

**Item No:** 05  
**Address:** Bird In Hand Activity Centre 14 Chesil Street Winchester Hampshire  
SO23 0HU

**Parish/Ward** Winchester Town

**Proposal Description:** Erection of 5 no. one bedroom terraced dwellings, new refectory, kitchen; hall with 1 no. one bedroom flat over and new theatre facilities, alterations to existing access, replacement bridge over River Itchen (AMENDED PLANS)

**Applicants Name** St Johns Winchester Charity

**Case No:** 05/01200/FUL

**W No:** W19175/02

**Case Officer:** Elaine Patterson

**Date Valid:** 11 May 2005

**Reason for Committee:** The previous applications were referred to a Planning Development Control Working Party Sub-committee

**Site Factors:** Grade II\* listed Chesil Theatre  
Conservation Area  
River Itchen SSSI



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### Site Description

- The application site comprises the grade II\* star listed Chesil Theatre, the 4No. Victorian houses and the builders yard which front Chesil Street, as well as the land to the rear including the Bird in Hand Activity Centre, down to the bank of the River Itchen.
- St John's Winchester Charity own the majority of the land within the application site, that is the builders yard, the four dwellings Nos. 14, 16, 18 and 20 Chesil St, the Bird in Hand Activity Centre and the land to the side and rear of the theatre down to the River Itchen. The Grade II\* listed Chesil Theatre is owned by the Winchester Diocese but is operated by the Winchester Trust and the Winchester Dramatic Society.
- Also included within the red line of the application site, but not in the applicants' ownership is the line of a proposed pedestrian footbridge over the River Itchen, with the site for a ramp up from the Weirs footpath, which is land owned by Winchester City Council.
- The site lies within the conservation area.
- The River Itchen is a designated SSSI.
- There are mature trees on site, protected because they are situated in the Conservation Area, however only a mature yew adjacent to the river by the boundary with the Soke is to be retained.

### Relevant Planning History

- W19175 Erection of 5 no. one bedroom terraced dwellings, new refectory, kitchen; hall with 1 no. one bedroom flat over and new theatre facilities, alterations to existing access. Withdrawn whilst negotiations continued to complete the sale of the builders yard on Chesil Street frontage.
- W19175/01LBCA Demolition of No: 16, 18 and 20 Chesil Street. Withdrawn.
- W08577/03LB Chesil Theatre External and internal alterations to incorporate disabled accesses by re-opening formal vestry door, new opening through inner wall, window to become door for actors access, partitioning actors entrance from public access. Withdrawn.
- W08577/04LB External and internal alterations and additions to incorporate foyer, changing facilities and WC's, disabled accesses by re-opening formal vestry door, new opening through inner wall, window to become door for actors' access, partitioning actors' entrance from public access (AMENDED PLANS). Recommended for approval under delegated powers.
- W19175/03LBCA Seeks Conservation Area Consent for the demolition of Nos: 16, 18 and 20 Chesil Street (AMENDED PLANS). To be determined.

### Proposal

- Planning permission is sought for the extension of the theatre, with a new foyer fronting Chesil Street, changing rooms and toilets to the rear. Leading on from this, to the rear of the theatre, a new Hall is proposed, with a caretaker's flat above. Beyond the Hall, a refectory kitchen and stores are proposed. Fronting the river, the Refectory for St Johns Charity is proposed with a terrace projecting over the bank.
- On the southern side of the site, adjacent to Watersmeet flats, five new dwellings are proposed.
- Permission is also required for a new pedestrian bridge over the River Itchen, with a ramp on the Weirs leading up to it.
- Materials proposed for the refectory, kitchen, hall and theatre extension are red plain tiles; stock red brick and; softwood timber windows. For the new housing, yellow stock brick to the rear; red/blue stock brick facing into the site and fronting Chesil St, with copper panels on the north elevation.

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**Consultations**

Conservation:

- Recommend refusal.
- The latest drawings show little or no change from the previous scheme therefore the Conservation Officer's concerns remain.
- The converted church dates from the 12<sup>th</sup> century with later additions and is Grade II\* listed. It is an important landmark on Chesil Street, which twists around it creating a defining townscape feature within this part of the conservation area. In Roman times, Chesil Street provided a principal route into the city from the southeast and it seems that the area developed as a suburb outside the walled city in medieval times. The street contains many other important listed buildings including the Grade II\* 'The Soke' (No.12), which dates from the 17<sup>th</sup> century and is immediately adjacent to the north of the site. The small 2-storey houses on the east side of Chesil Street (Nos17-21 and 23-27) are also listed Grade II.
- The site extends to the river, which has significant tree cover next to the bank obscuring views into the site when trees are in leaf. Glimpses of the church tower are seen from the riverside walk on the west bank of the Itchen and the church and its neighbours appear more prominent in wintertime. Important views of St Giles Hill are seen from the riverside walk. The gardens, trees and historic walls next to the river of the houses on the west side of Chesil Street make a significant contribution to the quality of this part of the conservation area. The houses to the north of the site have large garden plots reflecting their status while the houses to the south have long narrow ones reflecting the smaller medieval plots. This pattern is broken with the 1980s 'Watersmeet', sheltered housing, immediately to the south of the site, which has an apartment block in close proximity to the river.
- The demolition of the terrace houses to the south of the site will result in loss of street frontage and this will be reinforced by turning the residential block at right angles to the street.
- The loss of street frontage will erode the fine urban grain of the medieval street with its established scale and rhythm. The opening up of the street and the horizontal emphasis of the block facing Chesil Street will adversely affect the setting of the listed church, listed houses opposite and the character of this part of the conservation area.
- At the previous Working Party the applicant was urged to redesign the scheme to provide a street frontage following the acquisition of the 'ransom strip'.
- The flat roof and parapet approach to the new housing will appear at odds with the surrounding roofscape.
- The monopitch roof of the foyer building will look awkward next to the church tower when viewed from the old railway bridge on Chesil Street and the tall blank wall of its west elevation will make this new building appear more dominant in views from the riverside walk.
- The footprint of the Refectory and Hall encroaches on the garden to the west of the church and the Hall's roof will partially obscure riverside views of the church. A more lightweight link with Church was previously advised along with transferring caretaker's accommodation to Chesil Street frontage.
- The extent of the overall footprint of the development will erode the softer, green, semi-natural and more open character of the Riverside part of Winchester Conservation Area with its large gardens, trees, stone walls and plants. Reinforcing the Chesil Street frontage would have allowed the opportunity to provide greater open space and more of a natural transition between riverside and Chesil Street.
- It is unclear whether the hard landscaped area will be public open space.
- While certain elements of the scheme clearly have architectural merit and the new facilities are welcome, these are outbalanced by the reservations above. For the scheme to be acceptable in planning terms it must preserve or enhance the character and appearance of the conservation area.
- Conservation would encourage a more contextual approach which seeks to reinforce the street frontage and does not encroach so greatly on the church and its views from the river.

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Archaeologist:

- The application is archaeologically sensitive since it is located within the historic eastern suburb of Winchester, indeed the site lies adjacent to and to the rear of the Grade II\* listed 12<sup>th</sup> century St Peters Church, now the Chesil Theatre. Although the historic eastern suburb dates back to the Roman period, our current understanding of the area suggests that the Roman suburb and cemetery lay to the north, around the Bridge Street /Blue Ball Hill area. During the Saxon and medieval periods, occupation in this area will have focused on the Chesil Street frontage; documentary evidence indicates that three property plots within the application site (as depicted on a map of 1750), may have existed in the 13<sup>th</sup> century, while late 19<sup>th</sup> century photographs held by Winchester Museums Service show two late medieval or early post-medieval timber-framed buildings fronting Chesil Street to the south of St Peters Church.
- The archaeological interest within the site can therefore be defined as relating to the medieval church and other historic buildings and structures (such as the remains of the footbridge) within the site; together with buried remains relating to medieval and earlier occupation fronting onto Chesil Street and associated backlands activity (rubbish/ cess pits etc) to the rear (west). The existing buildings which currently occupy part of the site, together with previous activities on the site, are however likely to have impacted on any buried remains present within the site.
- In accordance with the principles of PPG16 and policy HG.3 of the Winchester District Local Plan (Policy HE.1 of the Revised Deposit Local Plan) planning consent should only be granted subject to a condition for a programme of archaeological recording and a condition for a programme of historic building recording in mitigation of development. If this application is refused, please append a reason for refusal.

Estates:

- The bridge will need WCC approval subject to consultation process, free, unrestricted access must be given across the bridge and through the site to Chesil Street. A license must be granted for the access ramp along the Weirs. Members will need to be consulted and because of its prominent position the proposal may have to go to full Council.

Engineers: Highways:

- No objections on the currently revised scheme.

English Heritage:

- Do not wish to make any representations.

English Nature:

- Commented: This is a protected site, by the River Itchen SSSI and Special Area of Conservation (SAC).
- The proposal is not likely to have a significant effect on the features of interest of the above sites as long as the following conditions are adhered to;
- The minimum distance between the terrace and the river bank is 1.5m
- The bridge is never used for anything other than limited pedestrian access
- Japanese knot weed is controlled
- That bank landscaping is done in consultation with the environment agency
- That during works all reasonable precautions are taken to make sure that no pollution enters the river
- All British birds, their nests and eggs are protected in law. It is an offence to take, kill or injure any wild bird or to take, damage, or destroy any nest (while in use or being built) or egg of any wild bird under Part 1 of the Wildlife and Countryside Act 1981 (as amended). To reduce the likelihood of harm to breeding birds, clearance of trees and areas of scrub should avoid the bird breeding season (March to August inclusive). If work has to occur during the bird breeding season a search of the area should be undertaken to check for breeding birds before the operations are carried out.
- All bat species and their roosts are fully protected in Britain under the Wildlife and Countryside Act 1981(as amended) and the Conservation (Natural Habitats &c.) Regulations 1994. We would not recommend felling between late March-May when bat maternity colonies are forming. If you have to carry out works during this time all trees you plan to fell should be

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checked for their potential as a bat roost before works commence, if the potential is identified a full survey will be necessary. Works to trees with potential for bats is best done from late August to early October when young bats are mobile and on the wing, female bats are unlikely to be pregnant and the hibernation season has not yet begun.

- I would also like to make you aware that similar buildings in the area have been known to support significant colonies of bats and I would suggest that you contact Hampshire County Council Ecologists for their advice on this matter.
- I draw your attention to the provisions of Section 28I of the 1981 Act, in particular to the requirement that, should permission be given contrary to English Nature's advice then you must ensure that: -notification is given to English Nature of the date and terms of the permission and how, if at all, you have taken account of English Nature's advice; -the permission does not permit operations to begin before 21 days after details of the permission and a statement of how you have taken account of English Nature's advice, has been given to English Nature.

Environment Agency:

- The proposed development must not encroach further toward the River than the existing footpath on site.

Environmental Health:

- Have been consulted on the potential noise from the roof terrace.
- They have no adverse comments to make and do not anticipate any more noise problems associated with the roof terraces than with any garden area.

Landscape:

- It is important to provide an appropriate landscape framework of hard and soft works. It is necessary to consider the roofscape from vantage points. Acceptable in principle.

Trees:

- Awaiting detailed tree information. The agent for the application states this will be submitted.
- Only one tree on site is to be retained, we agree the rest are poor and unworthy of long term retention. There still needs to be a Tree Impact Assessment and a Method Statement displaying protective measures for the yew.
- Details of replacement trees must be detailed at this stage.

Hants County Council Ecologist:

- Have some concerns with the loss of habitat that this proposal will result in.
- Currently large gardens line this bank of the River Itchen, forming a continuous line of available habitat for foraging bats/reptiles, and providing some buffer from disturbance to the SSSI. The proposed development will impede all longitudinal movement along this bank as it reaches down to the bank of the river. The loss of this mature garden will be a sore loss in an already heavily developed areas of the town. An ecological report will be required which assesses the use of the site by protected species, and the impacts that the loss of habitat may have.
- I suspect that there will also be hydrological issues related to the prevalence of hard surfacing within the proposal, which may effect the lifespan of the existing mature trees.
- Giving the very close proximity of the River Itchen SAC, SSSI English Nature would need to be consulted.
- Following this consultation, an ecological report was requested from the applicant and it is awaited.

Fire Officer:

- Consulted on the original proposal regarding fire escape from the Chesil Theatre. The proposal indicates a satisfactory access provision. Building regulations would apply and we will consult at that stage on details. As regards the planning issue the access to the new build would need to be min of 3.1 metres through the gate with approach road of 3.7 metres capable of supporting 12.5 tonne.

Building Control:

- Were previously consulted on disabled access on the accompanying application for internal alterations to the listed theatre building, these arrangements are now considered satisfactory.

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**Representations:**

City of Winchester Trust:

- The Trust welcomes the crisp design of this interesting and innovative scheme for a difficult site. Assume the effect of run-off on copper on the north elevation has been taken into account. Welcomes a joint approach with the Chesil Theatre and the inclusion of daytime access to the bridge both of which will be of great benefit to the public,

No letters of representations have been received on this application nor the revised drawings received.

On the original application which was withdrawn, 2 letters of support were received and 6 neighbours objected on the grounds of loss of light, views, quiet and privacy to Watersmeet.

Winchester Disabled Group:

The new dwellings should be accessible.

**Relevant Planning Policy:**

**Hampshire County Structure Plan Review:**

- UB3, E16, R2

**Winchester District Local Plan**

- EN5, HG3, HG6, HG7, HG9, HG11, HG20, HG23, H1, FS1, RT3, T9, W1, W5, W30

**Winchester District Local Plan Review Deposit and Revised Deposit:**

- DP1, DP3, HE.1, HE5, HE7, HE14, H2, H7, SF6, RT3, T2, W1, W6, W9

**National Planning Policy Guidance/Statements:**

- **PPG 3 Housing**
- **PPG 15 Planning and the Historic Environment**

**Planning Considerations**

The main considerations in respect of this application are:

- Issues raised at the Working Party Sub-Committee meeting in September 2004
- Principle of development
- Impact on the character of the area
- Residential amenities
- Nature conservation
- Drainage/flooding
- Trees/landscaping

Issues raised at the Working Party Sub-Committee meeting in September 2004:

ISSUES	CURRENT POSITION
The builders' yard between Nos. 14 and 16 Chesil Street.	This land has been purchased by St Johns Charity and is now included as part of the application site.
The terraced dwellings' frontage and relationship with Chesil Street	Although the builder's yard is included in the site, the proposal has not been amended to give a Street frontage across the site.
Opening views of the church and its tower from the riverbank by re-designing the hall, kitchen, toilets and refectory to reduce their footprint.	This aspect of the application has not been amended sufficiently to open up views.
A new pedestrian bridge over the River Itchen.	The proposed bridge is included in the application, the City Council have indicated a licence will be granted subject to securing public access during the day.

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The internal alterations to the theatre including the proposed new opening in the 12th Century wall.	English Heritage Officers have visited the site and raise no objection.
The design of the foyer entrance.	The foyer has been amended.
The proposed terraces' relationship with Watersmeet and noise from the roof gardens.	A 1.1m high balcony to the roof terrace has been set far enough back from the boundary to prevent overlooking to Watersmeet. Environmental Health have been consulted on noise.
To determine the ownership of the wall between the application site and its neighbour to the north (The Soke) so that the wall could be repaired.	The design statement states this wall will be repaired by St Johns.

Principle of development

- The site lies within the settlement boundary, the principle of residential development on site is acceptable.
- The Bird in Hand activity centre is to be replaced with another community facility by St Johns Charity, this proposal therefore accords with policy.

Impact on character of area

- It is considered the development will harm the street scene within the conservation area and harm the setting of the listed Chesil Theatre building and the listed houses opposite.
- The loss of street frontage will erode the fine urban grain of the medieval street with its established grain and rhythm.
- The flat roof and parapet design of the new housing will appear at odds with the surrounding roofscape.
- Monopitch roof on the foyer building will look awkward next to the listed Church building.
- The footprint of the refectory and hall encroaches on the garden to the west of the church and the Hall roof will partially obscure riverside views of the church. A more lightweight link with the church was advised, along with moving the flat above the hall to the Chesil Street frontage.
- Footprint erode soft character of riverside

Residential amenities

- This revised scheme proposes a parapet to the rooftop terraces on the new dwellings, this will prevent residents standing adjacent to the boundary and overlooking Watersmeet.
- Environmental Health comments on the potential noise from rooftop terraces are awaited.
- Whilst the new dwellings will measure three stories in height along the boundary with Watersmeet, they will stand to the north of the existing dwellings and will not therefore overshadow them.

Nature conservation

- Your officers will verbally report comments on the Ecology Report, to be submitted prior to the committee meeting.
- The revised plans show the terrace to site beyond the line of the existing footpath on site. Environment Agency object to this proposal stating the encroachment on the river bank side habitat may cause harm to the wildlife biodiversity of this site, adjacent to the SSSI.



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Drainage/flooding

- A Flood Risk Assessment report has been submitted by the applicant, given the proximity of the new development to the banks of the River Itchen.
- The Environment Agency objects because the toe of the bridge is too close to the River, they comment that the buildings and terrace should also be sited further back from the river bank.

Trees/landscaping

- Your officers will verbally report comments on the Tree Impact Assessment and Method Statement, to be submitted prior to the committee meeting.

**Recommendation**

**REFUSE – subject to the following refusal reason(s):**

**Conditions/Reasons**

01 The proposed development is contrary to Policies UB3 and E16 of the Hampshire County Structure Plan Review; Policies EN5, HG6, HG7, HG9, HG11, HG23, W1 of the Winchester District Local Plan; and DP3, HE5, HE7 and W.1 of the emerging proposals of the Winchester District Local Plan (Review) in that:-

- (i) The proposed development is harmful to the setting of the Chesil Theatre and other listed buildings on Chesil Street to the north and south of the site. The loss of street frontage will erode historic townscape character of this part of Winchester Conservation Area. Therefore the demolition of the terrace buildings can not be justified under PPG15 or Local Plan Historic Environment Policies and the Winchester Conservation Area Project and the supplementary planning guidance contained within this document
- (ii) The design and projection of the proposed terrace, above the river bank, will harm the character and appearance of the Conservation Area and will also cause harm to nature conservation and biodiversity along the SSSI, SAC corridor.

02 The proposed development is contrary to policy E14 of the Hampshire County Structure Plan and policy HG.3 of the Winchester District Local Plan (Policy HE.1 of the Revised Deposit Local Plan) in that it fails to make satisfactory provision for a programme of archaeological investigation and recording before or during development, on a site which is considered to be of archaeological interest.

03 The proposal is contrary to the policies of the Hampshire County Structure Plan and the Winchester District Local Plan in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area. The proposal would also be likely to prejudice the Hampshire County Structure Plan (Review), the Winchester District Local Plan and the emerging Winchester District Local Plan (Review), in that it would undermine this Plan's Policies for recreational open space provision within the District.  
(No Open Space)

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**Informatives**

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

Hampshire County Structure Plan Review: UB3, E16, R2

Winchester District Local Plan Proposals: EN5, HG3, HG6, HG7, HG9, HG11, HG20, HG23, H1, FS1, RT3, T9, W1, W5, W30

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: DP1, DP3, HE.1, HE5, HE7, HE14, H2, H7, SF6, RT3, T2, W1, W6, W9

National Planning Policy Guidance/Statements:

PPG 3 Housing

PPG 15 Planning and the Historic Environment