

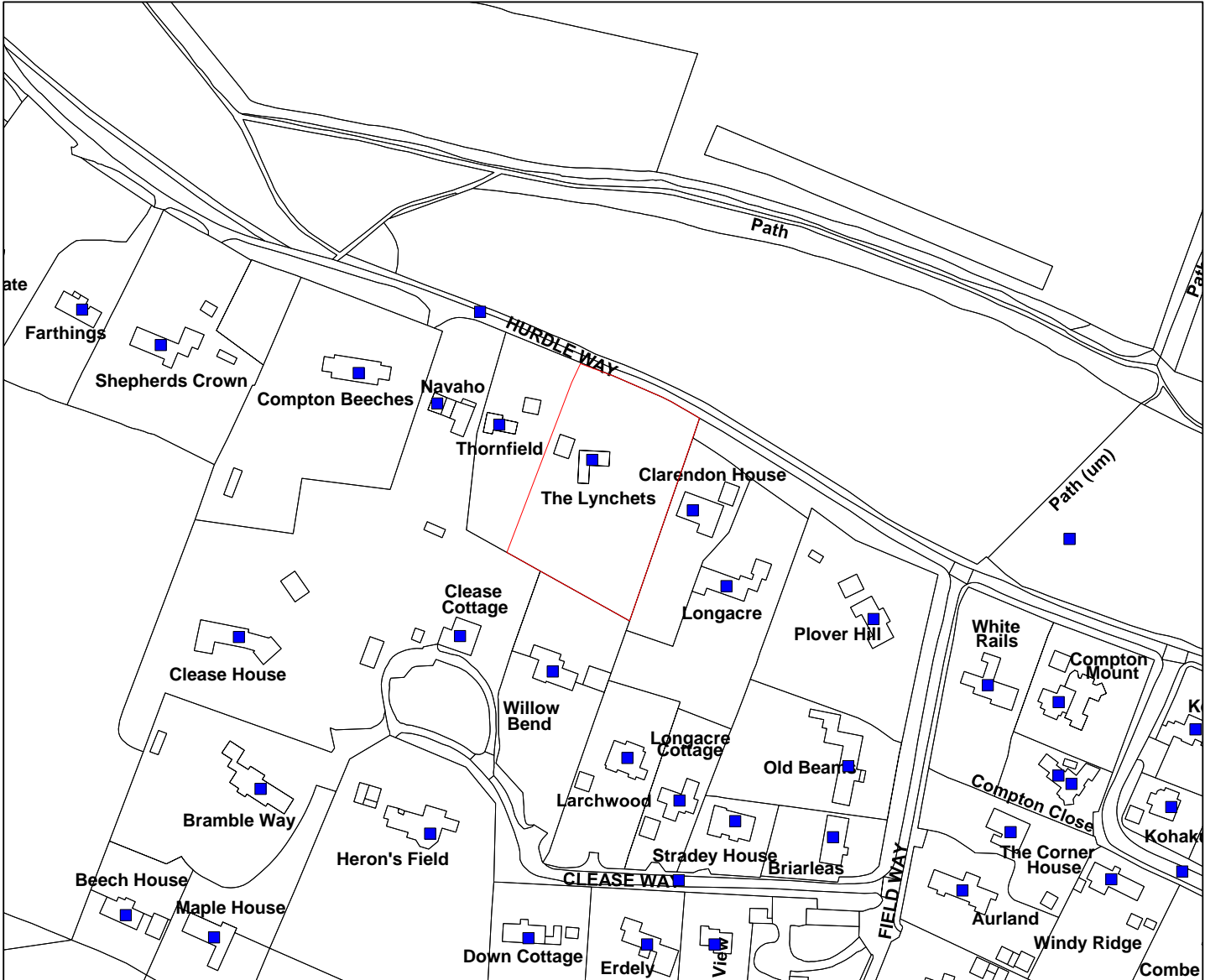
# The Lynchets, Hurdle Way, Compton Down

09/01410/FUL



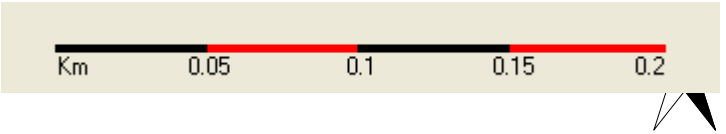
## Winchester

City Council



Legend

Scale:



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	03 February 2010
SLA Number	00018301

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DEVELOPMENT CONTROL COMMITTEE AGENDA 8 October 2009

**Item No:** 4  
**Case No:** 09/01410/FUL / W10461/05  
**Proposal Description:** Demolition of existing dwelling and erection of 6 bed detached dwelling with outbuildings new boundary fence and entrance gate (Resubmission)  
**Address:** The Lynchets Hurdle Way Compton Down Winchester Hampshire  
**Parish, or Ward if within Winchester City** Compton And Shawford  
**Applicants Name:** Mr T J Nuttall  
**Case Officer:** Mr Simon Avery  
**Date Valid:** 16 July 2009  
**Recommendation:** Application Permitted

### General Comments

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

This application is a resubmission. An earlier application (ref. 09/00483/FUL) for a replacement dwelling was refused in May 2009. The earlier application was refused because it was considered that the scale and design of the dwelling, and the extent of the built form being proposed across the width of the plot, were unacceptable. There was also no information about the impact of the proposal on trees within the site. This new application has revised the design of the building, reduced the overall amount of built form, and is supported by an Arboricultural Impact Assessment and Method Statement.

Amended plans have also been received which further reduce the scale of the dwelling, simplify the design, and omit features such as fencing along the front boundary. An important yew tree to the front of the site is now also to be retained.

### Site Description

This site is located on Hurdle Way on the northern edge of Compton. It is within the settlement boundary, but open countryside is located to the north, with extensive views across the valley towards Winchester. Compton is made up of large dwellings within large plots and has a very spacious green character. This site is very large and contains a one and a half storey chalet style dwelling which is finished in render with plain clay roof tiles. It is orientated at a slight angle on the plot, towards the western side. There are trees and vegetation around the boundaries and within the site and, in particular, on the eastern side. There are groups of trees on the front boundary but no other means of enclosure. There is a separate garage located to the west of the house, adjacent to the side boundary, and this has first floor accommodation. The site is slightly higher than the lane to the north and levels also rise up slightly from east to west.

### Proposal

The proposal is for a large replacement dwelling. It will be 8.5 metres in height and the

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main two and a half storey block will be 17.9 metres wide. The width of the house, including the proposed single storey element, will extend to 28.2 metres. The depth of the house, including the front and rear two storey projections, will be 15 metres, but the overall depth, including the single storey element to the rear, will total 30 metres. The house will contain 6 bedrooms and will also include basement accommodation. A swimming pool and fitness room will be contained within the single storey section which projects to the rear. The application also includes a new separate triple garage with first floor storage space, to be located to the front of the house. The proposed development will result in four trees and various smaller shrubs being removed, as well as the demolition of the existing dwelling and garage.

### **Relevant Planning History**

**88/01774/OLD – W10461:** Erection of dwelling - Refused - 13/04/1988.

**88/01775/OLD – W10461/01:** Dwelling - Refused - 10/08/1988.

**88/01776/OLD – W10461/02:** Two dwellings - Refused - 30/09/1988.

**89/01464/OLD – W10461/03:** Two storey rear extension, porch and studio in garage roof space - Permitted - 22/08/1989.

**09/00483/FUL – W10461/04:** Demolition of existing dwelling and erection of 7 bed detached dwelling with outbuildings - Refused - 18/05/2009

### **Consultations**

#### Drainage Engineer:

No objection. The application is for a replacement dwelling and outbuildings, once Lynchets has been demolished. A public foul sewer is available for the disposal of foul water. Storm water is to go to a rainwater harvesting tank, for reuse within the dwelling and garden.

#### Highways Engineer:

This proposal does not contain any significant highway issues and is unlikely to impact upon highway safety.

#### HCC Ecology:

No objection, as long as the measures set out in section 4.2 and Appendix II of the submitted bat report are adhered to and implemented in the development (Condition 11).

#### Landscape Team:

The site is landscape sensitive, not only because of the spectacular 180 degree panoramic views across the valley towards the north, but also because of the bridleway running along Hurdle Way itself and the public footpath running parallel to the bridleway further north. There are still strong concerns about the size and scale of the property and concerns over the number and quality of trees to be removed. Other, earlier properties along Hurdle Way have respected its rural nature and preserved the hedgerows and views. The proposals are significantly larger than the current modest property and the footprint of the proposal is larger than the other surrounding properties. The important northern elevation is much longer than any of the other neighbouring dwellings and would

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therefore degrade the views to the north and destroy the character and rural nature of the lane.

Southern Water:

Southern Water can provide foul sewage disposal to service the proposed development. Details of surface water disposal would need to be required by a condition (Condition 9).

Arboricultural Officer:

The Arboricultural Implications Assessment reflects accurately the quality and category of tree stock. With regard to the proposed tree retention and tree loss, there are no major issues arising from an arboricultural point of view. It is unfortunate to see that the mature willow tree (T10) is to be lost. However, it is clear that it may be coming towards the end of its life and it should not be considered as a constraint. The Arboricultural Method Statement and Tree Protection Plan are considered to provide the retained trees with adequate protection during the construction of this dwelling. The proposed locations for the new garage and bike store and the 6 bedroom house and swimming pool are far enough away from the existing trees not to cause any major harm. As long as the fencing and ground protection measures are undertaken, as specified in the above documents, the rooting areas should not be affected by the building works or the storage of materials or equipment (Conditions 6 to 8).

Environmental Protection Team:

The development comprises housing with gardens and this is considered to represent the most sensitive end-use regarding vulnerability to the presence of contamination. Given this, the proposal involves a use that would be particularly vulnerable to the presence of contamination and an appropriate contamination assessment should be submitted as part of the application process. Information held by this Service has not highlighted any potentially contaminative land uses located on or within the immediate vicinity of the development site. Given this, should you decide that a contamination assessment is not necessary in this instance, you should ensure that safeguarding condition(s) are attached to any consent granted, in order to ensure that the proposed development is suitable for use and is not capable of causing unacceptable risks to human health and the environment (Condition 10).

**Representations**

Compton Parish Council:

The Parish Council objects to this application.

- Previous concerns have not been addressed by the minor changes to the application;
- Hurdle Way is picked out as a particularly sensitive area in the Compton Down Local Area Design Statement (LADS) and there is concern that the development guidelines have not been adhered to in this case;
- The removal of important trees and the mass of the building would have a highly significant effect on external views;
- Whilst architectural merit may be debated, the proposal is not discrete and does not pay respect to the particular setting and context of the settlement;
- The introduction of a more formal closeboard fence and brick gated entrance conflicts with the character of the area and the guidelines in the Compton Down LADS about frontages facing onto local roads.

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The Compton Down Society

- No objection to the proposed replacement house and buildings, but objection is raised to the proposed gated frontage arrangements with closed fencing, on the grounds that the proposals are not in keeping with the spacious, vegetated, semi-rural character of Compton.

No other letters of objection have been received.

**Relevant Planning Policy**

South East Plan 2009:  
CC6

Winchester District Local Plan Review  
DP3, DP4, DP9

National Planning Policy Guidance/Statements:  
PPS 1 Delivering Sustainable Development  
PPS 9 Biodiversity and Geological Conservation

Supplementary Planning Guidance  
Compton Down Local Area Design Statement.

Principle of development

This site is within the settlement boundary, where residential development is acceptable in principle. The site is 0.41 hectares in size. A site of this size would normally be expected to accommodate a number of dwellings, if being redeveloped, in order to comply with the density requirements of PPS3. However, due to the poor highway access to this part of Compton, it has been established that no more additional residential development can be accommodated at this time. Therefore, it is acceptable in principle to allow one replacement dwelling on this site rather than require a more efficient use of the land.

Impact on character of area

The proposed house has been reduced in scale from the previous proposal. Whilst the main two storey block is approximately the same width as before, the proposed pool room has been re-orientated to the rear, so that the overall width of the building is reduced from 36.7 metres to 28.2 metres. The height of the main building ridge has also been reduced by 0.8 metres to 8.5 metres in height. Whilst the proposed house is still large, the decrease in height is significant, as it reduces the imposing impact of the house and results in a better proportioned building. The re-orientation of the pool room is also beneficial, as it means that the built form will not extend across the full width of the plot as with the previous scheme. This allows a more spacious setting for the building, which is in keeping with the character of Compton.

The design of the building has also been revised. The previous proposal had fairly elaborate detailing and a prominent stone pediment on the front projection. This proposal, while still reflecting a Georgian style of architecture, has simplified the design, having a hipped roof on the front projection and simpler and more uniform fenestration. Various features such as the quoins, rendered bands and the stone portico porch have been removed or reduced. The result is a more subdued building which is more in sympathy

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with this rural setting.

Whilst this house will be larger and grander than the more suburban property adjacent to the west, other Georgian style houses of similar design have been approved and built nearby, including Clarendon House which is adjacent to the east, and there are a number of precedents for this style of architecture in the village.

This proposal is for a very large building, and it is acknowledged that the central block has not significantly reduced in scale from the previously refused scheme. However, it is considered that the other changes have resulted in a building which is less visually intrusive and more satisfactory in terms of design and layout. There are also a number of very large and imposing properties within this village, some of which are on smaller plots than is available here. In the light of this, and given the changes made from the previous scheme, the proposal is considered to be acceptable.

The application also includes a large triple garage with first floor storage space. This will be located to the front of the house at 90 degrees. There are other examples of large outbuildings in Compton, including Clarendon House next door, and it is considered that, in the context of this large dwelling on a sizeable plot, a garage of this size is acceptable. The house is proposed to be set back 28 metres from the road and there is ample space to locate this garage to the front without the development appearing cramped.

Concern has been raised about the proposed gated frontage and fencing and, in respect of this, amended plans have been received removing the fencing from the proposal. This is considered to be an improvement to the scheme, as the general character of Compton is of plots enclosed by hedges or with open front lawns. Additional planting is now proposed along the front boundary and this is discussed below.

#### Trees and landscaping

An Arboricultural Impact Assessment and Method Statement has been submitted with this application which demonstrates which trees will be removed and how the remaining ones will be protected. There are four trees to be removed; a cherry, a stag's horn sumach, a birch, and a willow. The cherry, stag's horn sumach and birch are of poor quality and there is no contention over their loss. The willow is a large tree which has an important amenity value. However, the Council's Tree Officer has noted that it may be coming towards the end of its life and therefore its removal is considered to be acceptable in this case. The remaining trees on the site can be retained.

A large yew tree to the front of the site was originally earmarked for removal but negotiation has enabled this to be kept and the position of the proposed driveway has been slightly altered to assist this. It is considered that the retention of this tree will help screen the development and maintain the existing character of mature frontage trees. There will also be a new yew hedge planted along the front boundary of the site. This is considered to be a benefit to the site and, although yew is slow growing, in time it will help screen the development and, in itself, contribute to the character of the area.

#### Impact on residential amenity

This is a sizeable plot, well screened by boundary trees and planting, and it is not considered that the proposed development, although large, would have any harmful impact on the residential amenity of the area.

#### Ecology

The building to be demolished has been shown to support a bat roost. A bat survey has

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been submitted which recommends several mitigation measures, including a compensatory bat roost which is to be built prior to demolition. The County Ecologist is satisfied that these measures are acceptable and it is considered that Winchester City Council is meeting its duty under the Habitats Regulations.

Removal of spoil

The proposed house includes a basement and this will result in additional excavation in the construction process. A method statement has been submitted to demonstrate how the spoil from this excavation will be disposed of. This indicates that 60% of the spoil will be removed from the site. This would consist of 260 square metres of spoil, which equates to approximately 25 lorry loads. It is not desirable to encourage the removal of spoil from a site, for sustainability reasons and because of the potential impact upon residential amenity through the movement of heavy traffic. However, it is not considered that the amount of traffic movement involved in this case would be sufficiently harmful to warrant a reason for refusal.

The remaining material will be retained on the site. It is considered that the site is sufficiently large to accommodate this without significant changes to levels or adverse impacts upon the tree root protection areas identified in the arboricultural report. A condition is added requiring the measures contained within the Method Statement (Condition 12), and the proposed landscape condition also requires details of existing and proposed finished levels or contours, to ensure that the garden areas are landscaped appropriately (Condition 4).

**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. 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, including hard landscaping details, have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

- plain clay tiles and natural slate;
- half round clay ridge tiles;
- bonnet hip tiles;
- stock brick and contrasting brick;
- stone window cills;
- pavements.

Development shall be carried out in accordance with the approved details.

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

3. The windows, doors and fascias in the dwelling, hereby approved, shall be timber and the windows and doors shall be recessed a minimum of 75mm.

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

4. A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout and shall include details of existing and proposed finished levels or contours. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development, whichever is the sooner. If, within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To improve the appearance of the site, in the interests of visual amenity.

5. The garage, hereby permitted, shall not be occupied at any time other than for purposes ancillary to the residential use of the existing dwelling. The dwellinghouse, extended as hereby permitted, shall only be used as a single unit of accommodation and shall not be subdivided, separated or altered in any way so as to create two or more separate units of accommodation.

Reason: To accord with the terms of the application, since the site lies within an area where additional residential properties would not normally be permitted and to prevent the creation, by conversion, of inappropriate units of accommodation, possibly leading to over intensive use of the site.

6. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference AIA/AMS-KC/lynchets/001 written by Kevin Cloud of Technical Arboriculture and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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

7. 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 AIA/AMS-KC/lynchets/001. Telephone 01962 848317.

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



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8. No arboricultural works shall be carried out to trees, other than those specified and in accordance with Method Statement AIA/AMS-KC/lynchets/001.

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

9. The drive and hardstanding shall be constructed of a permeable material.

Reason: To ensure that water adequately drains from the site.

10. Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before a site assessment has been undertaken and details of the findings, along with details of any remedial action required (including timing provision for implementation), have been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

NB - potentially contaminated ground conditions include infilled ground, visual evidence of contamination or materials with an unusual odour or appearance.

Reason: In order to secure satisfactory development, and in the interests of the safety and amenity of future occupants.

11. The measures set out in section 4.2 and Appendix II of the report Bat Survey (Lindsay Carrington, December 2009 AMENDED January 2010) shall be implemented and strictly adhered to, as required by the report.

Reason: To ensure that appropriate regard is had to the protection of protected species, in accordance with national and local ecological policies and relevant legislation.

12. The measures for the removal of spoil from the site, as set out in Section 3 of the submitted Method Statement by Graham Ash Architects Ltd, shall be implemented and adhered to. No spoil shall be deposited within the Tree Root Protection Zones identified in the Arboricultural Impact Appraisal and Method Statement by Technical Arboriculture prepared by Kevin Cloud dated 7 July 2009 ref. AIA/AMS-KC/lynchets/001.

Reason: In the interests of local amenity and residential amenity.

### **Informatives**

1. This permission is granted for the following reason:

The development is in accordance with the policies and proposals of the Development Plans 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:

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Winchester District Local Plan Review 2006: DP3, DP4, DP9

South East Plan 2009: CC6

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

4. No materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Health and Housing Department, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

5. The applicant is advised that there may be asbestos within the fabric of the building. The removal of such material may be subject to Licensing Regulations and Codes of Practice. For further information contact the Health and Safety Executive, Priestley House, Priestley Road, Basingstoke, Hampshire. RG24 9NW. Tel: 01256 404000.

Please return this form to the Case Officer, **Mr Simon Avery**.

From: **Compton And Shawford Parish**

Case No: **09/01410/FUL**

Closing Date for comments: **3 September 2009**

Location: **The Lynchets Hurdle Way Compton Down Winchester Hampshire SO21 2AN**  
Proposal: **Demolition of existing dwelling and erection of 6 bed detached dwelling with outbuildings new boundary fence and entrance gate (RESUBMISSION)**

The Parish Council objects to this application. I would repeat previous concerns which have not been addressed by the minor changes to the application. Thus, Hurdle Way is picked out as a particularly sensitive area in the Compton Down LADS. It is not clear that development guidelines therein have been adhered to in this case. The application makes no reference to this SPG. Specifically:

#### **D6 HURDLE WAY CONSTRAINTS**

*Any new development facing onto Hurdle Way should have particular regard for its effect on external views.* (Supplements Policy DP.3 of Local Plan Review).

The removal of important trees and the mass of the building would have a highly significant effect on external views (thus also failing DP3 (ii), DP4 (i)(iii) and (v) Appendix 2)

Also in the LADS,

#### **D5 ARCHITECTURAL TREATMENT**

*Whilst the retention of existing properties in Compton Down is to be preferred, new development will be acceptable provided it is of high quality and individual design, raising the standard of architectural treatment, yet also discrete and paying particular respect to the particular setting and context of the settlement.* (Supplements Policy DP.3 of Local Plan Review)

Whilst architectural merit may be debated, discretion and setting fail beyond doubt.

This application clearly fails DP3 , DP4 and supplementary planning guidance provided by the LADS. If the officer is minded to permit, I would request that the application is determined by the planning committee for those reasons.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

2 September 2009