

MUNDESLEY – PF/22/1649 – Removal of existing pin tiles from chancel roof and installation of slate roof incorporating solar slates. All Saints Church, Cromer Road, Mundesley for The PCC of All Saints Church Mundesley

Minor Development

Target Date: 6 April 2023

Case Officer: Matthew Attewell

Full Planning Permission

RELEVANT SITE CONSTRAINTS

- Residential Area
- Settlement Boundary
- Open Land Area
- Conservation Area - Mundesley
- Listed Building Grade: II
- Coastal Erosion Constraint Area
- Coastal Erosion Risk Area - 100 years
- Contaminated Land
- Landscape Character Area: Weybourne to Mundesley Coastal Shelf

RELEVANT PLANNING HISTORY

None.

THE APPLICATION

Proposes to replace the existing pin tiles covering the chancel roof with a natural Spanish slate to the north roof slope and solar photovoltaic slates to the south roof slope. Both roof slopes would have traditional lead flashing into both the nave and the parapet wall.

The solar photovoltaic slate would have the appearance of a natural slate finish. It is estimated that the installation would produce 6,754 kWh of electricity per annum.

All Saints Church is a grade 2 listed building located within the Mundesley Conservation Area and on the main coastal road to Cromer. It sits within a 0.78 hectare plot on and is on raised ground, which makes the building a prominent feature within the street scene and conservation area. A church has been on this site since the 14th/15th Century; however, the church as it stands was rebuilt between 1899 and 1914 after being derelict for about a century.

The church is constructed of traditional materials, which include walls made up of flint, quoins and square napped flint details. The roof is covered with pin tiles, which in 2018 was re-covered over all sections of the church, with exception of the chancel.

The Ecclesiastical Exemption which would apply in this case, provides a mechanism for certain denominations to be exempted from the listed building consent systems administered by local planning authorities. It does not however, exempt denominations from the need to obtain planning permission for development which affects the exterior of a listed place of worship. Planning authorities are required to have special regard to the desirability of preserving the structure or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant planning permission for any

development which affects a listed building or its setting. They also need to have regard to the desirability of preserving or enhancing the character or appearance of a conservation area.

REASONS FOR REFERRAL TO COMMITTEE

At the request of the Director for Place and Climate Change due to the finely balanced issues with the proposed development.

PARISH/TOWN COUNCIL

Mundesley Parish Council: - Support.

CONSULTATIONS

Conservation and Design (NNDC): Object.

The move away from the roof covering which has informed our view of the church for the last 100 years or so would undoubtedly have an impact. More importantly, so too would be the introduction of the contextually incompatible solar slates on the prominent South side. Taken together, it is therefore considered that these impacts would result in 'less than substantial' harm being caused to the overall significance of the grade II listed heritage asset."

Climate & Environment Team (NNDC): Support.

In keeping with the aims of the Council's Environmental Charter and Net Zero Strategy and the Council's declaration of a Climate Emergency, the Climate and Environment Team support the aims of the applicant in proposing a solution that will help maintain the viability of the Church and its community for the future.

REPRESENTATIONS

None received.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to:

- Article 8: The Right to respect for private and family life.
- Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

LOCAL FINANCE CONSIDERATIONS

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

STANDING DUTIES

Due regard has been given to the following duties:

Crime and Disorder Act, 1998 (S17)

Natural Environment & Rural Communities Act 2006 (S40)

The Conservation of Habitats and Species Regulations 2017 (R9)

Planning Act 2008 (S183)

Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law - Article 8 – Right to Respect for Private and Family Life

Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

RELEVANT POLICIES:

North Norfolk Local Development Framework Core Strategy (September 2008):

Policy SS1 – Spatial Strategy for North Norfolk

Policy SS4 – Environment

Policy EN4 – Design

Policy EN7 – Renewable Energy

Policy EN8 – Protecting and Enhancing the Historic Environment

Policy EN 11 - Coastal erosion

Material Considerations:

Supplementary Planning Documents and Guidance:

North Norfolk Design Guide SPD (2008)

North Norfolk Landscape Character Assessment SPD (2021)

National Planning Policy Framework (NPPF):

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 8 – Promoting healthy and safe communities

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 16 – Conserving and enhancing the historic environment

Other relevant documents

Net Zero 2030 Strategy & Climate Action Plan (February 2022)

SMP6: Kelling to Lowestoft Ness Shoreline Management Plan (August 2012)

North Norfolk District Council Coastal Control Guidance – Development and Coastal Erosion

Although they do not carry the full weight of adopted Supplementary Planning Documents or Guidance it is also considered that some limited weight as material considerations can be attached to the following:

In February 2022, North Norfolk District Council published its Net Zero 2030 Strategy & Climate Action Plan following its earlier declaration of a climate emergency. The Strategy highlights that active tracking of take up of incentives to participate in energy efficiency

programmes, including retrofitting properties, will also be very important. The Council will support and promote such initiatives where possible

The publication of the Intergovernmental Panel on Climate Change (IPCC) report (2021) has demonstrated that 'human influence has unequivocally impacted on our changing climate'.

The Government has set out its net zero by 2050 target in legislation under the Climate Change Act 2008 (as amended) (CCA). In addition to this, the Net Zero Strategy: Build Back Greener was published in October 2021, and the Industrial Decarbonisation Strategy in March 2021. These Strategies outline the steps to be taken to meet the legally binding net zero targets under the CCA. Officers note the recent High Court ruling on the Net Zero Strategy as unlawful under the CCA, but consider that the Strategy indicates an intended direction of travel with regards to decarbonisation and climate change mitigation.

OFFICER ASSESSMENT:

MAIN ISSUES FOR CONSIDERATION:

- 1. Principle of Development**
- 2. The effect of the proposed development on the significance of designated heritage assets**
- 3. Effect on residential amenity, highway safety and biodiversity**
- 4. Coastal Erosion**

1. Principle of Development

In accordance with Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004, planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

Mundesley is designated as a coastal service village under Policy SS 1 of the North Norfolk Core Strategy (CS). All Saints Church is within the designated settlement boundary and within a designated residential area. Policy SS 3 allows for compatible non-residential development within such areas.

CS Policy SS 4 states that renewable energy proposals will be supported where impacts on amenity, wildlife and landscape are acceptable. CS Policy EN 7 similarly states that renewable energy proposals will be supported and considered in the context of sustainable development and climate change, taking account of the wide environmental, social and economic benefits of renewable energy gain and their contribution to overcoming energy supply problems in parts of the District. This is subject to there being no significant adverse impacts either individually or cumulatively on;

- the surrounding landscape, townscape and historical features / areas;
- residential amenity;
- highway safety and;
- biodiversity

With regards to national planning policy, paragraph 152 of the NPPF sets out that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve

resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Furthermore, paragraph 158 of the NPPF states that when determining planning applications for renewable and low carbon development, local planning authorities should recognise the value of renewable energy projects in contributing to the cutting of greenhouse gas emissions and approve applications where the impacts of proposals can be made acceptable.

Core Strategy Policy EN7 is entirely consistent with the aims of the NPPF in relation to renewable energy development.

The proposal represents a modest solar PV renewable energy scheme which would generate 6,754 kWh of electricity per annum. The supporting Statement of Need and Significance submitted as part of the application states that, when the church was fully operational prior to the pandemic, the 2018 energy usage was 3,683kW hours. However, the intention of Mundesley Parish Church is to move from their current oil fuelled boiler to electric heaters, to become a net zero building. Therefore, the predicted net gain to the national grid would be approximately 2,315kW hours per annum.

As such is considered that the proposal accords with the aims of both national and local planning policies in this respect, but to be acceptable overall it must accord with the relevant criteria within Policy EN 7 and any other relevant development plan policies unless material considerations indicate otherwise.

2. The effect of the Proposed Development on the Significance of Designated Heritage Assets

Policy EN 8 of the Core Strategy states that development proposals should preserve or enhance the character and appearance of designated assets, other important listed buildings, structures and their settings through high quality sensitive design. It should be noted that the strict 'no harm permissible' clause in Policy EN 8 is not in strict conformity with the guidance contained in the National Planning Policy Framework (NPPF). As a result, in considering the proposal, the Local Planning Authority will need to take into consideration Chapter 16, paragraph 205 of the NPPF. This requires that where a development proposal will lead to 'less than substantial harm' to the significance of a designated heritage asset, including any contribution made by its setting, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Officers consider that the proposed development would affect both special architectural or historic interest of the church and the character and appearance of the conservation within which it is located. With regards to the latter, the church is the most significant historic building within the village. It stands on high ground on the clifftop and can be seen from a range of southerly vantage points; in particular from Links Road and at the head of Church Lane where it terminates the view. It therefore has deliberate prominence and presence within the village.

Officers consider that the replacement roof coverings from the current red/orange clay pin tiles to a grey slate would materially alter the appearance of the building.

On the northern slope, the natural Spanish slate proposed would have a traditional texture associated with an authentic slate, which will weather in over time. On the southern slope, the proposed photovoltaic solar slates, would be grey in appearance, but due to their construction have a smooth finish with a non-reflective finish.

As part of the consideration of the application, Officers have visited sites elsewhere which have utilised the PV slates and it has been observed that, although they lack the texture of a natural slate, they do weather in time. Currently, the roof covering of the entire church is pin tiles. Whilst the proposal would result in a different material between the chancel and the remainder of the church, a similar differentiation in roof covering can be found at St. John the Baptist at Trimmingham.

The Conservation and Design (C&D) Officer raises two key points within their assessment of the proposal, firstly surrounding the loss of the existing pin tiles and secondly the impact of the proposed PV slates. With regards to the existing pin tiles, it is considered that they do not hold the same intrinsic value as would be the case for a medieval roof covering for example, but they are broadly consistent with those on the rest of the building and have been in place for just over 100 years. As such, they provide important evidential value of the decisions made at a time when pin tiles became available after the arrival of the railway. They therefore do make a positive contribution to the overall significance of the heritage asset.

In terms of the impact of the proposed development, the main visual impact would be that both the proposed materials would introduce a contrast where none currently exists. Whilst this would clearly alter the appearance of the church, Officers consider that having different materials on the same church is not without precedent as referred to above. It is also not considered necessarily harmful in a pure visual sense if a similarly authentic material is chosen.

In this case, providing the natural slate proposed for the northern roof slope is of appropriate quality to withstand the exposed conditions, and has the usual characteristic riven texture, it is likely to be acceptable. It is also a material which could have equally been brought in by the railways at the time of rebuilding, albeit more likely a Welsh slate.

On the southern elevation the impact would be less compatible. Although the proposed solar slates would be tonally similar to a natural equivalent, they would have a smoother and more uniform texture. This would result in a comparatively consistent end result which would lean more towards the contemporary than the traditional. It is however acknowledged that the visual impact of the solar slates would not be less acute than having solar or PV panels retrofitted to the existing roof. Nonetheless, their contrasting visual properties would still be quite pronounced standing on top of the rise and as such would thus fail to preserve or enhance the appearance and character of the listed building, and that of the wider Mundesley Conservation Area in which the church is a key component

It is also acknowledged by the Conservation and Design Officer that the chancel roof is suffering from 'nail sickness' and that its tiles are nearing the end of their useful life in such a harsh coastal environment. Hence, this part of the church will need to be re-roofed in the near future anyway. The most appropriate solution would be a like-for like replacement similar to that recently carried out on the nave.

Officers consider that the proposal would need to be assessed as a departure from Core Strategy Policy EN 8 with the identified harms weighed against the public benefits as set out at NPPF para 205. This assessment is completed below within the Planning Balance.

3. Effect on residential amenity, highway safety and biodiversity

With regard to the other criteria set out within Policy EN 7, Officers consider that the proposal would not have any material effects in respect of these matters and would accord with the aims of Development Plan policy.

4. Coastal Erosion

Whilst the site is within the Coastal Erosion Constraint Area and the 100 year Coastal Erosion Risk Area, Officers consider that the proposed development would not intensify the existing use and is not of a type that would be likely to increase risk to life or significantly increase risk to property. The proposal therefore complies with Core Strategy Policy EN 11

CONCLUSION AND PLANNING BALANCE

The proposal is considered to be in accordance with Core Strategy Policies SS 1, SS 4, EN 7 and EN 11. However, the proposal would not be in accordance with Policy EN 8 and would result in less than substantial harm to designated heritage assets including the Grade II listed All Saints Church and Mundesley Conservation Area.

In considering the public benefits, the supporting information provided by the applicant, details public benefits of the proposal including reduced running costs of the church as a result of a net gain of 2,315kWh of electricity per annum, which will be supplied back to the national grid. In addition, with the other works the church is considering, these proposed works would help the church in becoming one of the first carbon neutral churches within North Norfolk. More locally, the development would allow for a warmer and more environmentally sustainable space in the building which would also open up its use by the community and help support the future of the building. The considerable running cost savings would allow the church to redirect funds to expand its community programmes. Finally, the development would contribute to reductions in greenhouse gas emissions impacting on climate change through meeting the energy needs of the building from a renewable source.

Weighing these benefits against the harm identified in the specialist advice of the Conservation & Design Officer, Officers consider that, given the specific circumstances, the public benefits through adaptation of the building to respond positively to the climate emergency attract significant positive weight in favour and this would outweigh the identified heritage harm to the church and its setting within the Conservation Area.

Whilst each case has to be assessed on its own merits, Officers consider that adapting heritage assets in a sensitive manner to help reduce running costs associated with older fossil fuel technologies will ultimately enable important heritage assets such as parish churches to remain in active use to serve the wider community. Heritage assets in active viable use are far more likely to be appropriately maintained and this will be to the benefit of future generations.

RECOMMENDATION:

APPROVAL subject to the imposition of conditions to cover the matters listed below:

- **Time limit for implementation**
- **Approved plans and details**
- **External materials**

Final wording of conditions to be delegated to the Assistant Director – Planning

