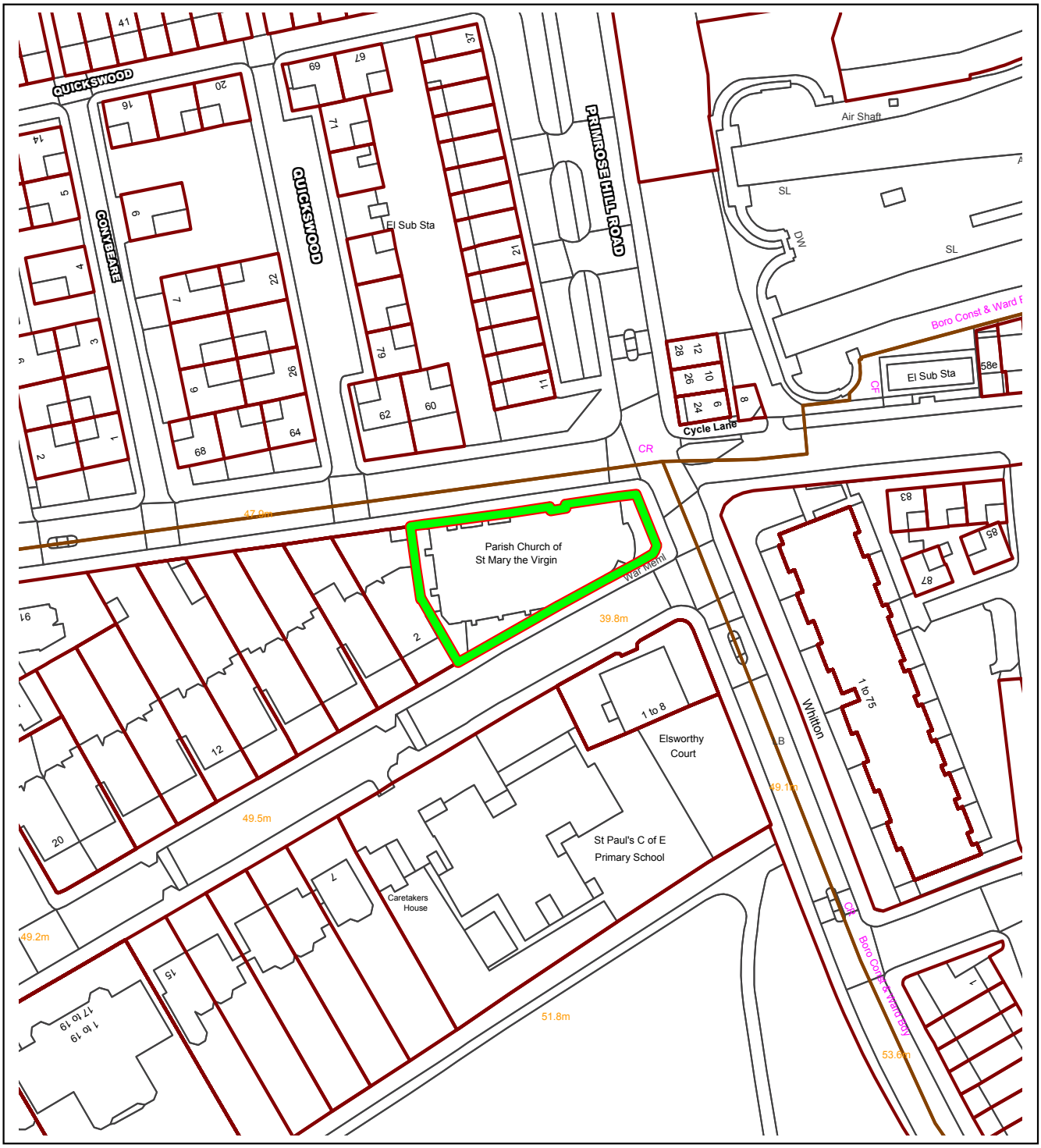
2018/4741/P - St Mary the Virgin Church



Photos

Long range view along Elsworthy Road

Shorter range view along Elsworthy Road

View of side of church

View from corner of Primrose Hill Road

Delegated Report (Member's Briefing)	Analysis sheet N/A / attached	Expiry Date: Consultation Expiry Date:	07/01/2019 09/12/2018

Officer	Application Number(s)
Kate Henry	2018/4741/P
Application Address	**Drawing Numbers**
St Mary The Virgin Church Elsworthy Road London NW3 3DJ	Refer to draft decision notice

PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature

Proposal(s)

Installation of 108x photo-voltaic solar panels on nave roof (south elevation) and associated supporting equipment

Recommendation(s):	**Refuse planning permission**
Application Type:	**Full Planning Permission**

Conditions or Reasons for Refusal:	**Refer to Draft Decision Notice**					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	**00**	No. of responses	**355**	No. of objections	**1**
Summary of consultation responses:	Objections: A site notice was displayed on 14/11/2018 (consultation expiry date 08/12/2018) and a notice was placed in the local press on 15/11/2018 (consultation expiry date 09/12/2018). 1x objection has been received from nearby neighbouring properties. The comments are summarised as follows: • It is a shame to blight one of the most beautiful features of the conservation area with solar panels / the proposal would fail to preserve the architectural beauty of the church In support: 14 individual letters of support (submitted online) have been received. A handwritten petition with 32 names, email addresses and signatures has been submitted. A digital petition with 318 names, locations and comments has been submitted in favour of the proposals. The comments are summarised as follows: • Climate change concerns outweigh heritage concerns • Should be supporting renewable energy • The money the church will earn will benefit vulnerable citizens • No adverse impacts • Would set a good environmental precedent / good example for the area • The number of properties overlooking the site is minimal • Solar panels would have minimal impact on the host building and the conservation area • Solar panels works well at St Anne's, Highgate ***Officer comment:*** *Please see the officer report below, including the balancing exercise (section 3) and the comment on other solar PV applications in the borough (section 4).*					

Elsworthy CAAC	Objection: • Object to the use of solar panels on this highly visible and important roof • There may well be other alternative, smaller heritage systems (which integrate with roof tiles) on the market
Correspondence from members	**Councillor Callaghan** – Request that the application be brought to Member's Briefing. **Councillor Cotton** – If the application were to be refused this would fly in the face of our environmental policies.

Site Description

The application site is St Mary the Virgin Church on Elsworthy Road. The church is situated at the eastern end of the road, at the corner with Primrose Hill Road. The building sits between two streets and the main entrance is on King Henry's Road (to the north).

The church is a large red brick building with a slate roof. The building dates from 1871-2.

The church is grade II listed and the application site is within the Elsworthy Conservation Area.

Relevant History

St Mary the Virgin Church

2014/6021/PRE - Pre-application advice meeting: Installation of solar panels to roof – Pre-application advice issued, summarised as follows:

- Any installation on the particularly fine slate roof of St Mary's would be unlikely to have the support of the local planning authority due to the highly visible and prominent nature of the roof pitch which can be seen from a considerable distance.
- Despite the manufacturer's best efforts to make their product "invisible" the integral solar tiles would be clearly different from the high quality slate tiles which currently exist.
- The removal of substantial sections of natural slate and the installation of the pv tiles would harm the character and appearance of this historic building and as such impact negatively on the church's historic and architectural significance.

2005/5168/P – Alterations to external wall adjoining north west entrance fronting King Henry's Road and internal alterations to provide disabled toilets, a flower room, a new entrance lobby area and a library space in the north west corner of the Church – **Granted 13/02/2006**.

2005/1620/P – Erection of single storey extension of the existing ambulatory facing Primrose Hill Road to provide new entrance and additional church facilities – **Granted 01/07/2005**.

8702778 – Extension to the existing church to provide a meeting room and ancillary facilities – **Granted 16/09/1987**.

Other relevant application

Hampstead Parish Church, Church Row, London, NW3 6UU

2018/4099/P – Installation of 33 photovoltaic panels on the south facing roofslopes of the south nave and chancel – **Granted 12/02/2019**.

St Anne's Church, Highgate West Hill, London, N6 6AP

2016/1791/P – Installation of 60 x photovoltaic solar panel system on the south facing slopes of the nave and chancel of St Anne's Church – **Granted 07/07/2016**

Luther Tyndale Church, Leighton Crescent, London, NW5 2QY

2011/5425/P – The installation of 39 Photovoltaic Solar Panels to the front (south) roofslope of existing Church building (Class D1) – **Granted 23/12/2011**

All Hallows Church, Savernake Road, London, NW3 2DL

2011/4716/P – Installation of a photovoltaic solar panels on south elevation central pitched roof slope, associated with existing Church (Class D1) – **Granted 09/12/2011.**

Relevant policies

National Planning Policy Framework (2018)

London Plan (2016)

Camden Local Plan (2017)
C2 Community facilities
C3 Cultural and leisure facilities
A1 Managing the impact of development
A4 Noise and vibration
D1 Design
D2 Heritage
CC1 Climate change mitigation
CC2 Adapting to climate change

Camden Planning Guidance
CPG 1 Design (July 2015 updated March 2018)
CPG 3 Sustainability (July 2015 updated March 2018)

Elsworthy conservation area appraisal and management strategy (July 2009)

Energy Efficiency and Historic Buildings: Solar Electric (Photovoltaics) (October 2018) (Historic England publication)

Assessment

1. The proposal

1.1. This application seeks planning permission to install 108 x solar photovoltaic (PV) panels on the southern roof slope of the nave of the church; and associated equipment.

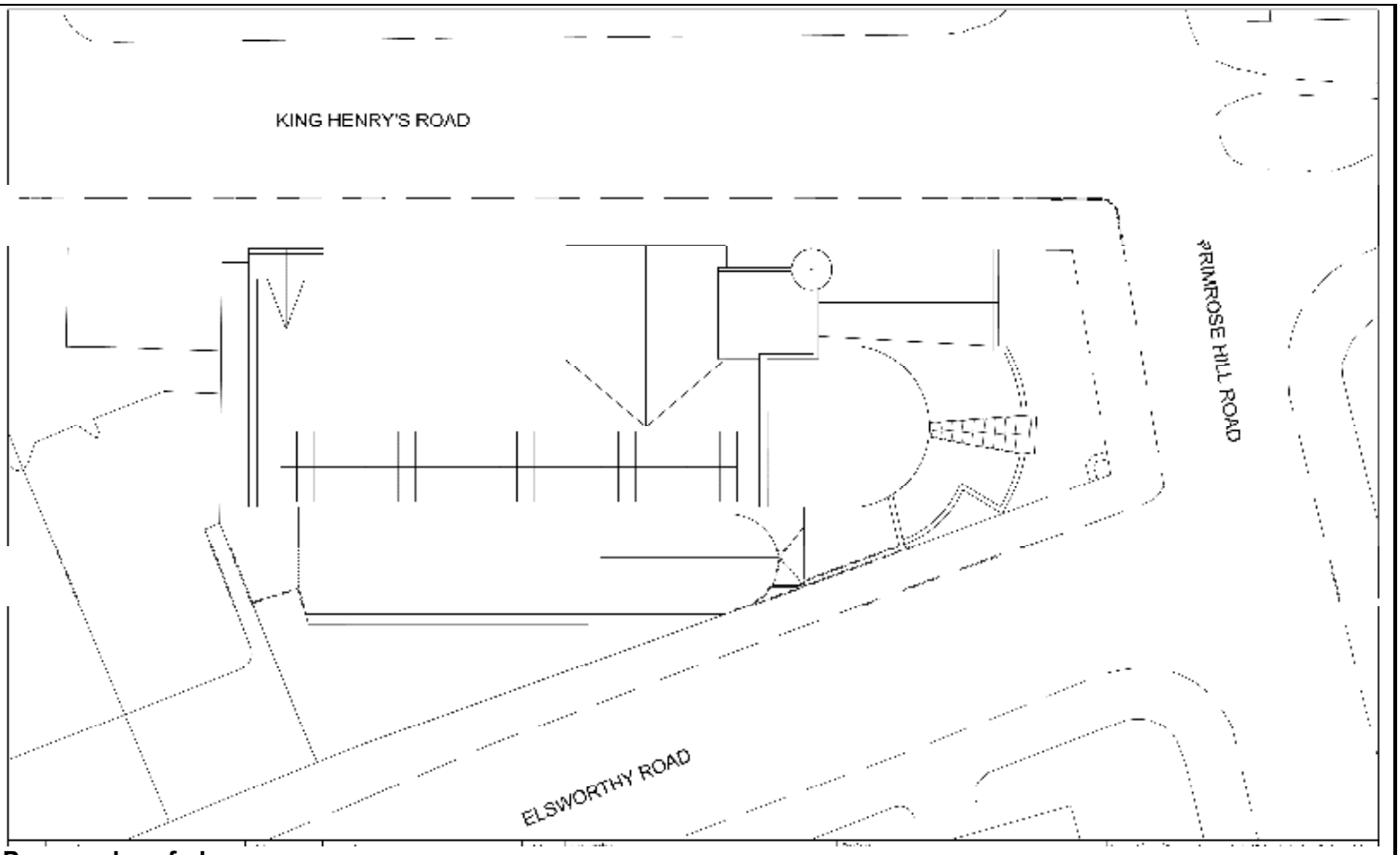
1.2. Each individual solar PV panel would measure 1685mm tall, 1000mm wide and 32mm thick. There would be 4 horizontal rows of 27 solar PV panels. Combined, the proposed solar PV panels would measure 27 metres wide and 5.3 metres tall.

1.3. The solar PV panels would be black in colour and would be constructed with a composite film. They would be attached to the roof with roof clips that would be removable in the future.

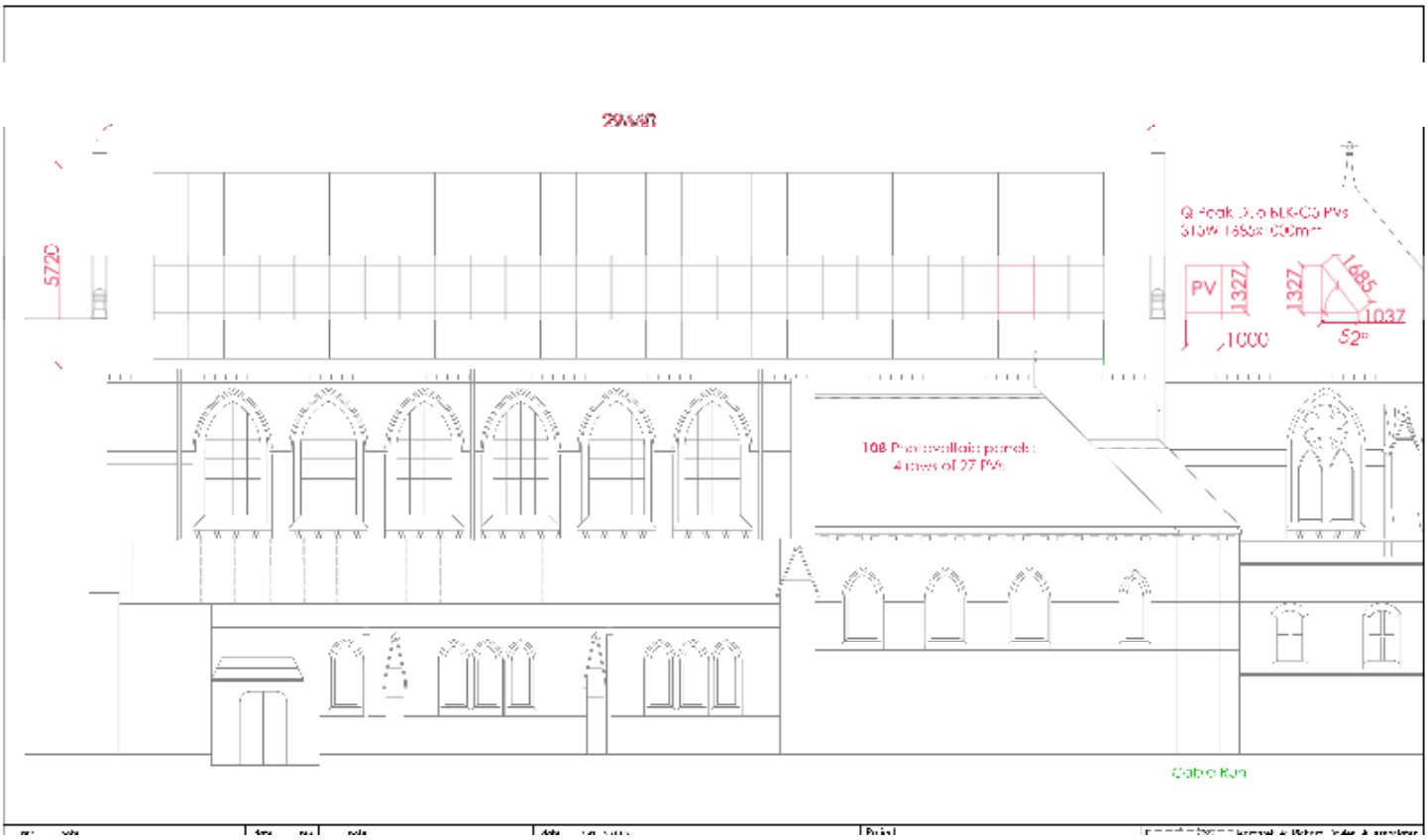
1.4. The associated equipment includes a cable which links to 2x inverters (1x 12kW and 1x 15kW) which would be housed within a private room on the southern side of the church.

1.5. The proposed solar PV equipment would be connected to the local power grid in order for the church to participate in the feed-back tariff scheme from the Government.

1.6. The applicant applied for ‘planning and listed building consent’; however, the church has ecclesiastical exemption and there is therefore no need to apply for listed building consent.



Proposed roof plan



Proposed southern elevation

2. Revisions

2.1. The applicant was invited to amend the application to reduce the number of solar PV panels, to explore the acceptability of a significantly reduced scheme, so as to minimise the visual

impact; however, no amendments have been made.

3. Assessment

Heritage and design

3.1. The church is grade II listed and the Council has a statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. The application site is located within the Elsworthy Road Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The church benefits from ecclesiastical exemption and therefore listed building consent is not required.

3.2. The church is a landmark building within the local area. The Elsworthy Road Conservation Area Appraisal and Management Strategy (ERCAAMS) makes specific reference to the building at paragraph 6.34; in describing Sub-Area 2: King Henry's Road, the statement notes: "*The principal building of interest in sub-area 2 is the grade II listed Church of St Mary the Virgin at the eastern end of Elsworthy Road, located at the junction with Primrose Hill Road. Designed in 1871-72 by Michael P Manning, it is built in a late Victorian eclectic style in red brick with freestone detailing. Its effect is softened by the surrounding small gardens which contain hedging and some mature trees*".

3.3. Given that the church does not have a tall tower or spire, the main roof slopes of the nave are key features of the building and the southern roof slope, where the proposed solar PV panels would be located, is a particularly prominent feature in views along Elsworthy Road, looking east. The church itself sits at an angle to Elsworthy Road (rather than being parallel with the road as it is on King Henry's Road to the north) and this gives the southern roof slope greater visibility and prominence from Elsworthy Road as it is angled towards the road. The roof is also visible from Primrose Hill Road (near to the junction with Elsworthy Road) and it is visible from the public footpaths within Primrose Hill Park.

View along Elsworthy Road

3.4. The proposed solar PV panels would cover the vast majority of the roof slope, leaving very little of the original slate roof visible. The roof slope measures 29.66 metres wide and 5.72 metres tall and the proposed solar PV panels would measure 27 metres wide and 5.3 metres tall, which represents 91.5% coverage of the roof slope.

3.5. Although the proposed solar PV panels would be black in colour, they would have a shiny and

reflective appearance that is at odds with the existing slate tiles on the roof. The following picture is taken from the Design & Access Statement and illustrates the same type of solar PV panels on another building.

3.6. The Design & Access Statement notes that there would be a low contrast with the slate, but this is not considered to be the case.

3.7. The Design & Access Statement also notes that there would be a considerable degree of screening by mature trees; however, this isn't considered to be the case either. As already noted, the southern roof slope of the church is highly visible in views along Elsworthy Road, and also from the corner of Primrose Hill Road. Although there are trees along the southern edge of the church, they do not provide much screening for the roof slope, particularly in views from the west.

3.8. By virtue of their number and appearance it is considered that the proposed solar PV panels would dominate the roof slope and also the church, to the detriment of the special architectural and historic interest of the host building and also to the detriment of the character and appearance of the wider area, including the Elsworthy Conservation Area.

3.9. Historic England published guidance entitled: 'Energy Efficiency and Historic Buildings: Solar Electric (Photovoltaics)' in October 2018, which notes: "*The installation of any renewable energy source should be seen as part of a 'whole building approach' to improve the energy efficiency of a building. Taking a whole building approach is a logical process which enables the best possible balance to be struck between saving energy and reducing carbon emissions, sustaining heritage significance, and maintaining a healthy building*" (page 1). It also notes: "*For historic buildings a balance needs to be achieved between generating your own energy and avoiding damage both to the significance of the building and its fabric*" (page 1).

3.10. Specifically with regard to churches, the Historic England document notes: "*When assessing the impact of PVs… the impact is often measured against inter-visibility and views of the asset where they would be visually prominent… Minimising visual impact is desirable but often difficult and will depend upon the form of the roof and the situation of the building*" (page 14).

3.11. As noted, the applicant was invited to amend the application to reduce the number of solar PV panels, so as to reduce the visual impact; however, they have declined to do so. They were also given pre-application advice in 2014 (relating to solar tiles rather than panels) when conservation officers indicated that they would be highly unlikely to support any installation on the slate roof of the church due to the highly visible and prominent nature of the roof pitch, which can be seen from considerable distance.

3.12. The NPPF guides, at paragraph 193, 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). Paragraph 194 then guides that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

3.13. In this case, it is considered that the proposal would cause less then substantial harm to the significance of the designated heritage assets (i.e. the church and the conservation area) and therefore paragraph 196 of the NPPF applies. It states: "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"*.

3.14. The Council has approved applications for solar PV panels on other churches in the borough (see Planning History), most recently at Hampstead Parish Church. However, each case must be assessed on its merits and there are key differences between the applications. For example, the application at Hampstead Parish Church proposed a single line of solar PV panels (21 panels) along the bottom edge of the nave roof slope and a double row of panels on the chancel roof (12 panels) which would have very limited visibility. Furthermore, the roof slopes of the church are not considered to be such key features of the building as the church features a tall tower at the front which is its defining feature.

3.15. Similarly, St Anne's Church on Highgate Hill West, where the Council allowed the installation of 60 solar PV panels differs insofar as it features a tall spire and steeply pitched roofs and the building is perpendicular to Highgate Hill West and therefore there are limited views of the southern roof. At All Hallows Church on Savernake Road, it was concluded that the solar PV panels would not be visible from any vantage point at street level due to the triple roof design of the building and its height above the street level. Finally, Luther Tyndale Church on Leighton Crescent differs insofar as it is not listed and not within a conservation area.

3.16. If the application was otherwise considered to be acceptable, a condition could require further details of the cabling and fixing methods etc. A further condition could also require the removal of the equipment in the event of the installation becoming redundant, including details to be submitted regarding making good of historic fabric.

Public Benefits

3.17. Planning Practice Guidance paragraph 020 notes: "*Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits*".

3.18. A Statement of Need has been submitted with the application. The statement notes that it is estimated that the proposed scheme would generate 31,960 kWh/year at a cost of £40,400 and UKSG (the system designer, supplier and installer) has calculated that it would be cost effective to install an export meter as the church is a relatively small consumer of electricity. The electricity generated would supply the church's requirement, leaving a surplus allowing for extra income for the church.

3.19. In 2017, the church's electrical use was 15,126 kWh (13,112 kWh day, 2,014 kWh night) and if energy demands remain the same, the proposed solar PV panels would generate a net surplus of 16,834 kWh. Based on energy use figures the church would use 20% of the generated electricity, reducing its requirement from the grid by 42% (6,392/15,126 kWh). The other 80% would be exported to the grid. The return on investment has been calculated to be

10.9% with pay back after 10 years.

3.20. The statement then goes onto highlight the following benefits:

- Help deliver UK government interim CO2 emission reduction target of 57% by 2030 and long term target of 80% CO2 emission reduction by 2050. Help deliver local Camden target of 40% CO2 emission reduction by 2020.
- Help deliver Camden Council's Core Strategy 2010 Section 3.
- Help towards the CofE's 'Shrinking the Footprint' target of 42% CO2 emission reduction by 2020 and 80% CO2 emission reduction by 2050.
- Help the Diocese of London's 'Route 2050' target of at least 42% CO2 emission reduction by 2020 and 80% CO2 emission reduction by 2050.
- Meet the electricity requirement of the church in a sustainable and economic way.
- Supply the grid with renewable energy.
- Address the challenge of climate change and contribute towards locally generated renewable energy.
- Help raise awareness of environmental issues within the local community.
- Reduce the dependency on fossil fuel supply.
- Ensure the church is able to meet the needs of future generations.
- Increase local energy resilience.
- Provide an income for the Church

3.21. Policy CC1 of the Local Plan requires all development to minimise the effects of climate change and encourages all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. Part d) of the policy supports and encourages sensitive energy efficiency improvements to existing buildings. Policy CC2 requires all development to be resilient to climate change.

3.22. The Statement of Need also highlights that savings by the church can be put towards maintenance costs and church initiatives and it sets out a number of church-run activities, such as youth work, cold weather shelter for homeless people, school services, a tea room for elderly people, a crèche, a brewery, fitness classes etc. Policy C2 of the Local Plan seeks to ensure that community facilities and services are developed and modernised to meet the changing needs of our community and reflect new approaches to the delivery of services; and Policy C3 seeks to protect cultural and leisure facilities.

<u>Whether the public benefits outweigh the harm caused to the designated heritage assets</u>

3.23. Paragraph 8 of the NPPF sets out the three overarching objectives in achieving sustainable development, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The three objectives are: a) economic, b) social and c) environmental.

3.24. In this case, whilst the proposal would meet the NPPF's environmental and social objectives in terms of adapting to climate change and supporting strong communities (i.e. providing the church with additional income to run its services), at the same time the proposal would fail to meet the NPPF's environmental objective of protecting and enhancing the built and historic environment. On the whole, it is not considered that the public benefits associated with the proposal would outweigh the harm that would be caused to the grade II listed church and to the Elsworthy Conservation Area. The application is therefore recommended for refusal on this basis.

Recommendation: Refuse planning permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 25th February 2019, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2018/4741/P
Contact: Kate Henry
Tel: 020 7974 3794
Date: 19 February 2019

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Regeneration and Planning
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Mr Leonard Hawkins
Flat 1, 3 King Street Cloisters
Clifton Walk
London
W6 0GY

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Refused

Address:
St Mary The Virgin Church
Elsworthy Road
London
NW3 3DJ

Proposal:
Installation of 108x photo-voltaic solar panels on nave roof (south elevation) and associated supporting equipment

Drawing Nos: 1115-12 - EX.001; 1115-12 - EX.002; 1115-12 - EX.003 Rev. A; 1115-12 - EX.004; 1115-12 - PR.003; 1115-12 - PR.004; 1115-12 - PR.005; 1115-12 - PR.006; 1115-12 - PR.007; Design & Access Statement (undated); Statement of Need (undated); Mounting systems for solar technology, K2 systems (dated 13/06/2018); Customer Order Form (undated); Q.Peak Duo Blk-G5 305-320 literature (undated); Breakeven chart (undated); Sunny Tripower literature (undated).

The Council has considered your application and decided to **refuse** planning permission for the following reason(s):

Reason(s) for Refusal

1 The proposed solar PV panels, by virtue of their cumulative scale and appearance, would dominate views of the southern roof slope of the church, and would thereby cause harm to the special architectural and historic interest of the host building and would cause harm to character and appearance of the

Elsworthy Conservation Area, contrary to Policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

You can find advice about your rights of appeal at:
http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent

Yours faithfully

Director of Regeneration and Planning