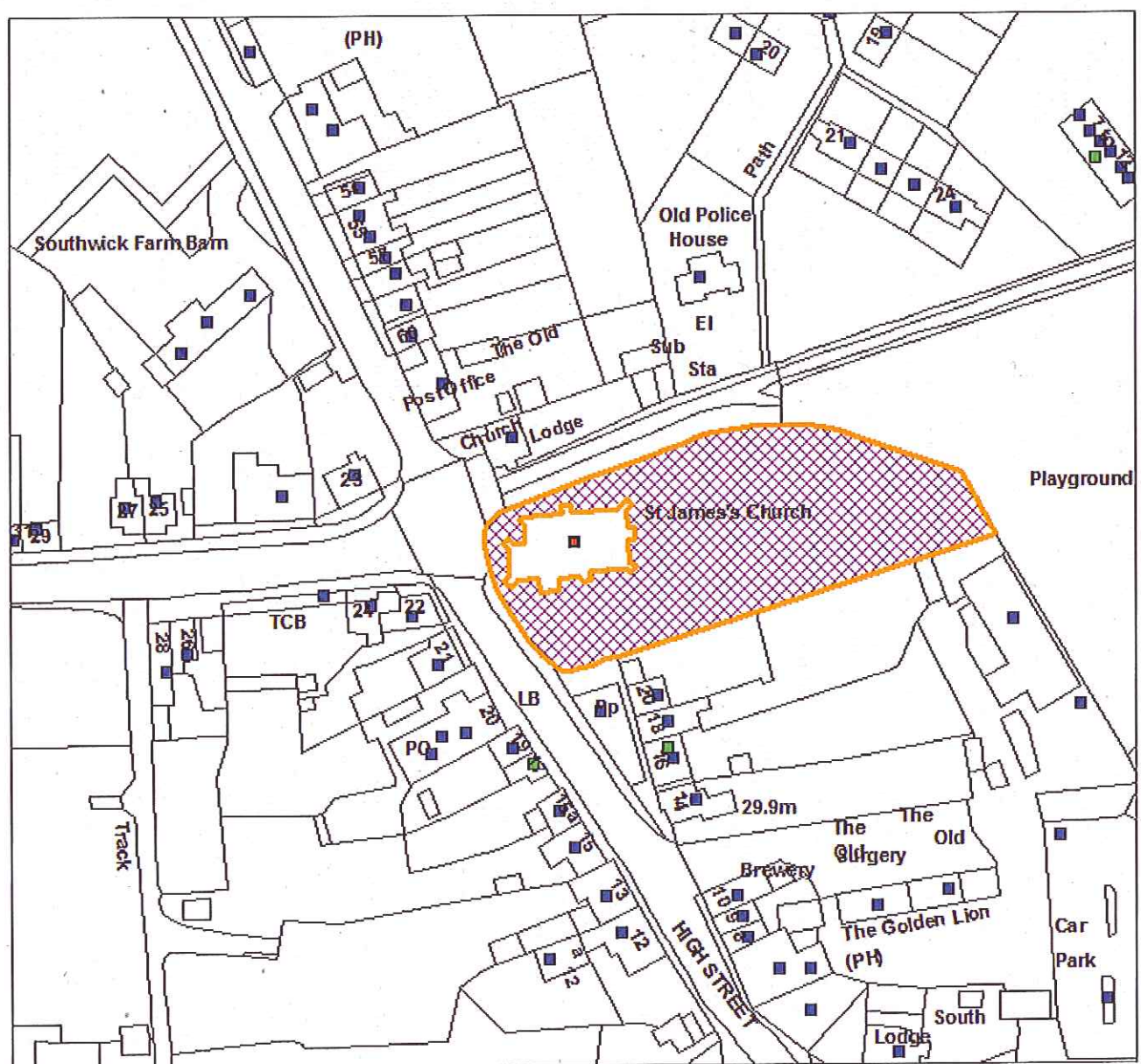


Item No: 04
 Case No: 17/01937/FUL
 Proposal Description: Reduction in the height of the west boundary wall to St James's Church, Southwick, and the provision of railings on a low retaining wall
 Address: St James Church High Street Southwick PO17 6EB
 Parish, or Ward if within Winchester City: Southwick And Widley
 Applicants Name: Mr David Pardoe
 Case Officer: Marge Ballinger
 Date Valid: 25 August 2017
 Site Factors: Southwick Conservation Area
 Grade I Listed
 Recommendation: Application Permitted



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General Comments

This application was reported to Committee as per the Southwick & Widley Parish Council request (Appendix 1) and as per the request from Cllr Neil Cutler (Appendix 2).

An associated listed building application ref 17/1938/LIS has been submitted alongside this application.

17/01937/FUL is a revised scheme to the planning applications 16/01435/FUL and 16/01857/LIS. The resubmission has been amended as a result of discussions with WCC Historic Environment team as well as Historic England to recreate a sense of enclosure and an entrance to enhance the setting of the church and churchyard and make a positive contribution to the conservation area.

Site Description

The site is a churchyard for St James Church situated central in the village of Southwick and within the Conservation Area. St James Church is Grade I listed as the site was established c.1150, although it has been considered the site probably existed before that time. The wall surrounding the Church is a curtilage listed structure. The churchyard sits along a prominent corner in the village along West Street and High Street near the village shops and post office.

The west boundary wall for consideration follows a curve along the pavement and fronts the Church. The wall joins existing high brick walls to the north and south of the churchyard. There are tombs and tombstones visible from the west boundary, although most of the tombstones are located toward the eastside of the site. To the south of the site sits dwellings and the D-Day Memorial Hall.

The Churchyard site area is approximately 0.47 hectares.

Proposal

The scheme now submitted seeks retrospective approval for the reduction in the height of the west boundary wall to St James Church and for new railings to be set on the now constructed low retaining wall. (The previous wall was approximately 2m in height, made of brick with render, and was removed and replaced with the existing low brick without the benefit of listed building or planning consent.)

The wall as built uses a brick chosen to match that seen elsewhere in the village in neighbouring cottages and boundary walls. The wall is low at around 600mm and has been capped with a stone coping.

The railings proposed have a 20mm diameter topped by cast iron railing heads and will set 950mm above the stone wall. The railings are proposed to be located toward the back of the low wall. The gates would be set between iron posts topped with more elaborate finials to mark the importance of the gates sites as they will be, at the end of the main village street.

There are no real changes to the means of access for those with mobility challenges.

Relevant Planning History

16/01435/FUL - Demolition of and replacement boundary wall (retrospective) (amended description) – refused 18.10.2016

16/01857/LIS - Reduction in the height of the west churchyard wall to St James without the Priory Church – refused 18.10.2016

Reasons for refusal:

- 1) the loss of the sense of enclosure of the church
- 2) the loss of definition of the entrance to the church when viewed from the west
- 3) the use of inappropriate materials (brick) which failed to tone well with the predominantly flint church

Consultations

Head of Historic Environment: no objection subject to conditions

Historic England: no comment with suggestion to seek views from WCC Historic Environment team. (This application has been amended with feedback from Historic England for the 2016 applications: '...if railings were fitted to the top of the wall this would preserve the more open aspect but would recreate the sense of enclosure at the same time. With new gate piers and gates the new wall and railings would create an elegant and attractive entrance feature which would enhance the setting of the church and make a positive contribution to the character of the conservation area.'))

Head of Historic Environment - Archaeology: no objection, no conditions

Representations:

Parish Council

- Objects to the addition of the railing to the low wall as there is no historic evidence of previous railing, and it would obstruct views of the church.
- 2 letters received objecting to the application for the following reasons:
- Objects to the addition of the railing to the low wall as there is no historic evidence of previous railing.
 - Railings would detract from views of the church.
 - A survey (using paper, online, and social media) of village residents shows a majority support of the existing wall without the railings.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy:
CP20
Winchester Local Plan Part 2:
DM16, DM29

National Planning Policy Guidance/Statements:
National Planning Policy Framework – Section 12

Planning Considerations

Principle of development

The proposal is within the Southwick Conservation Area and within the curtilage of a Grade I listed property where the principle of development is acceptable providing it complies with the relevant policies set out below.

Policy CP20 ensures that the LPA will continue to conserve and enhance the historic environment. Particular emphases should be given to conserving; i) recognised built form and designated or natural landscapes that include features and elements of historic importance and; ii) local distinctiveness, especially in terms of characteristic materials.

Policy DM16 includes supporting development that responds positively to the character, appearance and variety of the local environment in terms of design, scale and layout.

Policy DM29 states that the loss of heritage assets will only be permitted in exceptional circumstances and alterations should; i) retain the historic plan form; ii) retain the architectural and historic features; iii) reinforce the intrinsic character through the use of appropriate materials and details and; iv) not harm the special interest of buildings and structures forming part of the heritage asset.

National Planning Policy Framework, Section 12, advises to conserving and enhancing the historic environment, specifically; i) the desirability of sustaining and enhancing the significance of heritage assets; ii) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and; iii) the desirability of new development making a positive contribution to local character and distinctiveness.

Impact on the Property and Character of Area

This application is the result of discussions between the Southwick Estate and the Historic Environment Team.

Historically a high brick wall, which was rendered in the 1960's, enclosed the churchyard. In June 2015 the Southwick Estate submitted informal proposals to the Historic Environment Team for pre-application advice to retain a short section of the western length of this wall adjacent to the adjoining Church Lodge, lower the height of the remaining western section of the wall, retain formal masonry gate piers and introduce a gate and railings. These proposals were supported by officers but an application for these works was never submitted. Current proposals are effectively a duplicate of those earlier proposals but adapted to remove more of the former wall and to allow for minor changes in detail, such as replacing masonry gate piers with cast iron gate posts.

The existing low wall is unauthorised; the previous, much higher rendered wall was demolished without the benefit of Listed Building Consent and the current wall was constructed without the benefit of Listed Building Consent.

Following the demolition of the previous wall and unauthorised erection of the current wall the Historic Environment Team have been working with the Southwick Estate to try to resolve this situation in a positive and pro-active manner.

The reasons for refusal to (16/01435/FUL) and (16/01857/LIS):

1. the loss of the sense of enclosure of the church
2. the loss of definition of the entrance to the church when viewed from the west
3. the use of inappropriate materials which failed to tone well with the predominantly flint church. Historic England Advised at this time that bricks did not tone in with the church as successfully as render and objected to the use of brick on this basis

The current proposal would satisfactorily address the remaining reasons for refusal:

1. Loss of sense of enclosure to the Church yard;

The former wall provided a very strong sense of enclosure to the Church and Churchyard by virtue of its tall height and solid built form. It obscured views of the Church and Churchyard from the High Street and strongly channelled views towards the west end of the Church.

Strong enclosures are a common feature of Churchyards but in this instance the sense of enclosure was pronounced due to the height and solidity of the wall. This sense of enclosure is considered to be important to the setting of the Church.

The addition of railings above the existing low wall would reinstate a clear sense of enclosure that would be of a form and detail appropriate to its context and would respect and enhance the setting of the Church. The proposed railings would be of sufficient height to ensure the sense of enclosure would be reinstated but their visual permeability would allow clear views of the Church and Churchyard to be enjoyed, whereas the former wall obstructed such views.

The use of railings is a device that would ensure the sense of enclosure was reinstated in a satisfactory manner and appropriate detail and to address the previous reasons for refusal. The fact that there is no evidence for railings to St James Church historically is immaterial to a degree; railings are a way of achieving the required function of enclosure but in a much more attractive and visually permeable manner than the lawful wall.

2. The loss of definition of the entrance to the church when viewed from the west;

Whilst more sturdy gate posts as originally proposed at pre-application stage would ideally have been sought as they would better reinforce the channelled views towards the west end of St James and define the entrance to the church yard, the proposed cast iron gate posts would nevertheless provide clear definition of a suitably dignified nature to the entrance to the Churchyard and are considered to be an acceptable compromise.

3. The use of inappropriate materials (brick) which failed to tone well with the predominantly flint church;

Since the determination of (16/01435/FUL) and (16/01857/LIS) it has been accepted that brick would be an appropriate material for a replacement wall, thereby addressing reason 3 for refusal as outlined above. It is clear that the former wall was

brick and was rendered in the late C20. As such, there is a clear historic precedent for a brick wall in this location.

The current proposal would therefore satisfactorily address the previous reasons for refusal, and would result in a means of enclosure of the Church that would be a significant enhancement on the lawful position (that is, the high rendered wall). Officers are therefore supportive of proposals subject to a condition to secure brick tinting and a condition requiring the completion of works within 12 months of the date of consent, to ensure satisfactory resolution of a breach of Listed Building Consent.

Impact on Residential Amenities

As there are no dwellings in proximity of the proposed wall alterations, it is considered that the proposal has no affect on residential amenity.

Other Matters

During discussions, Officers were very mindful of the fact that the Southwick Estate were keen to ensure the wall could still be sat on as this had proved to be very popular with the local community, and it is for this reason that the railings are set to the back of the wall, rather than centrally as would be normal practice. The use of back stays to support the railings would be a traditional detail. It has been confirmed that the shallow footings to the back stays would not have any adverse impact on archaeology.

Recommendation

Application Permitted subject to the following condition(s):

Conditions

- 01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

- 02 The development hereby approved shall be constructed in accordance with the following plans: -

- Location Plan drawing 654/05 A amended 25.08.2017
- Elevation and Site Plan drawing 654/06 received 25.07.2017
- Proposed Elevations and Sections drawing 654/07 received 25.07.2017
- Railhead Samples as defined in photos received 25.07.2017

Reason: In the interests of proper planning and for the avoidance of doubt.

- 03 The works hereby approved shall commence within 6 months and be completed within 12 months of the date of consent.

Reason: To ensure the satisfactory resolution of a breach of Listed Building Control.

- 04 No works shall commence on the erection of the railings hereby approved until a sample area of brick tinting in an unobtrusive location on the current low wall has been inspected, and approved in writing by the Local Planning Authority. The brick

tinting shall be applied to the entirety of the public (roadside) face of the wall unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory resolution of a breach of Listed Building Control.

- 05 All works of repair to the surrounding fabric and surfaces affected by the works hereby approved shall employ materials, traditional workmanship, and detailing, to match the existing in all respects, unless otherwise agreed in writing by the Local Planning Authority before the commencement of works on-site. The works shall then proceed in strict accordance with the approved details.

Reason: To preserve the special architectural / historic interest of the listed building in accordance with Policies DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policies CP19 & CP20 Winchester District Joint Core Strategy; NPPF Section 12.

Informatives:

1. In accordance with paragraphs 186 and 187 of the NPPF, Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

In this instance a site meeting was carried out.

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

The Local Plan Part 1 (2013) – CP20

The Local Plan Part 2 – DM16, DM29

National Planning Policy Framework Section 12

3. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, 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.

4. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or

private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practice

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

6. The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement Conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council. The submitted details should be clearly marked with the following information:

- The name of the planning officer who dealt with application
- The application case number
- Your contact details
- The appropriate fee

Further information, application forms and guidance can be found on the Council's website

- www.winchester.gov.uk.

7. Any modifications to the approved drawings, whether for Building Control or any other reason, or any departure on site from what is shown, may constitute a criminal offence under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The applicant is required to draw this and other conditions on the Consent to the attention of any contractors or sub contractors working on site and furnish them with a copy of the consent and approved drawings.

Appendix 1

Southwick & Widley Parish Council – email dated 04.09.2017 from Jim Watson (Chair) to Stephen Appleby (Historic Environment Officer):

For the record, we at Southwick & Widley Parish Council have formally voted on the issue of the Church Wall and are unanimously in favour of retaining the existing low wall but strongly object to adding a railing on top of that wall..

Our grounds are that there is no historic evidence to support the fact that a railing wall ever existed; the rest of the churchyard wall is constructed of ancient brickwork without railing. And, a railing fence to the front aspect of the church would obstruct the views into and out of our ancient church.

We have also conducted a local survey of opinion from our community:-
Over all 237 respondents want to retain the low wall as it is.
9 respondents are in support of the low wall with a railing fence above (as proposed)
4 respondents would like the high wall put back.

The survey responses are in my possession and I am happy to share them with the Planning Officer or present them to the Full Planning Committee in support of our objection.

Southwick & Widley Parish Council – letter dated 12.09.2017 with additional information in regards to a public opinion poll and social media outreach to the amended drawings. (Next page.)

Southwick and Widley Parish Council

19 Okement Close, West End, Southampton, Hants, SO18 3PP
Telephone: 023 8046 3228 Fax: 023 8047 0455 Email: swpc@logosoft.biz

12TH SEPTEMBER 2017

Request that a Planning Application be considered by the Planning Committee

REF: 17/01937/FUL

On 12th September the full Parish Council voted to formally object to the planning application to erect railings on the low wall outside St James Church, High Street Southwick.

We therefore ask that the application be fully considered by the Planning Committee on the following grounds:-

The Church is a Grade 1 listed building dating back to the 13th Century. There is no historic evidence to suggest that there ever was a railing boundary in front of the Church on the Western aspect. To the contrary, a search of the County Archives provides photographic evidence from the 1890's clearly showing the front West wall used to be the same as the existing wall of the churchyard on the North, East and South aspects.

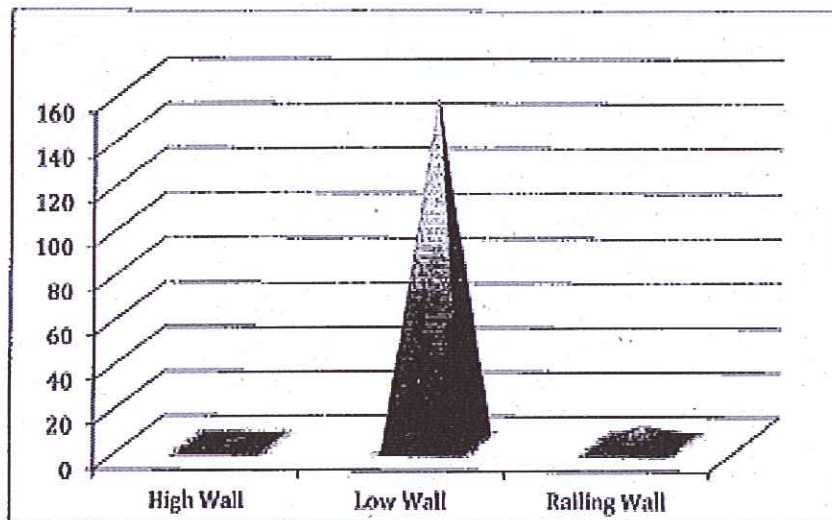


In addition to this, the community of Southwick like and enjoy the new 'Low' wall at the western aspect of the Church. It has opened up a clear view of the Church from the road. The public can now appreciate the beauty of the historic Church.

To provide evidence to support this, the Parish Council conducted a petition survey in the village, where respondents gave their name and post code and were asked to select one of three options to either vote in favour of : The High Wall, The Low Wall or ; The Railing Wall.

There were 162 respondents to this paper survey.

2 respondents voted for the High Wall,
152 respondents voted for the low wall
8 respondents voted for the railing wall.

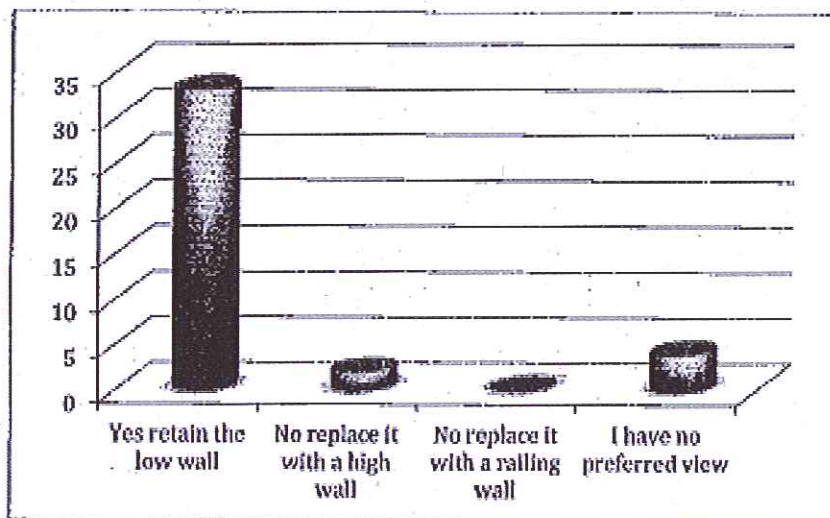


In addition to the paper survey, we undertook an internet survey on 'Survey Monkey'.

There were 39 on line responses.

The respondents were asked to select from one of four options:-

Yes retain the low wall	=33	
No replace it with a high wall	=0	=2
No replace it with a railing wall	=0	
I have no preferred view	=4	



Southwick Village also has a community 'Face Book' page called Southwick Village Social.

A poll was also held on this social media.

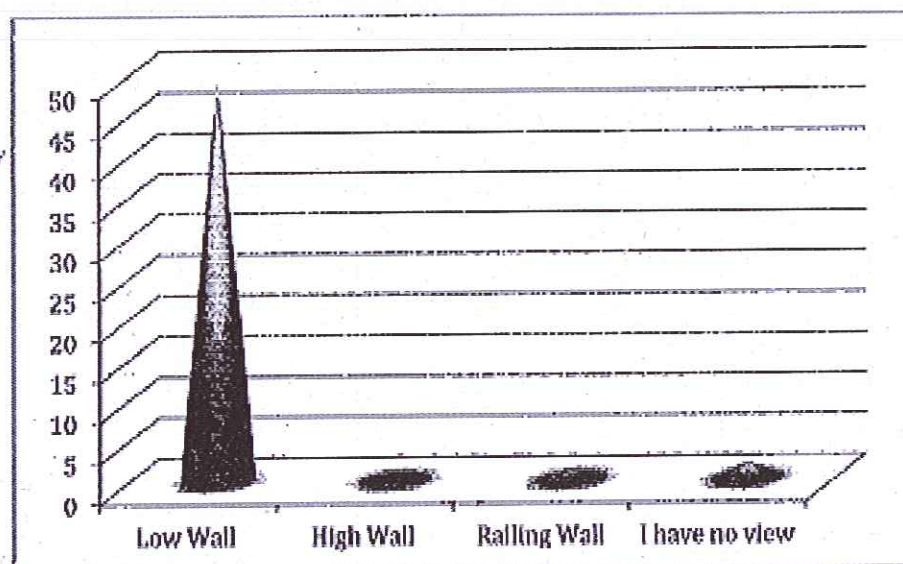
There were 52 responses to four question options:-

49 responded - I want the new Low Wall

0 responded - I want the old High Wall put back

1 respondent - I want the proposed Railing Wall built onto the low wall

2 respondents - I have no view.



Over all 234 respondents want to retain the low wall as it is.

9 respondents are in support of the low wall with a railing fence above (as proposed)

4 respondents would like the high wall put back.

Yours sincerely,

Jim Watson – Chair of the Parish Council

Appendix 2

Cllr Neil Cutler, Southwick resident, has called this application to committee; email received 06.09.2017:

Requests that the item be considered by the Planning Committee for the following material planning reasons:

There is no historical justification for the provision of railings. Railings would detract from the current view and setting of the church as a focal point for the village. A survey of village residents shows overwhelming support for retention of the low wall without railings.