

Estate Management Appeals Panel  
14 March 2016

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the ESTATE MANAGEMENT APPEALS PANEL held on Monday, 14th March, 2016 at 7.30 pm in the Salvation House, 2 Sterling Court, Mundells, Welwyn Garden City, Herts, AL7 1FT

PRESENT: Councillors S Johnston (Chairman),

J Beckerman, S Chander, G Dowler, M Larkins and  
F Thomson

ALSO Councillor M Perkins (Executive Member – Planning, Housing and  
PRESENT: Community)

OFFICIALS Colin Haigh (Head of Planning)  
PRESENT: Chris Carter (Principal Development Management Officer)  
Richard Burbidge (Committee Manager)

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12. MINUTES:

The minutes of the meeting of 14 September 2015 were agreed as a correct record and signed by the Chairman.

13. 124 SWEET BRIAR, WELWYN GARDEN CITY, AL7 3EA - 6/2015/2060/EM - REPLACEMENT OF DOORS

The report of the Head of Planning set out an appeal against the refusal of Estate Management Consent for replacement doors. A late representation in the form of a letter from neighbours confirming that they had no objections to the proposed replacement doors had been circulated.

The application had been refused on the 30 December 2015 because the proposed replacement doors, by virtue of their design, would represent incongruous additions which would be to the detriment of the character and amenities of the Garden City. Accordingly, the proposal failed to retain the amenities and values of the surrounding area and did not comply with policy EM1 of the Welwyn Garden City Estate Management Scheme.

The key issue in the determination of the appeal was the impact on the amenities and values of the surrounding area.

The Panel noted that the appellant's appeal statement made references to the Beehive Conservation Area and the applicable planning policies to preserve and enhance. However, this was not a planning application, and as such, reference

Estate Management Appeals Panel  
14 March 2016

to the Conservation Area, and policies which had specific reference to that Conservation Area status were not relevant to the Estate Management Scheme. Policy EM1 aimed for alterations to be in keeping with the existing property and not harm the values and amenities of the area.

The appellant's statement also made reference to the lack of uniformity in terms of door design in these areas as a whole (referencing the whole of the Garden City). Policy EM1 did not state that there should be one design throughout the Garden City. It aimed for alterations to be in keeping with the existing dwelling, and not harm the amenities and values of the surrounding area. This property had a defined design, appearance and architectural detailing. The new doors would not be in keeping with these features. By virtue of the strong consistency of the immediate area, the out of character additions would harm the values and amenities of the surrounding area.

It was also noted that the appellant had stated the "*Estate Management Scheme does encourage energy efficient measures*". This was not a factor in the determination as to whether the proposed alteration would be in-keeping with the existing dwelling or cause harm to the amenities and values of the surrounding area. The Policy did not restrict the alteration of existing doors to those which would improve insulation, reduce carbon footprint or provide additional security measures to the buildings, so long as the design, appearance, materials and architectural detailing of the existing building was reflected.

The Panel was of the view that the proposed alterations would fail to comply with the requirements of the Estate Management Scheme and the presence of doors to the front and side of the property which failed to reflect the design of the appeal property would fail to maintain the amenities and values of the Garden City and therefore fail to accord with the Estate Management Scheme.

It was moved by Councillor Beckerman, seconded by Councillor Thomson and

RESOLVED:  
(unanimously)

That the delegated decision be upheld and the appeal dismissed.

14. 27 ARCHERS RIDE, WELWYN GARDEN CITY, AL7 4PR - 6/2015/2051/EM - REPOSITIONING OF HEDGE AT FRONT BOUNDARY

The report of the Head of Planning set out an appeal against the refusal of Estate Management Consent for the repositioning of a hedge at the front boundary. A late representation in the form of a letter from a neighbor supporting the repositioning had been circulated.

The application was an appeal against the refusal of Estate Management Consent for the repositioning of a hedge at the front boundary. The application was refused because the proposal, by reason of the loss of a mature hedgerow to the front site boundary and repositioning to the side boundary, failed to reflect

Estate Management Appeals Panel  
14 March 2016

the appearance and design of landscaped frontages within the immediate street scene, and detracted from the character and appearance of the property, street scene and local area. The proposal therefore did not comply with policy EM3 of the Estate Management Scheme.

The key issue in the determination of this appeal was the impact on the amenities and values of the surrounding area.

The Panel noted that appellant's statement had highlighted a number of reasons for the removal of the hedge to the front boundary. Parked vehicles obscured the view of the road and oncoming traffic for the occupiers. There was limited vision of pedestrian traffic when accessing and egressing. The hedge height and length meant there was no view of the road and pavement when reversing. Therefore they reversed in for safety. The applicants had concerns due to the road being used as a main route for children and pedestrians. CCTV footage had been submitted demonstrating a scenario experienced due to inadequate visibility for pedestrians and road users. It was noted that No.25 Archers Ride had a similar hedge to the front boundary and the removal of the hedgerow would result in a large area of hard landscaping being seen within the street scene.

The appellant's appeal statement made reference to No.29 Archers Ride and the removal of the hedge but whilst Estate Management consent for a hard standing and crossover was approved under (W6/1990/5206/EM), a hedge was still shown to be retained on the approved drawings and therefore this property could not form a precedent as the hedge was removed without permission.

It was noted that the key, primary concern in this instance was the prominent setting, and that the proposed loss of the hedgerow and its repositioning to the side boundary would have an adverse impact on the visual amenities of the area. Within the street hedgerows along the frontages of properties were noticed, there were a few instances where these had been removed. Whilst the applicant was willing to re-instate a hedge along the side boundary, it was considered that the whole frontage of the host dwelling together with the neighbouring property would be seen and would represent a large area of hard surfacing that would not be broken up by any soft landscaping. Hedges to front boundaries were a key feature seen within the Garden City and the harsh, hard surface to the front would result in an incongruous feature which currently was softened by the existing hedgerow. The proposal would have a detrimental impact on the character of the immediate street scene to the extent to warrant a refusal. It was therefore considered that the proposal would fail to maintain and enhance the amenities and values of the Garden City.

Additionally, the Panel were of the view that the frontages of dwellings within the immediate street scene (block of three terraced dwellings) were characterised by boundary treatment hedgerows to the front and timber fencing to the sides. In this context the proposed alterations would appear to alter the established character of the area and would not sufficiently retain the distinctive frontages of Archers Ride. It was therefore not considered to be in keeping with the appearance and ethos of this part of the Garden City.

Estate Management Appeals Panel  
14 March 2016

It was moved by Councillor Dowler, seconded by Councillor Beckerman and

RESOLVED:  
(unanimously)

That the delegated decision be upheld and the appeal dismissed.

At the conclusion of the meeting Members expressed their thanks to Councillor Johnston for her services as Chair of the Panel for 2015/16. The Chair responded and thanked Councillors and officers for their support throughout the year.

Meeting ended at 7.45 p.m.