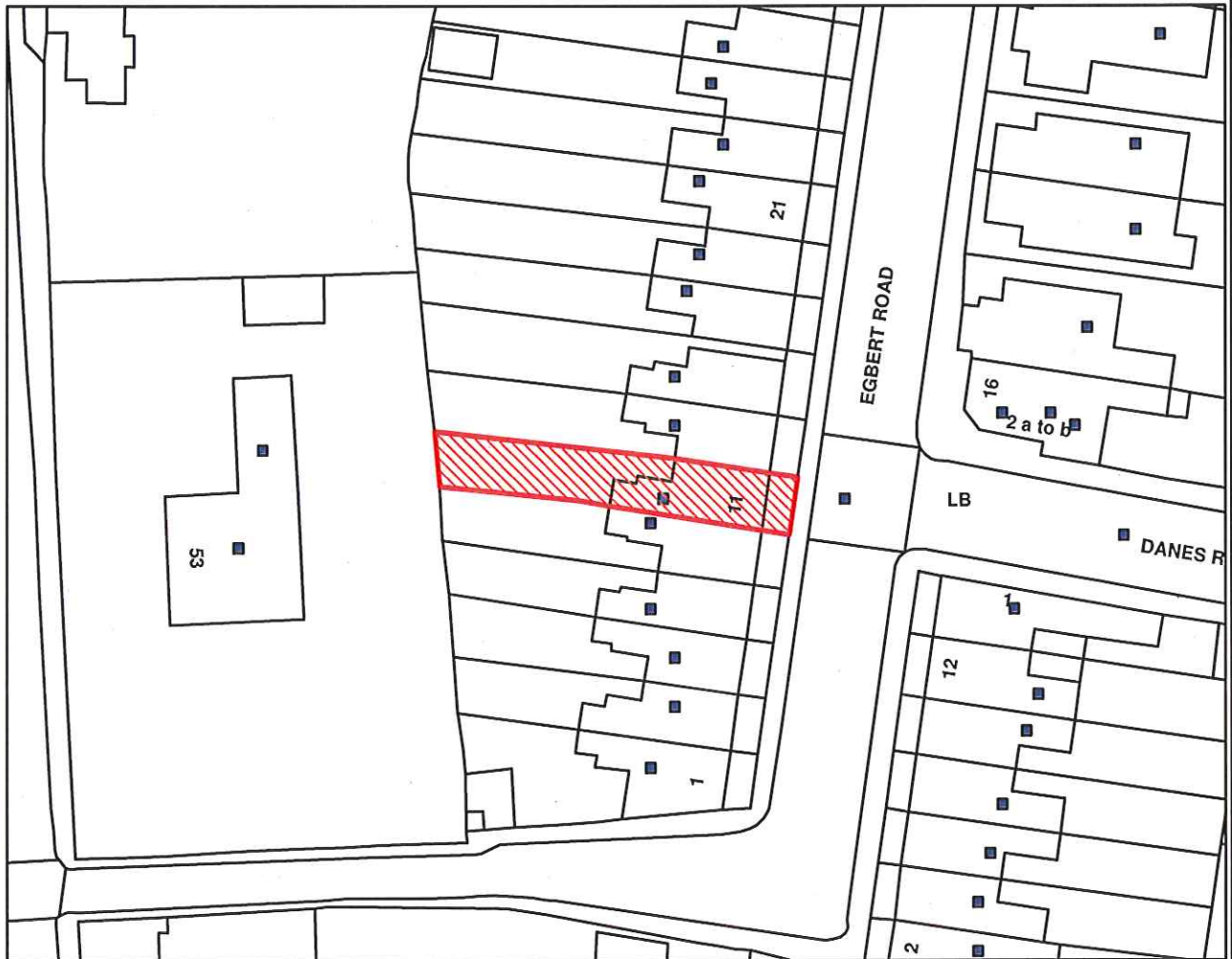


# 11 Egbert Road SO23 7ED



**Winchester**  
City Council

14/00585/Ful



## Legend

**Scale:** 0 0.005 0.01 0.02 KM

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Winchester City Council
Department	Winchester GIS
Comments	
Date	22/05/2014
MSA Number	100019531

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

**Item No:** 4  
**Case No:** 14/00585/FUL / W23109/02  
**Proposal Description:** (HOUSEHOLDER) Amendment to permitted planning permission -13/01967/FUL Loft conversion with pitched dormer to rear elevation; change in dormer size and pitched roof (RETROSPECTIVE)  
**Address:** 11 Egbert Road Winchester Hampshire SO23 7ED  
**Parish, or Ward if within Winchester City:** St Bartholomew  
**Applicants Name:** Mr And Mrs Buchan-Smith  
**Case Officer:** Trish Price  
**Date Valid:** 14 April 2014  
**Site Factors:** Winchester Conservation Area  
  
**Recommendation:** Application Permitted

**General Comments**

This application is reported to Committee at the request of Councillor Hiscock, whose request is appended in full to this report

This is a resubmission following approval of 13/01967/FUL as changes were required to the approved dormer window whilst under construction and it was found that the original plans did not show the correct pitch of the existing out shot roof ridgeline.

**Site Description**

This is a mid terrace dwelling of red brick and slate with a projecting bay window at ground level and a recessed porch, characteristic of the area. A low brick wall encloses a small front garden. To the rear of the property is a garden enclosed by high panel fencing with a small shed on the western boundary. To the rear of the western boundary are tall conifer trees. The site is located within the Winchester settlement boundary and the Hyde Conservation Area.

**Proposal**

Amendment to permitted planning permission – 13/01967/FUL. Loft conversion with pitched dormer to rear elevation; change in dormer size and pitched roof (RETROSPECTIVE)

**Relevant Planning History**

13/01967/FUL - Loft conversion with pitched dormer to rear elevation. Permitted 28 October 2013  
13/02810/NMA- (MINOR AMENDMENT to Planning Permission 13/01967/FUL). Loft conversion with pitched dormer to rear elevation; Adjustment to lower roof. Rejected 24 January 2014

**Consultations**

Head of Historic Environment: No objection to original proposal under ref. 13/01967/FUL

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

**Representations:**

City of Winchester Trust: No comment

Neighbour Representation = Two letters of objection raising the following issues:

- The dormer looks straight into one of our bedroom windows – request opaque glass if possible; did not comment on the original application as did not realise the size or direction of the window;
- The right hand side wall of the dormer is much higher than depicted on the plan
- The right hand side of the dormer comes over on to our side of the party wall whereas the plan implies that it does not the ridge of the dormer is higher than the original main ridge of the house
- The window in the dormer is different to the one depicted on the plan
- The overhang at the gable end of the dormer is much greater than depicted on the plan
- The plans do not show that the external look of our property has been altered by the removal of some of our ridge tiles and the covering up of some of our roof tiles by lead sheeting
- The dormer as built is longer from front to back than as depicted on the plan. We also wonder whether it is not compliant with meets the planning requirement for roof extensions to be set back at least 20cms from the eaves of the main roof.

**Relevant Planning Policy:**

Winchester District Local Plan Review

Policies DP3 and HE5

Winchester Local Plan Part 1 – Joint Core Strategy

Policy CP20

On 11 February 2013 the Council received confirmation from the Planning Inspector dealing with the Council's new Local Plan that the Winchester Local Plan Part 1 - Joint Core Strategy (LPP1) is sound subject to the Council accepting a number of modifications recommended by him. On 20<sup>th</sup> March 2013 the Council formally adopted the plan incorporating the Inspector's changes.

The policies set out in the LPP1 now form part of the development plan of the District and therefore applications must be determined in accordance with this plan unless material considerations indicate otherwise. Some policies in the 2006 Local Plan remain saved, even though the LPP1 has been adopted, and they deal primarily with detailed matters or with development management issues and these also form part of the development plan.



WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

In due course these saved policies will be replaced by policies in Winchester Local Plan Part 2.

## **Planning Considerations**

### Principle of development

The site lies within the settlement boundary of Winchester as defined in the Local Plan and therefore the principle of extending residential properties is acceptable subject to the proposals according with the relevant planning policies. Policy DP3 seeks to ensure that new development responds positively to the character of the area and that development does not have an unacceptable impact on the adjoining land uses or property. Policy HE.5 states that extensions and alterations to buildings within conservation areas should respect the character, scale and plan form of the original building and in the case of an extension it should be subordinate to it and not dominate principal elevations. These issues are explored in subsequent paragraphs.

It is also noted that planning permission was granted for a dormer window of a size, scale and design similar to the current proposal in October 2013 (13/01967/FUL relates) and this is a material planning consideration when assessing the current proposal.

### Impact on character and appearance of the Conservation area

The original permission for the dormer window was implemented. When the dormer window was under construction it was found that the roof to the rear outshot of the existing house, was 250mm lower than anticipated as shown on the approved plan and different to the pitch of the main roof and this has resulted in slight variations to the position and resulting visibility of the structure. Other changes to the permitted dormer include an increase in size of the glazed section of the window and the fascia is now shown with a "box shape" rather than slightly wider than the side wall of the dormer (this is on the north side, as the fascia has been removed from the south side, where it overhung the neighbouring property).

Because of the angle of the outshot roof it does appear that more of the dormer window is visible with the sides of the dormer, now longer than originally represented. However, the proposal is not visible from the public realm and is not considered to be significantly different to the permitted dormer. Furthermore the dormer structure is similar in size and appearance to a further dormer window constructed at number 5 Egbert Road.

Notwithstanding the angle of the outshot and the visibility of the dormer to the rear, it is not considered the proposal has a significantly detrimental impact on the character of the Conservation Area to warrant the refusal of permission.

### Impact on neighbours

The south side of the dormer window has been constructed to the line of the ridge of the outshot roof. This has required the replacement of the ridge tiles, and covering up of some of the roof tiles with lead sheeting on the attached neighbouring roof, number 9. The concerns of the neighbour are noted but these issues are civil matters over which planning legislation has no control.

Because of the inaccuracy of the drawings supplied with application 13/01967/FUL, the

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

neighbour can now look onto the side of the dormer from their rear roof light but this would have been largely the case under the consented scheme. However, whilst the concerns of the neighbour are noted, it must be determined whether the application as built results in significant detriment to their amenities.

In terms of overlooking from the rear dormer window of the neighbouring gardens it is considered that given the distance and tree screening to the neighbour to the rear, a requirement for obscure glazing is not justified as the degree of overlooking is not considered detrimental to residential amenity and this was also not sought through the original planning permission.

As with application 13/01967/FUL it is not considered that the proposal will result in a significant loss of light, privacy or be overbearing to the neighbouring properties.

Conclusion

Overall, whilst it is acknowledged that the application was not built in accordance with the original planning application, the resubmission is not in planning terms considered to cause any harm to the character of the area or residential amenity to warrant a recommendation of refusal. No conditions are proposed as the development has been implemented.

**Recommendation**

Application Permitted

**Informatives:**

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

Winchester District Local Plan Review: DP3 HE5

2 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,

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

**Jacky Wilson**

---

**From:** Cllr Dominic Hiscock

**Sent:** 25 April 2014 17:03

**To:** Trish Price

**Subject:** 11 Egbert Road

Dear Trish

I see Loftplan have finally put in an application to regularise their mistake at their above address.

I have been asked by the residents at 9 Egbert road if I would represent them and get the matter put right so that it is not detrimental to their property.

Therefore, I am afraid I would like the decision to go to committee for decision. It feels to me that the builder has not worked to the plans that were allowed when the planning permission was granted and has taken the easy way out without taking notice of the law. If the plans were wrong that is not the fault of the neighbour but the builder who drew the plans up. I am not comfortable with the idea that because something has been done already we as a council should just ignore it and let people get away with flouting the law. If we do that it could be seen to reduce our authority.

Best wishes

Dominic Hiscock

Councillor

St Bartholomew Ward.