

<b>20212348</b>	<b>St Saviours Road, St Saviours Church</b>	
Proposal:	External and internal alterations to Grade II* Listed Building (Class F1)	
Applicant:	RCCG City of Favour	
App type:	Listed building consent	
Status:	Other development	
Expiry Date:	13 December 2021	
PB	TEAM: PD	WARD: North Evington



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## Summary

- the application is brought to the Committee as the planning agent is related to a Member of the City Council;
- the application relates to a grade II\* listed building that is on Historic England's national Heritage at Risk register;
- Main consideration is the impact of the proposed works upon the special architectural and historic interest of the listed building;
- the application is recommended for approval with conditions.

## The Site

This application relates to a grade II\* Listed Building situated between St. Saviour's Road and Wood Hill in the Spinney Hills area of the city. The listing comprises the main Church building, the gate piers, and the iron railings to the west of St. Saviour's Road. The Church dates from 1875-1877 and was designed by the notable national architect Sir George Gilbert Scott. Historic England's listing entry summarises the importance of this Listed Building as follows:

“This is a lofty and very imposing city church by Sir G G Scott with a massive tower which is major landmark in this part of Leicester. The interior, which has many fittings surviving, has a notably fine series of roofs”.

The application site is flanked by two locally listed heritage assets that are historically connected to the grade II\* Listed Building. To the east, the former St. Saviour's Vicarage (c. 1876, by Sir George Gilbert Scott's practice) and, to the west, the former St. Saviour's School (c.1882-83 by local architect Stockdale Harrison).

## Background

I understand that the Church was closed for worship in 2006. In the intervening 15 years the condition of the building has deteriorated, and it is now on Historic England's Heritage at Risk Register. The Register entry rates the building condition as poor and the accompanying description states that significant repairs are needed to the spire, roof and guttering.

In 2017 applications for planning permission (20171830) and listed building consent (20171831) were made on behalf of the Redeemed Christian Church of God (RCCG) City of Favour Church for development and works that would enable the building to be brought back into use as a place of worship. Both applications were approved with conditions on 6<sup>th</sup> August 2018.

The development approved by planning permission 20171830 comprised:

- the felling of two TPO-protected trees within the grounds of the church;
- the rebuilding of brick piers to create wider openings to enable vehicle access onto the site from St. Saviour's Road and Wood Hill;
- hard surfacing within the grounds of the Church to provide an access road with 24 car parking spaces, as well as the provision of cycle parking and a bin store.

The works approved by listed building consent 20171831 included the rebuilding of brick piers (as above) and internal works to create offices, toilets and meeting rooms. Both the planning permission (20171830) and listed building consent (20171831) previously approved were subject to the standard three-year time limit on commencement. I understand that no development or works have been undertaken, and consequently the planning permission and listed building consent expired on 6<sup>th</sup> August this year (2021).

## The Proposal

The proposal is for a fresh approval for the external and internal works needed by the RCCG City of Favour Church to facilitate their use of this grade II\* Listed Building. The applicant's agent is aware that a fresh planning permission will also be needed for the external development and I understand that a planning application is being prepared for submission to this end.

The proposed external works are as follows:

- rebuilding of one gate pier to St. Saviour's Road frontage to create 3m wide opening and new metal gates;
- rebuilding of one gate pier to Wood Hill frontage to create 3m wide opening and new hardwood gates;
- damaged roof tiles to be repaired;
- damaged rainwater pipes and guttering to be replaced;
- broken windows and stained glass to be restored; and
- CCTV, alarms and audio-visual equipment.

The proposed internal are as follows:

- removal of some pews and reduction in size of some pews to allow for access;
- installation of partitions and suspended ceiling to create three meeting rooms;
- removal of damaged partitions;
- removal of timber panelling and installation of toilet facilities with ventilation/extraction;
- refurbishment of font if salvageable or removal;
- removal of damage organ and installation of partitions to create pastor's and secretary's office;
- repairs to floor tiles where required; and
- CCTV, alarms and audio-visual equipment;

## Policy Considerations

### National Planning Policy Framework (NPPF) (2001)

Paragraph 38 encourages local planning authorities to approach decisions in a positive and creative way and states that they should work proactively with applicants. It goes on to state that decision makers should seek to approve applications for sustainable development where possible.

Paragraph 56 lays down the tests for planning conditions. They are that planning conditions must be: necessary; relevant to planning; relevant to the development; enforceable; precise; and reasonable.

Paragraph 194 states that, in determining applications, local planning authorities should require the applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 195 requires local planning authorities to assess the significance of any heritage asset affected by a proposal and take this into account when considering the impact of a proposal on a heritage asset.

Paragraph 197 requires local planning authorities to take account of: (a) sustaining heritage assets with viable uses; (b) the positive contribution heritage assets can make to communities including economic viability; and (c) the desirability of development positively contributing to local character and distinctiveness; when determining applications.

Paragraph 199 states that great weight should be given to the asset's conservation when considering the impact of proposed development.

Paragraph 200 states that any harm to or loss of a grade II\* Listed Building should require clear and convincing justification, and that substantial harm should be wholly exceptional.

Paragraph 201 states that proposals leading to substantial harm to a designated heritage asset should be refused unless necessary to achieve substantial public benefits or certain circumstances (as specified in criteria a-d of this paragraph) apply.

Paragraph 202 states that proposals leading to less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal.

Development plan policies relevant to this application are listed at the end of this report.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest.

## Consultations

Historic England: On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.

## Representations

None received

## Consideration

Core Strategy Policy CS18 states that the Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets. It goes on to state that the City Council will monitor historic

buildings at risk and take action where necessary to secure and improve those buildings deemed at most risk, and that the advice of statutory and local consultees in relation to applications affecting designated and other heritage assets will be considered.

### Special Architectural and Historic Interest

As a listed building consent application, the principal consideration in this case is the impact of the proposed works upon the special architectural and historic interest of the Listed Building.

A Heritage Statement (by ChurchCare, originally dated June 2004 and updated October 2015) has been submitted with the application. This includes an assessment of the significance of the heritage assessment, fulfilling the requirement of paragraph 194 of the NPPF. The building's significance is summarised as: a very imposing church, well detailed, making a major contribution to the street and townscape; a lofty and impressive space; roofs particularly good; the furnishings (especially the windows) are of good quality and though their value as an ensemble has suffered by loss and damage they remain of moderate significance overall; and [historically] of significance to the development of Leicester in the 19<sup>th</sup> Century.

The above assessment of significance has been taken into account when considering the works the subject of this application, as required by NPPF paragraph 195.

More often than not, the best use of a listed building is that for which it was originally designed. It is clear that the condition of the fabric of this building has deteriorated (and indeed continues to deteriorate) since the building closed as a place of worship in 2006. The proposed works would not only arrest the decay by making the building fully weathertight again, but would also give the building a viable use as a place of worship for part of the city's Christian community and as such would help to sustain this important designated heritage asset for future generations. This is consistent with NPPF paragraphs 197 and 199.

Some aspects of the proposed works – those associated with the provision of facilities to make the church fit for use by a 21<sup>st</sup> Century congregation – would cause less than substantial harm to the significance of this heritage asset. Having regard to paragraph 200 of the NPPF, which states that *any* harm to a grade II\* Listed Building should require clear and convincing justification, and paragraph 202 which states that proposals leading to less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal, I consider that the interventions are minimal and needed to give the building a viable future as a place of worship and that the overall package of works of repair and restoration to secure the future of this heritage asset should be given great weight as a public benefit. In short, although there would be some less than substantial harm (and this is considered to be at the lower order of the spectrum of harm) to the significance of the heritage asset, this is justified by the now pressing need to bring the building back into use, for its original purpose as a place of worship, and outweighed by the broader public benefit of the works to repair and restore the works.

Subject to control of certain details (see below) there would be no harm to the special architectural and historic interest of this grade II\*listed building. The proposed works

would help to protect the historic environment of the City and would go some way to addressing the issues that have led to this asset's inclusion on Historic England's Heritage at Risk Register. I consider that the proposal complies with Core Strategy Policy CS18.

To ensure that the proposed works are executed to a specification that would contribute to the preservation of the special architectural and historic interest of this grade II\* Listed Building, I consider that the following details will need to be agreed:

- (a) a sample panel of repointed brickwork (recommended condition 3);
- (b) samples of bricks including re-use of existing bricks wherever possible (recommended condition 4), samples of stonework (recommended condition 5) and samples of slate (recommended condition 6)
- (c) a full schedule of roof repair works (recommended condition 7);
- (d) a full internal schedule of works of specified details (recommended condition 8);
- (e) a specification of repair/restoration works to the pulpit and font (recommended condition 9);
- (f) a specification of the repair/restoration of the floor tiles (recommended condition 10); and
- (g) a specification of the repairs/replacement of rainwater goods (recommended condition 11).

I am satisfied that the above details can be secured and agreed at appropriate stages in the works through conditions of listed building consent.

### Other Matters

By conserving the principal heritage asset – i.e. the grade II\* Listed Building, I consider that the proposals would contribute positively to the group formed by this and the two adjacent non-designated heritage assets (i.e. the former Vicarage and School buildings).

Some of the drawings submitted with this application show development that needs planning permission. As noted above, the applicant's agent is aware of the need for a separate planning application and I understand that the preparation of a planning application submission is in hand. For the avoidance of doubt, however, I recommend a note to the applicant to clarify that the listed building consent only relates to the works requiring listed building consent.

Similarly, an ecology survey has been submitted with the subject application. As an application for listed building consent, however, the principal consideration in this case is the impact of the proposed works upon the special architectural and historic interest of the Listed Building. In any event, the submitted ecology survey is out of date and the applicant has been advised that an updated one will be required as part of the planning application submission. As a safeguard against any works being undertaken as a result of the grant of listed building consent that could impact upon protected species potentially present at the site, I recommend a further note to the applicant reminding them, on a without-prejudice basis, of landowners' responsibilities in relation to bats.

## Conclusion

The proposed works would help to secure the future of this grade II\* Listed Building and bring it back into a viable use, that being a use consistent with the purpose for which the building was originally designed. In so doing, it would help to preserve its special architectural and historic interest for future generations. In reaching this conclusion, regard has been had to the building's current status as a heritage asset on Historic England's Buildings at Risk Register. Subject to details that can be agreed, the proposal would comply with the relevant provisions of the NPPF and Policy CS18 of the Leicester Core Strategy (2014). I recommend that this application be APPROVED subject to the following conditions:

### CONDITIONS

1. START WITHIN THREE YEARS - LB CONSENT OR CA CONSENT
2. All external alterations should be carried out in strict accordance with the schedule of remedial works (ref - STR/IPR/IPG / 180782 / 17-3/S000 - Issue 01) unless otherwise agreed in writing by the Local Planning Authority. (In the interests of preserving the character and appearance of the listed building, and in accordance with Core Strategy policy CS18.)
3. Prior to the replacement or repointing of external brickwork or stonework, a 1m<sup>2</sup> sample panel of repointed brickwork shall be carried out on site and approved in writing by the LPA. Once the sample panel has been agreed, all further works shall be carried in accordance with the approved details. (In the interests of preserving the character and appearance of the listed building, and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
4. Bricks in those sections of the wall and capping to be repaired must be carefully removed by hand and set aside for reuse (turned) where possible. Where the condition of the bricks is so poor that they cannot be salvaged, these must be replaced on a like for like basis with reclaimed bricks. Samples of these shall be submitted to and approved in writing by the Local Planning Authority and the works carried out in accordance with the approved details. (In the interests of preserving the character and appearance of the listed building, and in accordance with Core Strategy policy CS18.)
5. Prior to the commencement of any stonework replacement, any new stone shall be suitably sourced to match the existing, a sample of which shall be submitted to and approved in writing by the Local Planning Authority and the works carried out in accordance with the approved details. (In the interests of preserving the character and appearance of the listed building, and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
6. Prior to the commencement of stripping and relaying existing Welsh slate roofs, any new slates shall be suitably sourced to match the existing, a sample of

which shall be submitted to and approved in writing by the Local Planning Authority and the works carried out in accordance with the approved details. (In the interests of preserving the character and appearance of the listed building, and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

7. Prior to any roof repairs being carried out, a full schedule of repair works confirming the extent of the works shall be submitted to and approved in writing by the Council, and the work shall then be carried out in accordance with those details. This schedule of works should clearly identify a methodology for the roof repair works and include details of any replacement slates or other roofing materials to be used. (In the interests of preserving the character and appearance of the listed building, and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
8. Prior to the commencement of the works, a full internal schedule of works shall be submitted to and approved in writing by the Council, and the work shall then be carried out in accordance with those details. This shall include:
  - i) Details of all new plumbing, electrical wiring and ventilation for the toilets, including method of installation and location of new service runs and external extracts.
  - ii) Details of any replacement flooring works, including a methodology for uplifting existing tiles.
  - iii) Details of all new CCTV, alarms & audio-visual equipment, including location, method of installation and any additional electrical wiring.
  - iv) Methodology confirming the cleaning of all internal features to be retained.
  - v) Methodology confirming how existing pews are to be reduced in size.

(In the interests of preserving the character and appearance of the listed building, and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

9. No works shall be carried out to the Pulpit and Font until details of their repair/restoration has been supplied to and approved in writing by the Council, and the work shall then be carried out in accordance with those details. (In the interests of preserving the character and appearance of the listed building, and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
10. No works shall be carried out to encaustic tiles (set in Geometric patterns) within the sanctuary of the church, unless details of their repair/restoration have been supplied to and approved in writing by the Council, and the work shall then be carried out in accordance with those details. (In the interests of preserving the character and appearance of the listed building, and in accordance with Core Strategy policy CS18.)



11. Prior to the repair / replacement of the rainwater goods, details of all new gutters, downpipes, hoppers shall be submitted to and approved in writing by the Council, and the work shall then be carried out in accordance with those details. (In the interests of preserving the character and appearance of the listed building, and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
12. Development shall be carried out in accordance with the following approved plans: P1 (Location Plan); 17-08-04 P4 Rev. F (Floor Plan Existing and Proposed); 17-08-04 P5 Rev. A (Elevations 1 Existing and Proposed); 17-08-04 P6 Rev. A (Elevations 2 Existing and Proposed); 17-08-04 D4 (Proposed Partition Details); 17-08-04 P7 (Bin Store, Cycle Shelter and Entrance Gate Details); 17-08-04 P8 (Proposed Gate Details Wood Hill Elevation) - all received 14/09/2021. (For the avoidance of doubt).

#### NOTES FOR APPLICANT

1. The applicant is advised that this decision notice only relates to the external and internal works requiring listed building consent. Any external development including the erection of means of enclosure, the formation of vehicle accesses, the laying of hard surfaces for access roads and car parking within the site, the construction of cycle parkin and bin storage facilities, the fixing of CCTV and other such apparatus to the exterior of the building, and the removal of TPO-protected trees, will all need a separate grant of planning permission.
2. The applicant is advised that updated ecology surveys will be needed as part of any planning application for development at the site. It is the landowners' responsibility to ensure that relevant protected species legislation is complied with before any works are undertaken. A landowner may commit a criminal offence if they: Deliberately take, injure or kill a wild bat; Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats; Damage or destroy a place used by bats for breeding or resting (roosts) (even if bats are not occupying the roost at the time); Possess or advertise/sell/exchange a bat of a species found in the wild in the EU (dead or alive) or any part of a bat; and/or Intentionally or recklessly obstruct access to a bat roost.
3. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material planning considerations, including planning policies and representations that may have been received and subsequently determining to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2021.

#### **Policies relating to this recommendation**

2014\_CS18      The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets.