

19 Bereweke Avenue, Winchester, SO22 6BH

15/01096/FUL



Winchester
City Council



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Scale: Meters

Organisation	Winchester City Council
Department	Winchester GIS
Comments	
Date	07/08/2015
MSA Number	100019531

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE AGENDA

Item No: 1
Case No: 15/01096/FUL / W19826/05
Proposal Description: Erection of 5 bedroom detached dwelling with single storey detached garage with associated works following demolition of existing dwelling and garage
Address: 19 Berewecke Avenue Winchester Hampshire SO22 6BH
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Mr Naeem Mahmood
Case Officer: Andrea Swain
Date Valid: 28 May 2015
Site Factors: Within settlement.
Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received. This is a resubmission following the refusal of application reference 14/01834/FUL. That application was refused for the following reasons:

- 1 The proposed dwelling would be disproportionate in size to the surrounding dwellings by reason of its size, bulk and massing and would subsequently be very imposing in the street scene. As such the building would not respond positively to the character and appearance of the local environment. Accordingly, the proposal conflicts with policy DP3 of the WDLPR and policy CP13 of the LPP1.
- 2 The proposed dwelling will not achieve Code Level 4 for water nor Code Level 5 for energy contrary to policy CP11 of the LPP1.

This application seeks to overcome the previous reasons for refusal. The key changes are as follows:

- The original submission was for a two storey dwelling with a roof height of 10.7 metres with third floor accommodation served by roof lights and dormers to the rear (west). The roof height was subsequently reduced to 9.4 metres. This revised application has a roof height of 8.2 m rising to a height of 9.2m and there is no third storey accommodation.
- The original design was a mock Georgian dwelling with the whole two storey dwelling filling the plot with a width of 16.3m. The revised design is of an 'Arts and Crafts' style with front and rear gables. The two storey element has a reduced width of 13.5m but with single storey elements to the north and south. Though the overall width of the dwelling has increased to 20.7m, the introduction of single storey elements to the north and south, and the reduction in the width of the two storey element allows increased spacing about the building.

Site Description

- The site comprises the dwelling and garden ground at 19 Berewecke Avenue. The dwelling is a chalet bungalow with a front dormer granted permission in 2005.
- It has a close boarded fence to the road frontage.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE AGENDA

- Along the southern boundary is an electricity sub-station which fronts Bereweeke Avenue. Along the rest of the southern boundary is a row of mature tall trees which are subject to a tree preservation order (TPO). Beyond the trees is a gravel vehicle access which serves 15a, 15b and 17 Bereweeke Avenue.
- To the north of the application site lies a boundary hedge with a gravel access serving the two houses to the west (rear) of the site – 'Wisteria' and 'Linkside' which face onto the rear garden of number 19.
- The site area measures approximately 0.13 Hectares.
- Bereweeke Avenue is characterised by a mix of dwelling styles, however, this part of the Avenue is generally characterised by large two storey dwellings on good sized plots with spacing about them. Some dwellings have converted lofts with roof lights.

Proposal

- Planning permission is sought to demolish the existing one and a half storey bungalow on the plot and erect a two storey 5 bedroom dwelling and detached single storey double garage with retention of the existing access onto Bereweeke Avenue. A bin store and cycle store are proposed in rear garden.

Relevant Planning History

05/02716/FUL - Roof conversion with 2 no. dormers. Permitted 9th January 2006.

11/01972/OUT - Demolition of existing dwelling and erection of 4 no. dwellings with associated parking and additional exit to Bereweeke Avenue (OUTLINE). Refused 28th November 2011.

14/01834/FUL - Demolition of existing dwelling and garage and erection of 1 no. detached six bedroom dwelling with detached double garage and associated external landscaping. Refused 24th October 2014.

Consultations

Engineers: Drainage:

No objection

Engineers: Highways:

No objection subject to planning conditions 5, 6, and 7.

Head of Landscape (Trees):

To be reported in Update Sheet.

Representations:

City of Winchester Trust: No comment.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE AGENDA

7 letters received objecting to the application for the following reasons:

- 9m high building too high in relation to adjoining properties
- Impact of roofline on surrounding area
- Drawings are misleading
- Houses at number 21 are shown much higher than they are
- Building appears as a three storey building
- Tree report out of date
- Garage to front out of character with area
- Footprint too large for plot
- Size of house gives opportunity for multi-occupancy
- Roof void large enough for additional rooms in the future
- Orange notice not displayed

Relevant Planning Policy:

Winchester District Local Plan Review
DP3, DP4, DP5, H3 and T4

Winchester Local Plan Part 1 – Joint Core Strategy
CP11, CP13, CP14 and CP16.

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Planning Considerations

Principle of development

The principle of replacing the existing bungalow with a new dwelling is acceptable subject to other policy considerations. Policy CP14 requires new development to make the best use of land. Given the character of the area it is not considered that increasing the density of development on this site is appropriate. As such the proposal is in accordance with policy CP14.

Impact on character of area

As discussed above, this part of Berewecke Avenue is characterised by two storey detached dwellings on good sized plots with spacing about them. Some have rooms in the roof served by roof lights.

The original submission was considered to be a very large bulky building when compared with the surrounding dwellings on this part of the Avenue. It was considered that the building would be disproportionate in size to the surrounding dwellings by reason of its size, bulk and massing and would subsequently be very imposing in the street scene especially when read against the back drop of the buildings to the rear.

This revised submission has taken design cues from the surrounding dwellings which are generally two storey, with gables to the front, some with third storey accommodation in the roof, but which all have spacing about them. Though this revised dwelling remains

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE AGENDA

large, the reduction in the width of the two storey element, introduction of gables and reduction in the height of the building create a dwelling that is more in keeping with surrounding dwellings and is considered to make a positive contribution to the street scene in accordance with policy DP3 of the WDLPR and policy CP13 of the LPP1.

The surveyed ridge height of 'Wisteria' and 'Linkside' to the rear (west) of the new dwelling is 87.22m. The surveyed ridge height of number 15 Berewecke Avenue, to the south, is 89.7m and number 23 to the north is 85.37. The main ridge height of the new dwelling will be 79.78 though rising to 80.78m for 3.5m of the ridge. It is considered, therefore, that the height of the building will not be too high in relation to adjoining properties. Planning condition number 12 will require the finished levels, above ordnance datum, of the ground floor of the proposed buildings, and their relationship to the levels of any existing adjoining buildings, to be submitted prior to the commencement of development, to ensure that the ridge heights do not exceed adjoining dwellings.

A number of local residents have expressed concern in respect of the proposed street scene and the height of the buildings to the rear ('Wisteria' and 'Linkside'). It is not clear from which vantage point the street scene plans are taken and it is difficult, therefore, to confirm the validity of the drawings, however, as discussed above, the ridge heights of the surrounding buildings have been surveyed and the ridge height of the new building will not be higher than the neighbouring properties.

Although the new single storey double garage is to the front of the new dwelling, it is no further forward than the building line of number 15 to the south nor the dwellings further north on this side of Berewecke Avenue. It is not considered, therefore, to have a harmful impact on the character of the street scene.

An amenity area to the rear is proposed which is considered to be in character with surrounding dwellings and in accordance with policy DP5 of the WDLPR.

Impact to neighbours residential amenity

There will be a distance of some 20 metres from the two storey element to the rear of the new dwelling and the rear boundary with 'Wisteria' and 'Linkside' to the west. It is considered that this is sufficient distance for there to be no unacceptable degree of overlooking from the new dwelling. The removal of the dormer windows to the rear, which were considered to be out of character with this part of Berewecke Avenue, will further protect the privacy of the occupants of these dwellings.

Planning condition number 12 will remove permitted development rights to ensure the control of future additions to the dwelling or alterations to its roof.

Highways

The Highways Officer has commented that adequate car and cycle parking will be provided within the site. It is proposed to widen the existing access which is acceptable from a highway point of view, however before any works commence to the highway, the applicant will need to obtain a License from Hampshire County Council as highway authority. (Planning condition numbers 5, 6 and 7).

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE AGENDA

Landscape (Trees)

An Arboriculture Report and Impact Assessment has been carried out in July 2014 in relation to the protected trees to the south of the site. The report proposes tree protection methods to ensure the retention of these important trees. Further comments are awaiting from the Head of Landscape to ensure that the scheme complies with policy DP4. This will be reported in the Update Sheet.

Sustainable Development

The Government has announced (March 2015) updates to its policy on housing standards and zero carbon homes. These affect the Council's implementation of Policy CP11 of the adopted Local Plan Part 1. While policy CP11 remains part of the Development Plan and the Council still aspires to achieve its standards for residential development (Code for Sustainable Homes Level 5 for energy and Level 4 for water), Government advice now sets a maximum standard of 110litres/day for water efficiency and the equivalent of Code Level 4 for energy. Therefore, for applications determined after 26 March 2015, Local Plan policy CP11 will be applied in compliance with the maximum standards set out in Government advice. The sustainability level is to be controlled through planning condition numbers 8 and 9.

Ecology

As the proposal involves the demolition of an existing building, planning condition number 10 will require an Ecological Survey to be carried out prior to the commencement of development to ensure that the presence of bats within the building is mitigated against. Condition number 10 applies to ensure compliance with policy CP16.

Conclusion

The proposal is in accordance with Development Plan Policy and is recommended for approval.

Recommendation

Application Permitted subject to the following condition(s):

Conditions

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

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

02 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the dwelling 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.

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

03 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

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE AGENDA

these works shall be carried out as approved. These details shall include the following, as relevant:

- means of enclosure, including any retained structures;
- hard surfacing materials;
- planting plans including species, planting sizes and proposed numbers / densities where appropriate;
- implementation programme.

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

04 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.

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

05 Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

05 Reason: In the interests of highway safety.

06 Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

06 Reason: In the interests of highway safety.

07 The parking area including the garage shall be provided in accordance with the approved plans before the dwelling is first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence.

07 Reason: To ensure the permanent availability of parking for the property.

08 Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data) demonstrating that the dwelling shall meet the Code 4 standard for energy (as defined by the ENE1 and ENE2 in the Code for Sustainable Homes) and the Code 4 standard for water (in the form of a BRE water

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE AGENDA

calculator) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

08 Reason: To ensure the development complies with policy CP11 of the Local Plan Part 1.

09 Prior to the occupation of the development hereby permitted detailed information (in the form of SAP as built stage data) demonstrating that the new dwelling meets the Code 4 standard for energy (as defined by the ENE1 and ENE2 in the Code for Sustainable Homes) and the Code 4 standard for water (in the form of a BRE water calculator) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

09 Reason: To ensure the development complies with policy CP11 of the Local Plan Part 1.

10 Prior to the commencement of development, an Ecological Survey shall be carried out by a qualified Ecologist to investigate the presence of bats in the existing building and propose subsequent mitigation measures in a scheme to be submitted to and approved by the Local Planning Authority. The recommendations set out in such a report shall be strictly adhered to unless otherwise agreed in writing with the Local Planning Authority.

10 Reason: To ensure the satisfactory protection of ecological habitats and species on the site.

11 Prior to the commencement of development plans showing the finished levels, above ordnance datum, of the ground floor of the proposed buildings, and their relationship to the levels of any existing adjoining buildings, shall be submitted to and approved in writing by the local planning authority.

11 Reason: To ensure a satisfactory relationship between existing and proposed buildings.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A - F of Parts 1 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

12 Reason: To protect the amenities of the locality, to maintain a good quality environment and to ensure that the development complies with policy CP2.

Informatives

01. In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE AGENDA

- updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

02. the applicant was updated of any issues after the initial site visit

03. This permission is granted for the following reasons:

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.

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

Winchester District Local Plan Review 2006: DP3, DP4, DP5, H3 and T4.

Local Plan Part 1: CP11, CP13, CP14 and CP16.

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

The submitted details should be clearly marked with the following information:

The name of the planning officer who dealt with application

The application case number

Your contact details

The appropriate fee.

Further information, application forms and guidance can be found on the Council's website - www.winchester.gov.uk.

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

07. No materials should be burnt on site. Where the Health and Housing Service substantiate allegations of statutory nuisance, 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.

08. Before any works commence to the highway, the applicant is advised that they will need to obtain a Licence from Hampshire County Council as highway authority.