



Appeal Decision

Site visit made on 20 May 2025

by **N Bowden BA(Hons) Dip TP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 JUNE 2025

Appeal Ref: APP/C1950/D/24/3356080

3 Tolmers Gardens, Cuffley, Potters Bar, Hertfordshire EN6 4JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant [outline] planning permission.
 - The appeal is made by Margarita Michaels against the decision of Welwyn Hatfield Council.
 - The application Ref is 6/2024/1343/HOUSE.
 - The development proposed is two storey side and rear extensions, works to the roof to include formation of crown roof with rear dormer and alterations to the fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side and rear extensions, works to the roof to include formation of crown roof with rear dormer and alterations to the fenestration at 3 Tolmers Gardens, Cuffley, Potters Bar, Hertfordshire EN6 4JE in accordance with the terms of the application, Ref 6/2024/1343/HOUSE, 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 drawing nos. ELE001 Rev B, ELE002 Rev B, GAP001 Rev B, GAP002 Rev B, GAP003 Rev B, SIT001.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on the approved plans.

Preliminary Matters

2. In allowing the appeal I have used the description of development given on the Council's decision notice. This is because the description given on the application forms was not an accurate representation of the development, cross referenced a previous planning permission and did not fully describe the entirety of the works proposed.
3. The appellant was consulted on this change and, despite them not agreeing, I have nevertheless changed it to align with the Council's description. This is to ensure that this decision aligns with the provisions of the Town and Country Planning Act 1990 (as amended) and related subordinate Regulations and Orders.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The property at 3 Tolmers Gardens comprises a detached house which is set along a cul-de-sac made up of similarly styled detached and semi-detached houses and bungalows. Many of the homes have been altered and extended in varying fashions and this includes the appeal property which has largely implemented an earlier permission for a similar extension.
6. The proposed extension is a relatively large addition to the pre-existing dwelling, expanding it to incorporate three floors with the uppermost rooms in the roof space and under a crown roof. Whilst the extensions are fairly substantial in nature, they are not dissimilar to other recent extensions which have already been completed along the street. These include numbers 11, 12 and 24 Tolmers Gardens which all incorporate substantial remodelling and crown roofs. Details of the extant scheme were provided and the alterations to this do not change the nature of the dwelling to a noteworthy extent when viewed in the street scene.
7. The introduction of the crown roof would infill an area formed by two hipped roof projections at the rear and create a modest dormer window. These additions do enlarge the overall amount of development, including the ridge height at the sides, but this is largely confined to the rear or screened by neighbouring homes such that the effect on the street scene would be negligible.
8. Accordingly, I conclude that the proposal would have an acceptable effect on the character and appearance of the area and would comply with policies SP1 and SP9 of the Welwyn Hatfield Local Plan, Supplementary Design Guidance and the Northaw and Cuffley Neighbourhood Plan insofar as it delivers a high-quality design that fosters a positive sense of place.

Other Matters

9. In reaching my conclusions here, I have been mindful that there are suggestions that the additional accommodation in the roof space may be used as a bedroom and not an office. This however does not change my reasoning here as the development would still fall within the ambit of what could reasonably undertaken in a single family dwelling.
10. I recognise concerns about overlooking from the dormer window, but there are already rear facing windows to the property such that the dormer window would offer little further vantage of neighbours and in any case, it does not have views of any sensitive areas such as bedrooms or living areas.

Conditions

11. I have imposed a general time limit condition to accord with the provisions of the Act, a plans condition in the interests of certainty and a condition requiring the materials to be those specified on the plans having regard to the character and appearance of the area. These conditions are reasonable and necessary and in accordance with the Planning Practice Guidance.

Conclusion

12. The proposed development complies with the provisions of the development plan and the material considerations do not indicate a decision should be made other

than in accordance with it. Therefore, for the reasons given above the appeal should be allowed.

N Bowden

INSPECTOR