

WELWYN HATFIELD BOROUGH COUNCIL  
ESTATE MANAGEMENT APPEAL PANEL – 19 OCTOBER 2017  
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

6/2017/0141/EM

3 DIGSWELL HOUSE MEWS, MONKS RISE, WELWYN GARDEN CITY, AL8 7AT

RETENTION OF INTERNAL ALTERATIONS AND ROOFLIGHT

APPLICANT: Mr N Pyne-Gilbert

(Sherrards)

## **1 Background**

1.1 This is an appeal against the refusal of Estate Management Consent for the retention of internal alterations and a roof light. The application (6/2017/0141/EM) was refused for the following reason:

1. *'The siting and appearance of the roof light has an adverse and uncharacteristic affect on the front roof slope of the property that disrupts the roof line of the terraced row which is otherwise intact. Given the visibility of the roof slope in the wider area it is detrimental to the character and appearance of the application property and the wider street scene. The works fail to maintain or enhance the values and amenities of Welwyn Garden City contrary to Policy EM1 of the Estate Management Scheme.'*

This appeal was originally scheduled to be determined at the previous Appeal Panel in August, however the appellant requested the appeal was withdrawn and deferred to the next Panel in order for the appellant to submit further information in support of the appeal. This information consisted of a Design and Access Statement, which reiterated previous information submitted and included:

- The location of the roof light is on the 'front elevation'
- Other examples of roof lights in the vicinity.

## **2 Site Description**

2.1 The appeal site is located north-west of the centre of Welwyn Garden City and comprises of a mid-terraced two storey cottage style property. The property is located within a cluster of properties within Digswell House Mews and are of a period style. This collection of properties are not a typical style of property seen within Welwyn Garden City. The immediate street scene is residential in character with properties similar and of the same architectural design to the host property. It is considered that the general appearance of the properties have remained unaltered, particularly to the front elevation.

2.2 Whilst Fern Grove is to the rear of the application site, the site itself is accessed from Monks Rise.

### **3 The Proposal**

- 3.1 The original application sought Estate Management consent for the retention of internal alterations and the installation of a roof light.
- 3.2 The roof light would be sited to the front elevation of the property and would provide light into the third bedroom created as a result of the loft conversion. The roof light is of a conservation style.

### **4 Estate Management History**

- 4.1 None

### **5 Policy**

- 5.1 Estate Management Scheme Policies (October 2008):
- 5.2 EM1 – Extensions and Alterations

### **6 Discussion**

- 6.1 This is an appeal against the refusal for Estate Management Consent. The appellant's Design Statement is attached at Appendix 1 and the delegated officer's report for application 6/2017/0141/EM, is attached at Appendix 2. Additionally the plans associated with the original planning permission are attached at Appendix 3.
- 6.2 The key issue in the determination of this appeal is the impact on the amenities and values of the surrounding area. The impact on the residential amenity of adjoining occupiers is judged to be acceptable.
- 6.3 Policy EM1 of the Estate Management Scheme (EMS) refers to proposals for extensions and alterations, the policy clearly states that extensions and alterations to existing properties will only be allowed if they are in keeping with the design, appearance, materials and architectural detailing used in the existing building and do not have a detrimental impact on the amenities and values of the surrounding area or the residential amenity of adjoining occupiers.
- 6.4 Additionally in order to be able to manage the large amount of requests for roof alterations and energy efficiency measures, following public consultation the Council has approved a Policy approach within the Welwyn Garden Estate Management Scheme Areas to deal with roof alterations and this is as follows:
  - Estate Management Consent will only be granted for energy efficiency measures and other roof alterations where they are sited on the rear or side roof slope and are sited to minimise the effect on the external appearance of the building.
  - Estate Management Consent will only be granted if the proposed alteration, when viewed from any surrounding public vantage point does not have a detrimental impact on the character and appearance of the street scene and the wider amenities and values of the area.
  - Exceptions to this Policy approach will apply where, in the judgement of the case officer the architectural design and style of an individual property or the wider character of the area means that an alteration on a principal roof slope of

a property would not have a detrimental impact on the character and appearance of the street scene and wider amenities and values of the area.

- In all cases the decision maker will continue to weigh the environmental benefits of energy efficiency measures against the visual impact.

This above approach applies to the installation of new chimneys, roof lights, dormer windows, solar PV, thermal equipment, wind turbines, flues, sun pipes, aerials and antennas and any other alterations to the roof of a property covered by the Estate Management Scheme.

- 6.5 The appeal dwelling is located within a row of terrace, cottage style dwellings situated around a pedestrian courtyard. The principle elevation is considered to be that which faces into the courtyard as typical domestic features can be seen, those being the main door and porch. Furthermore other properties within the terrace also have these features.
- 6.6 Within the appellant's appeal statement and the subsequent Design and Access Statement, it is argued that the elevation in which the roof light has been installed is in fact the rear elevation. However the domestic features seen within this elevation and the proposed floor plans show that this is the only ground floor door into the dwelling and therefore it is considered that this elevation is for all purposes the main elevation. Additionally the original planning permission for this development shows that the elevation fronting the courtyard and to which the roof light has been installed is the front elevation. The appellant has not provided evidence to demonstrate that this is the rear elevation and based on the information the Council hold, it is considered reasonable to conclude the principle [front] elevation faces the courtyard.
- 6.7 Nevertheless, the proposed roof light would require consent regardless of which elevation it is located on. In this instance the roof light is set centrally within the roof slope and is readily visible within the Mews complex itself and from the wider public realm within Fern Grove. The roof light is considered to disrupt the roof slope and the wider roof line of this terrace row of properties, which retain their original period character. The appearance of the roof light, regardless that it is of a 'conservation style' is out of keeping with the design, appearance and contrary to the original architectural detailing used in the existing buildings.
- 6.8 The appellant has stated that there are several other properties within The Mews that have roof lights facing towards the road. Details submitted highlight rooflights that can be seen and are those that face onto Fern Grove. The appellant has stated that;- *'No.4 and the house on the left as you enter Fern Grove have 'velux windows facing towards the road'*. It is acknowledged that the floor plans would demonstrate that the appeal dwelling also has two roof lights located in the rear elevation fronting Fern Grove. Whilst it would appear that those roof lights located within the properties in the Mews complex featured within the original planning permission, it does not necessarily set a precedent for additional roof lights to be installed, especially if they are considered to have a detrimental impact on the values and amenities of the Estate Management area. This could set an example for similar works to be allowed to other properties and therefore would cause further detrimental impact on the values and amenities of the Estate Management area. In any event those existing permitted roof lights are to the rear elevation, unlike the proposed roof light which is located on the front roof slope of the appeal property,

where the roof form is unchanged and maintains the original character and form of those original buildings.

- 6.9 The proposed roof light dominates the front facing roof slope and would be readily visible within the public realm having a detrimental impact on the character and appearance of the area and the resultant appearance would not be in line with the values and amenities of the Garden City, contrary to Policy EM1.

## **7 Conclusion**

- 7.1 The proposal, by virtue of the siting and appearance of the roof light, would have a detrimental impact on the appearance of the front facing roof slope, disrupting the undisturbed roof form seen to this main elevation. The roof light is readily visible from with Digswell Mews and Fern Grove and as such is considered to have a detrimental impact on the character and appearance of the application property and the wider street scene. Therefore the proposal will detrimentally impact upon the visual amenity of the area. Accordingly the proposal fails to comply with the provisions of Policy EM1 of the Estate Management Scheme.

## **8 Recommendation**

- 8.1 That Members uphold the delegated decision and dismiss the appeal.

## **9 Informative**

- 9.1 The appellant should be aware that the dwelling does not benefit from permitted development rights and therefore the insertion of a roof light would also require planning permission.

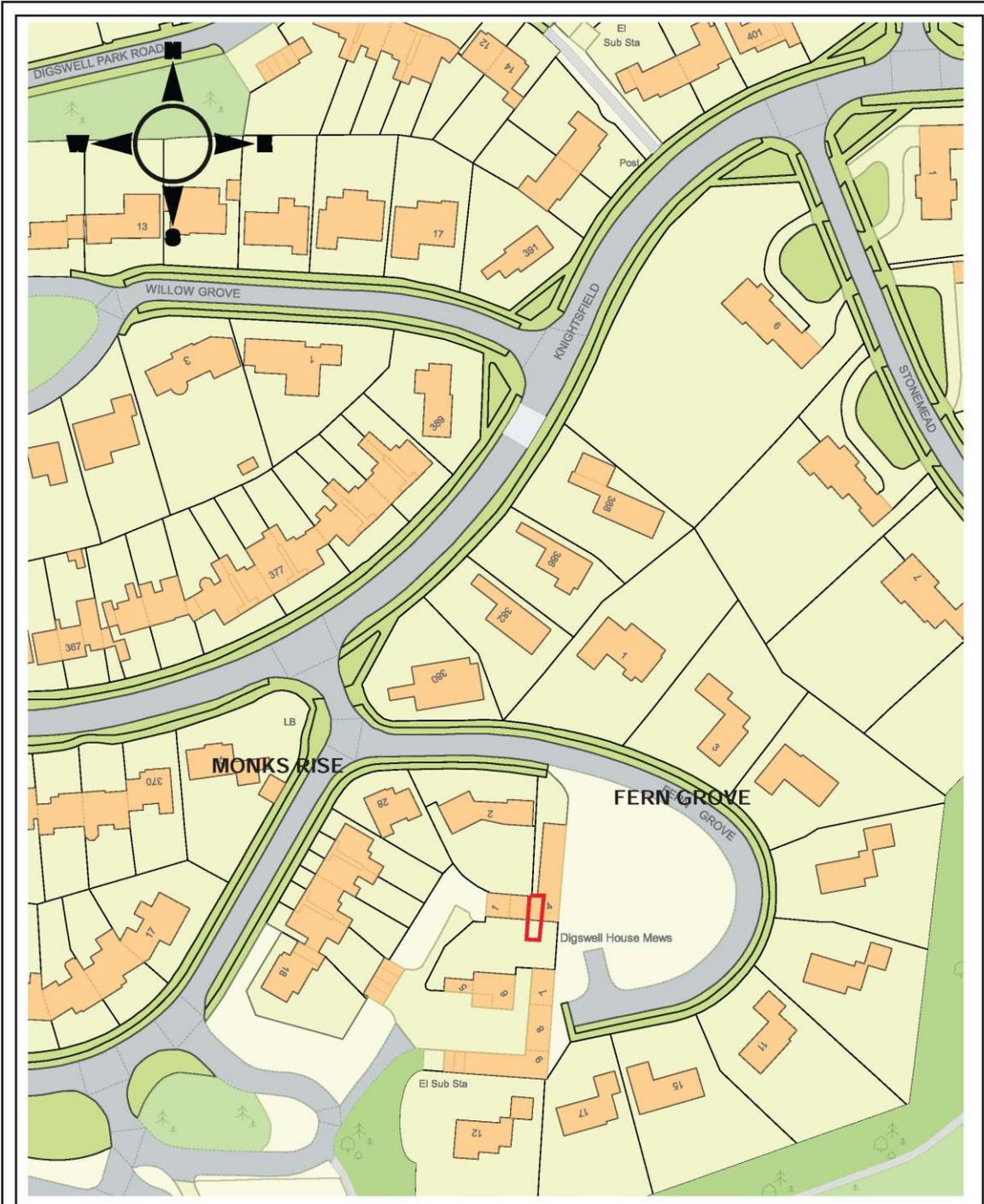
Rachael Collard (Development Management)  
Date 27 September 2017

### **Background Information**

Appendix 1: Appellants grounds of appeal

Appendix 2: Original delegated officer's report

Appendix 3: Original Decision Notice and plans approved for the conversion of the existing buildings to create 9 new residential units C6/1985/0422/FP



Council Offices, The Campus  
Welwyn Garden City, Herts, AL8 6AE

Title: 3 Digswell House Mews Monks Rise Welwyn  
Garden City

Scale: DNS

Date: 2017

Project: EMAP Committee

Drawing Number:  
6/2017/0141/EM

Drawn: Baras Mast-Ingle

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