



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: 13 February 2023

Appeal Ref: APP/C1950/D/22/3309116

123 Tolmers Road, Cuffley, Potters Bar EN6 4JW

- 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 and Mrs S and E Biggs against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2022/1619/HOUSE dated 8 July 2022, was refused by notice dated 2 September 2022.
 - The development proposed is described as erection of ancillary annex following demolition of existing garage
-

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The site is within a predominantly residential area with properties of varying form and design. The appeal site is located on the corner of Tolmers Road and High Ridge. The proposed development seeks to replace a modest detached garage which is sited to the rear of the plot currently accessed from High Ridge with an annex.
4. The appeal site is screened to a degree by a stepped brick wall rising in gradient from the corner of Tolmers Road up into the cul-de-sac, High Ridge.
5. The proposed development due to its design, scale and location would not appear to be functionally and physically associated with the existing property. Despite the proposed use as an annex, the proposed development would be considerably larger in size and would appear visually as a separate dwelling, accessed by a pedestrian gate from High Ridge. The proposed annex would be considerably smaller than other properties in the area.
6. The proposed development would appear cramped and prominent in the proposed position which is set forward of the building line of the adjacent property on High Ridge and closer to the highway than the existing garage. The proposed development would introduce a constrained residential building incongruous to the surrounding area.

7. The proposed development would be a prominent addition to the area and would appear incongruous in the streetscene. I conclude that the proposed development would harm the character and appearance of the area.
8. There is conflict with Policies D1, D2 and GBSP2 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.
9. There is conflict with the Council's Supplementary Design Guidance which seeks to ensure developments harmonise with the existing building and area.
10. There is 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.

Other Issues

11. The Appellant has highlighted that the proposed development is required due to the personal circumstances of the family. Whilst I sympathise with the situation, I have not been provided with demonstrable evidence to convince me that there is no alternative in terms of development which could meet the needs of the family. I therefore give this limited weight.

Conclusion

12. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR