



Appeal Decision

Site visit made on 5 October 2020

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th October 2020

Appeal Ref: APP/C1950/W/20/3253628

20 Gresley Close, Welwyn Garden City, Hertfordshire AL8 7QB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr & Mrs Bouma Van Der Have against the decision of Welwyn Hatfield Borough Council.
 - The application Ref: 6/2020/0304/HOUSE, is dated 2 February 2020.
 - The development proposed is described as 'Alterations to the front and rear elevations to include new windows within the front roof slope and rear dormer and raising the roof height'.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to the front and rear elevations to include new windows within the front roof slope and rear dormer and raising the roof height at 20 Gresley Close, Welwyn Garden City, Hertfordshire AL8 7QB, in accordance with the terms of the application, Ref: 6/2020/0304/HOUSE, dated 2 February 2020, subject to the following conditions.
 - 1) The development hereby permitted shall commence not later than the expiration of three years beginning with the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans (or any approved non-material amendment to these plans): Drawings 1914/02-1 Rev D, 1914/02-2 Rev D, 1914/01-1, 1914/01-2, 1914/02-3 and 1914/OS

Preliminary Matters

2. An application for an award of costs was made by Mr & Mrs Bouma Van Der Have against Welwyn Hatfield Borough Council. This application will be the subject of a separate Decision. I have taken the description of development from the appeal form as this is the amended version agreed by the appellants. I have based my assessment of the proposal on the amended drawings submitted to the Council on the 26 March 2020.

Background

3. The Council failed to determine the planning application within the prescribed period and therefore the appellants exercised their right to submit this appeal.

The Council has confirmed that, had it been in a position to do so, it would have approved the planning applications subject to conditions.

Reasons

4. The appeal property is a detached modern house situated in a residential estate characterised by repeated house types. Rear box dormers are not commonplace in the area. Although set in from the sides of the roof, down from the ridge and up from the eaves, the proposed rear box dormer would be a large addition that would necessitate an increase in the ridge height of the dwelling. This would be contrary to the Council's Supplementary Planning Guidance which states that dormer windows should be contained in the roof slope and not extend beyond the ridge of the existing dwelling. In addition, the proposal would result in pronounced asymmetrical gable ends and would employ a flat roofed form that would jar with the existing roof shape.
5. However, the proposal would be to the rear of the property and therefore it would be a subtle addition to the street scene due to the screening provided by the small gaps between properties and the position of the existing chimney. Views of the proposal from the north would mainly encompass the side of the dormer and therefore it would be seen as a subtle addition. The proposal would not be prominent in views from the west and south because these views are filtered by landscaping, are oblique or are from a distance. Ridge heights in the street tend to vary slightly so the increased height would not appear strident in this instance. The reasonably modest roof windows would not dominate the front roof plane. Accordingly, the proposal would not harm the character and appearance of the area. In this respect, it would therefore adhere to the broad aims of the Council's Supplementary Design Guidance if not the detailed guidance on dormer windows.
6. There would be adequate separation distances between the box dormer and neighbouring properties to ensure the level of light entering these properties is not harmed and the extent of privacy and outlook preserved. The proposal would be sufficiently discrete in views from the Conservation Area to ensure its setting and significance would be preserved.
7. Consequently, for the reasons given, there would be no conflict with the relevant policies of the development plan, including Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, and I have therefore allowed the appeal.

Conditions

8. I have had regard to the advice in the Planning Practice Guide and the conditions suggested by the Council. Accordingly, it is necessary in the interests of certainty to impose a drawings condition.

Conclusion

9. The appeal scheme would adhere to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal succeeds.

Graham Chamberlain
INSPECTOR