

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 12 June 2008

Winchester City  
Council  
Planning Department  
Development Control

TEAM MANAGER  
SIGN OFF SHEET

## Committee Decision

<b>Case No:</b>	08/00029/FUL	<b>Valid Date</b>	7 January 2008
<b>W No:</b>	14013/05	<b>Recommendation Date</b>	27 May 2008
<b>Case Officer:</b>	Mrs Jane Rarok	<b>8 Week Date</b>	<b>3 March 2008</b>
		<b>Committee date</b>	<b>12 June 2008</b>
<b>Recommendation:</b>	<b>Application Permitted</b>	<b>Decision:</b>	<b>Committee Decision</b>

<b>Proposal:</b>	(AMENDED PLANS) Demolition of existing dwelling and outbuildings; erection of 1 no. detached six bed dwelling and 1 no. detached seven bed dwelling; landscaping and associated works and access
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<b>Site:</b>	Old Orchard Compton Street Compton Winchester Hampshire
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<b>Open Space Y/N</b>	<b>Legal Agreement</b>	<b>S.O.S</b>	<b>Objections</b>	<b>EIA Development</b>	<b>Monitoring Code</b>	<b>Previous Developed Land</b>
<b>YES</b>	<b>NO</b>	<b>NO</b>	<b>YES</b>	<b>NO</b>	<b>Y/N</b>	<b>YES</b>

DELEGATED ITEM SIGN OFF		
<b>APPROVE</b> Subject to the condition(s) listed	<b>REFUSE</b> for the reason(s) listed	
	Signature	Date
<b>CASE OFFICER</b>		
<b>TEAM MANAGER</b>		

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**AMENDED PLANS NOS: 733/P12 Rev C, 733/P03 Rev A, 733/P05A, 733/P02 Rev B**

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 12 June 2008

**Item No:** 6  
**Case No:** 08/00029/FUL / W14013/05  
**Proposal Description:** (AMENDED PLANS) Demolition of existing dwelling and outbuildings; erection of 1 no. detached six bed dwelling and 1 no. detached seven bed dwelling; landscaping and associated works and access  
**Address:** Old Orchard Compton Street Compton Winchester Hampshire  
**Parish/Ward:** Compton And Shawford  
**Applicants Name:** Mr And Mrs C Bradshaw  
**Case Officer:** Mrs Jane Rarok  
**Date Valid:** 7 January 2008  
**Site Factors:** Compton Street Conservation Area  
Conservation Area  
Within 50m of Listed Building  
**Recommendation:** Application Permitted

### General Comments

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

This application is for the demolition of the existing dwelling and outbuildings and the erection of 2 dwellings and garages. An application for Conservation Area Consent to demolish the existing dwelling is also under consideration (07/01591/LBC).

The site adjoins two listed buildings: Yew Tree Cottage (Grade II) to the east and Compton End (Grade II\*) to the south. The garden of Compton End is a Grade II\* entry on the English Heritage Register of Parks and Gardens of Special Historic Interest in England.

This is a resubmission of application ref: 07/01581/FUL for the erection of 1 no. detached six bedroom, 1 no. detached five bedroom, 1 no. two bedroom and 1 no. one bedroom semi-detached dwellings and detached double garage and associated landscaping. This was refused on 30<sup>th</sup> January 2008 on the basis that the proposal would, by virtue of its design, size and siting, in its own right and when viewed in conjunction with the permitted development at Martin's Close, constitute an over-intensive and cramped form of development detrimental to the established character and appearance of the conservation area.

This scheme will result in a net gain of one house. There is an extant permission for Old Orchard to raise the roof and provide two storey extensions on all sides including an attached double garage, providing a 6/7 bedroom house. That permission is valid until June 2010.

There have been a number of amended plans received in the light of comments from Officers, to include illustrating the existing dwelling and in the light of comments made by the Village Residents' Association and neighbours. These are as follows:

#### Proposed site sections and contextual elevations

No: 733/P12 Rev A - illustrates removed window on house H1 east elevation and drop in height by 200mm;

No: 733/P12 Rev B – includes outline of Old Orchard as existing:

No: 733/P12 Rev C – corrects the height of Old Orchard by increase of approx. 150-200mm.

#### Floor plans and elevations

No: 733/P03 Rev A – floor plans illustrating removal of window on east elevation;

No: 733/P05 Rev A – elevations illustrating removal of that window.

Proposed site plan

No: 733/P02 Rev A – includes details of extension of neighbouring Yew Tree Cottage as approved under W00604/02 on 17/3/2000.

No: 733/P02 Rev B – corrects position of extant garage, which should have been shown approximately 200mm closer to the eastern boundary. Supersedes Rev A, as existing dwelling illustrated 1.8m narrower than exists. Includes finished floor levels of both proposed dwellings.

**Site Description**

The application site is located at the western end of Compton Street, on the north side of the road, and is the penultimate site in the Compton Street Conservation Area. The site area is 3672 sq.m. The site contains a number of trees, some of which are protected by virtue of the Conservation Area status, and this landscape constraint reduces the developable area to 1280 sq.m.

Old Orchard is a single storey building in dark brick with considerable areas of glazing in the modern 1960's style. It has both flat and shallow pitched roofs built around a central courtyard. This part of the Compton Street Conservation Area (at its western extremity) is particularly verdant in character, with mature trees and hedgerows forming the boundary between the road and adjoining properties. This is especially the case, with dense planting on both sides of the road, at the western limit of the conservation area (Martin's Close, Old Orchard and Compton End) after which the road leads into a short area of more open farmland (adjoining Cox Croft Farm) before narrowing to an unmetalled track. There are only very limited glimpses of the current building from the road.

The site is surrounded by mature trees and hedgerows on its south, north and east sides and rises from the road towards the north, where it adjoins the rear gardens of properties in Martin's Fields. There is a less densely planted boundary between the site and the adjoining plot to the west, which comprises the remaining part of Martin's Close.

This section of Compton Street contains a variety of dwelling sizes and designs. Adjacent to the site are two historically important listed buildings, Yew Tree Cottage and Compton End (the latter being a Grade II\* listed building and garden) with more modern dwellings opposite the application site. In common, these dwellings tend to be detached and set informally in sizeable plots.

Levels on site rise to the north west, which results in Yew Tree Cottage sitting at approximately 3m below the ground level of the existing dwelling on the site.

**Proposal**

This application proposes to demolish the existing single storey house and replace it with two 2 storey detached dwellings, and two detached garages. The proposals comprise house 'H1' towards the eastern side of the site, and house 'H2', on the western part of the site, adjoining the boundary with Martin's Close.

H1 is a two storey, 6 bedroom house. Two of those bedrooms are in the roof space. The rooms are lit by two modest dormers and 2 velux windows on the rear roof slope, and an additional window in the east elevation below the eaves of a half-hipped roof. The second floor bathroom is served by a small gable end window in the south elevation. The dwelling to the west of the plot is house H2, which has 7 bedrooms (3 within the roof space). The third storey of both of these dwellings is contained wholly within the roof space and lit by dormer windows.

The building envelope of H2 generally has a more complex form and detailed architectural expression than H1, which is relatively simple, although both houses include traditional design details such as projecting single storey bays, hipped dormer windows and brick chimney stacks.

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 12 June 2008

The houses would be constructed of facing brickwork, flint and timber weatherboarding with both plain clay tiled and slate roofs, and painted timber windows and doors.

The proposal seeks to limit the amount of hard surfacing by using the existing drive and providing gravel drives and footpaths to and from the house/garage. The site layout has been informed by an arboricultural survey and the dwellings have been sited to take account of the requisite tree protection zones.

The Design and Access Statement states that the trees lost to this development are within the confines of the site and that wherever possible those existing trees will be transplanted using specialist machinery. All the existing trees along the site boundaries are to be retained. There are 3 hedges within the site which will be removed, a box hedge running north-south and three smaller hedges in the rear garden. A group of apple trees at the south west corner of the site will also be removed as will a group of trees deemed category B of 'moderate quality', inside the site along the existing driveway. All of the mature planting along the site boundaries is to be retained in order to preserve the enclosed, well screened nature of the site and the character of the area. The proposed detached garages would be timber-framed and weather boarded, with half-hipped roofs in plain clay tiles with bonnet hips.

Density on site is 15 dwellings per hectare. This is lower than recommended in PPS3 Housing but is acceptable due to the character of the area, proximity of listed buildings and a park/garden and other landscape constraints.

### Relevant Planning History

**05/01150/FUL** - Extension to dwelling. Raise roof; two storey extensions on all sides including attached double garage - Permitted 30/06/2005;

**07/01581/FUL** - Demolition of existing dwelling and outbuildings and erection of; 1 no. detached six bedroom, 1 no. detached five bedroom, 1 no. two bedroom and 1 no. one bedroom semi-detached dwellings; detached double garage and associated landscaping - Refused 30/01/2008

### Consultations

#### Archaeology:

No objection subject to an archaeology condition to secure and implement a programme of archaeological work in accordance with a written scheme of investigation (Condition 3).

#### Conservation:

It is considered that the development would preserve the character and appearance of the conservation area. The proposed houses would be set well back on the plot and, in the case of H1, further into the depth of the site than the frontage of the existing house. The building line of the houses is not continuous, with elements that both step back and step forward on the site, which is consistent with the character of the conservation area, including towards its western end. This informal approach, retention of the densely tree'd site boundaries, and informal (gravel) surfacing of access drives would respect the informal and semi-rural character of the area. The traditional form and appearance of the proposed houses, together with the materials selected, would also be sympathetic to the predominantly traditional character of buildings in the conservation area.

The effect of the proposals on the setting of adjoining listed buildings (Yew Tree Cottage and Compton End) is considered to be relatively limited as the mature planting to the boundaries of the site would limit the visual impact of the new buildings when seen against the backdrop of the listed buildings. In both cases, it is likely that glimpses of the development would be available through and between the boundary trees/hedging, but it is not considered that these limited views would have a significant detrimental effect on the setting of the listed buildings. The existing visual context of both Yew Tree Cottage and Compton End includes buildings on adjoining or nearby

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 12 June 2008

sites. The context and setting of these listed buildings would not be altered by the proposed development to such an extent as to warrant a reason for refusal under Policy HE.16 of the Winchester District Local Plan Review.

Engineers: Drainage:

No objection. There is an existing public sewer for the disposal of foul water with storm water going to soakaways. Permeable materials are to be used for the drive.

Engineers: Highways:

No objection subject to visibility splays of 2.0m by 26m to be provided and kept free of obstacles and non-migratory surfacing material is used for the access (Conditions 5 and 6). Access is as existing, although some trimming of vegetation and minor regrading of the bank might be necessary to achieve adequate sight-lines. The traffic survey commissioned by Compton Village Association identified the peak hour (0800-0900) volumes of traffic to be 7 movements with an additional 7 movements for off-peak (1700-1800). This volume of motorised traffic is considered low, below that of 100 vehicles per peak hour as stated in Manual for Streets. A further survey was undertaken 50m from the Attwoods junction which showed increased vehicle speeds, but, due to the distance of the survey site from the vehicle entrance to Old Orchard, it is not appropriate to use the speeds measured at that location to determine the visibility splay requirements.

The 85<sup>th</sup> percentile wet weather speed is established as 20.6 mph for both west and east bound traffic flows. The speeds along Compton Street are considered to be low, due to the width of the carriageway and lack of footway together with the shared surface environment (cars, cyclists, horses and pedestrians) which are likely to be prime contributors in keeping vehicle speeds low.

Good intervisibility exists between approaching drivers and other road users allowing vehicles to slow down and take appropriate action.

Landscape:

No objection subject to conditions relating to the retention and protection of the vegetation along the boundaries, soft and hard landscaping and additional planting (Condition 8).

Trees:

No objection subject to conditions relating to Arboricultural Officer's approval of tree protective measures when in-situ and prior to the commencement of demolition, construction or ground work. All works to be undertaken in accordance with the Arboricultural Method Statement (Condition 4).

Environment Agency:

Application has a low environmental risk and due to workload prioritisation no full response to the application was made.

English Heritage:

Application to be determined in accordance with national and local policy guidance and on the basis of Council's specialist conservation advice. The application was subsequently the subject of an application for listed building status. The Council has been advised that the Secretary of State has decided that Old Orchard does not warrant listing as the "*design is not of the highest quality, nor is it particularly innovative*".....it lacks both internally and externally, "*the flair and accomplishment that one would expect of a post-war house of a listable quality*" and the "*choice and use of materials reflect the limited budget for this date which is particularly evident in the annexe which is very plain internally*".

Southern Water:

No comments.

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 12 June 2008

Garden History Society:

Did not wish to comment on the application.

A number of representations have been received from non-statutory consultees:

Campaign to Protect Rural England:

Notes that the scheme attempts to improve the layout of the two sites (Martin's Close) and places the houses to the rear of the plot on the footprint of the existing house but it is still considered to be of an overpowering bulk. Six and seven bed dwellings are too big for the plots. Results in overlooking of Yew Tree Cottage. Development does not respect the neighbouring listed buildings and is a "hotchpotch of architectural styles and detail" which does not enhance the conservation area. The dominating level of the site demands buildings of lower profile and scale to relate better to their neighbours

Hampshire Buildings Preservation Trust

Concerns that the site adjoins two listed buildings. The impact of the development on those historic buildings needs to be carefully considered.

Hampshire Gardens Trust

The trees are deciduous and the winter backdrop to Compton End will be urban not rural, which alters the setting of Compton End. The buildings are of a dominant scale which affects the setting of Compton End. The trees overhanging the "ancient lane" will be damaged through development operations. The quality of the environment will change detrimentally and the new development does not respect the local character and should be built "with sensitivity to the area".

**Representations:**

Compton and Shawford Parish Council

Development is considered out of character with the conservation area and "very insensitive next to Yew Tree Cottage and opposite Compton End, both Grade 2 listed, the latter also Grade 2 historic garden". The buildings are considered "overpowering buildings in terms of scale, mass and bulk" which would be detrimental to the character and appearance of the area. "Three storey buildings would be very much out of scale in this location". The Parish Council had not been consulted by the developer.

53 letters from single households were received objecting to the application.

In many cases more than one occupant of a household made written representations. However, the Council's procedure for 'counting' letters of representation allows for one per household. The following objections to the scheme were received:

- The size, scale, height and mass of the proposed dwellings are out of character with the Conservation Area both in terms of themselves and in conjunctions with the approved scheme at Martin's Close, the adjacent site. The proposed buildings are 2.5/3m above road level;
- Overlooking, dominating and overshadowing Yew Tree Cottage, the neighbouring property to the east and overlooking the properties to the rear at Martin's Field;
- Detrimental impact on the setting of the adjacent listed buildings, Yew Tree Cottage and Compton End and its listed garden;
- Presence of bats on site;
- Highway safety and the impact of additional vehicles on the lane, poor visibility and safety of non-motorised road users;
- Loss of trees, banks, shrubs and hedgerows both within the site and those along the public highway, which would be damage by construction traffic;
- Localised flooding increased due to additional dwellings using the existing sewerage system and the lack of surface water drains;
- Inaccuracy of the plans;
- Not a sustainable locality as it lacks local facilities.

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 12 June 2008

- Scheme will set a precedent for similar development in gardens

Reasons not material to planning and therefore not addressed in this report

- School is oversubscribed.
- No consultation with the Parish Council. (Officer notes: A preparation of a Statement of Community Involvement (SCI) was adopted in January 2007 and is part of the Local Development Framework. Applicants should be meeting its requirements, although failure to do so is not a reason for refusing permission or at the time of registration, refusal to register an application. Since the introduction of 1APP in April this year, it is possible for the local planning authority to invalidate applications that do not, where necessary, include an SCI).

### **Relevant Planning Policy:**

#### Hampshire County Structure Plan Review:

E14, E15, E16

#### Winchester District Local Plan Review

DP3, CE10, H4, HE1, HE5, RT4, T1, T2, T3, T4

#### National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

PPS 7 Sustainable Development in Rural Areas

PPG 15 Planning and the historic environment

PPG 16 Archaeology and planning

#### Supplementary Planning Guidance

Winchester Conservation Area Project

Implementation of infilling policy

#### Other Planning Guidance

Guide to the Open Space Funding System

Hampshire Register of Historic Parks and Gardens

Housing Monitoring Report

Technical Paper: Open Space Provision and Funding

### **Planning Considerations**

#### Principle of development

Old Orchard is located on land designated as countryside, in the settlement of Compton Street which does not benefit from a settlement boundary. The application needs to be assessed in accordance with Policy H4, which seeks to define those situations where new housing in the countryside might be acceptable. It is a more robust approach than the previous reliance on the 'frontage' colour shading on the planning maps as set out in the Winchester District Local Plan 1998. This application has been assessed in terms of this policy based on the criteria set out in Policy H4 and further amplified in SPD 'Implementation of infilling policy' (July 2006). All proposals for residential infill development will therefore be considered on their merits having regard to the relationship of the proposed site to the village or settlement, the impact on its character, or that of the surrounding area, and sustainability; in particular, the accessibility of the development to local facilities/services and public transport links. The proposals are required to satisfy the criteria set out in that policy and further amplified in the 7 detailed criteria set out in the Supplementary Planning Document.

In respect of Criterion 1 (access to facilities and services) it is considered that the application site is within viable walking distance of local facilities and services which include a primary school,

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 12 June 2008

parish church, public house, Shawford Village Hall and a sub post office. There is also frequent bus transport to a wider range of facilities and services in Winchester, Chandlers Ford and Southampton. While there is no footway along the last section of the road to the application site it is still considered to be a safe route for pedestrians to traverse. This is due to the fact that it effectively operates as a shared surface with low vehicular speeds as the road is not a through route and has low traffic generation due to the small number of properties accessing the end of Compton Road.

In respect of Criterion 2 (nature of the site in relation to its surroundings), it is considered that the proposal is in compliance with both sub-criteria in that it forms a limited gap between permanent established buildings (Yew Tree Cottage and Martins Close), one of which is residential within an otherwise continuously built up frontage to an existing road, and the proposal is for the intensification by redevelopment of residential properties within a continuously built up frontage to an existing road (Compton Street).

In respect of Criterion 3 (access), the highways department has raised no objections as safe access to the highway can be provided and the proposal will lead to only a small increase in traffic which is unlikely to cause demonstrable harm to users of the adjoining highway.

In respect of Criterion 4 (list of settlements), Compton Street is one of the settlements identified in Annex C of the Supplementary Planning Document and is therefore in compliance.

In respect of Criterion 5 (local and strategic gaps), the site is not within a local or strategic Gap as defined in the adopted Local Plan Review.

In respect of Criterion 6 (natural features), it is considered that the proposal would not result in the loss of a break in the frontage or a natural feature which is of importance to the settlement.

In respect of Criterion 7 (character of the locality), it is considered that the proposal respects and responds positively to the particular character of the locality. The proposed houses would be set well back on the plot. The building line of the houses is not continuous and has elements that both step back and step forward on the site. It is considered that this is consistent with the character of development in the conservation area, particularly towards this western end. Furthermore, it is considered that this informal approach, together with the retention of the well-planted site boundaries, and informal (gravel) surfacing of access drives would respect the informal and semi-rural character of the area. Similarly, the traditional form and appearance of the proposed houses, together with the materials selected, would be sympathetic to the predominantly traditional character of buildings in the conservation area. It is therefore considered that the development would preserve the character and appearance of the conservation area and this linear village.

Policy DP1 requires that all planning applications are supported by a design statement. Policy DP3 (amongst other criteria) seeks to ensure that new development makes efficient use of land, responds positively to the character, appearance and variety of the local environment, does not have an unacceptable adverse impact on adjoining land uses or property and provides sufficient amenity space.

It is considered that the replacement of the existing house at Old Orchard with two detached houses, two detached garages, parking and turning areas accords with these policy requirements and is acceptable in principle.

The existing extant permission (05/01150/FUL) for an additional storey and enlargement of the present building on the site is a material consideration. The height of the approved extended Old Orchard and house H1 are equal, although Old Orchard as extended would be closer to the east boundary with Yew Tree Cottage. This scheme results in a net gain of one house on the site.



WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 12 June 2008

Design/layout & Impact upon the Conservation Area

The proposed houses would be set well back on the plot. From the site boundary with Compton Street, house H1 is 40m into the plot, which is deeper than the existing house, while house H2 is 32m into the plot and its garage is 16m into the plot. As explained above, the building line of the houses is not continuous as it has elements that both step back and step forward on the site. This is not inconsistent with the character of development in the conservation area, including towards its western end. This informal approach, together with the retention of the well-planted site boundaries, and informal (gravel) surfacing of access drives would respect the informal and semi-rural character of the area.

The traditional form and appearance of the proposed houses, together with the materials selected, would also be sympathetic to the predominantly traditional character of buildings in the conservation area.

House H1 is a two storey, 6 bedroom house. Two of those bedrooms are in the roof space. The rooms are lit by two modest dormers and 2 velux windows on the rear roof slope, and an additional window in the east elevation below the eaves of a half-hipped roof. The second floor bathroom is served by a small gable end window in the south elevation. The dwelling to the west of the plot is house H2, which has 7 bedrooms (3 within the roof space). The third storey of both of these dwellings is contained wholly within the roof space and lit by dormer windows.

The building envelope of H2 generally has a more complex form and detailed architectural expression than H1, which is relatively simple, although both houses include traditional design details such as projecting single storey bays, hipped dormer windows and brick chimney stacks. The houses would be constructed of facing brickwork, flint and timber weatherboarding with both plain clay tiled and slate roofs, and painted timber windows and doors.

The proposal seeks to limit the amount of hard surfacing by using the existing drive and providing gravel drives and footpaths to and from house/garage. The site layout has been informed by an arboricultural survey, and the dwellings have been sited to take account of the requisite tree protection zones.

Overall, it is considered that the form of development proposed would preserve the character and appearance of the area and the Conservation Officer has raised no objections to the application.

Impact on neighbouring properties/listed buildings

Levels on site drop to the east, which results in the property to the east, Yew Tree Cottage, being set some 2.5-3m below the ground level of this site. There is 12m between the side elevation of house H1 and Yew Tree Cottage and significant, dense tree screening along the boundary, 9m from the side elevation of H1. This existing mature screening is both evergreen and deciduous and, whilst house H1 would be visible from Yew Tree Cottage, particularly in the winter months when the deciduous trees are denuded, this screening will largely obscure or filter views of the development from Yew Tree Cottage. It should be noted that house H1 is set at a 35° angle further northwest of Yew Tree Cottage. The west elevation of Yew Tree Cottage does not directly overlook the east elevation of H1, and distances from the front elevation of house H1 and the west elevation of the principle dwelling and the later extension to Yew Tree Cottage are approximately 23m. and 29m. respectively. It is considered that there will be no material overlooking issues between these neighbouring dwellings given the existing screening and the oblique angle at which the two neighbouring dwellings are set, coupled with the distances between the dwellings.

Intra-development overlooking is avoided by the staggered nature of houses H1 and H2 and the limited first floor fenestration. Windows on the west elevation of house H2 (facing the approved scheme on the adjacent site at Martins Close) are limited. Proposed screening will limit ground floor overlooking. First floor windows are limited to a dressing room window, which could be

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 12 June 2008

conditioned to be retained as obscure glazing (Condition 7).

The effect of the proposals on the setting of adjoining listed buildings (Yew Tree Cottage and Compton End) is considered to be relatively limited as, in each case, the mature planting to the boundaries of the site would limit the visual impact of the new buildings when seen within the backdrop of the listed buildings. In both cases, it is likely that glimpses of the development would be available through and between the boundary trees/hedging, but it is not considered that these limited views would have a significant detrimental effect on the setting of the listed buildings. The existing visual context of both Yew Tree Cottage and Compton End includes buildings on adjoining or nearby sites (as well as undeveloped land outside the conservation area, in the case of Compton End) and it is not considered that this established context and setting would be altered by the proposed development to such an extent as to warrant refusing the scheme.

With regard to the impact of the proposals on the setting of the registered garden at Compton End, existing views from the terrace to the east of the house, and from the garden to the south and west indicate that the apex of the pitched roof of the present building is visible through the tree/hedge cover of the boundary in views from certain locations. The roof is located in approximately the position of the 4-metre gap between the new buildings, suggesting that, whilst glimpses or partial views may be obtained of the buildings to either side of this gap, neither house would be likely to figure prominently in the backdrop of the gardens. These views were obtained in winter, with the leaves off the trees: the views are likely to be considerably more limited when the trees are in leaf. Conversely, Old Orchard as extended to two storey height under the existing planning permission (ref: 05/ 05/01150/FUL) will be more visible at this point.

#### Landscape/Trees

The Arboricultural Officer is satisfied that the existing trees on the site can be adequately protected and thus retained. The Landscape Officer considers the revised proposal to be satisfactory in terms of landscape issues.

The proposal states that the site boundary trees are to be retained and that the trees and hedges lost to this development are within the confines of the site. There are 3 hedges within the site which will be removed, a box hedge running north-south and smaller hedges in the rear garden. A group of apple trees at the south west corner of the site will also be removed, as will a group of trees deemed category B of 'moderate quality', inside the site along the existing driveway.

All of the mature planting along the site boundaries is to be retained in order to preserve the enclosed, well screened nature of the site and the character of the area. There is sufficient distance between the house H2 and the approved scheme at Martins Close to allow room for hedge planting between these schemes, to the satisfaction of the Landscape Officer. This should be reinforced by some tree planting along this boundary, which could be conditioned to any consent (Condition 8).

The planting of additional fruit trees to the south of the site will further minimise the impact of the scheme on the property Compton End to the south.

#### Highways/Parking

The Highways Engineer is satisfied that the proposal will only lead to a small increase in traffic and that it is unlikely to cause demonstrable harm to users of the adjoining highway. The existing means of access will be retained. The Highways Engineer requires sight-lines of 2.0m by 26m in each direction which will require the trimming back of existing vegetation and possibly minor re-grading of the bank to the west of the entrance.

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 12 June 2008

Drainage/flooding

The Drainage Engineer is satisfied that the existing public foul sewer in Compton Street can be used and has advised that this must be used in preference to any other method for the disposal of foul water.

Representations

The report has sought to establish that the proposal is consistent with relevant policy. It is considered that the matters raised in objection have been dealt with adequately in the report and are not sufficiently robust to impede the granting of approval, subject to conditions.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for public open space the Local Planning Authority has had regard to the tests laid down in Circular 05/2005 which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Recommendation

Application Permitted subject to the following conditions:

**(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee)**

**Conditions**

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

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

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 development 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.

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

3 No development or site preparation prior to operations which has any effect on disturbing or altering the level of composition of the land, shall take place within the site until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted by the applicant and approved in writing by the Local Planning Authority.

3 Reason: To ensure that the archaeological interest of the site is properly safeguarded and recorded.

4 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference CBA 6820 REV B written by CBA Trees as submitted to the Local Planning Authority shall be installed prior to any demolition,

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 12 June 2008

construction or groundwork commencing on the site. No arboricultural works shall be carried out to trees other than those specified and in accordance with Method Statement CBA 6820 REV B.

The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with CBA 6820 REV B. Telephone 01962 848317.

The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848317.

Any deviation from works prescribed or methods agreed in accordance with Method Statement CBA 6820 REV B shall be agreed in writing to the Local Planning Authority.

4 Reason: To ensure the protection of trees which are to be retained.

5 Before the development hereby approved is first brought into use, the access shall be constructed with a non-migratory surfacing material for a minimum distance of 10 metres from the highway boundary.

5 Reason: In the interests of highway safety.

6 Before the development hereby approved is first brought into use, visibility splays of 2.0 metres by 26 metres shall be provided at the junction of the access and public highway. The splays shall be kept free of obstacles at all times.

6 Reason: In the interests of highway safety.

7 The first floor window(s) in the west elevation of house H2 hereby permitted shall be glazed in obscure glass and thereafter retained.

7 Reason: To protect the amenity and privacy of the adjoining residential properties.

8 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 or contours:
- means of enclosure, including any retaining structures:
- hard surfacing materials:

Soft landscape details shall include the following as relevant:

- planting plans:
- written specifications (including cultivation and other operations associated with plant and grass establishment:
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- implementation programme:

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 12 June 2008

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.

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

9 Full details of all new windows and doors shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. The windows and doors shall be installed in accordance with the approved details.

9 Reason: To protect the character and appearance of the building (or conservation area).

10 All rainwater goods shall be of cast iron unless otherwise agreed in writing by the Local Planning Authority.

10 Reason: To protect the character and appearance of the conservation area.

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Class 1 of Parts A, B and C of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

11 Reason: To protect the amenities of the locality and to maintain a good quality environment.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no windows other than those expressly authorised by this permission shall, at any time, be constructed in the east elevation(s) of the dwellings hereby permitted.

12 Reason: To protect the amenity and privacy of the adjoining residential properties.

13 No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

13 Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

14 The development hereby approved must be carried out in accordance with the amended plans numbers 733/P12 Rev C, 733/P03 Rev A, 733/P05 Rev A, 733/P02 Rev B.

14 Reason: To ensure the development is carried out in accordance with the amended plans.

### **Informatives**

This permission is granted for the following reasons:

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 12 June 2008

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.

The Local Planning Authority has taken account of the following Development Plan policies and proposals:-

Hampshire County Structure Plan Review: E14, E15, E16

Winchester District Local Plan Review 2006: DP3, CE10, H4, HE1, HE5, RT4, T1, T2, T3, T4

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 8.00am Monday to Friday and 6.00pm Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Advice to applicant

The applicant is advised that the pre-commencement condition(s) attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. The Local Planning Authority is unable to give priority to this work and therefore any details, plans or samples required by conditions should be submitted to the Council at least 6 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 the application

The application case number

Your contact details