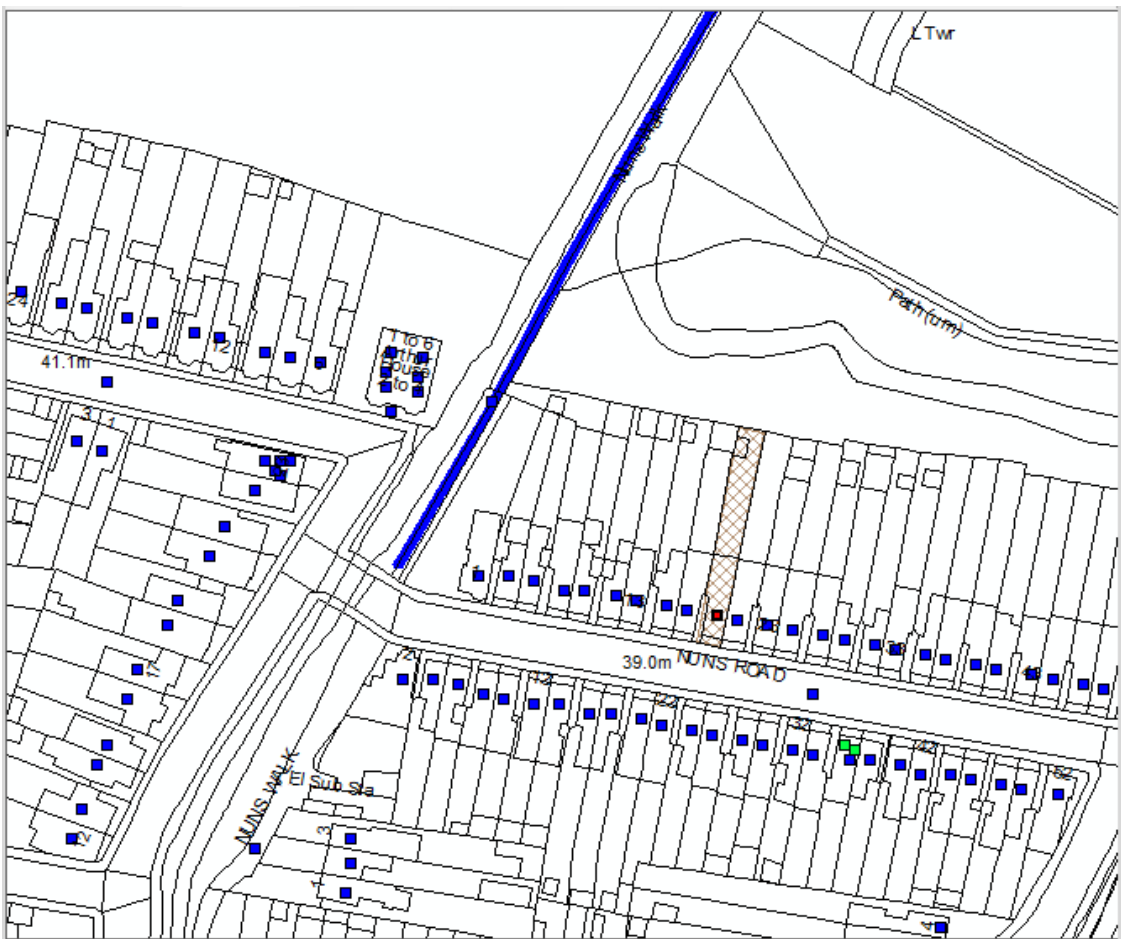


WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 22/02279/HOU  
**Proposal Description:** Dormer Roof Extension  
**Address:** 19 Nuns Road Winchester Hampshire SO23 7EF  
**Parish, or Ward if within Winchester City:** St Bartholomew  
**Applicants Name:** Mr & Mrs Churchill  
**Case Officer:** Eva Bryant  
**Date Valid:** 11 October 2022  
**Recommendation:** Application Refuse  
**Pre Application Advice:** No

**Link to Planning Documents**

<https://planningapps.winchester.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>



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**Reasons for Recommendation**

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The development is recommended for refusal as it is considered that by virtue of its design, scale and massing would be out of character with, and visually dominate the existing dwelling and this area of the Conservation Area. It is therefore contrary to Policies DS1 and CP20 of the WDLPP1, Policies DM15, DM16 and DM27 of the WDLPP2, and Section 8 of the High Quality Places SPD.

### **General Comments**

The application is reported to Committee because of the number of representations of Support, received contrary to the Officer's recommendation.

### **Amendments to Plans Negotiated**

Amended plans received on the 19<sup>th</sup> December 2022, showing a re-ordering of the fenestration on the proposed dormer, in order to address comments by the City of Winchester Trust. Due to the limited nature of the changes it was not considered that re-advertising was required.

### **Site Description**

The application site is a red-brick semi-detached Victorian property within the Hyde area of the Winchester Conservation Area. It is close to the city centre as well as the River Itchen and the open space of the North Walls Recreation Centre. The rest of the row and surrounding area is characterised by similar terraces and semi-detached dwellings. A national right of way, Nuns Walk, runs to the north-west of the site and a footpath runs at the rear of the site across the recreation area.

### **Proposal**

This application is for a large dormer extension on the rear roof elevation. The dormer will fill the rear roof slope and will be clad in slate tiles.

An existing loft conversion provides an existing bedroom which is proposed to be expanded as a result of this development. No additional bedrooms are therefore proposed and no changes to parking provision are involved.

### **Planning History**

**93/01578/OLD** – Demolition of chimney rear elevation. Permitted 21.09.1993.

**01/01235/FUL** – Loft conversion with rear dormer. Refused 29.06.2001. Appeal dismissed 06.12.2001.

**01/02998/FUL** – Loft Conversion with rear dormer. Refused 25.02.2002.

**09/00837/FUL** – Single storey rear extension. Permitted 23.06.2009.

### **Consultations**

None

### **Representations:**

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City of Winchester Trust:

*- The existing hotchpotch of roof lights on the front elevations of houses in Nuns Road makes it difficult to justify any objection to adding one more to the mix. There is no objection to the proposal in principle although the Trust feels that the fenestration of the dormer window to the rear was clumsy and could be reconsidered.*

6 Supporting Representations received from different addresses citing the following material planning reasons:

- Will not impact views from Nuns Road
- Only limited views from the Nuns Walk and the recreation ground footpath
- A number of rear extensions exist on the north side of Nuns Road
- There are similar loft extensions in the area, some of which are visible from the road

### **Relevant Government Planning Policy and Guidance**

#### National Planning Policy Framework

Section 16 of the National Planning Policy Framework 2021

#### National Planning Legislation

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

#### Winchester Local Plan Part 1 – Joint Core Strategy (LPP1). DS1 – Development Strategy and Principles

DS1 – Development Strategy & Principles

CP13 – High Quality Design

CP20 – Heritage and Landscape Character

#### Winchester District Local Plan Part 2 – Development Management and Site Allocations

DM15 – Local Distinctiveness

DM16 – Site Design Criteria

DM17 – Site Development Principles

DM27 – Development in Conservation Areas

DM28 – Demolition in Conservation Areas

#### Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Winchester Conservation Area Project (2002)

#### Other relevant documents

CLIMATE EMERGENCY DECLARATION CARBON NEUTRALITY ACTION PLAN 2020 – 2030

Statement of Community Involvement 2018 and 2020

Historic England Guidance

Historic Environment Good Practice Advice in Planning: 4

### **Planning Considerations**

#### **Principle of development**

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Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2021) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development is situated in the settlement boundary of Winchester, where the principle of development is acceptable, provided that the development is in accordance with the policies of the Development Plan and unless material planning reasons indicate otherwise.

**Assessment under 2017 EIA Regulations.**

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

**Impact on character and appearance of area**

The proposed development will be visible from the public realm on Nuns Road only by the introduction of one additional rooflight. This element of the proposal is not considered to have a materially adverse impact on the appearance of the property or surrounding area which would warrant refusal on its own.

However the majority of the proposed development will be concentrated on the rear roof elevation of the dwelling and this will still be visible from the public realm as the row backs onto an area of open land with a well-used footpath running to the north and a right of way running to the north-west of the site.

The High Quality Places SPD states that “The impact of dormers on the shape, form and character of the roof needs to be carefully considered”. At present whilst some loft extensions have been carried out in this row, primarily visible through the introduction of rooflights as well as pitched roof extensions to rear outshots, these are considered to be subservient in scale and do not dominate the roofscape.

The High Quality Places SPD also states that “dormer windows need to be well designed, which normally relies on ensuring that they are not overscaled and do not dominate the roof”, that “box dormers are nearly always overscaled and unsympathetic to the character of the host building”, and that “Very large dormers which dominate the roof are unlikely to be acceptable”.

The proposed development is a flat roof box dormer which will fill the rear roof elevation. It is a substantial structure which will appear incongruous, over-scaled and will have a jarring effect on the symmetry of the existing roofscape. This disproportionately large dormer does not respond sympathetically to the character of the original building or the wider row. As such it does not comply with CP13 of the WDLPP1 or DM15 and DM16 of the WDLPP2 which require new development to respond positively to the character of the surrounding area.

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Previous schemes for dormers have been refused at this site in 2001 and 2002, with an appeal for the same dismissed in 2001. In this dismissal the inspector considered that the proposal would “not only harm the appearance of this particular property, but would also represent an oppressive and dominant feature when seen in the context of the rear of the row of houses.” This decision is a material planning consideration and it is not considered that the character of the site or terrace has since changed to a degree which would limit its relevance.

The proposed dormer extension is considered to be out of proportion to the original dwelling, disruptive to the surrounding roofscape and does not respond positively to the character of the site and surrounding area. As such it does not comply with policies DS1 and CP13 of the WDLPP1, Policies DM15 and DM16 of the WDLPP2 and Section 8 of the High Quality Places SPD.

### **Development affecting the South Downs National Park**

The application site is located 285m from the South Downs National Park

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2021. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

Due to its location within a built up area as well as its limited scale the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

### **Historic Environment**

The development is situated within the Winchester Conservation Area.

#### Relevant Legislation

The preservation or enhancement of the character or appearance of the conservation area (S.72 P(LBCA) Act 1990; Policies DM27 & DM28 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2021) Section 16.

#### Guidance

The consideration and assessment of due regard is required in relation to the relevant legislation and guidance.

As such due regard has been given to Section 72 of the Planning (Listed Buildings and Conservation Areas Act 1990) which states that special attention should be paid to the

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desirability of preserving or enhancing the character or appearance of the Conservation Area.

Policy CP20 of the WDLPP1 and Policy DM27 of the WDLPP2 ensure that development preserves and enhances heritage assets and Conservation Areas.

The proposed development will be visible from the public realm on Nuns Road only by the introduction of one additional rooflight. This element of the proposal is not considered to cause a level of harm to the character of the Conservation Area which would warrant refusal on its own.

A dormer window is proposed on the rear roof elevation of the dwelling and this will be visible from gardens, the public footpath running across open land at the rear of the row, as well as a public right of way running to the north-west of the site.

The dormer which is proposed is a flat roof box dormer which will fill the rear roof elevation. It is a substantial structure which will appear incongruous, over-scaled and will disrupt the existing roofscape of this part of the Conservation Area, particularly in views from neighbouring properties, the footpath and open space to the north of the site and from the right of way Nuns Walk.

Policy DM27 of the Local Plan (Part 2) states that “The treatment of the roofscape is... a crucial element in the overall design” due to the topography of the district. It is considered that the addition of a box dormer will be harmful to this part of the Conservation Area due to the highly visible nature of the site.

At the scale proposed the dormer will appear disproportionate in relation to the original dwelling and surrounding properties. This contravenes policy DM27 which states that within a Conservation Area “it is the scale, massing and disposition of buildings which provide the predominant character framework”. The box dormer proposed will obscure the original roof shape and fails to respond positively to or enhance the character of the original dwelling, the row, or this part of the Conservation Area.

DM28 also expects that demolition in a Conservation Area should only be considered acceptable where the proposed redevelopment will enhance the surrounding area. It is not considered that the proposed dormer will enhance the character of the conservation area and as such the demolition of the existing chimney stack does not comply with policy DM28 of the WDLPP2.

The proposed dormer extension is considered to be of a form, scale and massing which is disproportionate to the original dwelling, disruptive to the surrounding roofscape and harmful to this part of the Conservation Area. As such it does not accord with Section 72 of the Planning (LBCA) Act 1990, Policy CP20 of the Winchester District Joint Core Strategy, Policies DM27 and DM28 of the Winchester District Local Plan Part 2 Adopted 2017, and Section 16 of the NPPF (2021).

The Inspectorate gave weight to these considerations in dismissing the appeal previously, the weight to be attached to the siting of property in the Conservation Area and realistic and specific concerns of precedent exacerbating the harm should further developments proceed if the appeal was allowed.

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### **Neighbouring amenity**

The application site is part of a row of semi-detached dwellings with neighbours immediately to the east and west. However due to its position the proposed dormer will not have a materially overbearing or overshadowing impact upon neighbouring dwellings. Nor are the proposed windows considered to increase overlooking to a degree which would be considered unacceptable in this residential setting. As the proposal does not materially impact the amenity of neighbours it is considered to comply with DM17 of the WDLPP2.

### **Sustainable Transport**

An existing loft conversion provides an existing bedroom which is proposed to be expanded as a result of this development. No additional bedrooms are therefore proposed and no changes to parking provision are involved. Therefore the proposal complies with policy DM18 of the WDLPP2.

The site is located within the Air Quality SPD 1km buffer area but an assessment or statement is not required as the proposal does not meet the threshold.

### **Ecology and Biodiversity**

The proposal will have no impact as it is not development within, bordering or in close proximity to a European Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites) or is not overnight accommodation affecting Nitrates.

Due to the nature of the development and the distance between the application site and the European Protected Site of the Solent SAC and SPA and the River Itchen SAC, an Appropriate Assessment under the Conservation of Habitats & Species (Amendment) Regulations 2011 is not required.

Therefore the proposal complies with policy CP16 of the WDLPP1.

### **Equality**

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

### **Planning Balance and Conclusion**

Notwithstanding the limited impact of the proposed works on the principal elevation, and the use of appropriate materials, the proposed rear dormer is considered to appear over-scaled and to dominate the appearance of the dwelling in public views.

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As a result of its form, massing and scale it does not respond positively to the character of the original dwelling and will cause harm to the character of the site and to this part of the Conservation Area.

It therefore fails to comply with Policies DS1, CP13 and CP20 of the WDLPP1, Policies DM15, DM16, DM27 and DM28 of the WDLPP2 and Section 8 of the High Quality Places SPD, Section 72 of the Planning (LBCA) Act 1990, and Section 16 of the NPPF (2021).

**Recommendation**

The application is therefore recommended for refusal for the following reason:

1. The proposed development, by virtue of its design, scale and massing would be out of character with, and visually dominate the existing dwelling and this area of the Conservation Area. It is therefore contrary to Policies DS1, CP13 and CP20 of the Winchester Local Plan Part 1, Policies DM15, DM16 and DM27 of the Winchester Local Plan Part 2, and Section 8 of the High Quality Places SPD.

**Informatives:**

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

Policy DS1, CP13 and CP20 of Winchester District Local Plan Part 1

DM1, CP15, DM16 and DM27 of Winchester District Local Plan Part 2

The High Quality Places SPD

National Design Guide 2019

NPPF 2021.

2. In accordance with the NPPF 2021 Winchester City Council (WCC) has taken a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.