

## **Appendix 2**

### **20/00688/LBC – Holy Family Church**

#### **Consultee responses**

- **Historic England**
- **Twentieth Century Society**

Miss Amy Ridding  
Oxford City council  
St Aldate's Chambers  
109-113 St Aldate's  
Oxford  
OX1 1DS

[REDACTED]  
Our ref: L01258070

10 November 2020

Dear Miss Ridding

**Arrangements for Handling Heritage Applications Direction 2015  
& T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**HOLY FAMILY CHURCH, 1 CUDDESDON WAY, OXFORD  
Application Nos 20/00688/LBC & 18/03405/FUL**

Thank you for your letters of 28 October 2020 regarding further information on the above applications for listed building consent and planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the applications.

This letter consolidates our advice on the future of this church and is informed by further consideration of the questions to which the application gives rise. Our advice has been informed by expert advice commissioned from Oxley Conservation on the potential for the repair and replacement of the roof (attached to this letter) and advice received from the Historic England Advisory Committee (HEAC), a panel of experts in heritage matters drawn from outside the organisation who advise staff on casework that is novel, contentious or sets a precedent.

### Summary

The Church of the Holy Family is a remarkable building; it is a testament to the optimism of the 1960s, when new and exciting structural forms were being developed for buildings, and at the same time the Church of England was creating innovative buildings that allowed congregations to explore new ways of worship and work more cooperatively with other denominations. However, we recognise that this building is now facing major problems; its roof has failed and repair or like-for-like replacements are not practical propositions.

Legislation and planning policy set out a strong presumption against the demolition of a listed building. In this case we consider that the issues faced by this building may justify demolition and replacement.



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)



*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.*



Any application for the demolition of a listed building must either satisfy the four tests set out in paragraph 195 of the NPPF or it must be demonstrated that the loss is outweighed by substantial public benefits. While the grounds put forward by the applicant for demolitions are understandable, the four tests have not yet been met so the application must be judged against the first part of this policy. This is not a matter for Historic England to judge, but we recognise that there are considerable public benefits associated with the proposals. It is for your Council to determine whether these benefits are indeed substantial and outweigh the loss.

### **Historic England Advice**

#### The Significance of the Church of the Holy Family

The Church of the Holy Family is significant both for its architectural quality and its historical interest. Its architectural interest can be summarised as follows:

- as a largely intact example of an innovative 1960s church with an unusual heart-shaped plan;
- for its carefully considered interior, with high quality, architect designed fittings;
- for the technical interest of its timber hyperbolic paraboloid roof, an early surviving example by Hugh Tottenham, the principal exponent of the technology in England.

Its historical interest is as an illustration of the boom in post-war churches, often serving new towns and new suburban estates, designed to the principles of the liturgical movement.

These qualities led the church to be added to the statutory list at Grade II on the 12 August 1999.

#### The current proposals and their impact on the significance of the listed building

The current applications for listed building consent and planning permission would involve the complete demolition of the church. A new church, community centre and flats would be building on the site. The flats would part-fund the new church and community centre.

These proposals would of course entail the complete loss of the building's significance.

#### Legal and planning policy issues

As a listed building the church has a very high degree of protection both in law and in





national planning policy. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to have "special regard" to the desirability of preserving a listed building.

Paragraph 192 of the National Planning Policy Framework (NPPF) states that "in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage asset can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness."

As the church is a designated heritage asset (in this case a listed building) the Council will need to apply Paragraphs 193 and 194 of the NPPF. Paragraph 193 states that:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

Paragraph 194 continues:

"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

As the proposal involves the total loss of a listed building paragraph 195 of the Framework will need to be applied:

"Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and





d) the harm or loss is outweighed by the benefit of bringing the site back into use."

#### Historic England's position with regards to this application

The requirement of the 1990 Act to have special regard to the desirability of preserving a listed building, and the instruction in paragraphs 192 and 193 of the NPPF to take into account the desirability of sustaining and enhancing the significance of heritage assets and to give great weight to the conservation of a heritage asset, mean that there is a presumption that the Church of the Holy Family should be retained and repaired if practically possible.

The statement in paragraph 194 of the Framework that any harm to a designated heritage asset requires clear and convincing justification, and that the total loss of a grade II building should be exceptional, means that a very strong case needs to be made to overcome the presumption that this building should be retained.

We acknowledge that there is a possible justification for demolition in this case given the difficulties of securing the repair of the church. Put briefly these are:

- Firstly, that the failure of the roof may be a result of flaws in the original design. It is not clear why the original structure failed, but design defects could well have been contributory causes. As built the curvature of the hyperbolic-paraboloid roof was at the limits of what is technically possible for this type of construction and it has always been vulnerable to deflection due to wind load.
- While repair might be possible it would probably result in the loss of the majority of the historic fabric of the roof.
- Repairing or replicating the roof might be futile, as this would repeat the deficiencies of the original. Therefore we accept that repair or replication of the original structure is not a practical proposition.
- Replacement with a roof of similar appearance but different structural logic would be technically possible. However, this would itself diminish the significance of the building as its technical interest, which is one of its key aspects of its significance, would be lost.

Nevertheless, consent should be refused unless the proposals are considered to meet the tests set out in paragraph 195 of the NPPF. It should be noted that this policy consists of two parts: *either* there are substantial public benefits that outweigh the loss of the building *or* all of the four tests have been met.

With regards to the second part of the policy we would make the following comments:

- With regards to the first test, in this case the nature of the heritage asset may compromise the use of the site, and even make it impossible for the present owner to use it, given the difficulty posed by repairing or replacing the roof.



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.



- It has not been proven that marketing could not secure a new owner who could repair and use the building, although its condition, the cost of repair, the nature of the local property market and the limitations of the building make this improbable. The nature of the interior imposes severe limitations on the potential use of the building. Much of its significance is due to the internal fittings and the removal of these, combined with the replacement of the roof with one using different structural principles, might amount to substantial harm to the significance of the church. The potential for finding a user who would be able to use the church with its current interior *and* willing to finance its repair appears limited.
- It has not been proven that grant funding is not available. This cannot be conclusively proven unless applications to funders are made. However, given the cost of repairs (estimated at between £1 and £2million) and the competition for grants for historic buildings we think it unlikely that sufficient funding to repair the building is likely to be available.
- The question of whether the loss is outweighed by bringing the site into use is a wider one that is bound up with the wider public benefits of the proposals.

We therefore conclude that while the arguments put forward with regards to these tests are strong, the tests have not been met.

The first part of paragraph 195 of the NPPF requires the decision-maker to consider whether total loss would be outweighed by substantial public benefits. It is not for us to assess the benefits or attempt that general balancing exercise. However, we are conscious that the proposals would not only provide the ecumenical congregation with a new church, but would also provide wider benefits to the community.

Taking these considerations together, we withdraw our formal objection to this application. We advise your council to approve this application only if it considers that in this case the proposals would procure such substantial public benefits, and that these would outweigh the total loss of this interesting and historic post-war church.

## Recommendation

Historic England considers this to be a very difficult case. The presumption that listed buildings should be conserved is a strong one. The condition of the Church of the Holy Family is very poor; and the failure of its extraordinary roof appears possibly to be caused by the nature of its original construction.

A strong case has been made for demolition, in respect of the relevant policy in the National Planning Policy Framework (paragraph 195). After assessing this carefully, Historic England does not consider that the tests for demolition in the second part of that policy have been met conclusively. Whether the first part of that policy has been satisfied depends on the balance between the harm which the demolition of the church



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)





Historic England

would entail and the public benefits which the wider proposals would secure. While we acknowledge that those public benefits would seem considerable, it is not for Historic England to carry out this balancing exercise.

We consider that this is one of the rare cases where there may be exceptional circumstances in which the loss of a grade II building can be considered. We advise your council that it should assess the application against the first part of the Framework's policy in paragraph 195. It is for your Council to assess whether the public benefits to which we have referred are substantial and outweigh the loss of the listed building in accordance with the first part of paragraph 195 of the NPPF.

Please advise us of the decisions in due course.

Yours sincerely

**Richard Peats**  
Team Leader



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)



*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.*





Amy Ridding  
Oxford City Council  
By email:

29 April 2020

Dear Amy Ridding

**SITE: Church of the Holy Family, Blackbird Leys, Oxford**

**Application Ref: 20/00688/LBC**

**Our ref: 19 02 02**

The Twentieth Century Society **objects in the strongest possible terms** to this application to demolish a building that has very recently been listed. The Church of the Holy Family is a grade II listed heritage asset and as such is irreplaceable. It is recognised as being of national importance and of high significance: any threat to the original fabric should be afforded the same scrutiny as any other Grade II listed building, regardless of its state of repair. It should be noted that the criteria for listing are far stricter for younger buildings and there is a particularly careful selection process for buildings from the post-war period. The Church's designation should be understood in this context. There is a clear opportunity here for imaginative refurbishment proposals not just a short-sighted and overpowering redevelopment. This application contains no evidence that the applicant has taken any of the necessary steps to conserve this important and unique heritage asset, nor to modify their approach to development for the 2019 application to take into account its high significance, which has since been confirmed by its addition to the National List. The Society therefore urges the City Council to **refuse** this application.

The Holy Family Blackbird Leys was listed at Grade II as an important example of a church designed according to the principles of the Liturgical Movement, with a forward-placed altar, fan shaped seating

The Twentieth Century Society is a company limited by guarantee, registered in England no 05330664

Registered office: 70 Cowcross Street, London EC1M 6EJ  
Registered Charity no 1110244



and peripheral choir. It is an unusual survival completely intact and largely unaltered, featuring a rare hyperbolic paraboloid roof by Hugh Tottenham. It was an innovative design by Colin Shewring who, in an article in the Oxford Times on July 17th 1962, was quoted as saying of the inverted dome-shaped roof that it was lower over the altar and pulpit in order to act as a large sounding board. A prominent feature of the building is the sanctuary, an egg-shaped area standing out from the wall, with a circular altar flanked by the pulpit, a reversion to very ancient Christian practice. The textures employed in the interior reflect the differing functions of the baptistery and sanctuary whilst including them in one inter-connected space. The church is referenced in the introduction to the Buildings of England volume for Oxford as being of note, and declares the design to be 'the 1960s at its most radical.' It is described in detail by Elain Harwood in her book Space Hope and Brutalism. The importance of the interior and the overall form of the building has been recognised by Historic England who say in the listing report that the church's significance lies in its 'carefully considered interior, with high quality, architect-designed fixtures and fittings' as well as its intactness, unusual form and the technical interest of its roof. All this will be lost if these proposals are allowed to proceed.

The onus on the local authority is to conserve heritage assets and not destroy them. No attempt has been made by the applicant to sustain or enhance the significance of the heritage asset on this site. The proposed new buildings will remove the architectural distinctiveness and diversity of form that the church adds to the area, thus making a negative contribution, not a positive one as sought by the NPPF. The Society would urge Oxford City Council to act on paragraphs 193 and 194 of the NPPF, in particular giving 'great weight...to the asset's conservation' and to refuse this application on the grounds that loss of a grade II listed building should be 'exceptional' and that justification for this total loss has not been met by this application. The NPPF also states that neglect of a listed building that has fallen into disrepair should not be taken into consideration in any planning decision and the Society therefore believes that it should equally not be cited as a reason for demolition. The current problems with the roof are due to a history of inappropriate repair and lack of maintenance, despite years of water ingress. In their listing assessment Historic England noted that the problems could not be blamed on the original design. The need for roof repairs to a listed building from an earlier century would not be considered a valid excuse for its demolition, nor should they be for a twentieth century building.

It is almost always more sustainable to retain and refurbish a listed building than to build a replacement. This case is no exception and the council should consider paragraph 192 of the NPPF which states that account should be taken of 'the desirability of sustaining and enhancing the significance of heritage

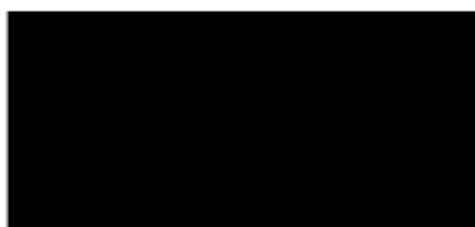


assets.' Demolition is considered to be the last resort for a listed building when all other avenues have been explored. The Society contends that no adequate attempt to find a way of preserving this building has been made by the applicants. The Society believes that this building can be retrieved from its current condition. Not only will the development of the land adjacent generate funding, but substantial grants are available for the repair of historic listed buildings. Funds such as the National Lottery particularly favour uses that provide community support and this project would certainly fulfil this important criteria. A full, rigorous and complete evaluations and applications for grant funding would no doubt yield a substantial proportion – if not all – of the costs of bringing this unique heritage asset back into repair and beneficial use. It is therefore demonstrably the case that the requirements set in paragraph 195 of the NPPF have not been met and consent should therefore be refused.

The case has been presented to the Society's Casework Committee which has expressed its unanimous condemnation of the proposals to demolish this building. This listed building requires a sympathetic conservation-led approach that begins with the assumption that it should be preserved and enhanced as an asset. The Society therefore reiterates its objection and its opinion that consent should be refused for these destructive and detrimental proposals.

I hope that the Society's comments are useful in your deliberations on this case. Should you have any queries in relation to this letter, please do not hesitate to contact me.

Yours sincerely



Clare Price

Head of Casework  
The Twentieth Century Society  
70 Cowcross Street  
London EC1M 6EJ



The Twentieth Century Society, 70 Cowcross Street, London EC1M 6EJ – Tel 020 7250 3857





**Remit:** The Twentieth Century Society was founded in 1979 and is the national amenity society concerned with the protection, appreciation, and study of post-1914 architecture, townscape and design. The Society is acknowledged in national planning guidance as the key organisation concerned with the modern period and is a constituent member of the Joint Committee of the National Amenity Societies. Under the procedures set out in *ODPM Circular 09/2005*, all English local planning authorities must inform the Twentieth Century Society when an application for listed building consent involving partial or total demolition is received, and they must notify us of the decisions taken on these applications.

This page is intentionally left blank