



WELWYN HATFIELD COUNCIL

Council Offices, Welwyn Garden City, Herts, AL8 6AE
Telephone: Welwyn Garden (01707)357000

PLANNING DECISION NOTICE

S6/2005/992/FP

ERECTION OF FRONT BOUNDARY DWARF WALL AND 1.6 METRE HIGH PIERS (RETROSPECTIVE)

at: 23 TOLMERS AVENUE, CUFFLEY, POTTERS BAR,

Applicant Name And Address

RAY RUFF,
23 TOLMERS AVENUE,
CUFFLEY,
POTTERS BAR,
EN6 4QA

Dear Mr Ruff

Re: Application for front boundary dwarf wall at 23 Tolmers Avenue, Cuffley, Potters Bar, Herts, EN6 4QA

I write in relation to your retrospective planning application for the above proposal.

Please note that the existing brick wall structure to the front of your property has been erected outside the curtilage of your property on highway land which is owned by Hertfordshire County Council as the Highway Authority. The front boundary of your property lies approximately 3 metres from the edge of the footpath, as shown on the attached plan, and this should be reflected in your title deeds.

As the wall is on highway land this Council does not have the Authority to grant planning permission until the correct procedure has been complied with to stop up the highway. However the Highway Authority has advised that they would not be prepared to support any request to extinguish highway rights on this land. In addition, any licence to cultivate the highway verge would not permit the land to be enclosed.

Furthermore, had this Council been in a position to determine the planning application, it would have refused planning permission for the following reason:-

The wall and brick piers, by reason of their design, materials, size and siting, give rise to an unduly prominent form of development, out of keeping with the generally open character of property frontages in this part of Tolmers Avenue. As such the wall and brick piers are detrimental to the visual amenities of this part of Tolmers Avenue and contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

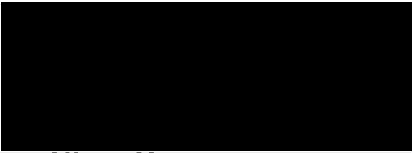
Therefore I would advise that the existing boundary wall should be removed from the highway land.

Mrs Suzy Smith
Performance Manager

Continuation...

PLAN NUMBER(S): RR0501/1 received 08/08/2005

Date: 30/09/2005



**Chris Conway
Chief Planning & Environmental Health Officer**