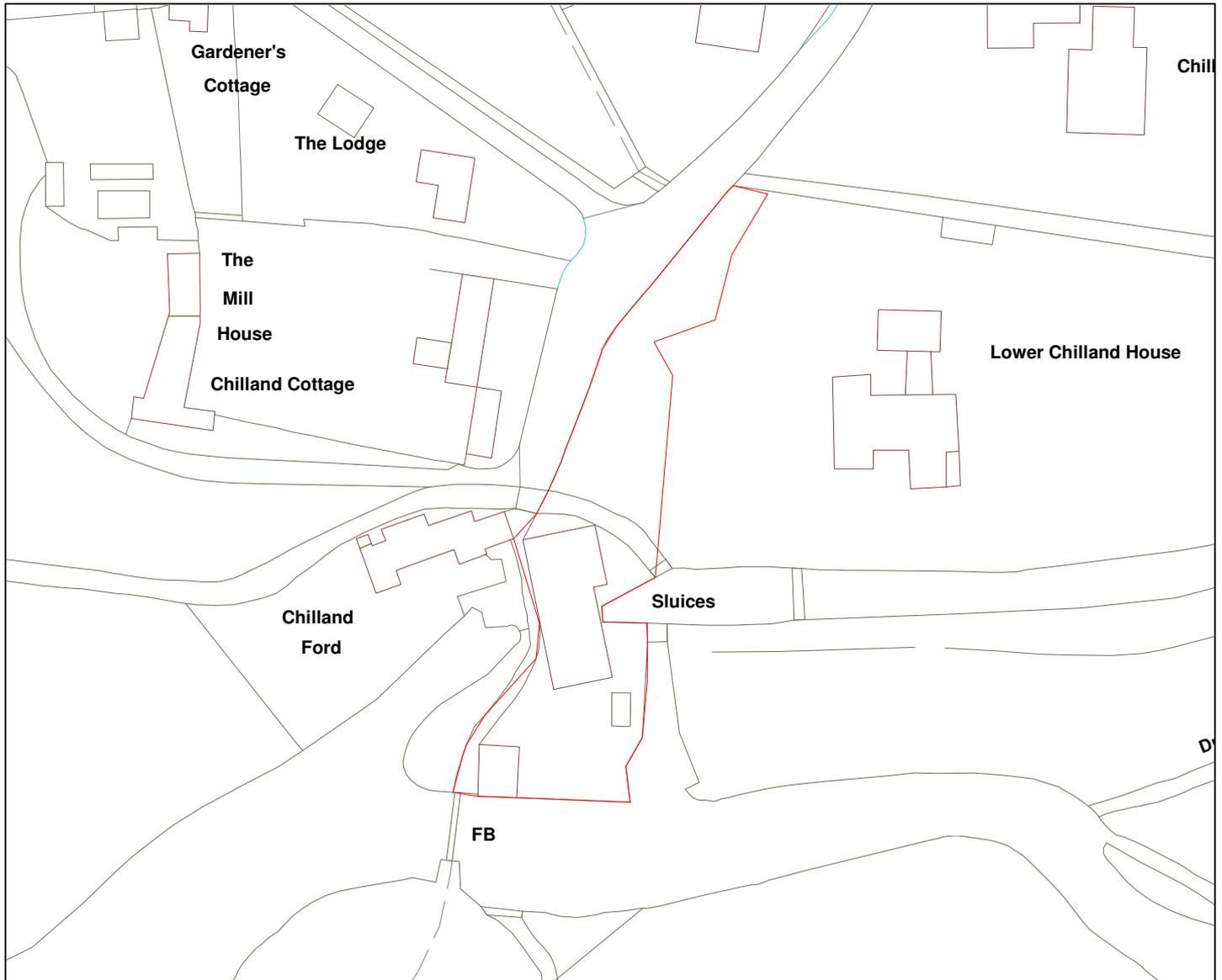


Chilland Mill, Lower Chilland Lane

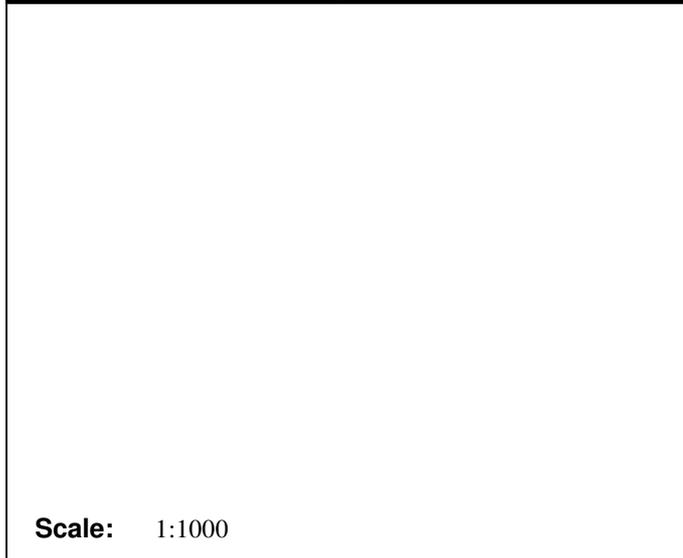


Winchester
City Council

Item 3



Legend



Scale: 1:1000



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Winchester City Council © 2007.

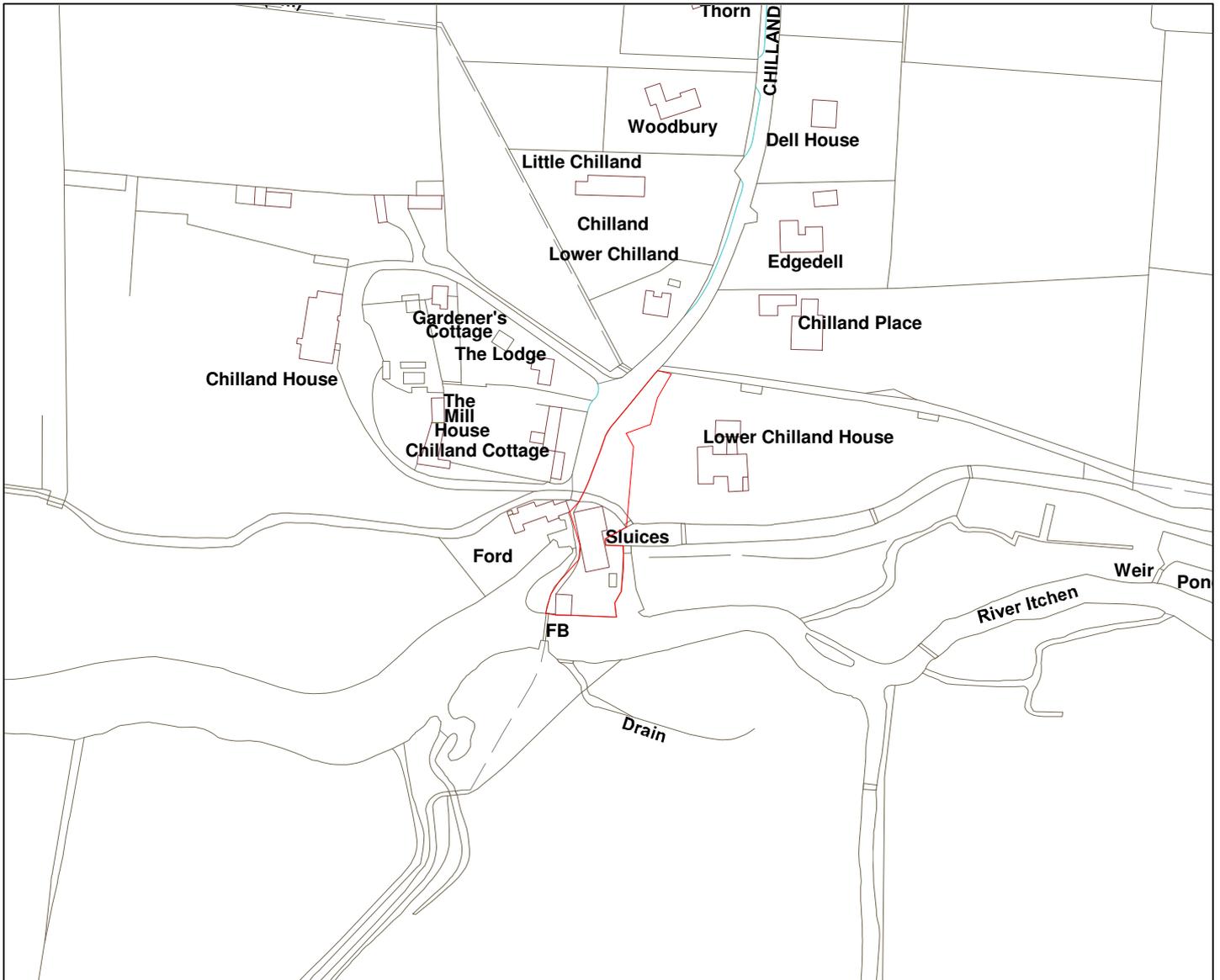
Organisation	Winchester City Council
Department	Development Services
Comments	08/02134/FUL
Date	28 January 2009
SLA Number	00018301

Chilland Mill, Lower Chilland Lane



Winchester
City Council

Item 3



Legend



Scale: 1:2500



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Winchester City Council © 2007.

Organisation	Winchester City Council
Department	Development Services
Comments	08/02134/FUL
Date	28 January 2009
SLA Number	00018301

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

Winchester City
Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

Committee Decision

Case No:	08/02134/FUL	Valid Date	9 September 2008
W No:	03990/26	Recommendation Date	19 November 2008
Case Officer:	Andrea Swain	8 Week Date	4 November 2008
		Committee date	17 February, 2009
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	Restoration and extension to Chilland Mill and Eel House and refurbishment of frontage onto Chilland Lane
------------------	---

Site:	Chilland Mill Lower Chilland Lane Martyr Worthy Hampshire
--------------	---

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
N	N	N	Y	N	N	Y

DELEGATED ITEM SIGN OFF		
APPROVE Subject to the condition(s) listed		
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

AMENDED PLANS DATE:- 22 December, 2008

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

Item No: 3a
Case No: 08/02134/FUL / W03990/26
Proposal Description: Restoration and extension to Chilland Mill and Eel House and refurbishment of frontage onto Chilland Lane
Address: Chilland Mill Lower Chilland Lane Martyr Worthy Hampshire
Parish/Ward: Itchen Valley
Applicants Name: Mr David Lyons
Case Officer: Andrea Swain
Date Valid: 9 September 2008
Site Factors: Chilland Conservation Area
Area Liable to Flood
Within 50m of Listed Building
Tree Preservation Order
SSSI and SAC
Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received. This application is reported to Committee at the request of Itchen Valley Parish Council, whose request is appended in full to this report.

Amended plans have been received which show the following amendments to the original scheme:

- The proposed garage, which was to be sited close to the river bank and public footpath, has been withdrawn from the application.
- The reinstated turbine within the mill building has been omitted from the application.
- Exotic plant species have been omitted from the landscaping scheme.
- More of the wall enclosing the mill leat within the mill building has been retained.
- Timber shutters have been added to the proposed reformed openings in the Eel House.

An application (ref: 08/02452/FUL - W03990/27LB) for Listed Building Consent is also for consideration by the Committee – see Item 3b. This report deals with both the planning and listed building issues and relates to both planning and listed building applications (08/01234/FUL and 08/02135/LIS).

Site Description

Lower Chilland House is a large detached, Grade II Listed dwelling set within very extensive grounds at the end of Chilland Lane in Martyr Worthy. Chilland Lane is a no through road serving about 15 private residences. The Lane is narrow and dominated by hedges, greenery and the canopies of large trees. The houses benefit from large private gardens. Typically, they are large detached dwellings of mixed typology and they range in age from Georgian to the present day.

The house has recently undergone extensive refurbishment, detailed in the Planning History. There are mature trees on all the boundaries and within the site itself. Two

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

subsidiary streams of the River Itchen run through the grounds, with one of the streams leading to a large mill building to the south west of the house. The mill building is divided from Lower Chilland House by a leat that supplies water to the mill. Two tertiary water courses and the River Itchen create a small island on which the mill and a dilapidated Eel House are located.

A well used public footpath passes along the western side of the mill and crosses the river linking through to the village of Easton. There are open views into the site from the south as the footpath crosses the river. There is another public footpath running to the immediate north of the site, behind a high brick wall.

Chilland Mill is a rural industrial building and is listed Grade II in its own right. It consists of the mill building with an attached granary, and dates from the late 18th century. The building is included on the Buildings at Risk Register for the district, priority category 'D'.

The building is of two storeys and constructed in red brick with blue headers, and has a weather-boarded first floor to the granary, and an old plain tile roof. The lower-pitched roof to the granary is slate covered. At the time the building was listed in 1984, the turbine and generator were in working order and used to provide power for the building.

The Eel House, which is located to the south of the mill, is believed to be of early 20th century date. It is currently clad with waney-edged boarding above a brick plinth and has metal diamond-paned windows.

Permission exists for a new garage, located to the south west of the mill, on a site formerly occupied by a run down boathouse. This building has not yet been constructed. It will be sited parallel with the public footpath. The same permission included a new decking area to the immediate east of the Eel House (application ref: 07/00123/FUL).

Proposal

This application forms part of a wider project to refurbish Lower Chilland House. The project has been broken down into 4 phases of work, each subject to separate planning consents. The first phase of the project involved the refurbishment of the Grade II listed house (planning application refs: 05/02966/LIS, 06/01678/LIS, 07/00114/FUL and 07/00063/LIS). These works are now complete.

Phase two involved the construction of two new swimming pools, a tennis court, replacement boundary walls and a suite of pool buildings to the rear of the main house (planning application ref: 07/00123/FUL). These works are presently under construction.

Planning application ref: 08/02451/FUL and Listed Building Consent ref: 08/02452/LIS formed a supplementary part of the second phase and proposed the erection of a replacement tractor shed, and a building to accommodate a dog kennel, dog run, bin store and greenhouse. These applications were approved by the Committee on 8th January, 2009.

This current application and Listed Building Consent include the repair and refurbishment of the mill building as ancillary accommodation to Chilland House to create a personal office and gym for the owners. In order to retain the open spaces within the mill building,

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

a separate pavilion ('changing block') building would be linked to the north elevation of the mill by an enclosed glass bridge over the mill stream. The existing Eel House to the south of the mill is proposed to be re-clad with new timber, with alterations to its fenestration.

The application also proposes changes to the main entrance to the site from Chilland Lane, with new gate piers, gates, and delivery box and new boundary treatment of a metal fence supporting new planting. The new entrance will be widened and set further back from that of the existing arrangement to improve visibility splays.

The fourth and final phase of the works will involve the refurbishment of the extensive gardens. Proposals will be drawn up in consultation with Natural England and the Environment Agency.

Relevant Planning History

78/01331/OLD - W03990 Demolition of part of dwelling followed by alterations to provide reduced accommodation, erection of garage - Lower Chilland House - Permitted - 08/09/1978

78/01332/OLD - W03990/01LB To partly demolish and rebuild garage - Lower Chilland House - Permitted - 18/12/1978

08/00479/OLD - W03990/02 Change of use to tile factory - Chilland Mill, Lower Chilland Lane - Permitted - 11/06/1985

92/00398/OLD - W03990/03 Internal and external alterations to convert mill to dwelling - Chilland Mill, Lower Chilland Lane - Permitted - 14/01/1992

92/00399/OLD - W03990/04LB Internal and external alterations to convert mill to dwelling - Chilland Mill Lower Chilland Lane Martyr Worthy Hampshire - Application Permitted - 11/02/1992

95/00452/OLD - W03990/05 Alterations to provide room in garage roof with dormer window, enclosure of existing covered walk way link - Lower Chilland House - Permitted - 09/05/1995

96/02378/LIS - W03990/06LB Internal and external alterations to convert mill to dwelling (Renewal of W03990/04LB) - Chilland Mill, Lower Chilland Lane - Permitted - 24/09/1996

96/02579/FUL - W03990/08 Conversion of mill to dwelling (Renewal of W03990/03) - Chilland Mill, Lower Chilland Lane - Permitted - 28/10/1996

01/01435/FUL - W03990/11 Conversion of mill to dwelling (Renewal of planning permission W03990/08) - Chilland Mill, Lower Chilland Lane - Permitted - 30/07/2001

01/01450/LIS - W03990/12LB Internal and external alterations to convert mill to dwelling (Renewal of planning permission W03990/06LB) - Chilland Mill, Lower Chilland Lane - Permitted - 01/08/2001

05/00412/FUL - W03990/13 Demolition of existing outbuilding and erection of garage and double carport with storage above (within the cartilage of a Listed Building) - Chilland Mill, Lower Chilland Lane - Application Withdrawn - 28/04/2005

05/02966/LIS - W03990/14LB External and internal alterations to convert attached double garage into living accommodation; demolition of existing rear balcony and replacing with larger one; alteration to fenestration including new doorways and windows (This application may affect the setting of a Public Right of Way) - Lower

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

Chilland House - Permitted - 10/02/2006

06/01678/LIS - W03990/15LB To make alterations to the east elevation of the existing dwelling - Lower Chilland House - Permitted - 16/06/2006

06/02143/FUL - W03990/16 Restoration and renewal of out buildings including replacement garage, swimming pool, pool house, new tennis court and boundary walls – Lower Chilland House - Refused - 05/10/2006

06/02333/LIS - W03990/17LB Restoration and renewal of garden grounds/outbuildings within the curtilage of a listed building, proposals to include replacement garage, swimming pool, pool house, new tennis courts, paving, planting, tree works, external lighting and boundary walls - Lower Chilland House - Refused - 05/10/2006

06/03391/FUL - W03990/18 Restoration and renewal of out buildings including replacement garage, swimming pool, pool house, new tennis court and boundary walls (Resubmission) - Lower Chilland House - Refused - 11/01/2007

07/00123/FUL - W03990/21 Replacement garage, swimming pool, pool house; new tennis court, paving, planting, tree works and boundary walls, decking and 3 no replacement bridges - Lower Chilland House - Permitted - 14/03/2007

08/02452/LIS - W0399/27LB Removal of an existing tractor shed and replace with new workshop/tractor shed, greenhouse, dog kennel and bin store and landscaping - Lower Chilland House - Permitted - 8/1/2009

08/02451/FUL - W03990/28 Removal of an existing tractor shed and replace with new workshop/tractor shed, greenhouse, dog kennel and bin store and landscaping - Lower Chilland House - Permitted - 8/1/2009

Consultations

Conservation:

Original Plans – Conditional permission. Further details requested.

Amended plans – Conditional permission recommended (Condition 2 on planning application 08/02134/FUL; Conditions 2, 3, 4, 5, 6, 7, 8, 9 & 10 on listed building consent 08/02135/LIS).

Engineers: Drainage: No objection.

Landscape:

Original Plans - No objection in principle to the majority of the proposed site layout and design. However, concerns regarding the location of the garage which is very close to the banks of the river. Proposed narrow strip of Dogwood planting along the riverbank needs to be replaced with taller native riparian planting typical of the local landscape. Planting to the north of the Eel House can be more mixed as this area has a less direct relationship to the river.

Proposed new main entrance is generally acceptable, although details of the design of the steel gates to be provided for approval. There are concerns that the new metal boundary fence is out of keeping with the character of Lower Chilland Lane and further details are required before this can be approved. Soft landscape design should be conditioned (Conditions 2 & 5).

Arboricultural Officer

Original Plans - While the scheme seeks to retain much of the vegetation on the site, which is welcomed, the garage will impact on tree ref T16; and the changing room will

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

also impact on adjacent trees; construction details required of the metal fence to prevent root damage (Condition 6).

Amended Plans - Condition required for a method statement for the construction of the changing room and foundation to help ensure that the tree is not damaged (Condition 6).

Environment Agency:

Original Plans - Objection. There is an inadequate buffer zone between the garage and the River Itchen. Any proposal to run the Mill Turbine will have an impact on the river and watercourse dynamics. Associated changes to the river environment will have to be assessed carefully and an Environmental Impact Assessment carried out before any proposals can be taken forward.

Amended Plans - Welcome that the garage has been withdrawn. Also welcome that the plant lists will be revised to include native species only along river bank areas. Suggest conditions and informatives (Conditions 8 & 9; Informatives 3, 4, 7, 8 & 9).

English Nature

Original Plans - Objection. Insufficient information on impact on SAC. Ecological Management Plan provides insufficient information. Details of any hydroelectric system required. Details of lighting required. Concern with regard to planting of exotic species close to the SAC. Insufficient information with regard to impact of Mill proposals on SSSI. Insufficient information with regard to impact on protected species.

Amended Plans - No objection to the proposals with regard to potential effects on the River Itchen SSSI/SAC and protected species, subject to planning conditions (Conditions 7, 13 & 14; Informatives 4, 5, & 6).

Hants CC Ecologist

Original Plans - Lighting scheme needs to be informed by ecological information and addressed in ecological assessments. Little reference to site's designations and any assessment of the impacts on the SSSI and SAC. No assessment made of re-commissioning of the water turbine and its potential ecological impact. No assessment of glazed bridge, garage and decking. No vegetated buffers shown. No assessment of trees for bat potential shown. A full scheme of mitigation and ecological assessment needs to be in place. Proposed planting inappropriate – should be native. Revised surveys of Japanese knotweed need to be undertaken.

Amended Plans - It is stated that lighting does not form part of this application, except for the new glass bridge. This must be to the satisfaction of Natural England. It must be ensured that construction lighting is sensitive to the environment. Natural England and the Environment Agency also need to be satisfied with any planting schemes. Further inspection of the Eel House for bats will be required prior to works commencing. A Construction Environmental Management Plan is required (Conditions 3, 4, 5, 7, 13 & 14).

Representations:

Itchen Valley Parish Council – The modified entrance improves access and visibility and is supported. The proposals to renovate the Mill are sound. There is concern that

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

lowering the ground level could increase the risk of flooding. There is no statement concerning the drainage of waste water from the kitchen area. The desire to generate electricity is very laudable but concerned with regard to vibration / noise emanating from the turbine / generator and its effect on neighbouring properties. Further investigation required.

No reason not to locate changing rooms within the mill. The linking glass walkway with uplighting from below the floor would be a great source of light pollution in a very sensitive and unlit area, to the detriment of adjoining properties.

Objection to garage. Eel House proposals significantly change the building and its immediate surroundings. The provision of decking on the water course will have a detrimental effect on the localised biodiversity.

Concern with regard to impact on bats.

The planned roofing material proposed for the shower / changing rooms and the garage is in stark contrast to the heritage roofing on the mill and Eel House.

6 letters received objecting to the application for the following reasons:

Restoration of mill

- Restoration of turbine would cause stress to fragile building and noise nuisance
- Insertion of mezzanine will not retain openness within building
- Build up weeds on the weed rack will cause overflow

Changing Room

- Creation of separate changing room inappropriate, should be included in existing building
- Use of zinc roofs out of character

Glass walkway

- Out of character

Garage

- Large expanse of roofing on garage block, roof should be slate or tile
- No drainage details
- Architectural style, bulk and materials out of keeping
- Too close to River Itchen SAC and SSSI
- Run off from hard surfacing will cause pollution to river
- Will interrupt river corridor for wildlife
- Impact on views from public footpath
- Too large
- Windows should be introduced to the bare south wall

Boundary

- Metal fence out of character with this part of Chilland Lane
- Lighting out of character
- Previous ditch should be reinstated

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

Other

- Objection to noise and disturbance from development and existing contractors' vehicles
- Condition should be imposed requiring reinstatement of lane if damaged by construction vehicles
- All construction vehicles should park on site
- No work at weekends including Saturday mornings

Relevant Planning Policy:

Hampshire County Structure Plan Review:

E16

Winchester District Local Plan Review

DP1, DP3, DP4, DP8, DP10, CE5, CE7, CE8, CE24, HE4, HE5, HE6, HE8, HE13, HE14, HE16 and HE17.

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 7 Sustainable Development in Rural Areas

PPS 9 Biodiversity and Geological Conservation

PPG 15 Planning and the Historic Environment

PPG 25 Development and flood risk

Itchen Abbas Village Design Statement

Planning Considerations

- Principle of development
- Impact on character of listed building
- Impact on character of area
- Impact on neighbours
- Landscape and Trees
- Nature Conservation
- Drainage
- Other matters

Principle of development

The site is in open countryside, and forms part of the curtilage of a Grade II Listed dwelling, Lower Chilland House, and lies within the Chilland Conservation area. The existing mill building is also Grade II Listed. The River Itchen, the subsidiary streams of which run through the site, is designated as a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The following Development Plan Policies and Government Guidance are, therefore, relevant.

Policy DP1 requires planning applications to be accompanied by a Design and Access Statement.

Policy DP3 requires development to make efficient and effective use of land or buildings; for the design, scale and layout of development to respond positively to the character, appearance and variety of the local environment; to keep parking provision to a minimum; to provide for ease of movement and local permeability; to maximise access to public

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

transport and to have an acceptable impact on adjoining land uses or property.

Policy DP4 seeks to maintain or enhance the District's townscape and landscape through the protection of important public views, slopes, trees and hedgerows, open areas important to the townscape and areas of ecological importance.

Policy DP8 permits development in areas at risk of flooding, provided appropriate measures are taken to ensure the rate of run off is not increased.

Policy DP10 seeks to ensure that development which may generate surface or ground water pollution has been designed to reduce the impact to an acceptable level.

Policy CE5 seeks to ensure that development respects the character of the landscape.

Policy CE7 protects those sites designated as SACs from harmful development.

Policy CE8 protects those areas designated as SSSIs from harmful development.

Policy CE24 does not permit the change of use of non-residential rural buildings unless the building is of a design and construction that is suitable for conversion without substantial works, a re-use for economic development is not possible, or the building or its location are unsuitable for employment use.

Policy HE4 does not allow development which would detract from the wider landscape setting of a Conservation Area.

Policy HE5 requires development in Conservation Areas to preserve or enhance the character or appearance of the area. Appropriate materials and detailing should be proposed.

HE6 requires application for development within Conservation Areas to provide sufficient detail.

Policy HE8 seeks to protect those essential features upon which the character of a Conservation Area depends.

Policies HE13 and HE14 allow proposals for changes of use and internal and external alterations to Listed Buildings, subject to the protection of their character and the retention of their essential features.

Policy HE16 seeks to protect the setting of Listed Buildings.

Policy HE17 allows for the change of use of redundant rural buildings of historic interest, provided that the building is capable of conversion without significant structural alteration or changes which would be detrimental to the distinctive character of the building.

Planning Policy Statement 1, Delivering Sustainable Development, promotes good design and seeks to reject development which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area.

Planning Policy Statement 7, Sustainable Development in Rural Areas, promotes good quality, sustainable development that respects and, where possible, enhances local distinctiveness and the intrinsic qualities of the countryside.

Planning Policy Statement 9, Biodiversity and Geological Conservation, ensures that biological and geological diversity are conserved and enhanced.

Planning Policy Guidance Note 15, Planning and the Historic Environment, seeks to protect all aspects of the historic environment.

Planning Policy Guidance Note 25, Development and Flood Risk, seeks to restrict the risk of flooding.

The existing use of the building is as ancillary storage to the main dwelling, although the building is in a considerable state of disrepair. Policy CE24 does not normally allow the residential conversion of rural buildings and favours employment use, unless the building is to be converted under the terms of Policy HE17. Policy HE17 allows for the change of use of redundant rural buildings which are of historic interest. In this instance, the building is already being used as ancillary to the main dwelling, it is of considerable

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

historic importance, given its Grade II listing, and the conversion proposals will ensure the retention of a building which is already at great risk. As such, it is considered that the conversion proposals are in accordance with Policy CE24 and the principle of the conversion to ancillary residential accommodation is acceptable.

Impact on character of listed building

Chilland Mill is an important 'industrial' building in the countryside, which has unfortunately been neglected for a considerable time, placing it significantly 'at risk'. The proposals to repair and bring the building back into use are welcome, and have been discussed at pre-application stage with the Conservation Team. The extent of structural repairs has been agreed with English Heritage's conservation engineers. The interior of the mill is largely devoid of significant historic fabric, the floors and stair having been replaced in the late 20th century. The proposal to treat the internal spaces simply and in a modern idiom is considered to respect the special interest of the remaining historic fabric. Safeguarding conditions are recommended to secure the quality of repair and detail commensurate with the building's special interest. (Conditions 5, 6, 7, 8 & 9 of Listed Building Consent ref: 08/02135/LIS).

To the north of the mill it is proposed to add a link, designed as a simple enclosed glass bridge across the mill stream, leading to a new small pavilion 'changing room'. The link would connect, via a short glazed enclosure and flight of steps, to an existing window opening in the north elevation of the mill, which would be lowered to form a door. This element is deliberately visually distinct from the mill building and is intended to make the lightest of connections to the historic fabric, so as not to damage the special interest or setting of the listed building, in accordance with Policies HE13, HE14 and HE17.

Impact on the setting of listed buildings

The proposed new changing room pavilion, and the bridge connecting it to the mill, would be set at some distance from Lower Chilland House, near the western boundary of the site. The boundary is well planted and screens the site from Chilland Lane, and there is additional planting and tree cover between the new structures and the house. The materials chosen for the pavilion are deliberately recessive (dark timber cladding and metal standing seam roof) and would not form a prominent element on the well-planted western part of the site. The setting of the listed house would not, as a result, be detrimentally affected by the proposals, in accordance with Policy HE16.

Impact on the character and appearance of the conservation area

The repair and refurbishment of the mill building, which bounds the public footpath leading from Chilland Lane across the water meadows to the south, would have a positive effect on the appearance of the conservation area, bringing back into use a neglected building in poor condition.

The proposals for the re-cladding of the existing Eel House, and construction of a new pavilion, would be likely to have little effect on the character or appearance of the conservation area, as the dense planting of the boundary with Chilland Lane would screen these elements from the public realm. In longer views into and from the more open part of the conservation area to the south-west (the conservation area boundary runs east-west

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

on the line of the first footbridge), the mill building would screen the new structures from view. The roof of the Eel House would be visible (clad in slate) but would not have a detrimental impact on these views.

The glazed link would be likely to be visible through the site boundary planting at the point at which the public footbridge crosses the mill stream to the west of the site. It is, however, proposed to augment the current screen with additional evergreen planting. It is not considered that such glimpses of the new structure would have a detrimental impact on the character or appearance of the conservation area as a whole.

The proposed changes to the site frontage to Chilland Lane – which would take the form of metal fencing covered in planting, new gate piers and gates, and a security post – would not detrimentally affect the character or appearance of the conservation area, provided that the materials used are sympathetic and recessive, and the planting is maintained. As such the proposals will conserve and enhance the character of the conservation area in accordance with Policies DP3, HE4, HE5, HE6 and HE8.

Impact on neighbours

The closest neighbouring property is 'Chilland Ford' to the immediate west of the mill. An existing bricked-up window will be re-opened at first floor level looking towards the garden area of this property. The sill is, however, 2.9 metres above floor level, as the room behind is two storeys high. As such, there will be no loss of privacy to the occupants of 'Chilland Ford'.

Landscape and Trees

The Landscape Officer has raised no objection in principle to the majority of the proposed site layout and design. The proposed garage has now been deleted from the scheme as has the exotic planting. The proposed metal boundary fence will be screened by planting and the Conservation Officer is satisfied that it will not impact on the character and appearance of the Conservation Area. The existing boundary to the Grade II Listed house is a poor quality close board fence and patches of planting. The new boundary will improve the appearance of the boundary and provide an improved setting for the listed house. A full landscaping scheme will be secured by way of planning condition (Condition 5).

Permission has already been granted for the removal of a number of trees within the site to facilitate the building works, including the construction of the changing pavilion. The Tree Officer is satisfied that the changing pavilion can be constructed without harm to the trees, subject to a method statement for the construction of the changing pavilion and foundation to help ensure that the tree is not damaged (Condition 6).

Nature Conservation

As a consequence of consultation with both Natural England and the Environment Agency, it is proposed that the glass link bridge features a glass floor and will be elevated 300mm from external ground level. This will allow the natural growth of indigenous grasses beside and beneath the bridge, and will not obstruct the potential use of the riverbanks by local wildlife.

Following further consultation with Natural England, the Environment Agency and the Hampshire County Council Ecologist, the previous objections with regard to the impact of

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

the proposals on the SAC and the SSSI have now been withdrawn, subject to planning conditions (Conditions 3, 4, 7, 8, 13 & 14).

Drainage

The Drainage Officer has raised no objection to the proposals.

Other matters

The following matters, which have been raised by Itchen Valley Parish Council and local residents, have not been dealt with above.

Changing room should be located in the mill – the character of the mill has been retained through the retention of the open spaces within it. Changing rooms would compromise the openness. The Conservation Officer is satisfied that the proposals will not impact on the character of the listed building, nor the conservation area.

Light pollution – Condition 3 will require details of lighting to be submitted. The lighting will on a controlled timer switch to reduce light pollution.

Decking on Eel House – this already has planning permission (reference W W03990/21).

Bats – condition number 13 will require investigation into the presence of bats within the mill and Eel House.

Ditch to be reinstated – the proposed boundary will replace the existing dilapidated close board fence and retain the existing bank. There is no requirement for the ditch to be reinstated.

Noise and disturbance from development and contractors vehicles – planning condition number 11 will require plans to show the parking for contractors vehicles.

Condition should be imposed requiring re reinstatement of lane due to damage by construction vehicles. – It is not possible to secure this under planning legislation.

Condition should be imposed requiring no work at weekends including Saturday mornings – Condition number 12 proposes restricted working hours.

Insertion of mezzanine will not retain open space within building – the Conservation Officer is satisfied that the proposals are not harmful to the character of the listed building.

Use of zinc roofs out of character – the Conservation Officer is satisfied with the proposed materials. Samples of materials will be submitted. (Condition number 2).

Conclusion

The proposal is in accordance with Development Plan Policy and Government Guidance and is recommended for approval.

Recommendation

Application Permitted subject to the following condition(s):

Conditions

1 The works hereby consented to shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with the provision of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

2 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the changing pavilion, the Eel House, new gates and fence, brick pillars, mail box and visitor call point hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

3 No development shall take place until details, including light spillage plans, and samples of the units to be used in the external lighting scheme hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area and does not detrimentally affect the special features of the adjoining Special Areas of Conservation or Site of Special Scientific Interest.

4 The lighting units hereby approved shall not be illuminated after 21:00 hours, other than by movement sensors.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area and does not detrimentally affect the special features of the adjoining Special Areas of Conservation or Site of Special Scientific Interest.

5 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- existing and proposed finished levels;
- hard surfacing materials;
- planting plans;
- written specifications;
- schedules of plants, noting species, planting sizes and proposed numbers / densities where appropriate;
- implementation programme.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

6. Details of the design of the changing room and metal fence foundations, and the layout, with positions, dimensions and levels of service trenches, ditches, drains and other excavations on site, insofar as they affect trees and hedgerows on or adjoining the site, shall be submitted to and approved in writing by the Local Planning Authority before any works on the site are commenced.

Reason: To ensure the protection of trees and hedgerows to be retained and in particular to avoid unnecessary damage to their root system.

7. Any clearance of trees and scrub should take place outside the bird breeding season, March to August inclusive.

Reason: to reduce the likelihood of harm to breeding birds.

8. No works will take place or materials, machinery or equipment will be stored within 10m of the SAC. In accordance with Environment Agency guidelines, all reasonable precautions will be undertaken to ensure no pollutants enter any nearby watercourses / ditches. All those involved with the works will be informed of the status and legal obligations attached to the designation and where the boundary of the protected area is. All new buildings / areas of hardstanding will be in line with the principles of sustainable drainage.

Reason: to protect the Special Area of Conservation.

9. The development permitted by this planning permission shall only be carried out in accordance with the flood proofing measures detailed on page 2 of the approved Flood Risk Assessment (FRA) contained in Appendix 7.10 of Dan Brill Architect's Planning Submission document for Chilland Mill dated August 2008.

Reason: To reduce the impact of flooding on the proposed development and future occupants.

10. The converted mill building and Eel House, hereby permitted, shall not be occupied at any time other than for purposes ancillary to the residential use of Lower Chilland House.

Reason: to accord with the terms of the application, since the site lies within an area where additional residential properties would not normally be permitted.

11. All work relating to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 0800 and 1800 Monday to Friday and 0800 and 1300 on Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: to protect the amenities of adjoining properties during the construction period.

12. Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: in the interests of highway safety.

13. No development shall commence before a survey of the building for bats has been carried out and a corresponding report, including proposed mitigation measures as appropriate, has been submitted to and approved by the local planning authority. The

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

development shall not be carried out other than in accordance with the approved mitigation measures (if required).

Reason: In the interests of nature conservation.

14. No development approved by this planning permission shall be commenced until a scheme for the method of working / construction / maintenance / aftercare has been submitted and approved in writing by the Local Planning Authority. Work shall take place in accordance with the approved details.

Reason: The site lies in very close proximity to the River Itchen, internationally important for nature conservation. All appropriate pollution prevention measures must be in place during the proposed works.

Informatives

1 This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

2 The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: E16

Winchester District Local Plan Review Proposals: DP1, DP3, DP4, DP8, DP10, CE5, CE7, CE8, CE24, HE4, HE5, HE6, HE8, HE13, HE14, HE16 and HE17.

3 The site overlies Seaford Chalk formation classified as a principal aquifer. The site is also in close proximity to the Upper Itchen river; therefore, all precautions must be taken to avoid discharges and spills to the ground both during and after construction. For advice on pollution prevention measures, the applicant should refer to the Environment Agency's guidance 'PPG1 – General guide to the prevention of pollution', which is available on their website at www.environment-agency.gov.uk

4 Planning permission does not absolve the applicants from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of the *Circular 06/2005*. If it becomes apparent at any point that protected species may be affected, the relevant works should stop immediately and Natural England should be contacted.

5 Every effort shall be made to salvage and re-use the existing shaped hardwood beams supporting the first floor in the northern bay of the mill building. If they cannot be incorporated into the scheme, or elsewhere on the site, they shall be offered to a reputable salvage company for re-use elsewhere.

6 Bat friendly features should be incorporated into the restoration works wherever possible to compensate for lost roosting opportunities, in addition to the inclusion of bat boxes on

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008

trees. We remind you of your duty to conserve biodiversity under S40 of the Natural Environment and Rural Communities Act (NERC) 2006 which states; every public body must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

7 Under the terms of the Water Resources Act 1991, an Impounding Licence may be required from the Environment Agency for the impounding of any watercourse, ditch or stream (e.g. dam, weir, etc.) Please contact Environment Planning department of the Environment Agency's Solent Office if this applies.

The applicant should ensure that no aspect of the proposed operations (particularly dewatering) results in any adverse change in flows or levels in any rivers, streams, ditches, springs, lakes or ponds in the vicinity.

Under the terms of the Water Resources Act 1991, the prior agreement may be required for discharging dewatering water from any excavation or development to any controlled waters.

Inspection manholes shall be provided and clearly identified on foul and surface water drainage systems. They should be colour coded to clearly distinguish between the two systems. Manholes on the foul system should be painted red: those on the surface water system should be painted blue.

8 The applicant should ensure that the existing septic tank / sewage treatment plant is in a good state of repair, regularly desludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of this proposal.

9 The applicant should ensure that appropriate pollution prevention measures are taken to avoid any contamination to the watercourse. There should be no discharge of silty or dirty water to any water course or surface water drain during the proposed works.

Any construction or demolition activities should be carried out in accordance with the Environment Agency's Pollution Prevention Guidelines No. 6 – Working at Construction and Demolition sites.

The risk of pollution can be significantly reduced by providing secondary containment measures as detailed in the Environment Agency Pollution Prevention Guidelines No 1 (Above Ground Oil Storage Tanks). The Guidelines stipulate requirements for the standard of tanks, pipework and secondary containment including bund walls.

To minimise the environmental impact of this development pollution prevention measures should be incorporated wherever appropriate. Pollution Prevention Guidance is available on the Environment Agency Web site www.environment-agency.gov.uk/netregs/resources/278006

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 11 December 2008