
Appeal Decision

Site visit made on 31 January 2017

by R J Marshall LLB DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 February 2017

Appeal Ref: APP/L1765/D/16/3165728

Kilchelwin, 41, Wesley Road, Kingsworthy, SO23 7PX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Limburn against the decision of Winchester City Council.
 - The application Ref 16/02518/HOU, dated 29 September 2016, was refused by notice dated 7 December 2016.
 - The development proposed is amendment to approved planning application 15/02895/FUL to allow for second floor dormer on rear elevation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The appeal property is one of a small group of detached houses in a cul-de-sac of 1980s style properties that in turn lies within an estate of houses of broadly the same period. Permission has been given to extend the property, 15/02895/FUL. Work has been carried out in connection with this, and also under permitted development rights. Amongst other things the works permitted under the planning application included a single-storey rear extension with a pitched roof with a gable end, and 3 dormers in the roof space. The proposal before me is solely for the construction of one large dormer window at the rear of the house to replace 2 of the small dormers that have been permitted.
4. The proposed dormer would be a substantial structure with a triangular shape roof form. Although set reasonably well up from the eaves line the uppermost part of the dormer would be almost at the ridge height of the main house. In addition it would extend across a substantial width of the property. As such it would appear a dominant and intrusive roof structure in a way that the 2 smaller permitted dormer windows would not. The fact that the roof of the proposed dormer would broadly accord with the shape of the roof on the single-storey extension would not make it appear more acceptable.

5. Being at the rear of the house and with reasonably good tree cover in the vicinity the proposed dormer would be rather less visible than were it at the front of the house. However, it would be seen from the rear garden of the adjoining property to the west. It would also, notwithstanding the tree cover, be readily seen in the winter months from an open space to the north and to a lesser degree from a road to the north-east. As such it would be visible to an extent that the harm caused to the character and appearance of the house would also reflect adversely on the character and appearance of the wider area. This would be so notwithstanding the height and setting of adjoining houses in relation to the appeal property.
6. The adjoining plot to the east, number 43, has had a substantial two-storey extension to the rear with a pitched roof with a gable end. However, notwithstanding a similarity in roof form this extension is a markedly different form of development to that proposed by the appellant. Hence it does not support the proposal before me.
7. Reference has been made to many "triangular" roof forms in this settlement and wider afield, and also to the Council's *High Quality Places Supplementary Plan Document 2015 (SPD)* which makes favourable reference to various forms of development containing such roof forms. However, none of the examples referred to replicate precisely the proposal before me, in terms of setting and design, which stands to be considered on its individual merits. I note from the appellants' submissions that the Council has permitted some large, and on the face of it, what appear to be rather intrusive flat roof dormers in its area. However, without more information on their planning background, and the location of the properties, I attach limited weight to these decisions. Examples given of side extensions permitted by the Council have little relevance to the scheme before me.
8. Had permitted development rights not been removed it is said that the proposed dormer could have been built without the need for planning permission. However, this does not alter my view on the harm that the proposal would cause.
9. It is concluded that proposed development would detract from the character and appearance of the surrounding area. As such it would be contrary to Policies DP3 of The Local Plan 2006 and DM15 of the emerging Local Plan Part 2 which require new development to respond positively to the character and appearance of the area..
10. I note the appellants' allegations of inconsistent handling of the application by case officers and other aspects of the decision making process. However, I come to this case afresh and my decision is made on the basis of what I have read and seen.

Conclusion

11. For the reasons given above it is concluded that the appeal should be dismissed.

R J Marshall

INSPECTOR