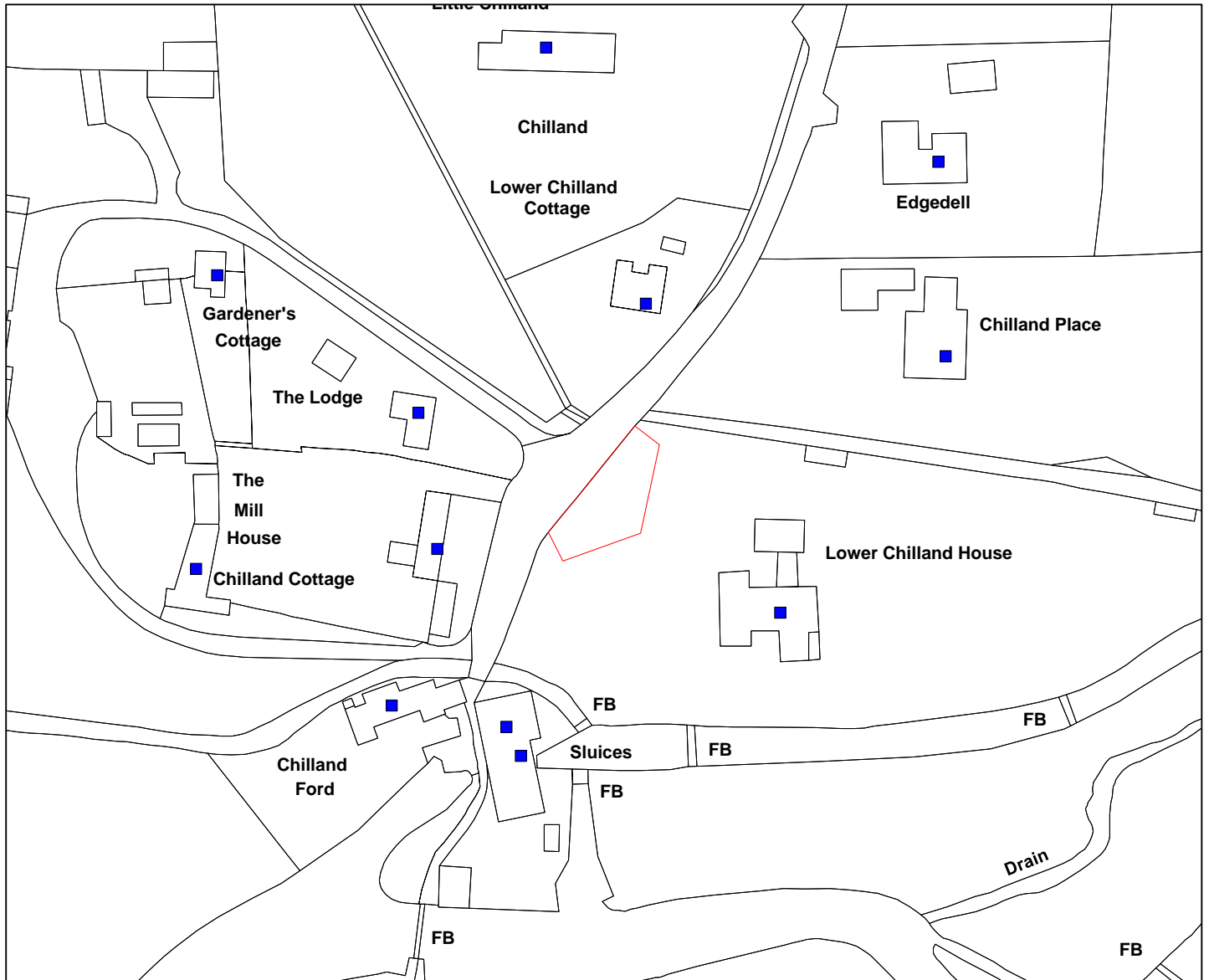


Lower Chilland House, Martyr Worthy



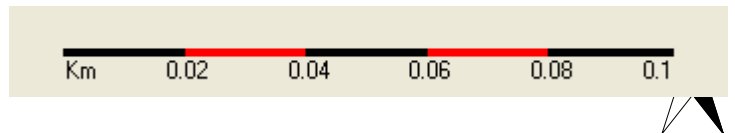
Winchester
City Council

09/01501/FUL



Legend

Scale:



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	15 October 2009
SLA Number	00018301

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Item No:	2
Case No:	09/01501/FUL / W03990/30
Proposal Description:	Proposed replacement of the front entry gates and brickwork piers from Lower Chilland Lane
Address:	Lower Chilland House Lower Chilland Lane Martyr Worthy Winchester Hampshire
Parish/Ward:	Itchen Valley
Applicants Name:	Mr Dominic Gaunt
Case Officer:	Andrea Swain
Date Valid:	19 August 2009
Site Factors:	Chilland Conservation Area County Heritage Site Conservation Area Site Of Special Scientific Interest
Recommendation:	Application Permitted

General Comments

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

This is a resubmission following approval of planning permission for replacement of the front entry gates to Lower Chilland House (planning application ref: 07/00123/FUL) and a widened entry, landscaping and metal fencing, and refurbishment of the Mill and Eel House (planning application ref: 08/02134/FUL). This application seeks amendments to the new frontage gates and brickwork piers. The proposed location of the gate piers and the landscape proposals remain unchanged from the approved scheme. The changes include a more traditional Georgian gate design, the omission of the stainless steel bollard video call point and stainless steel postal delivery box, and the addition of a curved brick wall to the south west of the piers.

Although the works proposed were included under the previous listed building consent (ref: 08/02135/LIS), which included the restoration of the Mill and Eel House, the changes now proposed to the entrance do not, in themselves, require separate listed building consent.

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 and 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 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

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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, though screened from it by a high brick wall.

Proposal

This application forms part of a wider project to refurbish Lower Chilland House. The project has been broken down into four 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 now complete.

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 8 January, 2009 and are presently under construction.

Planning application 08/02134/FUL and Listed Building Consent 08/2135/LIS included the repair and refurbishment of the Mill building and Eel House as ancillary accommodation to Chilland House. The application also proposed changes to the main entrance to the site from Chilland Lane, with new gate piers, gates, and postal delivery box and a new boundary treatment of a metal fence supporting new planting. The new entrance was to be widened and set further back from that of the existing arrangement, to improve visibility splays. These applications were approved by the Planning Development Control (Viewing) Sub-Committee on 9 March, 2009.

This application seeks amendments to the previously approved scheme and proposes a Georgian style automated gate and brick piers with stone cappings to match the existing piers on the north boundary. The application includes a video entry call point mounted on the wall. The proposed metal gates are to be made of galvanized steel and then hand painted black with traditional gold leaf detailing. The proposed gates, piers and brickwork walls replace existing piers and gates, and the majority of the brick work walls are to be constructed in the same line as the existing brickwork wall. The main piers and short brickwork wall to the north west have the same location and dimensions as those consented under the previously approved application. The gates are to be set in from the road, to allow vehicles to enter the site without blocking the lane. A new curved brick wall, 8.2 metres in length and 2.2 metres in height, is proposed to the south west of the gates, following the line of the previously approved metal fence.

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

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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 - Permitted - 14/01/1992

92/00399/OLD - W03990/04LB Internal and external alterations to convert mill to dwelling - Chilland Mill - 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 - Permitted - 24/09/1996

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

01/01435/FUL - W03990/11 Conversion of mill to dwelling (Renewal of planning permission W03990/08) - Chilland Mill - 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 - 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 curtilage of a Listed Building) - Chilland Mill - 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 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 outbuildings 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

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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

08/02134/FUL – W03990/29 Restoration and extension to Chilland Mill and Eel House and refurbishment of frontage onto Chilland Lane - Lower Chilland House - Permitted 11/3/2009

08/02135/LIS – W03390/29LB Restoration and extension to Chilland Mill and Eel House and refurbishment of frontage onto Chilland Lane - Lower Chilland House - Permitted 11/3/2009

Consultations

Conservation:

The proposed changes (from the already consented scheme) to the site frontage to Chilland Lane would not detrimentally affect the character or appearance of the conservation area, or the setting of the listed building, provided that the materials used are sympathetic and recessive, and the planting is maintained. There are consequently no objections to the application in historic environment policy terms. Conditional permission recommended.

Arboricultural Officer:

Conditional permission recommended.

Representations

Itchen Valley Parish Council:

There is no objection to the overall design of the proposed new entrance, except for the following points, which should be addressed before planning approval is given:

1. The new wall to the right of the entrance (looking towards the house) is now considerably higher, at some seven-plus feet, than the existing wall and extends within inches of the road. Vehicles emerging from Lower Chilland House will have no line of sight to the left in order to see vehicles, cyclists or pedestrians in Chilland Lane. It is recognised that this is a quiet lane with only 2 properties in that direction, but it does have a large number of pedestrian and cycling public using the footpaths of the Itchen valley. Recognised sight lines should be adopted or the entrance should be no worse than the existing one. We believe this to be a major safety problem with the design.
2. No details are shown for the video entry system. This has been relocated in the wall rather than on a bollard, following discussions with neighbours, as is the letter box. Is this going to be a visually intrusive apparatus illuminated 24 hours; what size is it? The area is environmentally sensitive and details should be provided before any planning approval.
3. We are also concerned as to the scope and range of the CCTV for the entry system and request WCC to ensure that the privacy of passers-by is assured.

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We repeat various earlier requests by IVPC that the project's scope should be set out in its entirety, so as to give us and concerned neighbours a better view of what is going on at this site. WCC seems to encourage a salami-type planning approach, which makes it difficult to understand what is going on. In view of many previous and continuing contentious design problems concerning this site, we request that this application should be forwarded to the Committee for their consideration

1 letter received objecting to the application, for the following reasons:

- Gates out of character;
- Impact on trees.

Relevant Planning Policy

South East Plan 2009:

CC1 and CC6

Winchester District Local Plan Review

DP1, DP3, DP4, HE4, HE5, HE6, HE8, and HE16.

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 15 Planning and the Historic Environment

Supplementary Planning Guidance

Itchen Abbas Village Design Statement

Planning Considerations

- Principle of development
- Impact on character of conservation area
- Impact on neighbours
- Landscape and trees
- Other matters

Principle of development

The principle of the development has already been established by the granting of planning permission and listed building consent by the Committee in March 2009 (planning refs: 08/02134/FUL and 08/02135/LIS). The main issues for consideration are, therefore, whether the proposed amendments are satisfactory in terms of their impact on the character and amenities of the area and the listed building, and on the existing trees.

Impact on character of conservation area

The Conservation Officer is satisfied that the proposals will not detrimentally affect the character or appearance of the conservation area, or the setting of the listed building, provided that the materials used are sympathetic and recessive, and the planting is maintained. Accordingly, planning conditions are proposed to ensure satisfactory materials and landscaping (Conditions 2, 3, 4 and 7).

Impact on neighbour property

The proposed new gate and brick piers are in the same location as the previously approved scheme and will not cause any loss of amenity to neighbouring residents. The new brick wall to the south west of the gate is some 15 metres from the closest neighbouring property, and will not impact on the occupants of that dwelling.

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Landscape and Trees

The Tree Officer has confirmed that the revised proposals will not impact on the boundary trees subject to planning conditions (Conditions 5 and 6).

Other Matters

The Parish Council has raised a concern that the proposed new wall is now considerably higher at some seven-plus feet than the existing wall and extends to within inches of the road. The proposed wall is the same height as that previously approved and there will be no greater impact from a highway safety point of view as regards the visibility of cyclists and pedestrians using Lower Chilland Lane.

No lighting details are shown as part of the application but, to ensure that such details can be considered if they are proposed later, a planning condition was included on the previous approval (Condition 3 of planning permission ref: 08/02134/FUL), requiring that a scheme of lighting be submitted for approval. This remains effective but, additionally, Condition 2c below requires details of any lighting associated with the proposals (the subject of this application) to be submitted for approval prior to work commencing.

Details of the video entry panel to be set into the wall, and of any associated CCTV provision, are also required to be submitted for approval as part of Condition 2c.

Recommendation

Application Permitted, subject to the following conditions:

Conditions

1. 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).

2. Details and samples as appropriate, in respect of the following shall be submitted to and approved in writing by the Council as Local Planning Authority before the relevant work is begun. The relevant work shall be carried out in accordance with such approved details:

- (a) large scale (or manufacturer's) drawings of one typical gate leaf, showing the decorative details and make-up of the gate;
- (b) 1:5 or larger scale drawing of a typical railing head to the boundary fence;
- (c) large scale drawings (or manufacturer's details) of the design, appearance and siting within the wall of the proposed video entry panel and of any associated lighting and CCTV apparatus.

Reason: In order to safeguard the special architectural and historic interest of the building, in accordance with the requirements of Policy HE.14 of the Winchester District Local Plan Review.

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3. A sample panel of the new facing brickwork, showing the proposed brick types, colour, texture, face bond and pointing shall be provided on site (to include an area of radiused brickwork, as proposed on the new boundary wall) and the specification approved in writing by the Council as Local Planning Authority (in consultation with English Heritage) before the relevant parts of the works are begun. The relevant parts of the work shall be carried out in accordance with such approved sample panels. The approved sample panels shall be retained on site until the work is completed and has been approved.

Reason: In order to safeguard the special architectural and historic interest of the building, in accordance with the requirements of Policy HE.14 of the Winchester District Local Plan Review.

4. 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 to furnish them with a copy of the consent and approved drawings.

Reason: To avoid any misunderstandings.

5. Protective measures, including fencing and ground protection, in accordance with the Method Statement for the construction of the gate piers, Appendix 3, and written by Design ACB and submitted to the Local Planning Authority, shall be installed prior to any demolition, construction or groundwork commencing on the site. Any deviation from works prescribed or methods agreed in accordance with the above Method Statement shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the protection and long term viability of retained trees and to minimise the impact of construction activity.

6. No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The Arboricultural Supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved Arboricultural Method Statement. Where ground measures are deemed necessary to protect root protection areas, the Arboricultural Supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site, and that all such measures to protect trees are inspected by the Local Planning Authority's Arboricultural Officer prior to the commencement of development work.

Reason: To ensure the protection and long term viability of retained trees and to minimise the impact of construction activity.

7. 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:

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- 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.

7. 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.

Informatives

1. This permission is granted for the following reason:

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:-

South East Plan: CC1 and CC6

Winchester District Local Plan Review 2006: DP1, DP3, DP4, HE4, HE5, HE6, HE8, and HE16.