



PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 3333
 222 Upper Street
 LONDON N1 1YA

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|---------------------------|--------------|------------------------|--|
| PLANNING COMMITTEE | | AGENDA ITEM NO: | |
| Date: | 5 March 2019 | NON-EXEMPT | |

| | |
|--------------------------|--|
| Application number | P2018/2142/FUL |
| Application type | Full Planning |
| Ward | St. Mary's |
| Listed building | Grade II Listed |
| Conservation area | Canonbury Conservation Area |
| Development Plan Context | Within 100m of SRN Road Article 4 Direction A1 to A2 |
| Licensing Implications | None |
| Site Address | St Stephen's Church, 17 Canonbury Road, London, N1 2DF |
| Proposal | Solar panel installation to the east roof slope of the main worship space. |

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|--------------|---|
| Case Officer | Ross Harvey |
| Applicant | Mr Mike Dana – The Parish of St Stephen's Canonbury |
| Agent | Mr John Caselton - Carden and Godfrey architects |

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission subject to:

1. The conditions set out in Appendix 1;

2. SITE PLAN

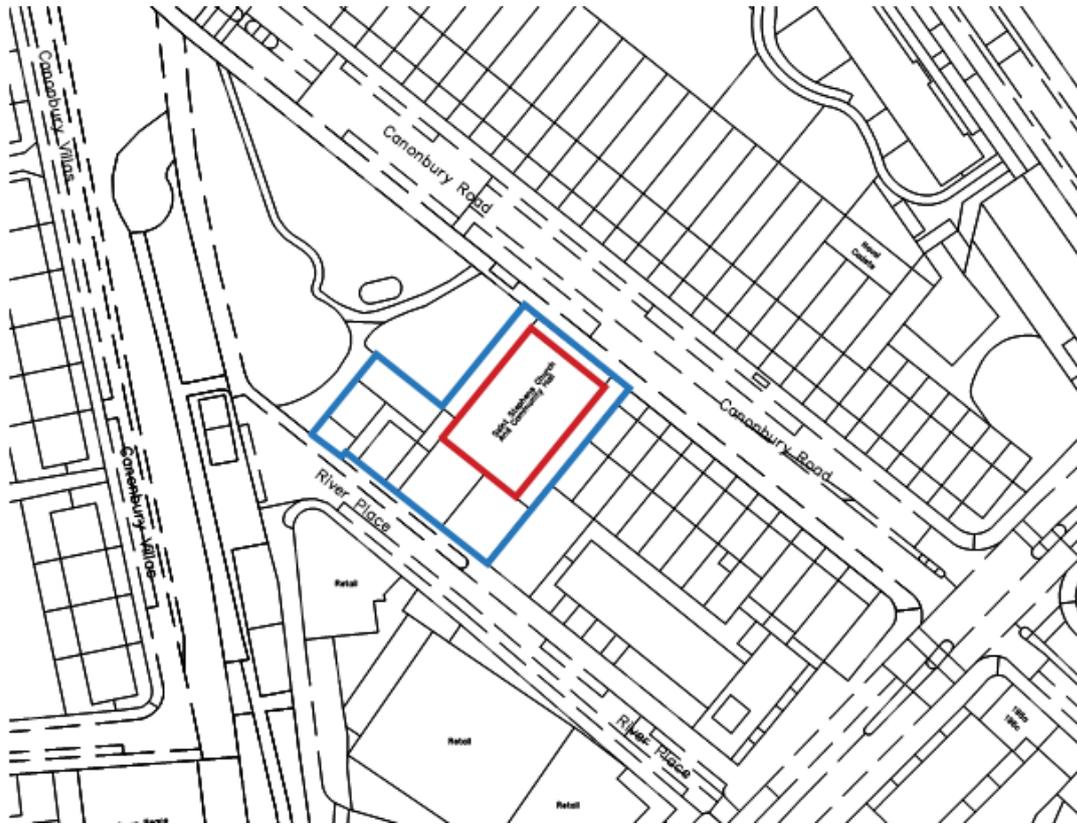


Image 1: Site Location Plan (outlined in red)

3. PHOTOS OF SITE/STREET



Image 2: Aerial view in northerly direction



Image 3: Aerial view in westerly direction



Image 4: View towards existing front of the church from Canonbury Road



Image 5: View of the rear of the church from River Place



Image 6: View of church from Essex Road junction with River Place

4. SUMMARY

- 4.1 Planning permission is sought for the installation of a 20m long photovoltaic (PV) panel array on the south eastern roofslope of the St Stephens Canonbury church which faces onto an adjacent car park and private views from the rear of No's.1-15 Canonbury Road.
- 4.2 The application building is Grade II Statutorily Listed and is situated within the Canonbury Conservation Area. Adjacent to the site is a Grade II Listed terrace row, being no's 1-15 Canonbury Road. No's 6 to20 on the opposite side of Canonbury Road are also Grade II Listed. To the rear of the site is Grade II* Listed no.161 Essex Road.
- 4.3 The application is being brought to committee due to the nature of development on a Grade II Listed Building and the relevant planning objections received.
- 4.4 Under the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (England) Order 2010, a statutory listed church building used by the Church of England for worship is exempt from the control of a local authority with regards to listed building consent. However, the development still requires to obtain planning permission. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 remains applicable to the development.
- 4.5 The main considerations in this assessment include the impact of the proposals on the historic fabric of the Grade II Listed Building and the setting of nearby statutory listed buildings and character and appearance of the Conservation Area, as well as considering the sustainability benefits of the proposals.
- 4.6 In terms of design, the fabric of St Stephen's church roof is not of historic interest due to historic developments that have notably reduced its visual importance. The fixings and fittings would not cause harm to historic fabric. However, in relation to the architectural significance, despite the extension at the east end and the fragmented and utilitarian nature of the surroundings in River Place, the large PV array would be a bulky addition visually to the existing plain solid slate roof.
- 4.7 The Design and Conservation Team consider that the proposals would cause less than substantial harm to significance of the designated heritage assets. This has included very careful analysis of the key views of importance from Canonbury Road and its lack of visibility from this key view point.
- 4.8 Paragraph 196 of the NPPF 2018 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'. In accordance with the NPPF, public benefits are looked at. In this situation, there is public benefit from the carbon saving and the generation of renewable energy and the community facilities the church provides to the local area. The submitted documents state that the indicative energy reductions would be 8,800kWh, resulting in annual saving of £1,250 over a 13 year payback period. In this instance, the benefits of the proposals in terms of improved sustainability would result in public benefits which would be considered to outweigh the less than substantial harm caused to the heritage asset. Appropriate weight in accordance with the statutory duties (S66 and S72) have been applied to "preserve" the heritage assets. In addition, the proposals would not be considered to cause harm to the amenities of neighbouring properties.
- 4.9 For the above reasons the recommendation to committee is to resolve to grant permission subject to planning conditions.

5. SITE AND SURROUNDING

- 5.1 The application site relates to the Grade II Listed St Stephens Church on the south western side of Canonbury Road. The application site specifically relates to the southern roofslope of the church, which fronts a surface car park and the rear gardens of No's.1-15 Canonbury Road.

- 5.2 The site is also located within the Canonbury Conservation Area. Generally, the surrounding area is mixed in character, with a variety of terrace housing, commercial uses and open space.
- 5.3 The Canonbury CA is centred on Canonbury House and Tower and represents the late 18th and early 19th-century development of the area with fine terraces and semi-detached villas. Canonbury Road links to Canonbury Square, a centrepiece of the townscape. There are also a number of 20th century developments which contribute positively to the area (such as the houses in Canonbury Place and Canonbury Park North). St Stephen's is a landmark on Canonbury Road and is of a townscape piece with the early 19th century terrace houses opposite and to its south. These terraces and the church are an important part of the character and appearance of the conservation area, representing the early 19th century development of the Canonbury Estate. However, the southern end of Canonbury Road is not included in the conservation area where there are 20th century flats and the Essex Road railway station. St Stephen's forms the boundary of the CA in River Place so its east end has a different townscape context to its west end.
- 5.4 In terms of setting of listed buildings, the Canonbury Road grade II listed terraces' setting includes St Stephen's (and vice versa) and as a small area of a cohesive townscape of historic houses and local church of roughly contemporary date, this contributes to their heritage significance. In terms of the rears of the listed buildings on the west side of Canonbury Road, their setting includes the altered nave of St Stephens and the River Place Health centre and it is not considered that these surroundings at the rear contribute to their significance in the way that the front does.
- 5.5 The early 19th century terrace row immediately to the south of the application site (no's 1-15 (odd)) are also Grade II Listed, as are no's 6-40 (even) on the opposite side of Canonbury Road.
- 5.6 Immediately north of the site is the Canonbury Gardens, a publicly accessible urban park with links to the New River Walk.
- 5.7 The Grade II* Cinema at no.161 Essex Road is situated to the south of the application site, and is considered to be within the setting of St Stephens Canonbury.

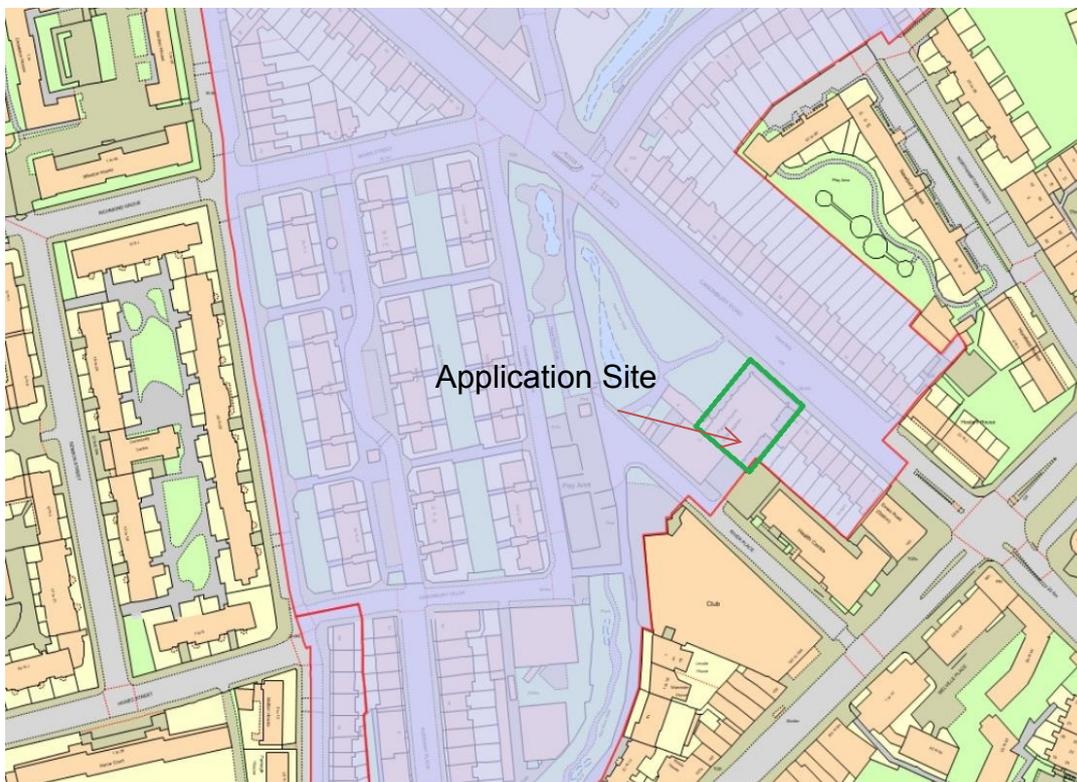


Image 7: Conservation Area Boundaries



Image 8: Nearby Statutory Listed Buildings (Green shade is Grade II Listed)

6. PROPOSAL (in detail)

- 6.1 Planning permission is sought for the installation of a solar photovoltaic (PV) panel installation to the east roof slope of the main worship space.
- 6.2 The proposal is to fit an array of PV panels to the pitch of the nave roof that faces generally southwards towards the modern River Place Health Centre buildings. The drawings show the PVs arranged across the roof from west to the point approximately 6 metres before the east end of the roof, 20m in length and 4.5m in height. They are laid in line with the roof pitch but are slightly raised from it.
- 6.3 St Stephen's benefits from Ecclesiastical Exemption and so this is an application for planning permission only. S66 & s72 Planning (Listed Building and Conservation Areas) Act 1990 apply.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 P2016/0809/FUL & P2016/0926/LBC - refurbishment of front steps and terrace and installation of ramp and handrails – Withdrawn 16/03/2016
- 7.2 P101527 - Retention of existing illuminated notice boards. Approve with conditions 05/10/2010
- 7.3 P070752 - Insertion of 2 Windows into flank wall. Withdrawn 29/03/2007
- 7.4 P070803 - Insertion of two windows into flank wall. Withdrawn 15/08/2007
- 7.5 P031017 - Construction of ramp for disabled access to the church. Approve with conditions 11/07/2003

- 7.6 P002068 - Restoration of stone spire, metal cross, stone pinnacles and related features. Approve with conditions 22/12/2000

ENFORCEMENT

- 7.5 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to 34 occupants of adjoining and nearby properties at Canonbury Road, Essex Road, Clerkenwell Close and River Place on 28 September 2018. The public consultation exercise therefore expired on 28 October 2018.
- 8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report a total of 1 no. objections had been received from the public. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Proposals not appropriate to the listed building or conservation area
 - Prominent roof structure visible from public thoroughfares of Essex Road and River Place
 - Proposal does not attempt to hide the panels which are clearly visible from the conservation area
 - Suggests use of PV slates

Internal Consultees

- 8.3 **Design and Conservation Officer:** *Overall, as before, I consider that there would be harm to the heritage significance of St Stephen's: a PV array is not part of the historic architectural expression of this nave roof. However, I consider the harm would be less than substantial in the context of the assessment of my original observations which pointed out the lesser architectural significance because of the various alterations and additions that have been made to the church. Also, in terms of the conservation area, the PV array would be visible from the south, for instance River Place and would cause less than substantial harm to its significance. This would be contrary to s66 and s72. My suggestion in my original observations of solar slates has not been pursued – I think there are general concerns about efficacy and cost.*
- 8.4 **Planning Energy Advice:** *I have checked their numbers and the predicted outputs and carbon savings are feasible – and I confirm that we would be supportive of this from an energy and sustainability perspective.*

External Consultees

- 8.5 **Historic England:** No comment on the basis that consultation not required

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

- 9.1 Islington Council (Planning Committee), in determining the planning application has the following main statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);

- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- As the development affects the setting of listed buildings, Islington Council (Planning Committee) is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;
- As the development is within or adjacent to a conservation area(s), the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).

9.2 Under the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (England) Order 2010, a listed church building used by the Church of England for worship is exempt from the control of a local authority with regards to listed building consent, but not planning permission. This means that internal alterations to an Anglican church are dealt with by the church authorities alone under their Faculty system, which is broadly analogous to a local authority's listed building consent system. However, external alterations to a listed Anglican church which amount to development still require planning permission from its local authority. Consequently, the Council has received a planning application but not a listed building consent application from St Stephen's Canonbury, and the planning application falls to be determined by the Council

9.3 National Planning Policy Framework (NPPF) (2018): Paragraph 11 states: "at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay..."

9.4 At paragraph 8 the NPPF (2018) states: "that sustainable development has an economic, social and environmental role".

9.6 Since March 2014 Planning Practice Guidance for England has been published online.

9.7 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.

9.8 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

9.9 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.

9.10 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Development Plan

9.12 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

9.13 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013:

- Grade II Listed Building
- Canonbury Conservation Area
- Local View from Archway Road
- Article 4 (2) Direction Canonbury
- Article 4 Direction A1-A2 (Rest of Borough)
- Within 100m of SRN

Supplementary Planning Guidance (SPG) / Document (SPD)

9.14 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Design and harm to the conservation area, the statutory listed building and nearby statutory listed buildings
- Sustainability
- Neighbours Amenity
- Public Benefit

Design and Conservation

10.2 Section 72 (1) of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

10.3 Under s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the local planning authority has a duty in considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This is also the wording of the duty the local planning authority has when considering applications for listed building consent

10.4 Paragraph 192 of National Planning Policy Framework (2018) states 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 assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution
- 10.5 Paragraphs 194-196 of the NPPF (2018) deals specifically with harm to the significance of a designated heritage asset and whether this harm is substantial or less than substantial. In cases where the harm is less than substantial harm, this should be weighed against the public benefits of the proposal.
- 10.6 Policy CS9 of Islington's Core Strategy (CS) 2011 and Policy DM2.1 of Islington's Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.
- 10.7 Policy DM2.3 states that Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. It also states that The council will require that alterations to existing buildings in conservation areas conserve or enhance their significance.
- 10.8 Policy DM2.3 also provides guidance with regards to statutory listed buildings. It states that 'The significance of Islington's listed buildings is required to be conserved or enhanced. Appropriate repair and reuse of listed buildings will be encouraged'. It goes on to state that 'The significance of a listed building can be harmed by inappropriate repair, alteration or extension. Proposals to repair, alter or extend a listed building must be justified and appropriate. Consequently a high level of professional skill and craftsmanship will be required. Proposals to repair, alter or extend a listed building which harm its significance will not be permitted unless there is a clear and convincing justification. Substantial harm to or loss of a listed building will be strongly resisted'.
- 10.9 According to the Urban Design Guide (paragraph 5.174) photovoltaic (PV) panels will be encouraged where they deliver appreciable benefits, operating efficiently without harming the appearance of the building.
- 10.10 The application site is within Canonbury Conservation Area. The Canonbury Conservation Area Design Guidelines provide advice in relation to development. These guidelines seek to ensure proposed development reinforces the character of the surrounding area, including the use of traditional materials. They state that historically, the area is part of the Elizabethan manor of Canonbury, centred on Canonbury House and its famous tower, but most of the area was developed in the late eighteenth and early nineteenth century. There are also a number of 20th Century developments which contribute positively to the character and appearance of the conservation area.
- 10.11 Whilst the Conservation Area Design Guidelines do not mention the installation of photovoltaic panels specifically, they state at paragraph 8.15 'The Council is opposed to the erection of plant rooms, air conditioning units and other services including water tanks and radio or satellite equipment at roof level where this can be seen from street level or public space, including long views from side streets'.

Assessment of Significance

Church of St Stephen's

- 10.12 The Church of St Stephen's Canonbury was bombed in 1940 and a new church was built in 1957 incorporating the original façade to Canonbury Road and the spire, which are understood to be the only parts of the church not destroyed. The list description records that the only part of the original church evident in the interior is the buttressed base of the spire. The roof is clad in artificial slate and has a modern structure.

- 10.13 An extension was built at the ritual east end (compass point south-west, facing River Place) of the church in 1974 to provide residential accommodation and although built in a similar colour of brick, has fenestration and other detailing redolent of domestic buildings of the 1970s which is not in keeping with the more conventionally ecclesiastical nave wall design. As such, it is evidentially visible, the changes between the original build and the additional extension added at the later date.
- 10.14 The statutory listing recognises these changes. However, its architectural significance is lesser as a result and there is limited evidential heritage value. It has historical and communal heritage values. Its strongest architectural and aesthetic heritage value is its Canonbury Road frontage where it is part of the townscape and setting of the grade II listed terrace houses adjacent and opposite.

161 Essex Road

- 10.15 The Grade II* Listed Mecca Bingo (161 Essex Road) is situated to the south of the Church of St Stephens. The facade to Essex Road is in the Egyptian style; the interior is neo-Classical in style with occasional Egyptian references. Historic England's listing details of no.161 Essex Road refer to the external appearance of the front elevation, as well internal detailing and decorations. The listing details do not reference the side elevation nearest to the application site.
- 10.16 Although the ritual east end of the church faces the grade II* listed former cinema, it is the cinema's functional utilitarian flank elevation, which has limited architectural significance.

Canonbury Conservation Area

- 10.17 The character and historic significance of the Canonbury Conservation Area have been detailed in paragraphs 5.3 and 5.4 above.

Assessment of Proposal

- 10.18 The proposed array is extensive across the south slope and will be slightly raised above the roofslope. It will measure approximately 20m in length and 4.5m in height. The photovoltaic array would be set-up approximately 2m from the eaves. They will be visible in the streetscene from River Place and also from Essex Road. The drawings show that the array does not extend all the way to the ritual west end by the spire, and would be set-in approximately 6m from the front elevation. It was confirmed by way of amended drawings (at a consistent scale) that the array would sit in line with the nearest buttress to Canonbury Road. With this in mind, it would be considered that the PV array would be substantially screened from view from Canonbury Road. Although it is difficult to determine in the absence of a mock-up, the only likely viewpoint from Canonbury Road would be from bus stop ED, on the opposite side of the street. This is on the basis that the nearest window and a small portion of the roofslope are visible from this position. Views from this position are likely to be oblique and extremely limited in terms of visual impact (glimpsed). It is acknowledged that the nearest buttress, in which the proposed PV array aligns, is briefly visible from the opposite side of Canonbury Road. However, where the buttress is visible, the roof itself is not visible due to its shallow pitch. The proposed PV array would therefore be considered unlikely to be visible at locations where the buttress can be seen on Canonbury Road, but the roofslope above is not.

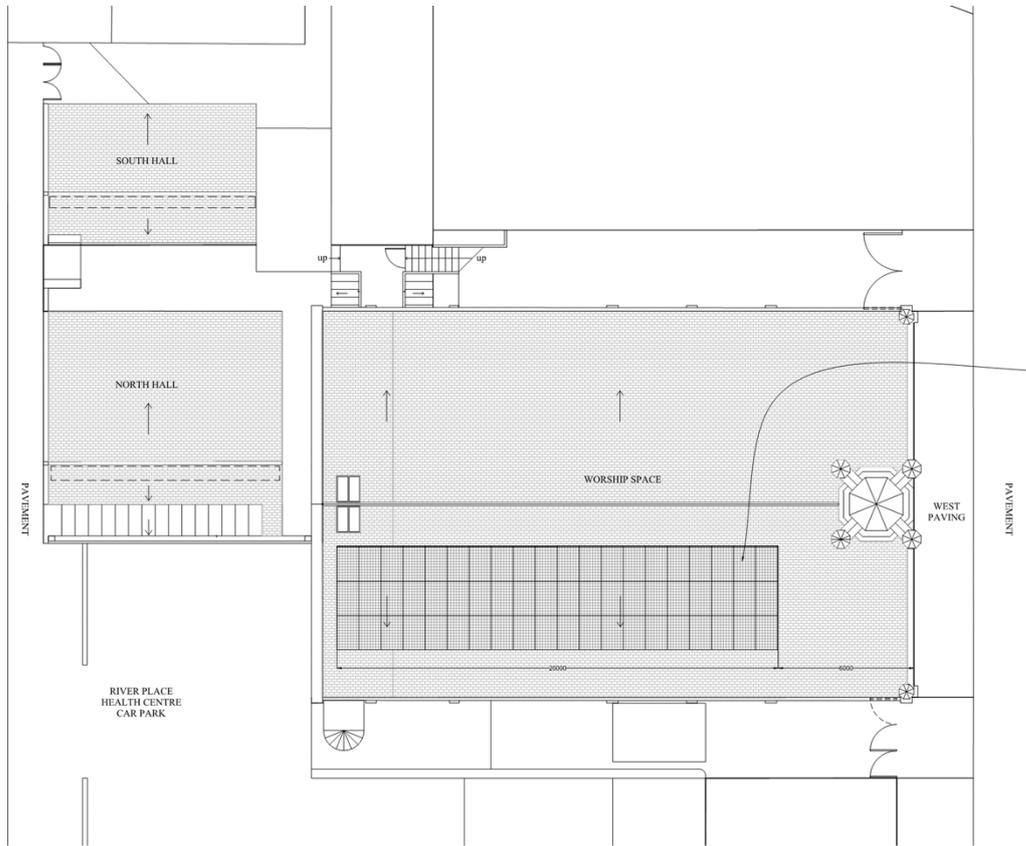


Image 6: Proposed roof plan showing siting of PV panels on southern roofslope



Image 7: Proposed elevation showing siting of PV panels on southern roofslope

- 10.19 The fabric of the Church of St Stephen's roof is not of historic interest and the fixings and fittings would not cause harm to historic fabric. However, in relation to the architectural significance, despite the extension at the east end and the fragmented and utilitarian nature of the surroundings in River Place, the PV array would add a feature at odds due to its modern materials of some bulk to the less prominent elevation. The finish of the face of the cells and the gap between them and roof would detract from the architectural design and appearance.
- 10.20 At the compass south-eastern end listed terrace houses adjoin the church and the nave roof is visible from Canonbury Road in the gap between the end of the houses and the spire. The feature of the spire and the original ritual west front has high architectural special interest and any visibility of PV array in the gap would be harmful to its special interest and to the setting of the listed houses.
- 10.21 Historic England has a four staged approach to proportionate decision-taking within the setting of heritage assets. In accordance with these stages, the Council's Design and Conservation Officer consider that the PV array would have a harmful effect on significance in relation to St Stephen's and the setting of the listed terrace houses. They have considered that a way to mitigate the harm would be to consider the use of PV slates instead of the PV panel arrays and suggested that there should be no PV slates on part of the roof that would be visible from Canonbury Road. As mentioned in paragraph 10.17, the PV panel arrays would not be likely to be visible from Canonbury Road. If they are visible, views would be extremely limited (glimpsed) and available only from the opposite footpath of Canonbury Road, adjacent to bus stop ED. Mock-ups were requested by the LPA in order to definitively demonstrate that the PV array would not be visible from Canonbury Road, however this was not fulfilled by the applicant. Notwithstanding this, it is considered that the very minor potential visibility is unlikely to cause harm to the character and setting of the Listed Building, or the views from the conservation area from Canonbury Road.
- 10.22 Historic England released a revised edition of the 'Energy Efficiency and Historic Buildings' guidance document in November 2018. Within this document, Historic England provide guidance surrounding the installation of PV panels on historic buildings to ensure any potential harm can be sufficiently overcome by the type and colour of PV panels, and the way in which they are installed on a specific roof material. Within Part 2 of the document, Historic England state that '*Careful selection and design of the colour, contrast, framing, size and symmetry of PV panels can reduce the visual impact*'. With regard to the current application at St Stephens Canonbury, it is noted that the submitted specifications sheet confirms that the PV panels proposed would be a 'classic all black style'. It would be considered that the type of PV specified would better relate to the existing black Welsh slate in terms of its appearance, than the typical blue with exposed silver supporting frame that is commonly used for household installations. The all black specs (as shown on Perlight Solar Plus Series brochure), taken together with the shallow pitch of the roof, would ensure that the PV panels do not significantly detract from the visual appearance of the original roof when viewed from River Place or Essex Road. Therefore, although the PV array covers a significant portion of the south facing roof slope. The visual harm as viewed from River Place and Essex Road is less than substantial to the integrity of the listed building and the character and appearance of the conservation area.
- 10.23 The paragraphs above outline the impact of the proposals on the special architectural and historic interest of St Stephen's and the listed terrace houses the character or appearance of the conservation area, as well as the Council's Design and Conservation Team's rationale for objecting to the application. The Design and Conservation Team consider that the proposals would cause less than substantial harm to significance of the designated heritage assets, due to the visibility of the PV array from River Place and adjacent Grade II Listed terrace houses. In accordance with the NPPF, public benefits are looked at. In this situation, there is public benefit from the carbon saving and the generation of renewable energy with the building providing community facilities
- 10.24 According to the National Planning Policy Framework section 16 and paragraph 196 which states the following "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". The weighing of public benefits against harm is carried out at Paragraphs 10.32 to 10.36 below.

Impacts to Neighbour Amenity

- 10.25 Policy 7.6 of the London Plan and Development Management Policy DM2.1 requires that development should have regard to the form and layout of existing and adjacent buildings; good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook
- 10.26 The proposed works to the Chancel roof of the host property, would not result in any amenity issue to the neighbouring properties. As such, it would not lead to an unneighbourly form of development and complies with Development Management Policy DM2.1 (x).

Sustainability

- 10.27 Paragraph 148 of the NPPF (2018) states that the planning system should support the transition to a low carbon future in a changing climate. It should encourage the reuse of existing resources and support renewable and low carbon energy and associated infrastructure. This is supported by paragraph 152 which states that Local Planning Authorities should support community-led initiatives for renewable and low carbon energy.
- 10.28 Development Management Policy DM7.2 'Energy efficiency and carbon reduction on minor schemes' states that: developments are required to achieve best practice energy efficiency standards, in terms of design and specification.
- 10.29 Development Management Policy DM2.3 G(i) states that '*Proposals that aim to mitigate, and adapt to, the effects of climate change should in the first instance explore all opportunities of enhancing energy efficiency and forms of providing renewable energy and improved adaptation to climate change without harming the significance of heritage assets*'. The policy continues to states at part (ii) that '*Where conflict between climate change objectives and the conservation of heritage assets is unavoidable the public benefit of mitigating the effects of climate change will be weighed against any harm to the significance of heritage assets, in accordance with the development management principles in national, London and Islington planning policy*'.
- 10.30 As mentioned above, the application includes an Environmental Audit Report that was prepared by Aecom in December 2017. The audit was prepared with the purpose of informing a wider programme to deliver energy, water and waste improvements and reduce greenhouse gas emissions generated by the church. The audit included a range of recommendations to the church including, the installation of solar panels on the roofspace, replacement glazing within halls, upgrading boiler, installation of insulation on the internal roof surface, installation of draught proofing on the external doors and/or install glazed draught lobbies around the two entrances that do not currently benefit from a draught lobby, installation of LED lighting throughout the building. It was recommended that due to the large amount of electricity usage during daylight hours that the installation of PV panels on the southern roofslope would result in significant savings and be the most appropriate location. The audit considered siting the PV panels on the mono-pitched additions to the rear (fronting River Place), but found this option to be less efficient, due to the orientation of the roof being to the north.

| Description | Annual Benefit | | Cost | | Labour and Materials | Payback | Energy | GHG Emissions |
|---|----------------|------------|-------------|------------|----------------------|---------|--------|---------------|
| | £ (Inc VAT) | £ (Ex VAT) | £ (Inc VAT) | £ (Ex VAT) | | | | |
| Consider possibility of PV panels on south roof | 1,250 | 1,190 | 20,200 | 16,800 | 13 | 8,800 | 4 | |

Table 1 – PV panel energy savings and cost benefits

- 10.31 Table 1 above extracts the estimated indicative energy savings achieved by the proposed PV panel installation from the audit report submitted in support of the application. The report estimates that

the indicative energy savings would be 8,800kWh over a 13 year payback period. This would result in annual energy savings of £1,250 (Inc GST) for energy. Of all recommendations within the audit, the installation of PV panels on the southern roofslope achieves the largest energy savings within the shortest payback period.

- 10.32 The Council's Planning Energy and Advice and Sustainability Departments were consulted with during the assessment of the application. They noted that there would be some potential variations of output, depending on the sub-type of panel chosen for the installation. Notwithstanding this, it was confirmed by the Planning Energy and Advice Department that the predicted outputs and carbon savings specified in the Audit Report are feasible and the application therefore is supported from a sustainability perspective.

Public Benefits

- 10.33 The harm caused by proposal is less than substantial to the Grade II Listed Building and Conservation Area. No harm to the setting of 161 Essex Road (Grade II* Listed) would be caused by the proposals. It is considered that the public benefit of the efficiencies brought by the PV panel array outweigh the less than substantial harm caused to the character and appearance of the conservation area and the special architectural interest and historic fabric of the Grade II Listed Building. In accordance with Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposal hereby under consideration, special regard has been paid (and great weight given to "doing no harm") to the desirability of preserving or enhancing the character or appearance of Grade II Listed Building and the conservation area.
- 10.34 The submission includes an energy study that has looked at the overall energy usage and consumption/carbon impact at St Stephen's and has made a suite of recommendations to improve sustainability. The PV array are part of this. The Diocese of London has been involved in relation to its strategy for reduction of carbon footprint by 2050. It is considered that the inclusion of this information in the submission addresses the requirements of policy DM2.3Gi, as described in the 'Sustainability' chapter above which details the energy reductions and cost savings achievable with the installation of the PV array.
- 10.35 The benefits of the proposal, including efforts to improve energy efficiency and combat climate change are considered to outweigh the less than substantial harm caused to the heritage assets. The proposals would be either not visible or with extremely glimpsed visibility from Canonbury Road. The design of the proposals accords with Historic England Guidance for PV panels.
- 10.36 Whilst the PV panels will appreciably alter the appearance of the southern roofslope, it is a less sensitive part of the church and edge of the conservation area where a more utilitarian context exists. These mitigating factors have been taken into consideration in the assessment of harm.
- 10.37 The benefits of energy efficiency savings and the recognition of the community work the church carries out form the basis of public benefits that tips the balance to outweigh harm, in a manner that gives great weight to "preserving" or doing no harm.

11. SUMMARY AND CONCLUSION

Summary

- 10.38 A summary of the proposal and its impacts and acceptability is set out at paragraphs 4.1 to 4.5 of this report. Great weight has been afforded to the desirability to "preserve" the character and appearance of the Conservation area (Section 72) and the special architectural interest and historic fabric of the statutory listed building (Section 66). Whilst the PV panels will appreciably alter the appearance of the southern roofslope, it is a less sensitive part of the church and edge of the conservation area where a more utilitarian context exists.
- 10.39 The benefits of energy efficiency savings and the recognition of the community work the church carries out form the basis of public benefits that tips the balance to outweigh harm, in a manner that gives great weight to "preserving" or doing no harm.

10.40 As such, the proposed development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

10.41 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 - RECOMMENDATION.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to conditions to secure the following:

List of Conditions:

| | |
|----------|--|
| 1 | Commencement |
| | <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p> |
| 2 | Approved plans list |
| | <p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>7065.002 Rev A; 7065.004 Rev A; Church Environmental Audit Report December 2017; 7067.008; Perlight Solar Plus Series; St Stephens Canonbury Energy Benchmark; 7065.009; 7065.003; 7065.005; 7065.005 Drawing Mounting Detail Ref 007 Version 1.0 Design and Access Statement and Planning Statement June 2018</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p> |
| 3 | Materials (Compliance) |
| | <p>CONDITION: The hereby approved development shall be constructed in accordance with the schedule of materials noted on the approved plans and within the Design and Access Statement. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p> |
| 4 | Black framing |
| | <p>CONDITION: Notwithstanding the hereby approved plans, the facing of the hereby approved solar arrays shall be finished in black framing at first installation and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In order to safeguard the character and appearance of the host listed building and Canonbury Conservation Area.</p> |
| 5 | Cabling and Associated Infrastructure |

CONDITION: There hereby approved development shall be constructed in a manner which ensures that no cabling or infrastructure associated with the installation of the PV array are externally visible.

REASON: REASON: In order to safeguard the character and appearance of the host listed building and Canonbury Conservation Area.

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. National Guidance

The National Planning Policy Framework 2018 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

2. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 8 – Enhancing Islington’s character
Policy CS 9 - Protecting and enhancing Islington’s built and historic environment

C) Development Management Policies June 2013

- Policy DM2.1 – Design
- Policy DM2.3 – Heritage
- Policy DM7.2 – Energy Efficiency and Carbon Reduction in Minor Schemes

3. Designations

- Grade II Listed Building
- Canonbury Conservation Area
- Within 100m of SRN road
- Article 4 (2) Direction Canonbury
- Article 4 Direction A1-A2 (Rest of Borough)

4. SPD/SPGS

Urban Design Guidelines
Canonbury Conservation Area Design Guidelines

APPENDIX 3: FACULTY DECISION

Form 7
(Rule 7.4)

Faculty No 3510

FACULTY

In the Consistory Court of the Diocese of London

Parish of Canonbury - St Stephen

Church of St Stephen

Nigel John Seed QC, Chancellor of the Diocese and Official Principal of
the Right Reverend Sarah by Divine Permission Lord Bishop of London

To:

1. The Revd John Nicholas Beauchamp (Incumbent)
2. Mrs Suzanne Emily Roberts (Churchwarden)
3. Mrs Janice Emslie (Churchwarden)

A petition presented by you has been submitted to the Registry of this Court together with designs, plans, photographs or other documents, requesting a faculty authorising the works or other proposals specified in the petition.

A public notice was duly displayed giving an opportunity to all persons interested to object and give reasons why a faculty should not be granted.

The proceedings were unopposed and did not give rise to a question of law or of doctrine, ritual or ceremonial or relate to proposals that affect the legal rights of any person or body.

This Court now grants a faculty authorising you to carry out the works or other proposals described in the Schedule in accordance with the designs, plans or other documents accompanying the petition and subject to the conditions set out in the Schedule below.

The works should be completed within SIX MONTHS from the date below or such further period as this Court may allow and the certificate of completion is to be sent to the Registry within the period allowed.

A copy of this faculty is to be supplied by you to the architect or surveyor and contractor to be employed in respect of the authorised work before any work is commenced.

This faculty is duly authenticated by the seal of this Court.

Dated 10 December 2018

For Mon

.....
Registrar



SCHEDULE

Description of works or proposals

Installation of solar panel system on south-east facing roof slope.

Conditions

1. The works are carried out in accordance with the submitted specifications and drawings.
2. The works are carried out in accordance with any terms and conditions attached to the planning permission (if granted).

