

Planning and Rights of Way Panel 29th January 2019
Planning Application Report of the Service Lead - Infrastructure, Planning and Development

Application address: United Reform Church, The Avenue, Southampton, S017 1XQ			
Proposed development: Installation of solar panels to south slope of church hall.			
Application number:	18/02007/FUL	Application type:	Full
Case officer:	Mark Taylor	Public speaking time:	5 minutes
Last date for determination:	1 st January 2019	Ward:	Bevois
Reason for Panel Referral:	Five or more letters of representation contrary to the applications recommendation have been received.	Ward Councillors:	Cllr Barnes-Andrews Cllr Kataria Cllr Rayment
Referred to Panel by:	N/A	Reason:	N/A
Applicant: Reverend Dr Sarah Hall		Agent: Mrs F Hudd, Seymour & Bainbridge Ltd.	
Recommendation Summary		Refuse	
Community Infrastructure Levy Liable		Not applicable	

Appendix attached			
1	Development Plan Policies	2	Relevant Planning History

Recommendation in Full

Refuse for the following reason:

1. Impact on Grade II Listed Church

The proposed solar panels will have an adverse impact on the character and appearance of the building which is a designated heritage asset of architectural and historic interest and listed as Grade II. As such, the proposal is contrary to Local Plan Review (2015) saved policy HE3, LDF Core Strategy Policy CS14 and the guidance given in the NPPF (2018) where “less than substantial harm” should be weighed against public benefit. It is considered that there is insufficient public benefit to off-set the adverse impact and, therefore, the proposal is also contrary to NPPF (2018) paragraph 196.

1. The site and its context

- 1.1 The application site is located on the eastern side of The Avenue. The southern boundary of the site abuts Alma Road and Westwood Road is located to the north of the site.
- 1.2 The listed United Reformed Church comprises a group of connected buildings formed in a U-shape. The main church building is link- attached to the Avenue Hall (on which the panels are to be fixed) via the relatively recent glazed concourse addition located between the buildings.
- 1.3 The Church is a Grade II listed building and the Avenue Hall on which the panels are to be erected formed part of that listing in 2000.

2. Proposal

- 2.1 The application proposes to erect 48 photovoltaic panels on the eastern side of the southern roof slope of the Avenue of St Andrews Church Hall; facing towards the Avenue St Andrews united Reformed Church itself.
- 2.2 The submitted drawing 879/29 provides an indicative location of the proposed panels, the precise location will be determined by the structure below. The panels are to be located on a proprietary supporting frame and will sit above the existing roofslope.
- 2.3 The submitted plans indicated that the panels will be arranged in four rows of twelve panels. The panels will be set back approximately 16m from the front (west) edge of the roof slope and will cover an area approximately 12.5m in length and 4.9m in height. The panels will be set down approximately 0.8m from the roof ridge and 45cm from the rear (eastern) edge of the roof slope.
- 2.4 The submitted plans indicate that each photovoltaic panel will measure 1.64m x 99cm and have a depth of 4cm.

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at Appendix 1.
- 3.2 The National Planning Policy Framework (NPPF) was revised in July 2018. Paragraph 213 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

- 4.1 A schedule of the relevant planning history for the site is set out in Appendix 2 of this report.

5. Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, and erecting a site notice 20th November 2018. At the time of writing the report **7 representations in support** of the proposals have been received. The following is a summary of the points raised:

- 5.2 **City of Southampton Society** - Recommend approval

Officer's Response

The Society's support for the proposal is noted.

5.3 **Elder of Church and Chair of Management Committee - Support**

- Membership of the Avenue St Andrews church which passed a unanimous resolution on 25th November to put up the solar panels in accordance with the planning proposal for the benefit of the wider community. The financial considerations are secondary, the effect of a refusal will be to remove a small regular income from an important community building which the congregation is struggling to maintain.
- As a result of the panels being mounted in an internal courtyard they may be seen only directly from a distance of 60 to 80m over a modern steel and glass part of the church (built 2003) from the west side of the Avenue but only approaching from the south for just 50m approximately from when the church tower is being passed to when the array is again concealed by the hall face.
- The overwhelming reason to put up the panels is by generating clean electricity to help combat climate change for the public good. It is the mission of the church to care for the wider community including taking responsibility for combatting climate change recently highlighted again weeks ago by IPCC saying we have ten years to change direction.
- A well-designed solar array supports all 4 Council Priorities

Officer's Response

The Committee's support for the proposal is noted and commentary on the planning merits of the scheme are set out later in this report.

5.4 **Transition Southampton - Support**

- External visibility of the panels is limited to a short length of the Avenue and a short length of Alma Rd, and even then only a small part of the array can be seen.
- The financial benefit to the church members is small given the recent reductions in feed-in-tariff and is not the main motivation.
- The main benefit is indeed to the wider community as a result of increased renewable electricity generation.
- The recent IPCC report stresses the urgent need to address climate change. The UK as a whole needs to take action to reduce carbon emissions.

Church members have raised a significant sum of money with the prospect of very limited financial return should be seen as a benefit to the whole of our city.

Officer's Response

The groups support for the proposal is noted and commentary on the planning merits of the scheme are set out later in this report.

5.5 **Bevois Mount History - Support**

- The positioning of the panels would not affect the church's "attractions".

Officer's Response

The groups support for the proposal is noted and commentary on the planning merits of the scheme are set out later in this report.

5.6 **Local Residents comments:**

- These panels will not adversely affect the overall appearance of the buildings as the roof in question is essentially an internal part of the complex which includes the modern concourse and rear carpark. The fine Victorian character of the main church building will not be affected.
- The installation of these panels arises from the wish to contribute to the generation of electricity by sustainable means
- Sight of these panels highlights concern for the environment
- If any income is generated from this proposal it will most certainly go to support their work of benefit to the wider community.
- Climate change will have a huge impact on historic buildings and, within reason, where there is an opportunity for an unobtrusive solar array to be hosted it should be taken.
- A solar array is after all easily removed and does not require structural changes.
- Solar will bring an extra focus of the problems of energy generation for the whole church community which is important for the challenges ahead.
- The panels will not have a significant impact on the most important public views of the Church and in any case are not fundamentally unsightly in themselves.
- The location of the panels, on the area of Hall roof furthest away from the main road and viewing points, means that they will be largely hidden by the church building.
- Considering the more local views in the courtyard, in the foreground there are single storey flat roofed extensions of fairly recent origin wrapped along the south elevation of the Hall and around the around its eastern end. I do not think that the panels will have an adverse impact in this situation.
- The existing Hall roof tiling is quite darkened by weathering reducing the contrast with the solar panels.
- If in the future solar panels are not needed or wanted they can be easily removed.
- It provides a positive example to other organisations responsible for similar large buildings of how some environmental and possibly economic benefit could be achieved from utilisation of carefully selected parts of their building stock in this way.

Officer's Response:

The support for the proposals from local residents is noted.

Consultation Responses

5.7 **Historic Environment Consultant – Strongly Object**

The proposed solar panels will have an adverse impact on the character and appearance of the Grade II building which is of architectural and historic interest. As such, it is contrary to Local Plan policy HE3 and advice given in the NPPF. Paragraph 196 of the NPPF advises that where there is “less than substantial harm” it should be weighed against public benefit. It is considered that there is insufficient public benefit to off-set the adverse impact and therefore the proposal is also contrary to NPPF paragraph 196.

5.8 **SCC Sustainability Team – Approval is recommended**

5.9 **SCC Environmental Health (Pollution & Safety) – No objection.**

6.0 Planning Consideration Key Issues

6.1 The key issues for consideration in the determination of this planning application are:

- The principle of development;
- Design and effect on character;
- Residential amenity;
- Likely effect on protected habitats.

6.2 Principle of Development

6.2.1 Policy SDP14 of the adopted Local Plan Review states that proposals for the use and development of renewable and alternative sources of energy will be permitted subject to criteria. This policy is further supported by the provisions of policy SDP13 (iii) that seeks to use natural light and heat and minimise the use of non-renewable energy. However, the proposal is sited on a building that forms part of a Grade II Listed Church. As such Policy HE3 of the adopted Local Plan Review also applies. Criteria (i) of policy HE3 advises that proposals will not be permitted if they are considered to adversely affect the character or setting of a listed building. A balance needs, therefore, to be struck between the provision of green infrastructure and the need to protect a designated heritage asset.

6.3 Design and effect on character

6.3.1 The proposal is to locate 48 solar panels on to the south slope of the Church hall roof. The adjoining church is also Grade II listed. Although the linking structure between these two building (known as the Spencer Hall) was demolished in 2001 and replaced with the new modern concourse seen today, this does not mean that the church hall is now not listed as the church rooms or hall were attached to the main church at the time of Listing in May 2000.

6.3.2 Although the position of the proposed panels is to be to the rear or east end of the hall roof, this part of the roof is extremely visible especially from The Avenue. The roof is also visible from the service road on the east side of the church complex, and the rear of properties in Alma Road.

6.3.3 The hall building is currently part characterised by the steep uniform clay tiled roof a format very similar to the roof of the main church nave. The panels would constitute a considerable visual intrusion obtrusively cutting across the traditional clay tiled roof.

6.3.4 It is acknowledged that the proposal offers a number of environmental benefits through the use of renewable energy, as encouraged by policies SDP13 and SDP14. However, paragraph 193 of the NPPF advises:

'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.'

6.3.5 There is an identified harm resulting from the proposed panels due to their obtrusive impact on the clay tiled roof of the hall. The considerations of this impact reach further than the ability to see the panels in the streetscene but to the impact to the setting and character of the building itself. Paragraph 196 of the NPPF advises that:

'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.'

6.3.6 In this instance, whilst the environmental benefits that the proposed panels may potentially bring are recognised and would in other circumstances be encouraged and supported, in this instance they are not considered to outweigh the harm to the Grade II Listed Building. The Council's Heritage Officer objects to the application and these concerns are, on balance, supported by officers resulting in a recommendation to refuse.

6.4 Residential amenity

6.4.1 An appropriate separation distance would remain between the proposal and the nearest residential dwellings to ensure that no loss of amenity would occur. As such, this element of the scheme is considered to be acceptable in terms of residential amenity.

6.4.2 By their very nature, solar panels are designed to absorb light and minimise reflections and, as such, it is considered unlikely that any glare to neighbours would be caused as a result of the proposal. As such the scheme is compliant with LPR Policy SDP1(i).

6.5 Likely effect on protected species and their habitats

6.5.1 Avenue St Andrews Church commissioned a preliminary ecological appraisal and bat survey on the church site which was carried out by Arcadian Ecology Consulting Ltd in September and October 2018. The survey identified low potential for the use of the halls roof by bats and advised that the installation of the PV panels may take place during the winter period (November-March), with inspection of the roof prior to works taking place and a watching brief during the installation by a licenced bat ecologist. As such, there are no ecological objections to the proposals.

7. Summary

7.1 The proposed solar panels offer the opportunity for the provision of renewable energy in accordance with saved policies SDP13 and SDP14. This is supported in principle. However the panels are located on a Grade II listed building and the potential public benefits of the proposed panels are not considered to outweigh the harm to that listed building. As such the proposal is considered to be contrary to the requirements of saved LPR policy HE3 and LDF policy CS14 and the guidance provided at paragraph 196 of the NPPF. The Council's Heritage Officer has objected to the application.

7.2 The proposal is not considered to be to the detriment of any protected species habitats or the amenities currently enjoyed by the occupiers of neighbouring residential dwellings.

8. Conclusion

8.1 It is recommended that planning permission be refused for the reasons outlined above.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1. (a) (b) (c) (d) 2. (b) (d) 4 (c) (aa) 6. (a) (b)

MT for 29/01/19 PROW Panel

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS13	Fundamentals of Design
CS14	Historic Environment
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP13	Resource Conservation
SDP14	Renewable Energy
NE4	Protected Species
HE3	Listed Buildings

Other Relevant Guidance

The National Planning Policy Framework (2018)

Relevant Planning History

01/00934/FUL – Approved 2001

Demolition of existing Spencer Hall, construction of a new concourse and internal refurbishment of Avenue Hall