At that point you can send in the complete package of information and ask HE for its formal and binding pre-application advice on the project, the same advice we would give if these proposals were submitted for statutory consent. This will result in the issuing of a letter setting out HE's position and will be a clear statement so the body or authority that will decide whether you get permission to go ahead or not knows you have sought pre-application advice from HE. **Formal Pre-application advice is free** and subject to strict deadlines.

10. What happens once the application has been lodged with the denominational determining body or local authority?

Once the application has been lodged for determination as part of the statutory process for consent, the determining body or local authority can (or may be required to) consult Historic England under the relevant legislation. Our Statutory Advice at this stage is free, and HE is subject to strict deadlines about speed of response.

For what is known as the 'exempt' denominations, the determining body for changes to listed buildings is the denomination itself. Except for the Church of England, HE will treat the point when the relevant denominational committee or equivalent receives the formal application as the point when Pre-application advice ends and Statutory advice begins. This means that any further discussion required after the relevant committee has received the application will be free to congregations.

For buildings subject to the Church of England's Faculty Jurisdiction, HE will treat the point when the DAC issues its formal advice on the proposals (Form 2) as the stage when Pre-application advice ends and Statutory advice begins. This means that any further discussion required after the DAC has advised the Chancellor whether it Recommends, Objects or Does Not Recommend, will be free to congregations.

11. Are any buildings exempt from being charged for Extended Pre-application advice?

Sites that are on a published Heritage at Risk Register (either HE's Register or the Local Planning Authority's Register) where, in our judgement, the proposals address the conservation needs of the heritage assets, will be exempt from charges for Extended Pre-application advice.

Part two: HE's management of the process

12. Can a congregation ask for its building to be added to the HE Heritage at Risk Register?

Yes, we will consider any suggestions for inclusion in the Register, but we always make our own assessment, which is carried out by a different team to those providing pre-application advice.

13. What about a building that's assessed as being 'at risk' but isn't on the published HE Register because that is only published once a year?

If a building is on our 'at risk' database, even if it has been added since the publication of the Register, we may be able to treat it as though it is on the published Register and therefore exempt from charges. As above, this exemption is only applicable where the proposals address the conservation needs of the heritage asset.

14. Many congregations spend years sorting out and refining their proposals. If a congregation returns after a year or two with new ideas based on an earlier proposal, will that be treated as a new application or a continuation of the previous one, only eligible for what is left of the original 15 hours at no charge?

There will not be a time cut-off for pre-application advice on a project. If the later proposals are simply a development of the previous proposals then only what remains of the free 15 hours will be available. If the later ideas are a major change to those already discussed it will be treated as a new case with the full 15 hours of free advice available.

15. How many cases will need Extended Pre-application advice?

Our sample assessment across all building types suggests fewer than 20% of all our pre-application cases need more than 15 hours; the average time it takes to provide pre-application advice is 6.6 hours. We have never recorded pre-application time for places of worship so we don't have any data to assess for this category.

16. We are located a long way from our nearest HE office; will travel use all our 15 hours?

Travel times will be calculated from the normal place of work of the HE staff involved in your case, which may not be the office. We are required to keep an accurate account of the cost of providing our services, which means we must record all time spent travelling.

17. Will the time spent by HE architects/surveyors providing advice on HLF-funded repair projects be included in the free 15 hours?

We have a separate agreement with the HLF to provide architect/surveyor advice on repair projects funded through the GPOW scheme. Therefore time spent by our architects/surveyors advising on GPOW schemes will not be counted in the free 15 hours of Initial Pre-application advice (or in Extended Pre-application advice).

18. Has HE set internal targets for cost-recovery that staff will have to meet?

Regional teams and individuals do not have targets for the level of cost-recovery generated.

19. Do the Enhanced Advisory Services include anything other than Pre-Application advice?

Yes. The four services are:

- Fast-track listing; listing recommendations sent to the Department for Culture, Media and Sport in a quicker and guaranteed timeframe.
- Listing enhancement; greater clarity over the extent of statutory protection in a guaranteed time frame.
- Listed screening service; assessment of the likelihood of any heritage assets with the degree of interest that might warrant statutory listing.
- Extended pre-application advice; advice beyond our initial free 15 hour service, as discussed in these FAQs.

20. Why is Historic England introducing this system now?

- It is Government policy that all non-departmental public bodies (which is what Historic England is) look at options to recover the cost of providing services.
- HE carried out a full public consultation on the proposals in spring 2015 and over 70% of respondents were supportive of the proposals and feedback informed the implementation of the services.
- These services are to help customers speed up projects and reduce risk by offering either a faster or fuller service than can be offered through taxpayer funding of HE.
- Giving people the option of cost-recovery payment will help protect our capacity to provide free services at a time of reduced Government funding. Where demand is sufficient, the costs recovered will mean HE can provide additional staff to ensure continued delivery of our free services.
- Cost-recovery options will enable HE to offer a bespoke service for owners and developers with large and complex planning applications. They will be able to save time on getting advice and permissions, reducing costs and frustration associated with delays. In a secular context we hope that this will also make taking on heritage-led regeneration and development more attractive.

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