



Appeal Decision

Site visit made on 10 October 2017

by H Lock BA (Hons) DipTP MRTPI

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

Decision date: 25 October 2017

Appeal Ref: APP/C1950/D/17/3181281

97 The Ridgeway, Cuffley, Potters Bar, EN6 4BG

- 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 Mrs Stephanie Stokes against the decision of Welwyn Hatfield Council.
 - The application Ref. 6/2017/0778/HOUSE, dated 13 April 2017, was refused by notice dated 5 July 2017.
 - The development proposed is erection of two dormers to the rear of the property (one either side of the roof). Removal of all the chimney stacks. To the rear elevation the addition of a Juliet balcony to the first floor and bi-folding doors to the ground floor with a wooden awning over. Creation of in - out driveway with sliding gates to the front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for erection of two dormers to the rear of the property (one either side of the roof). Removal of all the chimney stacks. To the rear elevation the addition of a Juliet balcony to the first floor and bi-folding doors to the ground floor with a wooden awning over. Creation of in - out driveway with sliding gates to the front elevation, at 97 The Ridgeway, Cuffley, Potters Bar, EN6 4BG, in accordance with the terms of the application, Ref. 6/2017/0778/HOUSE, dated 13 April 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2680-PL01; 2680-PL02 A; 2680-PL03; 2680-PL04; 2680-PL05; 2680-PL06; 2680-PL07 A; and 2680-PL08 A.
 - 3) 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.
 - 4) The extension shall not be occupied until both dormer windows hereby permitted have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Both windows must be retained in that form thereafter.

Procedural Matters

2. The appellant's address is stated as being within Cuffley on the planning application form and decision notice, and Northaw on the appeal form. I have used that given in the original submission.
3. The description of development in the heading has been taken from the planning application form. However, in Part E of the appeal form a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

4. The main issues are (1) whether the proposal would be inappropriate development within the Green Belt (GB) for the purposes of planning policy set out in the National Planning Policy Framework (the Framework) and the development plan; (2) whether the proposal would affect the openness of the GB and the purposes of including land within it; and (3) the effect of the proposal on the character and appearance of the appeal property and the street scene.

Reasons

Whether the Proposal Constitutes Inappropriate Development

5. The appeal property is a detached 1½-storey dwelling in an established stretch of housing along The Ridgeway. Although located within the Metropolitan Green Belt, this part of the road appears built up, albeit set within a wider open landscape.
6. The Framework confirms that inappropriate development is, by definition, harmful to the Green Belt, but that the extension or alteration of a building is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. The Council has not identified any development plan policy or guidance that it applies to assess such developments, and the officer report and decision notice do not indicate any conflict of the proposal with national and local policies for the Green Belt. I also note the scale of the proposal relative to that for which planning permission has been granted under ref. 6/2015/2061/HOUSE¹ ('the 2016 scheme'), details of which are included in the appeal statement.
7. Having regard to the design and scale of the existing, proposed and approved extensions to the roof of the dwelling, I consider that the appeal development would be proportionate. Although visible in the street scene, this factor would not make the proposal disproportionate, and I conclude that the development would not constitute inappropriate development within the context of the Framework.

Openness of the Green Belt

8. As stated above, the appeal property is located in a residential area within the green belt, but although the wider area is characterised by its openness the development along The Ridgeway is reasonably close-knit. The proposed

¹ 6/2015/2061/HOUSE: Erection of two storey rear extension and first floor side extensions and alterations to roof – granted 27 January 2016

dormer windows would be confined to the existing roof slopes, which already provide first floor accommodation. In contrast to the 2016 scheme, this development would not extend over the garage and the proximity to the site boundary would not be reduced.

9. The Council's officer report does not raise any concerns regarding the proposed rear balcony, the changes to fenestration, the awning, and the proposed means of enclosure to the front garden. As the front garden is already partly paved and enclosed for vehicle parking, none of these aspects would reduce the sense of openness at the site or in the wider landscape.
10. I conclude that the proposal would have no material impact on openness in The Ridgeway and beyond, and would not cause harm to the openness of the wider GB or the purposes of its designation. In this regard there would be no conflict with the aims of the Framework.

Character and Appearance

11. The street scene of The Ridgeway is varied, but dormer windows are prevalent in the vicinity of the appeal site. There is a wide range in terms of the size, design and position of dormer windows. In this case, the proposed dormer windows would be comparable in size to that which exists on the eastern side roof slope of the property. Whilst I accept that they would be larger than those on the western side of the building, this in itself would not be out of keeping given the mix of dormer types and sizes found on other properties in the locality. Both new dormer windows would be sited towards the rear of the property, where the visual impact on the street scene would be less.
12. The inclusion of two further dormers would increase the scale and bulk of roof extensions at the property, and the result would appear more dominant than at present. However, I am mindful that the 2016 permission included a wide flat-roofed dormer window, albeit set in from the front and rear gables of an extended roof and below the main roof ridge. The 2016 scheme also included a side wing projecting from the western roof slope, but as a feature I do not find the proposed dormer window to be any more dominant or bulky than the approved wing.
13. I note the Council's concern that the addition to the eastern side in particular would 'read' cumulatively with the existing as a single large dormer window. However, whilst the perceived extent of the gap between the two dormers may be restricted in some views, I consider that the separation between the two would nevertheless be apparent. Whilst I accept that the roof form would be different, I find this arrangement to be equally appropriate to the dwelling as the single flat-roofed dormer included in the 2016 scheme.
14. The Council advises that the proposal would conflict with its Supplementary Planning Guidance, which amongst other criteria requires dormer windows to be subservient to the roof of the property, be in proportion to the existing fenestration, and to have cheeks at least 1 metre from the flank wall of the property or of the party wall with the adjoining property. Whilst the aims of the guidance are understood, it does not anticipate the design scenario set out in this appeal. The dormer windows would be set 500mm rather than 1 metre from the rear gable, but I do not find that this shortfall would be perceived in the street scene.

15. The appellant has drawn attention to examples of dormer windows and roof extensions along The Ridgeway, and these provide some context for the proposal. However, no details have been supplied of the planning permissions granted for these developments, or the circumstances of their construction. As such, it is not clear that they were assessed against the same national and local planning policies as proposed in this case, or indeed required any express planning permission. As such, whilst I have had regard to these examples, I have placed greater weight on the fallback position of the extant planning permission at the appeal site.
16. The Council does not oppose the removal of chimneys, the changes to fenestration, the awning, the inclusion of a 'juliet balcony', and the proposed wall and gates to the front of the property. I share the Council's conclusions on these elements.
17. I therefore conclude that the proposal would maintain the character and appearance of the appeal property and the street scene, and would accord with the aims of Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, which seek high quality design which respects and relates to the character and context of the area in which it is proposed.

Conditions

18. In addition to the standard time limit, I have attached a condition specifying the approved drawings as this provides certainty. It is also appropriate to control materials to match the existing dwelling, in order to safeguard the character and appearance of the development and the area.
19. With some modification to the Council's suggested wording I have attached a condition to fit and retain obscure glazing and to limit window opening, in order to prevent overlooking of neighbouring residents.

Conclusion

20. The National Planning Policy Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting and enhancing the built environment. A core planning principle of the Framework is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. For the reasons given above the proposal would comply with this principle and would be sustainable development supported through the Framework. As a consequence, I conclude that this appeal should be allowed.

H Lock

INSPECTOR