

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City
Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

Committee Decision

Case No:	08/00051/FUL	Valid Date	16 January 2008
W No:	05590/09	Recommendation Date	18 March 2008
Case Officer:	Mr Nick Fisher	8 Week Date	12 March 2008
		Committee date	
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	Demolition of existing dwelling and construction of 2 no. five bedroom townhouses and 2 no. two bedroom apartments
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Site:	Barnaby Northbrook Avenue Winchester Hampshire SO23 0JW
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Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
Y	N	N	Y	N	N	Y

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

AMENDED PLANS DATE:-

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Item No: 6
Case No: 08/00051/FUL / W05590/09
Proposal Description: Demolition of existing dwelling and construction of 2 no. five bedroom townhouses and 2 no. two bedroom apartments
Address: Barnaby, Northbrook Avenue, Winchester, Hampshire, SO23 0JW
Parish/Ward: Winchester Town
Applicants Name: Millgate (Winchester) Ltd
Case Officer: Mr Nick Fisher
Date Valid: 16 January 2008

Site Factors: Winchester Conservation Area.
Tree Preservation Order upon a tree in close proximity to the site.

Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received.

The applicant advises that community consultation has been carried out with local residents and the City Trust.

A Conservation Area Consent is required for the demolition of the existing building before development can commence. It is anticipated that this application will be made shortly.

Site Description

The site subject to this application is 0.11 hectares and is located within the Winchester Conservation Area. It is rectangular in shape, has a fall of approximately two to three meters from the north to the south and contains a large, two storey detached dwelling, constructed during the 1950s, the dwelling is served by a well proportioned rear garden area. The dwelling occupies the width of the plot and is located approximately 8m (at its nearest point) back from the grass verge adjacent to the highway. The northern boundary to Northbrook Avenue is formed by beech hedging and four lime trees located upon the grass verge adjacent to the highway.

Chilcombe St Mary is located immediately to the east of the site, this building is a large Victorian building (subdivided into two dwellings) with a third storey within the roof space. There is a mature Chestnut tree within the rear garden of this property. Bishops Fair a two storey, modern, detached dwelling is located immediately to the west of the application site.

To the south (rear of the site) is a two storey modern dwelling (Deneview). This dwelling is located at a significantly lower level than the application site. The boundary with this property consists of a mature hedge and 1.8m high close board fence.

The existing rear garden is approximately 21m in depth and 30m wide. The side boundary with Chilcombe St Mary consists of a brick and flint wall. The side boundary with Bishops Fair consists of mature vegetation and fence panelling.

The character of Northbrook Avenue is defined predominantly by two storey, large detached and semi detached dwellings within large sized gardens. There are examples of large two and a half storey buildings within the area (Chilcombe St Mary immediately to the east of the site is two and a half storey building with a height equivalent to a three storey building) and three storey buildings (Northbrook Court and Hill Croft both of which are to the east of the site). The tree lined and open nature of the Avenue with grass verges and no pavement is also an important characteristic within the area.

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Proposal

It is proposed to demolish the existing 1950s detached dwellinghouse (a Conservation Area Consent is required for its demolition is required) and to replace the building with a larger (in terms of depth and height) two and half and three storey building. The building will accommodate four dwellings (2no five bedroom town houses and 2no two bedroom apartments). The building will provide 2no integral garages to serve the 5 bedroom dwellings and 1no undercroft parking space within the building to serve one of the apartments.

The area to the front of the building will contain grassed areas, a bin store and 5no car parking spaces. Two of the parking spaces are for visitors, each town house will have one garage and one forecourt space, whilst each apartment will be served by one parking space. It is proposed to retain the existing highway verge, adjacent hedge and Lime trees in close proximity to the carriageway. It is proposed to use the two existing vehicular accesses.

At its nearest point the proposed building is 5.2m away from the side elevation of Chilcombe St Mary to the east and 6.8m from the garage serving Bishops Fair to the west.

The area to the rear (south) of the proposed building will be sub-divided to create four garden areas. The two garden areas serving the 5 bedroomed dwellings are 232msq (approx) and 199msq (approx). The two apartments are served by smaller garden area approximately 38msq and 39msq. It is proposed that one lime tree is removed from the rear garden area, it is proposed to maintain the existing boundary treatment.

The density of development is 36.64 dwelling per hectare

Relevant Planning History

Nothing relevant.

Consultations

Engineers: Drainage: No objection to the scheme. A sustainable drainage system should be installed that complies with Building Regulations.

Engineers: Highways: Raises no objection, subject to conditions (09,10,11). The scheme utilises two existing accesses onto Northbrook Avenue which is not an adopted public highway. The scheme provides adequate parking provision for both cars and cycles.

Archaeology: The site may lie upon a site of Anglo-Saxon activity; the development may therefore have archaeological implications. If consent is granted a condition should be included requiring a programme of archaeological recording in mitigation. (Condition 12).

Landscape: No objection subject to conditions 07 and 08

Trees: No objection subject to conditions ensuring that the Arboricultural method statement is implemented (conditions 05 and 08)

Environment Agency: No objection raised.

Natural England: No objection raised.

Conservation: The Conservation Officer does not object to the proposed redevelopment (subject to conditions 02 and 13). The Officer made the following comment regarding the demolition of the existing building:-

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“The existing building dates from the 1950s, and is of conventional suburban appearance. It is of no historic interest or architectural merit and does not contribute positively to the conservation area. Providing it is replaced by a suitable design, there is no objection in principle to its demolition”.

With regard to the new building the Officer considered that the effect on the Conservation Area would be neutral, i.e. the proposal will not have a detrimental impact or enhance the appearance of the area when compared to the existing building. The increased depth of the building will not be particularly prominent or noticeable from the Northbrook Avenue. The height and bulk will be confined to the central section of the building. The front elevation is strongly symmetrical with a combination of pitched hipped, gabled and cat-slide roofs clad in natural slate, over red brick walls. The Officer considers that the fenestrations and style are inconsistent with a mixture of modern and traditional proportions and raises concern regarding the gable elements. The rear elevation would be in a more asymmetrical and consistent late 19th century style.

Hampshire County Council Ecology Service: No objection raised.

Southern Water: No adverse comment.

Representations:

City of Winchester Trust: - The Trust supports the application. The Trust consider that the new building is a satisfactory replacement for the existing building and its height will provide a good visual relationship between the two buildings on either side. The incorporation of garage within the front elevation appears to be successful. Details regarding the erection of burglar alarms will be required, a high standard of materials and construction is required to ensure the success of the scheme.

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

- The design of the building will be out of keeping with the surrounding properties;
- The space around the side and rear of the proposed building will be significantly less than the space around the existing building;
- An existing dwelling has already been built in the rear garden area serving the dwelling;
- The proposed height of the building is inappropriate in relation to the existing dwellings located upon St Giles Hill, most of which are two storey in height;
- Off street parking within the area will be increased and there may be a greater risk of a road traffic accident within the area. There may be subsequent damage to the highway verges and trees adjacent to the carriageway;
- The local drainage infrastructure will not be able to cope with the increased demand;
- The local electricity supply may overload due to increased demand;
- The existing house makes a positive contribution to the appearance and character of the area. Justification for the demolition has not been given;
- The development may lead to an unwarranted precedent;
- The size and scale of the building is out of keeping with neighbouring buildings;
- The development will lead to the loss of important views within the area;
- The proposal is contrary to guidance contained within the Neighbourhood Design Statement. Exceptional circumstances do not exist to allow for a three storey development;
- The proposal will have a detrimental impact upon the neighbouring Victorian building, the proposal will not complement this building;
- The proposed building will appear to be bulky and oppressive and will dominate the middle section of Northbrook Avenue;
- The building will detrimentally alter the skyline;
- The building will provide a poor visual transition between Chilcombe St Mary and Bishops

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Fair;

- The proposed skylights will cause overlooking upon neighbouring windows. These windows should be obscured glazed and sealed shut.
- The proposed roof will appear to be overbearing and lead to a loss of light upon the windows of a neighbouring dwelling to the west;
- The addition of a third floor will lead to further overlooking within the area;
- The two gardens serving the flats are too small and will suffer from loss of light from a neighbouring tree protected by a Tree Preservation Order;
- The increased number of gardens at the site will result in increased disruption.
- The development may harm trees adjacent to the site;
- The proposed development will visually dominate Bishops Fair.
- The new proposal will introduce windows at a closer distance to neighbouring buildings to the rear than the existing dwelling;
- The design of the building is awkward and lacks architectural character;
- The junction between Northbrook Avenue and Quarry Road is substandard. The development will result in an increase in vehicle traffic within the area. Vehicles using Northbrook Avenue tends to travel too fast in relation to the size and condition of the road. The developer should provide traffic calming measures.
- The construction of the building and associated construction traffic will disrupt local traffic and pedestrian safety.

1 letter of support received for the following reasons:-

- The scheme shows considerable evidence of the site constraints and character of the area. The scheme takes account of the matters raised in the Local Area Neighbours Design statement;
- The proposed design solution shows a good balance between national social, geographic and economic considerations.

Relevant Planning Policy:

Winchester District Local Plan Review: DP1, DP3, DP4, HE1, HE2, HE4, HE5, HE6, HE7, H7, RT4, T1, T2, T3, T4, W1

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

PPG 13 Transport

PPG 15 Planning and the historic environment

PPG 16 Archaeology and planning

Supplementary Planning Guidance

Winchester – St Giles Hill Neighbourhood Design Statement

Other Planning guidance

Parking Standards 2002

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Planning Considerations

- Principle of development.
- Layout / Design.
- Impact upon the Character of the Area.
- Amenity Considerations.
- Landscape / Trees.
- Highway / Parking.

Principle of development

The principle of redeveloping the site to replace the existing building is considered to be acceptable. It is considered that the existing building makes a poor contribution to the quality and appearance of the Conservation Area and is not worthy of retention.

It is considered that the proposed building accords with the guidance contained within the St Giles Hill Neighbourhood design Statement. The replacement building is attractive, well proportioned with a strong coherent design and uses appropriate materials. The neighbourhood design statement states that in exceptional circumstances three storey buildings will be permitted within the area. It is considered that due to the height and imposing appearance of Chilcombe St Mary (to the east) the proposed building offers a good visual transition within the street-scene in relation to the neighbouring two storey, modern detached dwelling to the west (Bishops Fair). Therefore in this instance there is justification to allow a building with a substantial three storey element.

With regard to planning policy it is felt that the proposal makes effective and efficient use of the site and accords with both national guidance contained within PPS3 Housing and policy DP3 from the Adopted Local Plan 2006. The development is of an appropriate design incorporates a mix of unit sizes as required by policy H7 of the Adopted Local Plan. The density of development (36dph) is appropriate.

Policy HE5 of the Adopted Local Plan requires new development to preserve or enhance the character and appearance of the area. It is considered that the proposal responds sympathetically to the settlement pattern and local features within the area. The height, scale, mass and use of materials relates well to nearby buildings and to the character of the area.

Parking provision at the site is considered to be acceptable and the development will not have a detrimental impact upon highway safety. A financial contribution towards public open space has been received in accordance with policy RT4

Layout / Design

The design and layout of the proposal is considered to be acceptable. The retention of the open area to the front of the site is an important feature within the area. The use of the existing hedging and retention of the grass verge and Lime trees adjacent to the carriageway will ensure that the open nature of the Avenue is maintained and vehicles parked within the site are appropriately screened and visually softened.

The replacement building has been sited so that it aligns with Bishops Fair and Chilcombe St Mary. Due to the bulk and size of Chilcombe St Mary and the projecting element towards the highway the neighbouring building will continue to be visually dominant when the application site is viewed from the road to the north east.

The proposed rear elevation sits slightly beyond the rear elevation of Chilcombe St Mary to the east. The two, five bedroom dwelling houses are served by well proportioned rear garden areas that are appropriate in relation to the size of the dwelling. The apartments are served by

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significantly smaller garden areas (8m x 4.3m) within the eastern section of the site. The gardens are large enough to accommodate a table and chairs and other garden furniture and will meet the needs of the future occupants.

The design and appearance of the front elevation is considered to be acceptable. The elevation is generally symmetrical and features strong recessed gable features and a recessed central gable feature. The use of cat-slide roofs (providing two and a half storey accommodation) to either side of the main three storey element is considered to reduce the bulk of the building and lessen the visual appearance of the main three storey element.

The cat-slide roofs (i.e. pitching the roof away from the boundaries) also create an acceptable amount of “visual breathing space” around the building in relation to the neighbouring dwellings. Whilst the replacement building is taller than the existing dwelling-house (existing ridge height 95.91 – proposed ridge height 98.10) the building will not appear to be overbearing within the street-scene and will incorporate a ridge height that is 0.74m lower than the ridge serving Chilcombe St Mary (ridge height 98.84). The use of pitched roofs above the ground floor garages and open covered parking area will ensure that these features do not dominate the front elevation.

The rear elevation is attractive and has a degree of symmetry. The rear elevation is primarily two and a half storey in height with strong dormer features. The rear windows are aligned and well proportioned with two glazed bays at ground-floor level.

It is proposed that white timber frames are used, with a red facing multi brick and natural slate roof. The materials are considered to be appropriate within the Conservation Area.

Impact on character of area and neighbouring property

The proposed development is not considered to harm the appearance and character of the area. The replacement building is sympathetic to neighbouring buildings and respects the street-scene.

The applicant has demonstrated through the submission of a Contextual Analysis and Design Statement that the proposal is appropriate within the site’s context. The proposal accords with the St Giles Hill Neighbourhood Design Statement. Recommendation 4 (Linear Spaces) states that the informal soft verges should be respected and existing boundaries such as hedges retained, the proposal accords with this requirement. With regard to recommendation 5 (Settlement Pattern), the building proposal avoids a building of uniform height and mass and the character of the area is respected. The relationship with the neighbouring Victorian building is acceptable. The proposal is subservient to this building and allows adequate space around the building. The use of strong gable elements and good quality materials is also supported.

Recommendation 6 (Positioning) requires that important glimpses are preserved. The statement identifies that the gap between the application site and Chilcombe St Mary is important and should be preserved. At the current time, the gap is occupied by a holly tree and allows a clear view of the chestnut tree within the rear garden of Chilcombe St Mary. The proposal incorporates a roof that is pitched away from the gap and preserves the open space / view. It is proposed to remove the holly tree as part of this scheme, doing so will allow clearer views of the chestnut tree

With regard to recommendation 9 (Bulk of buildings) it is considered that the proposal is acceptable because the scheme will provide a good visual transition in terms of height and scale from the Victorian building to the east and more modern detached house to the west. The proposed building will not visually dominate either of the existing buildings. It is considered that in this instance there is justification to allow a building with a three storey element.

Recommendation 10 (Roofs) requires that new development schemes do not obstruct important views and use natural materials. The proposed development accords with this guidance.

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Amenity Considerations.

With regard to the relationship with the windows serving the side elevation of Chilcombe St Mary, the use of a roof that is pitched away from the building will not significantly alter the existing relationship in terms of prominence or loss of light. Whilst the proposed side elevation is larger, it is considered that the development will not result in an overbearing relationship. The proposed roof-lights within the side elevations will not give rise to unacceptable levels of overlooking because the windows serve landings and stair cases.

With regard to the potential for overlooking upon the garden area to the rear of the application site serving Deneview, it is considered that the existing rear boundary treatment (to be retained) and leylandi hedge within the side garden of Deneview, provide adequate screening to protect the private patio area. It should be noted that this garden area is already partially overlooked by the rear windows serving Barnaby and Chilcombe St Mary. The new proposal will introduce two windows serving bedrooms and two windows serving bathrooms at third floor level and the existing relationship will not be fundamentally or detrimentally altered.

It is considered that because the proposed rear garden areas are between 16.6m and 19m long, there is strong existing boundary treatment, the proposed development will not appear to be overbearing or out of character from Deneview to the rear or from Stratton Road to the south.

Oblique overlooking from the rear windows serving the proposed dwelling is likely to take place upon the lower section of the gardens to either side of the site. This form of overlooking currently exists and is common within urban areas.

Landscape/Trees

The applicant has submitted a full Arboricultural Method Statement / Appraisal with regard to the relationship with the adjacent chestnut tree (protected by a TPO) within the rear garden area Chilcombe St Mary. The tree officer is satisfied that the proposal will not harm the root protection area or canopy of this tree. The scheme will require the loss of a lime tree within the existing garden, this is considered to be acceptable and it is felt that due to the size of the development and prominence of existing vegetation a replacement tree is not required in this instance.

Highways/Parking

The proposed parking and turning facilities are considered to be acceptable and the development will not harm highway safety. Due to the location of the site in relation to the city centre it is considered that a parking provision of 2 bays per dwelling and 1 bay per apartment is acceptable.

The amount of anticipated traffic movements created by the proposed development is considered to be acceptable and there is not a requirement for the applicant to contribute towards local highway works.

Recommendation

Application Permitted subject to the following condition(s):

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).

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2 Prior to the commencement of works a sample panel of external facing brickwork shall be constructed and samples of roofing materials submitted for the consideration of the Local Planning Authority. When a panel has been completed and roofing samples meet with the approval of the LPA and such approval has been confirmed in writing, then the development hereby approved shall be finished in a manner identical to the approved panel. Details of the proposed garage doors shall be submitted to and applied in writing by the Local Planning Authority. Details of the proposed garage doors shall be submitted to and approved 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.

3 The window and door frames and railings serving the balcony upon the front elevation shall be timber unless otherwise agreed in writing by the Local Planning Authority. The windows shall be recessed by 100mm in relation to the face of the brickwork, unless otherwise agreed in writing by the Local Planning Authority. The eaves, barge boards and dormer surrounds shall be constructed from Timber unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a high standard of design and construction.

4 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 or dormers other than those expressly authorised by this permission shall, at any time, be constructed in the building hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

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

5 The Flintstone wall upon the boundary with Chilcombe St Mary shall be retained unless otherwise agreed in writing by the Local Planning Authority. Should the wall be damaged or collapse the wall shall be rebuilt to its original standard. Full details of the re-build / repair shall be submitted too and approved in writing by the Local Planning Authority before repair works begin. Repair works shall fully adhere to the approved details.

Reason: In the interests of preserving the character and appearance of the Conservation Area.

6 The four Lime trees and hedge located adjacent to the highway shown on plan 624/06 shall all be retained. If the trees should be damaged, removed, become seriously diseased or die, they shall be replaced within the next planting season. Unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of preserving the character of the area and street-scene.

7 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference MILL/1440d written by Bill Kowalczyk Associates and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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 Method Statement reference MILL/1440d. Telephone 01962 848317.

The Arboricultural Officer shall be informed prior to the commencement of any construction within the Root Protection Areas of retained trees. Telephone 01962 848317.

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No arboricultural works shall be carried out to trees other than those specified and in accordance with Method Statement reference MILL/1440d

Any deviation from works prescribed or methods agreed in accordance with Method Statement reference MILL/1440d shall be agreed in writing to the Local Planning Authority.

Reason: In the interests of tree protection and in the interests of protecting the character of the area.

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;
- hardsurfacing materials;
- the appearance (elevations) of the bin store;

Soft landscape details shall include the following as relevant:

- planting plans;
- written specification (including cultivation and other operations associated with plant and grass establishment:
 - schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
 - implementation programme;

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

9 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.

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

10 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.

11 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.

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12 No materials shall be stored on Northbrook Avenue during the construction period. No plant or construction vehicles shall be stored outside of construction working hours upon Northbrook Avenue unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in the interests of the amenity of the occupants of Northbrook Avenue.

13 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.

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

14 Prior to the commencement of works a sample panel of external facing brickwork shall be constructed and samples of roofing materials submitted for the consideration of the Local Planning Authority. When a panel has been completed and roofing samples meet with the approval of the LPA and such approval has been confirmed in writing, then the development hereby approved shall be finished in a manner identical to the approved panel.

Reason: To preserve the character and appearance of the conservation area, in accordance with Policy HE.5 of the Local Plan and PPG15

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:-

Winchester District Local Plan Review 2006: DP1, DP3, DP4, HE1, HE2, HE4, HE5, HE6, HE7, H7, RT4, T1, T2, T3, T4, W1

3. It is advised that an Ecologist is present when existing roof tiles and cladding are removed to look for the presence of bats at the site.

4. The applicant is advised the Conservation Area Consent is required for the demolition of the existing building before development can commence.