



Appeal Decision

Site visit made on 9 March 2023

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd April 2023

Appeal Ref: APP/L1765/D/22/3309108

10 Castle Rise, Kings Worthy, Hampshire, SO23 7NX

- 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 H Gross against the decision of Winchester City Council.
 - The application Ref. 22/00876/HOU, dated 23 April 2022, was refused by notice dated 9 August 2022.
 - The development proposed is loft conversion, with 2no dormers to the front elevation and 3no. Velux to the rear elevation and removal of chimney between No 9 & 10 Castle Rise.
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Decision

1. The appeal is allowed and planning permission is granted for proposed loft conversion, with 2no dormers to the front elevation and 3no. Velux to the rear elevation and removal of chimney between No 9 & 10 Castle Rise at 10 Castle Rise, Kings Worthy, Hampshire, SO23 7NX, in accordance with the terms of the application, Ref. 22/00876/HOU, dated 23 April 2022 and the plans submitted with it, and subject to the conditions listed below.
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and otherwise be as shown in the Application Form.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plan: Planning002.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area.

Reasons

3. Policies MTRA2 and CP13 of the Winchester District Local Plan Part 1 – Joint Core Strategy (March 2013) (LPP1), referred to in the reason for refusal, seek, amongst other requirements, to ensure that new development is appropriate in terms of its scale and design, and is of a high quality of design. Reference has also been made to policies DM15 and DM16 of the Winchester District Local Plan Part 2 – Development Management & Site Allocations (April 2017) (LPP2), which seek, amongst other requirements, to ensure that new development

respects features that contribute towards local distinctiveness, that extensions have regard to the existing building's character and appearance and do not over dominate. A broadly similar approach is set out in paragraph 130 of the National Planning Policy Framework (July 2021) (Framework), but this paragraph also states that being sympathetic to local character should not prevent or discourage appropriate innovation or change.

4. The Council have also referred to its High Quality Places Supplementary Planning Document (March 2015) (SPD). Whilst neither its reason for refusal or Delegated Report include specific references within this document, I have assumed that the relevant guidance is that set out in paragraphs 8.27 – 8.29 and 'Guideline E5' of the SPD, which relate to 'Dormer Windows'. This advises that dormers should be: well designed and not overscaled: should not dominate the roof; be well proportioned and sit comfortably on the roof; include materials that relate to the existing building; are centrally located and well related to existing fenestration.
5. The SPD provides, of course, local guidance and whilst it has been adopted it predates the Framework and the National Design Guide (NDG) (January 2021). The latter reinforces the Framework, for example, at paragraph 44 by emphasising that well designed places do not need to copy their surroundings and that it is appropriate for new development to include innovation and change to reflect how we live today.
6. The appeal proposal involves the installation of two dormers within the main roof plane to the front elevation of the host property, three Velux windows on the rear roof plane and the removal of the chimney between the host and 9 Castle Rise.
7. Within the above context, I am satisfied that the proposed Velux windows on the rear elevation are acceptable and would not lead to any harm to the character and appearance of the host or surrounding area. Similarly, the removal of the shared chimney is, in my, view acceptable. As I observed on site the chimneys to 1 and 2 Castle Rise have been removed and their loss has not led to any harmful impact on the character and appearance of those properties or the wider area. In this respect, I note that the Council's Delegated Report states that the loss of the chimney would not on its own be "*significantly visually harmful*", but that it would exacerbate the alleged detrimental impact of the new dormers.
8. The proposed dormers on the front elevation would be sited centrally within the roof plane, with the gabled ridge to both in line with the existing main ridge to the host. The new dormers would also be sited well above the exiting eaves and set well back from the edges (sides) to the main roof. Whilst the dormers would not be aligned with the existing windows below, the new windows and tile hanging to the dormers would match existing. As such, the proposed dormers would not appear out of keeping with the host property or the character of the surrounding area.
9. I accept that the proposed dormers would result in a change to the appearance of the host property. However, I disagree with the Council and consider that the new dormers would be proportionate and subservient to the host, that they would not dominate or appear top heavy and would not result in an incongruous form of development. The new dormers would sit reasonably comfortably on the front roof plane. Although they would not be symmetrical

with the existing windows below, this factor alone would not result in any significant harm to the host or to the character and appearance of the area. In any case, the unconventional design of the existing windows on the front elevation prevent the ability to properly align the new dormers with these, but as I confirmed this does result in any harm given the overall design, scale and siting of the dormers.

10. Similarly, I do not consider that the introduction of the new dormers would result in any harm when viewed in the context of the hosts semi-detached neighbour or the remaining similar semi-detached properties on Castle Rise. Although these properties have a simple and largely unaltered form, the proposed dormers would not detract from that existing quality and on the contrary would add further interest and detailing to the host property and streetscene.
11. Moreover, dormer windows are a commonly used and successful design feature of loft conversions, enabling more headroom and an improved aspect to the new internal accommodation to be provided. Although there would be some conflict with the advice in the SPD, as the proposed dormers would not be symmetrical with the windows below, for the reasons set out above that conflict is, in my judgement, minor. In all other respects the appeal proposal would accord with the SPD. Whilst, as with similar guidance, the SPD should be applied flexibly taking into account the individual circumstance of the case, I also note that the figures and photographs within the SPD showing appropriate dormers appear to include well proportioned dormers on front elevations, as proposed.
12. Accordingly, I find that the appeal proposal would comply, in this respect, with policies MTRA2 and CP13 of LPP1, policies DM15 and DM16 of LPP2, the SPD guidance and the corresponding policies of the Framework.

Conditions

13. I have considered the Council's suggested conditions against the advice in the Framework and the Planning Practice Guidance chapter on the use of planning conditions. A condition requiring compliance with the submitted plans and for materials to match existing or otherwise be as shown on the Application Form are necessary and reasonable to secure a high-quality development. I have, however, added reference to the approved plan for clarity.

Conclusion

14. For the reasons given above and having taken all the matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR