



Appeal Decision

Site visit made on 14 March 2011

by R.M.Poppleton JP, DipTP, DMS, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 March 2011

Appeal Ref: APP/B1930/A/10/2141933

St Stephen's Church, Watling Street, St Alban's AL1 2PT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by The Parochial Council of St Stephen's Church (Mr Richard Moores) against the decision of St Albans City & District Council.
 - The application Ref 5/10/0343, dated 11 February 2010, was refused by notice dated 13 October 2010.
 - The development proposed is the alteration to materials on the nave and south aisle roofs from copper to stainless steel and the incorporation of insulation.
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Decision

1. I allow the appeal and grant planning permission for the alteration to materials on the nave and south aisle roofs from copper to (Terne coated) stainless steel (TCS) and the incorporation of insulation at St Stephen's Church, Watling Street, St Alban's AL1 2PT, in accordance with the terms of the application, Ref 5/10/0343, dated 11 February 2010, subject to the condition that the development hereby permitted shall begin not later than three years from the date of this decision.

Main Issue

2. The Council's reason for refusing planning permission cites conflict with policies within the St Albans District Local Plan Review 1994 that address development within the St Albans Conservation Area (policy 85), listed buildings (policy 86) and general design issues (policy 69). The guidance given in Planning Policy Statement No.5 and its practice guide is also relevant. As a listed building, the provisions of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are applicable. However, being a place of worship and in accordance with Section 60 of that Act, 'listed building consent' is not required being dealt with through Faculty measures controlled by the Diocesan Authorities following advice from the Diocesan Advisory Committee (DAC).

Reasons

3. St Stephen's Church was originally an Anglo-Saxon building that has evolved over the centuries with enlargements occurring, the latest of which appear to have been during the mid 19th century by Sir George Gilbert Scott. It is an important heritage asset and is included as a Grade B (II*) building on the statutory list of protected buildings. The roof coverings currently comprise copper sheeting with standing seams over the nave and south aisle dating from the mid 20th century; tiles over the Lady Chapel and Terne coated stainless

steel sheeting (TCS) with standing seams over the Chancel and on the modern extension. Unlike the Chancel roof however, the proposed areas to be re-roofed are prominent to public view due to the configuration of the site and features within it, the adjoining roads and the local topography. The works are required due to the existing copper sheeting failing leading to water ingress with the resultant risk to the timber structure beneath.

4. There are two main aspects to this appeal, namely, whether the re-roofing works would preserve the special interest of the Church and secondly, the effect upon the character and/or appearance of the Conservation Area.
5. Turning firstly to the effect upon the Church itself. Clearly there are differing views expressed by English Heritage in their advice to the Council and by the DAC advising the appellants. PPS5 states at paragraph 165 that the replacement of roof coverings may result in the loss of a building's significance and will need clear justification. Moreover, as explained in an English Heritage document¹, TCS and other materials differ in their properties and display specific advantages and disadvantages. In particular, English Heritage and the Council seek the use of a lead covering, whereas the DAC, the Archbishop's Council and other specialists and interests strongly favour the use of TCS.
6. As to the use of lead in place of the copper, although preferred by English Heritage this is not proposed and therefore I must consider the merits of the application as submitted. In any case, there is no evidence to indicate that the existing roof structure could accept a lead covering in place of the existing copper. In terms of the suitability of TCS, this is now a well established and much-used sheeting material as a modern alternative to other metal coverings, whose pecuniary value has led to many incidents of theft with the resultant serious damage to buildings' fabric. This is a recognised problem and one that English Heritage and the DAC have advised upon in respect of insurance costs and ways of deterring such thefts.
7. It is acknowledged that the use of authentic materials is to be encouraged, although in this case, the definition of what is 'authentic' depends upon whether copper or lead is regarded as the appropriate material. Moreover, whilst electronic surveillance can offer some deterrent to acquisitive and opportunist crime, the English Heritage advice recognises that there will be instances where a change in materials can be acceptable. In this case, the Diocesan Authorities and others state that theft has occurred in recent years and that it has also occurred at St Michael's. In such circumstances, there is much to be said in terms of the long-term sustainability and maintenance of the building for materials less prone to such attacks being used. Clearly as the cost of replacing vulnerable roofing materials falls upon the local community, this affects any assessment of the significance of the proposed works and of their impact. Cost must therefore be a material consideration in terms of the value of the heritage asset to that community.
8. I note that the use of TCS elsewhere on the Church is cited in support, but I draw no particular conclusions from this as it is not clear as to whether planning permission was required or granted for that work. In any case and in terms of appearance, the Chancel roof is less open to public view than the nave and south aisle.

¹ Theft of metal roof coverings from churches and other historic buildings – English Heritage, October 2008

9. Clearly TCS is not 'traditional' in the sense that it is a relatively modern material that was not available to earlier generations. Similarly the use of copper in the mid 20th century period on this Church and elsewhere in the City (eg: St Michael's Church), was considered appropriate in its day and differed from what had previously been used. This reflects the evolution of the building's style and appearance throughout the centuries, and a further evolution should not in my view, be regarded as unacceptable in principle. I consider that the arguments suggesting conflict with policy 85(i)c are therefore not sufficiently compelling.
10. I also note the comments made concerning the longevity of TCS and that of the jointing materials, its maintenance and repair, its application, its fitting and its shaping, but find no compelling evidence to discount the advice from the appellant's agent and the DAC that TCS is regarded as an acceptable alternative to either copper or lead. Moreover, notwithstanding section 66, having regard to the exemptions afforded by section 60 of the Act, I consider that the primary responsibility for ensuring the long term maintenance and protection of the building rests with the Diocesan Authorities. This leads me to give greater weight to their view than that of English Heritage and the Council in this regard. Similarly, whilst some discolouration may occur, this is no different from the change in the appearance of other more traditional materials.
11. In order to fix the TCS beneath the cill of the clerestory windows and to take account of the insulation layer, the roof slope in front of those windows would be made slightly shallower. Given the angle at which the roof slopes would be observed, I find that this would not significantly affect the appearance of the Church. The detailed treatment of the edging, the seams and the rainwater goods would be matters addressed as part of the Faculty application.
12. As to the effect upon the Conservation Area, policies 69 and 85 are especially relevant, but necessarily, compliance with their terms must to some degree be a matter of subjective judgement. The existing green copper clearly identifies this Church at the intersection of the main routes into the City. Its prominence and influence upon the appearance of the Area is undeniable, particularly as no other buildings in the immediate locality utilise copper as a roof covering. Being the only older Church in this part of the City, this is not surprising as the smaller scale buildings and more recent community buildings have traditional tiled or slate roofs. Using those traditional materials is not an option in the case of the Church, because some of the roofs are at a pitch where such materials could not be utilised. Thus, the objective of achieving the use of traditional materials in policies 69 and 85(i) should be viewed in this context.
13. Moreover, the roofing material is but one factor that helps define the location's character. The presence of the attractive and well vegetated Church yard and the Church's role in the fabric of the community are also vitally important. Therefore, whilst the appearance would change from a prominent green roof to a dulled grey/brown colour over a relatively short period of time and may appear 'chalkier' than lead, the continued existence of the Church would still represent a major influence upon the Area's character. The proposal would therefore result in the Area's character being preserved for future generations.
14. Policy HE9.1 of PPS5 states that where a building's significance would be harmed, such works should only be approved in exceptional circumstances. The policy guidance also advises at paragraph HE9.4 that significance needs to be

balanced with other factors. In this case and as noted, the works would harm the existing appearance of the Church, but not substantially and the character of the Conservation Area would be preserved. That limited harm must be balanced with the effect that the deterioration of the building's fabric and its potential deterioration as a historic, functional part of the local community would have on its setting and architectural interest. I consider that the importance derived from the Church continuing in active use to the community, its continuing maintenance and preserving its setting in terms of its contribution to the overall historic integrity of this part of the Conservation Area, far outweighs the impact on the physical and visual aspects of the building and its setting. For these reasons and having regard to all other matters raised, I allow the appeal.

15. I have considered the suggested conditions in the light of the Circular advice and consider that it not necessary to require an archaeological recording of the roof fabric by way of a condition. Such matters would fall within the responsibilities of the DAC as part of the implementation of any Faculty granted and need not be repeated in this planning permission.

R.M. Poppleton

Inspector

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