

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

**Item No:** 03  
**Address:** 59 Bereweke Avenue Winchester Hampshire SO22 6EP

**Parish/Ward** Winchester Town

**Proposal Description:** Construction of 4 no. detached dwellings and associated parking and cycle storage after demolition of existing house

**Applicants Name** Mr And Mrs Brentnall

**Case No:** 05/02877/FUL

**W No:** W13299/02

**Case Officer:** Mr Dave Dimon

**Date Valid:** 5 December 2005

**Delegated or Committee:** Committee Decision

**Reason for Committee:** 6 or more representations contrary to the Officer's recommendations have been received

**Site Factors:**

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### Site Description

- The application site is situated on the west side of Bereweke Avenue a short distance to the north of its junction with Stoney Lane and its rear boundary abuts a garage court off Westman Road.
- The land is in general rising from south to north but the application site has no significant topographical or landscape features and is contained by a mixture of boundary hedges and panel fencing. The rear garden is largely overgrown.
- The site extends to 0.11 hectares with a detached bungalow set back from the road by approximately 18 metres. The two sites to the north have similarly sited detached bungalows and the two plots beyond up to the junction of Westman Road contain detached houses.
- The southern boundary of the site forms the rear boundary of bungalows fronting Stoney Lane but the corner site that also fronts Bereweke Avenue accommodates a recently built linked pair of two storey dwellings that have first floor accommodation within their roofs. (W17804 permitted Nov 2002).

### Relevant Planning History

- W13229 Single garage 59 Bereweke Avenue. Application refused 24/08/1993
- W13229/01 Single storey rear extension, alteration to roof and dormer window, porch and garage: Application permitted 23/11/1993.

### Proposal

- As per Proposal Description
- The proposal is for 4 detached small dwellings each having their first floor accommodation within the roof space to keep the eaves line to single storey.
- The dwellings comprise 2 x one bed units and 2 x two bed units. Which respectively have footprints of 40 and 50sq m.

### Consultations

#### Engineers:Drainage:

- No objection subject to the granting of Building Regs approval.

#### Engineers:Highways:

- I have previously raised concerns about the available turning area for cars. It will be necessary for a five point turn for cars using the spaces by plot 1 but this appears perfectly acceptable from a planning point of view.
- I have also raised concerns about service vehicles stopping on the highway, or indeed reversing into and out of the site. No bin collection provision has been made so bins are likely to be left on the footway. Again this appears acceptable from a planning point of view. NB Subsequent amended plans have provided a bin collection provision within the site.
- It therefore seems that I cannot sustain my highways objection to this proposal. Therefore I recommend that conditions H010 and H20 be attached to any permission granted.

#### Environment Agency:

- No objection. The site lies within a sensitive groundwater area and all appropriate measures must be taken to prevent discharges of polluting matter to the ground during construction.

#### Landscape:

- As shown, the proposed access is too close to boundary to ensure successful retention and reinforcement of existing hedgerow and off site trees Min 1.0 m width. Proposed cycle store and parking bays therefore need to be moved back from site boundary.
- Recommend refusal due to lack of information.

#### Arboriculture

- The site is fairly treeless with only an old apple tree half way down the garden which is not worthy of retention.

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- The trees along the southern boundary are within neighbouring gardens and very poor and small; there are a few trees along the western boundary but these again are small and of little amenity significance.
- The larger tree in the south west corner is to have car parking under it. The tree is however poor and not worthy of retention.
- The new tree planting indicated on the drawing will add greatly to the character of the development, especially a new tree at the front.

Southern Water:

- No objection.

**Representations:**

City of Winchester Trust:

- On visiting the site the Trust agrees with the architect's conclusion that to provide this commendable accommodation in a block of flats would be inappropriate. The dwelling to be demolished is one of three bungalows, and a larger structure here would be out of keeping with the character of the area. While appreciating that the aim is presumably to prevent the proposed small buildings resembling garden sheds or garages, the lack of a design concept for the mixture of materials proposed for their various elevations makes it difficult to understand why this is proposed. It is felt that instead of this mixture it would be preferable for each small structure to have facades of the same material, either render or boarding.

Letters of representations have been received from 10 Neighbours

- Proposal amounts to gross overdevelopment and is totally out of keeping with character of neighbourhood. Inadequate space between dwellings.
- Buildings too high should only be single storey without first floor to relate to existing bungalows.
- Would overlook surrounding properties taking away peoples privacy. Reducing light to 61 Berewecke Ave.
- Noise from vehicles using access drive would be detrimental to adj residents in Stoney Lane.
- Density exceeds PPG3 30 dph.
- Design and materials not in keeping with existing.
- Dwelling on plot 4 is set well ahead of the existing building line.
- Proposal likely to result in at least 6 cars, plus visitors which will be excessive and lead to parking on the verge of Berewecke Avenue.
- Also it will aggravate traffic dangers in the area due to inadequate turning space, additional servicing and other traffic to the detriment of highway safety close to busy cross roads.
- Will dominate houses in Stoney Lane and remove their privacy.
- Access road and car parking provision totally inadequate and will cause congestion on Berewecke Avenue, which is already congested at peak times.
- Will set precedent for further such developments resulting in deterioration of quality of life and enjoyment of properties for neighbouring residents.
- Request that Viewing Sub-Committee visit site.

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

- UB3, H7, R3,

Winchester District Local Plan

- H.1, H.7, EN.5, RT.3

Winchester District Local Plan Review Deposit and Revised Deposit:

- H.2, H.7, DP.3, RT.3

Supplementary Planning Guidance:

- Achieving a Better Mix in New Housing Developments
- Winchester District Urban Capacity Study

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- Housing Monitoring Report
- Technical Paper: Open Space Provision and Funding
- Movement, Access, Streets and Spaces
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPS 1 Delivering sustainable development
- PPG 3 Housing

**Planning Considerations**

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Residential amenities
- Highways
- Public open space provision
- Comments on representations

Principle of development

- The principle of residential redevelopment to make more efficient use of the site is acceptable and accords with national and local policy.
- The density of the site will increase from its present 8.6 dwellings per hectare to 34.6 dwellings per hectare which accords with current policy in PPG3 and the WDLPR. The provision of smaller units is also appropriate and accords with the provisions of policy H.7 of the Local Plan Review.

Impact on character of area

- The units have been designed to respond to the bungalow form of the existing development and avoid the mass that would come with a single building containing 4 or more units.
- The design has utilised the roof spaces of the units to provide bedroom and bathroom accommodation without overlooking neighbouring properties and the depth of the site has enabled small private garden areas and individual parking spaces to be provided for each unit.
- Although the roofs are steeply pitched in comparison to the existing bungalows this is not visually detrimental the difference in height between the existing and proposed being approximately 0.6metre. (Proposed 7.3m existing 6.6m approximately).
- Amended plans have provided additional space along the southern boundary to allow for further planting in response to the landscape comments and a bin store area has been provided within plot 4 to address concerns about bins being placed on the footpath or within the driveway. Each unit also has provision for secure undercover cycle storage.

Residential amenities

- Whilst the form of development does not replicate the existing character of large detached bungalows set in large plots it has been designed to respect and complement the existing development.
- The small units have been designed so that each plot has its own parking and private amenity space and the first floor accommodation is contained entirely within the roof form and lit by high level gable windows that do not allow overlooking of neighbouring property.
- The rooflights are arranged to minimise overlooking with those that face the southern boundary serving only a void area above the living room and the bathroom of units 2 and 3. The rooflights to units 1 and 4 face either the garage court off Westman Road or Berewecke Avenue respectively or serve bathrooms.

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Highways

- The access, parking and turning arrangement is acceptable to the highways authority.

Public Open Space

- The applicant has indicated that they will pay the open space contribution.

Comments on representations

- Most of the concerns raised by objectors are covered above.
- There is no policy objection to the proposal.
- It is not considered that the proposals result in demonstrable harm to the amenities of neighbours.
- The design is considered appropriate and conditions deal with, finished floor levels, details of materials, boundary treatment, hard surfacing, removal of permitted development rights and no further windows / rooflights other than those shown on the plan.
- It is not appropriate to control the tenure or occupancy of the development.
- The proposal is considered by officers to be acceptable.

**Planning Obligations/Agreements**

In seeking the planning obligation(s) and/or financial contributions for..., 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**

**APPROVE (provided the applicant is prepared to make the appropriate provision for public open space through the open space funding system) – subject to the following condition(s):**

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

**Conditions/Reasons**

- 01 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.

- 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 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.

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

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- 03 Plans and particulars showing the detailed proposals for all the following aspects of the development shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. The approved details shall be carried out as approved and fully implemented before the building(s) is/are occupied.
- (a) The finished levels, above ordnance datum, of the ground floor of the proposed building(s), and their relationship to the levels of any existing adjoining buildings.
  - (b) The details of materials/treatment to be used for hard surfacing.
  - (c) The alignment, height and materials of all walls and fences and other means of enclosure.
  - (d) The detailed design and materials for the cycle storage and bin enclosures.

Reason: To secure properly planned development and since no details have been submitted.

- 04 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. 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.

- 05 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 Classes A, B, C, D and E of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

- 06 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, dormer windows or rooflights other than those expressly authorised by this permission shall, at any time, be constructed in any elevation(s) of the dwellings hereby permitted.

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

- 07 The Parking space and turning area shown on drawing No D0353/01A hereby approved shall not be used for any other purpose than the parking and turning of cars.

Reason: To ensure the provision and retention of the parking and turning areas in the interests of local amenity and highway safety.

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- 08 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.

Reason: In the interests of highway safety.

- 09 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.

Reason: In the interests of highway safety.

### INFORMATIVES

1. 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.
2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review	UB3, H7, R3,
Winchester District Local Plan Proposals:	H.1, H.7, EN.5, RT.3
Emerging Development Plan:-	
WDLP Review Deposit and Revised Deposit:	H.2, H.7, DP.3, RT.3
3. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800hrs 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 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.