
Appeal Decision

Site visit made on 12 August 2026 by S Jamieson BA(Hons) MPlan MRTPI

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2026

Appeal Ref: 6008747

Everglades, Maiden Street, Weston, Hertfordshire SG4 7AA

Easting (526011) Northing (230302)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Jim Caudle against the decision of North Herts Council.
 - The application Ref is 25/02950/FP.
 - The development proposed is the erection of a detached self-build bungalow with integral garage, to include associated parking and boundary fencing following demolition of existing storage buildings and garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure and Preliminary Matter

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.
3. A new National Planning Policy Framework (the Framework) was published on 17 August 2026. Having given the main parties an opportunity to comment on the changes introduced, my decision reflects this recently revised Framework.
4. I have taken the description of development from the Council's Decision Notice as this is more precise.

Main Issue

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

Reasons for the Recommendation

6. The appeal relates to the front garden of a detached dwelling located at the end of a private cul-de-sac. The landscaped driveway currently serves three detached dwellings which are set back behind generous front gardens and parking areas. Together with the landscaped lawns, mature trees, hedgerows and planting, this gives the cul-de-sac a verdant and spacious quality that makes a positive contribution to the character and appearance of the area.
7. The officer's report considers that the external appearance of the proposed dwelling, in terms of its form and materiality, would not cause harm to the character and appearance of the area. From my own observations, given its low-profile,

simple design and use of materials that would reflect some neighbouring dwellings, I agree with that assessment.

8. In terms of its scale and siting however, the proposed dwelling would be positioned very close to the shared boundary with Homefield House and would occupy a significant proportion of the plot between the rear boundary wall and the shared driveway. When combined with its close proximity to Everglades and the narrow space that would be retained between the appeal dwelling and the neighbouring garage, this would give the site a markedly cramped and overdeveloped appearance that would be at odds with the spacious pattern of development that positively contributes to the character and appearance of the cul-de-sac.
9. I note that a neighbouring dwelling, 'Kyrenia', was constructed after being allowed at appeal in 2021. While this property occupies a smaller plot than Amberley and Everglades, the bungalow is smaller than the proposed dwelling, is set further away from its boundaries and is sited further back from the driveway than the proposed dwelling. Moreover, the separation between Kyrenia and the two neighbouring properties, Tinkers Hill and Amberley, is greater than that proposed, resulting in a more spacious form of development. Thus, the Inspector in that appeal concluded that the bungalow would be modest in size and sit suitably within its plot.
10. I note that the appeal site includes the landscaped driveway between the proposed dwelling and Maiden Street. However, this is a shared access and, given its siting and orientation relative to the proposed dwelling, would appear physically separate from it and would not be perceived as forming part of the dwelling or its garden. Therefore, even if the proposed dwelling would only occupy 10% of the appeal site, this would include the shared driveway and would not mitigate or overcome the loss of spaciousness arising from its scale, siting and relationship with neighbouring dwellings. These findings are notwithstanding the dwelling's bespoke design or the fact that amendments were made to the design of the dwelling during the course of the planning application.
11. While the appeal scheme would involve the removal of the large, underutilised storage structure, this would not justify the harm that would arise out of what would be put in its place. A condition restricting the upward extension of the dwelling would also not overcome the issues raised.
12. Consequently, the proposed development would have a harmful effect on the character and appearance of the area. In that regard it would conflict with Policy SP9 and Policy D1 of the North Hertfordshire Local Plan 2011-2031 (2022) (Local Plan) which require, amongst other things, that developments are well designed and located; and respond positively to local context. It would also be inconsistent with the good-design objectives of the Framework.

Other Considerations and Planning Balance

13. Policy S4(1) of the Framework sets out that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects when assessed against the national decision-making policies. According to Policy S4(1)(c) of the Framework, one such circumstance is where a proposal conflicts with a national policy that indicates development should be refused.

14. At Policy DP3(3), the Framework states that development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy. This establishes that development proposals should respond to their context so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings. For the reasons given above, the proposal would fail to respond to the local context and would cause harm to the character and appearance of the area. It would therefore conflict with the aforementioned policies of the Local Plan, and the design objectives of the Framework. I attribute substantial weight to this conflict.
15. In favour of the proposal, it would constitute infill development in a sustainable location. The Council is also unable to identify a supply of deliverable sites sufficient to provide a minimum of 5 years' worth of housing as required under paragraph 8 of Annex D to the Framework. Indeed, the Council is only able to demonstrate between 2.6 and 3.3 years' worth of housing land supply, and the shortfall is therefore significant. Policy HO7 of the Framework indicates that substantial weight should be given to the benefits of providing homes that would help address the evidenced accommodation needs of the community. While the provision of one dwelling would make a small contribution in terms of meeting the need for specialist housing for older or disabled people, this is an important factor given the Council's housing land supply position.
16. In addition, the proposal would allow the appellant to downsize but remain in the area. It would also provide a safe, accessible and functional home that would exceed minimum building regulation standards, allow access for emergency services and would provide off-street parking and charging for an electric vehicle and mobility scooter. In the context of a single dwelling however, such benefits would be limited in magnitude and are therefore attributed no more than moderate weight. I have also considered the appellant's intention that the dwelling would be self-build. However, no planning obligation or other mechanism has been provided to secure the development as self-build or custom housebuilding. Furthermore, there is no substantive evidence before me that the Council is failing to meet its duties in this respect. Accordingly, I attach this benefit limited weight.
17. The effect of the proposal on the living conditions of future occupiers of the proposed dwelling or the occupiers of neighbouring properties is not contested by the Council, nor have they raised any concerns regarding its impact upon trees. On the evidence before me, I see no reason to disagree. I also note that the appeal site is not located within a conservation area and that the Parish Council raised no objection. The small garden might also be attractive to some occupiers, with an attractive outlook provided over the front garden and drive. However, these are neutral factors in the assessment of this appeal.
18. I acknowledge the letters of support received for the proposed development, and whilst I have considered the factors in support of the development in my recommendation, they do not outweigh the harm that would be caused in terms of the character and appearance of the area
19. Drawing these matters together, I find that substantial weight should be afforded to the provision of an additional dwelling. However, in this case, the delivery of a single dwelling would make a limited contribution towards meeting the unmet need for specialist housing for older people and reducing the housing shortfall. Consequently, even when taken together with the other benefits identified, these

considerations do not substantially outweigh the harm arising from the poor design of the proposal and its conflict with the good design requirements of the Local Plan and the corresponding objectives of the Framework.

20. I have had due regard to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Disability is a protected characteristic to which the PSED applies. I have also had regard to rights conveyed within the Human Rights Act.
21. The appellant has referred to a health condition and a mobility issue. The proposal would provide them with accessible accommodation, which is a matter of importance to which I have afforded considerable weight. It is unclear however as to whether the same outcome could not be met by other, potentially less harmful, means. Therefore, the harms I have identified are such that a dismissal of the appeal would be a proportionate and necessary response that would not be outweighed by the requirements of the PSED.

Conclusion and Recommendation

22. For the reasons given, I find that the benefits of approving development are substantially outweighed by adverse effects. The proposed development conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, I recommend that the appeal is dismissed.

S Jamieson

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

A M Nilsson

INSPECTOR