



Appeal Decision

Site visit made on 12 January 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 February 2023.

Appeal Ref: APP/C1950/D/22/3309152

16 Burleigh Way, Cuffley, Potters Bar EN6 4LG

- 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 Gaspire Giambrone against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2022/1719/HOUSE dated 20 July 2022, was refused by notice dated 12 September 2022.
 - The development proposed is described as alterations to the roof including the insertion of a front dormer window, the enlargement of the existing side dormer window and the insertion of another side dormer window.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to the roof including the insertion of a front dormer window, the enlargement of the existing side dormer window and the insertion of another side dormer window at 16 Burleigh Way, Cuffley, Potters Bar EN6 4LG in accordance with the terms of the application, 6/2022/1719/HOUSE dated 20 July 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans, Drawing No's: 1576_300, 1576_301, 1576_303 and 1576_324.
 - 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.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area and the appeal property itself.

Reasons

3. The site is within a predominantly residential area. Some properties in the area have been extended or altered and designs of properties vary, notwithstanding this there is a harmony to design and materials of the properties within the immediate area.

4. The appeal property is a detached bungalow and has a small side dormer window. The proposal would increase the size of the side dormer window to cover the majority of the side roof slope, a similar dormer window is proposed on the other side roof. A dormer extension is also proposed to the front.
5. The Council's Supplementary Design Guidance (the SDG) states that dormer windows should be contained in the roof slope, be set in at least 1metre from the flank wall, and not extend beyond the ridge of the existing dwelling. The proposed development would not comply with the SDG.
6. Notwithstanding this, it is important to recognise that such guidance does not constitute a 'black and white' set of rules to be applied rigidly or exclusively when other material considerations indicate that an exception may be appropriate.
7. The proposal would add bulk to the modest size of the existing property. Nonetheless I observed during my site visit that properties in the area vary in terms of design, and that side and front dormer windows are a common design feature within the area. Whilst large, the dormers would be similar in terms of location, size and design to others within the immediate area.
8. Due to the similarities of the appeal proposal to others in the area I find that the proposed development would not harm the character and appearance of the area nor the appeal property itself.
9. There is no conflict with Policies D1 and D2 of the Welwyn Hatfield District Plan (2005) and Policy SP9 of the Welwyn Hatfield Borough Council - Draft Local Plan Proposed Submission August 2016 which seek amongst other things to ensure development is of high standard of design responding positively to the character and context of an area.
10. There is no conflict with the National Planning Policy Framework (2021) which seeks amongst other things to ensure developments are of good design appropriate and sympathetic to their surroundings.

Conclusion and Conditions

11. For the above reasons I conclude that this appeal should be allowed.
12. I have attached the standard time limit condition and a plans condition as this provides certainty. I have also added a condition concerning materials to ensure a satisfactory appearance.

C Pipe

INSPECTOR