

WELWYN HATFIELD BOROUGH COUNCIL
ESTATE MANAGEMENT APPEALS PANEL – 26 FEBRUARY 2020
REPORT OF THE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

6/2019/1448/EM

11 CRANBORNE GARDENS, WELWYN GARDEN CITY, AL7 3NF

RETENTION OF REPLACEMENT BLOCK PAVING HARDSTANDING AND ERECTION OF REPLACEMENT FENCE

APPLICANT: MR T REILLY

1 Background

- 1.1 This is an appeal against the refusal of Estate Management Scheme Consent for the retention of hardstanding and the erection of a replacement fence. The application (6/2019/1448/EM) was refused for the following reason:

‘The proposed development would result in an excessive amount of hardstanding and a total absence of soft landscaping which together with the proposed fence would erode the street scene and be harmful to the values and amenities of the application site and this area of Welwyn Garden City. As a result, the proposal would fail to maintain the values and amenities of the Garden City and comply with Policies EM2, EM3 and EM4 of the Estate Management Scheme’.

2 Site Description

- 2.1 The subject property is a mid-terraced dwelling in a cul-de-sac of similar properties forming an enclosed street scene around a green.
- 2.2 The majority of dwellings on Cranborne Gardens have areas of hardstanding in their front gardens, which in some cases are quite large due to the limited depth and width of the gardens and these have begun to alter the character and appearance of the street scene. Front boundary hedgerows between properties are a common feature within Cranborne Gardens.

3 The Proposal

- 3.1 The application sought retrospective consent to retain a block paved hardstanding, which covers 100% of the front garden, and a 1.2m wooden fence along the boundary with 12 Cranborne Gardens.

4 Relevant Estate Management History

- 4.1 None.

5 Representations Received

- 5.1 One representation has been received from Cllr Jackson-Mynott notes that the current resident is not responsible for the asphalt and that the permeable block paving is a positive change. However, Cllr Jackson-Mynott adds that 50% soft landscaping should be included in the new scheme.
- 5.2 One representation has been received from a neighbour who has no objection to the retention of the hardstanding or fence. The neighbour highlights that there has been hardstanding at the property for over 10 years and the original fence was dilapidated and unsightly.

6 Policy

6.1 Estate Management Scheme Policies (October 2008):

- EM2 – Erection of New Buildings
- EM3 – Soft landscape
- EM4 – Hard landscaping

7 Discussion

- 7.1 This is an appeal against the refusal of Estate Management Scheme Consent for the retention of replacement block paving hardstanding and erection of a replacement fence. The appellant's letter of appeal is attached at Appendix 1 and the delegated officer's report for application 6/2019/1448/EM is attached at Appendix 2.
- 7.2 The key issue in the determination of this appeal is the impact the development is having on the character and appearance of the Garden City.
- 7.3 All applications to the Estate Management Scheme are assessed against the current policies relevant to the proposals. In this case, the application was assessed against Policies EM2, EM3 and EM4. Policy EM2 of the Estate Management Scheme looks to protect the planned layout of the Garden City by ensuring that proposals for new buildings and structures respect the visual appearance of the area in terms of their siting and scale so they do not result in visually over prominent or discordant additions. In addition, all applications for new buildings and structures should not harm the residential amenity of adjoining occupiers and the immediate area. Policy EM3 of the Estate Management Scheme states that works to hedgerows will only be allowed where the works would not result in the loss of landscaping which would harm the character and amenities of the area and where sufficient justification for the works has been given. Policy EM4 seeks to retain the appearance of the Garden City while accommodating the increased pressure for vehicle hard standings due to the rise in car ownership over recent years. In doing so, Policy EM4 states that proposals to construct hardstanding should retain or create sufficient soft 'green' landscaping to help preserve the character of Welwyn Garden City. The Council aims to ensure that around 50% of the front garden is retained as soft/green landscaping.
- 7.4 The fence erected upon the boundary with 12 Cranborne Gardens is approx. 1.2m in height and approx. 7.5m in length. It replaces a fence which was erected upon the boundary sometime between April 2009 and September 2014 following the removal of a boundary hedgerow, both without Estate Management Scheme

consent, by the previous owner of the property. The removal of the hedgerow has resulted in a loss of landscaping that has been emphasised by the addition of the fence. Close board fencing is not a common feature of residential frontages within the Scheme area and the erection of this fence has resulted in a visually over prominent and discordant addition to the property and wider street scene.

- 7.5 It is acknowledged that parking within Cranborne Gardens can be difficult, which has led to the increased demand for additional off road parking. The design and layout of properties within Cranborne Gardens can mean it is difficult to retain a minimum of 50% soft/green landscaping. However, through careful design, proposals to increase hardstanding can maximise the amount and achieve the positive impact of green/soft landscaping. At the appeal site, the existing block paved hardstanding covers 100% of the frontage and could provide parking for up to two cars. The block paving has replaced an area of asphalt hardstanding, which was in poor condition, and covered 100% of the frontage. It is not clear when the asphalt hardstanding was extended beyond the designated driveway and no Estate Management Scheme consent can be found. This does not result in a fall back position. Although there are other properties within Cranborne Gardens with large areas of hardstanding, this scheme has failed to establish any soft landscaping and therefore creates a further detrimental impact on the property and the street scene and, as a result, to the values and amenities of this part of the Garden City.
- 7.6 Although the block paved hardstanding is a preferable hardstanding treatment to asphalt, the total coverage of across the frontage has resulted in hardstanding that has had a detrimental impact upon the character and appearance of the property and street scene of Cranborne Gardens. In addition, the retention of the fence has emphasised the lack of green/soft landscaping at the site and is considered an overly prominent and unfitting addition to the property which also has a negative impact upon the street scene. Therefore, the retention of the hardstanding and fence is harmful to the values and amenities of this part of the Garden City and is contrary to Policies EM2, EM3 and EM4 of the Estate Management Scheme.
- 7.7 In their covering letter, the appellant has highlighted that the property already had the full asphalt drive and wooden fence upon the boundary with no.12. when he took ownership and that the replacement block paved hardstanding and fence were to replace the existing which was in poor condition. The appellant states that he was unaware of the Estate Management Scheme and had not intentionally ignored the policies. In addition, the appellant has identified and supplied photographs of three other properties within Cranborne Gardens that have 100% hardstanding with no hedgerows. No Estate Management Scheme consent can be found for these properties, therefore, these developments are considered unauthorised and provide no weight in the determination of this appeal.

8 Conclusion

- 8.1 The replacement of the hardstanding and fence at 11 Cranborne Gardens has resulted in a frontage that continues to be devoid of any green/soft landscaping

to the detriment of the property and that of the street scene. The request to retain the hardstanding and fence is therefore contrary to Policies EM2, EM3 and EM4 of the Estate Management Scheme.

9 Recommendation

9.1 That Members uphold the delegated decision and dismiss the appeal.

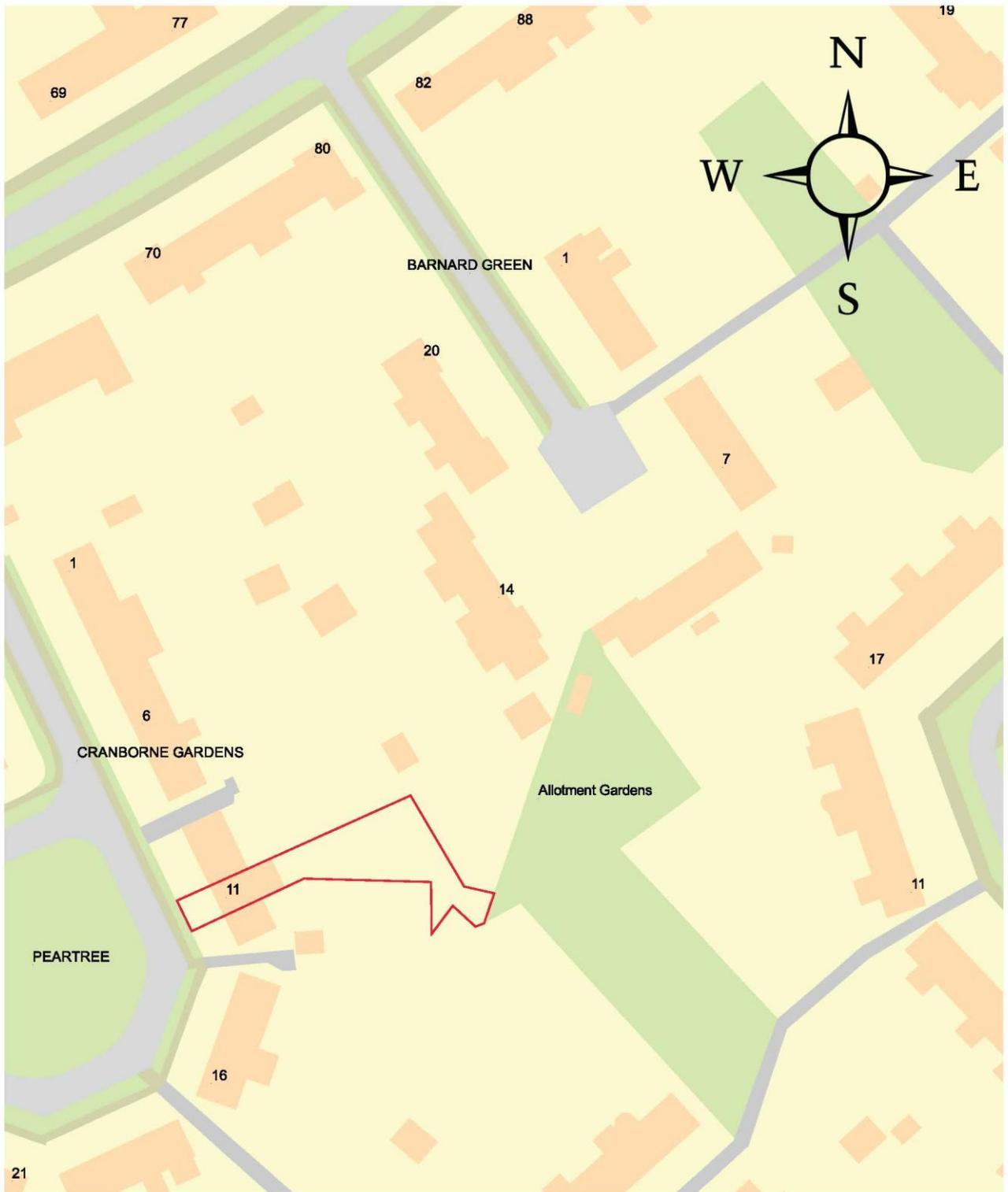
James Homer (Estate Management Scheme Manager)

Date: 28 January 2020

Background Information

Appendix 1: Appellant's grounds of appeal

Appendix 2: Original delegated officer's report



 <p>WELWYN HATFIELD</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	Title: 11 Cranborne Gardens		Scale: DNS
			Date: 2020
	Project: Development Management Committee	Drawing Number: 6/2019/1448/EM	Drawn: Emma Small
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