

WELWYN HATFIELD BOROUGH COUNCIL
ESTATE MANAGEMENT SCHEME PANEL -15 AUGUST 2018
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING
AND GOVERNANCE)

6/2018/1096/EM

37 LINKFIELD WELWYN GARDEN CITY AL7 4DN

INSTALLATION OF SOLAR PANELS ON THE ROOF - RETROSPECTIVE

APPLICANT: Agnieszka Kolodziejczyk

(Hollybush)

1. Background

- 1.1. The appeal is against the refusal of Estate Management Consent for the retention of retrospective solar photovoltaic panels to the front and rear roof slopes of the property. The application (reference: 6/2018/1096/EM) was refused on the 11 June 2018 for the following reason:

“The front solar panels, by virtue of their siting, scale, number and appearance, would result in an overly prominent installation that would be harmful to the character and appearance of the property, amenities and values of the area. Whilst the installation would improve the energy efficiency of the property this does not outweigh the harm to visual amenity. The retrospective application is therefore contrary to Policy EM1 of the Estate Management Scheme.”

- 1.2 Following the refusal of the Estate Management Scheme on the 11 June 2018 the case was returned to the Estate Management Appeals Panel to seek clarification on whether authority had been granted to take the case to arbitration, and Members unanimously agreed to do so.

2. Site Description

- 2.1. The appeal site, 37 Linkfield, is a mid-terraced two storey dwelling with a pitched roof and forms part of a row of four terrace properties. The dwelling is located on the east side of Linkfield, which connects Boundary Lane with Howlands.
- 2.2. The terraced properties within Linkfield are uniform in design, architecture and style. The design of the roofs within the vicinity, have not undergone alterations, therefore contributing the uniform character and appearance of the dwellings within the vicinity.

3. The Proposal

- 3.1. The proposal seeks retrospective Estate Management Consent for the installation of solar photovoltaic panels to the front and rear roof slopes. There

are six solar panels on the front roof slope and six situated on the rear roof slope.

4. Relevant Estate Management History

- 4.1. Application Number: 6/2018/1275/EM Decision: Refused Decision Date: 15 June 2018 Proposal: Installation of a replacement front door
- 4.2. The above application has been appealed and will also be heard by the panel.

5. Policy

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

6. Representations Received

- 6.1. No representations have been received.

7. Discussion

- 7.1. This is an appeal against the refusal of Estate Management Consent. The appellant's letter of appeal is attached at Appendix 1 and the original officer's report for application referenced 6/2018/1069/EM is attached at Appendix 2.
- 7.2. The key issue in the determination of this appeal case is the impact of the retrospective front solar photovoltaic panels upon the amenities and values of the Garden City. The assessment concluded the development would not result in adverse harm upon residential amenity of adjoining occupiers.
- 7.3. It is noted, the solar photovoltaic panels sited on the rear roof slope would not result in adverse harm upon the amenities and values of the area. The objection is to the solar panels sited on the front roof slope, due to their siting, scale, number and appearance, resulting in an overly prominent installation that would be harmful to the character and appearance of the property, amenities and values of the area.
- 7.4. In recognition of the importance of Welwyn Garden City as a unique town and in order to protect the amenities and values of the Garden City, the Estate Management Scheme was set up. The purpose of the Management Scheme and its importance to homeowners is to ensure that homes and street scenes are kept in harmony with the original design and concept of the town.
- 7.5. The challenge with Garden City settlements is how to manage change whilst at the same time ensuring that the fundamental aesthetics, amenities and values of the Garden City remain intact. This is important, not just in visual terms, but also because Garden City settlements provide evidence for the ongoing debate about housing provision in the UK and the creation of sustainable communities.
- 7.6. This resulted in roof alterations including solar photovoltaic panels having to accord with Policy EM1 and the Energy Efficiency and Other Roof Alterations note.

- 7.7. Policy EM1 of the Estate Management Scheme seeks to preserve the unique architectural heritage of the town and its buildings and only allows roof alterations 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 residential amenity of adjoining occupiers.
- 7.8. The Energy Efficiency and Other Roof Alterations Guidance note the following requirements:
- i. 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.
 - ii. 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 streetscene and the wider amenities and values of the area.
 - iii. 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 streetscene and wider amenities and values of the area.
 - iv. In all cases the decision maker will continue to weigh the environmental benefits of energy efficiency measures against the visual impact.
- 7.9. The solar photovoltaic panels are sited on the front and rear roof slope. There are no objections to the solar photovoltaic panels at the rear of the dwelling, as this is in line with criteria (i). Whereas the photovoltaic panels sited on the front roof slope are contrary to criteria (i), thus increase the effect on the external appearance of the building when viewed from the street scene.
- 7.10. Linkfield is characterised with terraced properties of similar architectural design and appearance. The appealed site is a mid-terraced property. The other dwellings within the terraced row have not altered the appearance or design of the roofs. As such, the roof slopes are of a symmetrical architectural design, which is a common feature within the Garden City.
- 7.11. Clear views can be obtained of the roof slope, due to the open frontage and proximity to the street scene. As such, the addition of six solar photovoltaic panels, covering the majority of the front roof slope, disrupts the uniform architectural design, character and appearance of the dwelling within the locality. The development therefore appears incongruous and out of keeping with the character and appearance of the surrounding properties.
- 7.12. Due to the visibility of the solar photovoltaic panels within the streetscene the development has a detrimental impact upon the uniform character and appearance of the streetscene and wider amenities and values of the area. As

such, the development is contrary to criteria (ii) and (iii) and Policy EM1 of the Estate Management Scheme.

- 7.13. It is acknowledged, the solar photovoltaic panels are an energy efficiency measure beneficial to the environment. However, the Estate Management Scheme has been created and adapted over time to support such sustainable methods, whilst ensuring amenities and values of the Garden City are maintained and enhanced.
- 7.14. In this case, benefits of the installation of the solar photovoltaic panels on the front roof slope do not outweigh the visual harm upon the amenities and values of the Garden City. For this reason, and those discussed above, the retrospective development is contrary to the supporting Energy Efficiency and Other Roof Alterations note for Policy EM1.
- 7.15. Whilst the Council has no objection to the rear solar photovoltaic panels, the front solar photovoltaic panels do not preserve the unique architectural heritage of the town as it causes harm to the character and appearance of the building and the street scene. Thus resulting in a detrimental harm upon the amenities and values of the Garden City contrary to Policy EM1.
- 7.16. As mentioned above, the reason for refusal was due to the front solar panels, siting, scale, number and appearance, resulting in an overly prominent installation that would be harmful to the character and appearance of the property, amenities and values of the area.
- 7.17. The case by the appellant also includes the following Estate Management matters:
- the government recommend solar panel installation;
 - the solar panels on the front of the roof are barely visible;
 - the installation has not affected the valuation of properties within the area;
 - Other dwellings in Estate Management obtain solar panels including Council owned properties.
- 7.18. The government and local authority support solar photovoltaic panels, and within the UK Solar PV Strategy Part 1: Roadmap to a Brighter Future (October 2013), which forms the basis of the Government's strategy for solar photovoltaic panels, one principle (iii) states "*Support for solar photovoltaic panels should ensure proposals are appropriately sited, give proper weight to environmental considerations such as landscape and visual impact, heritage and local amenity.....*".
- 7.19. Estate Management Scheme stipulates that "*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*". Those sited on the front roof slope are visible from the street scene.

- 7.20. In this case, the siting of the solar photovoltaic panels on the front roof slope are deemed inappropriate, resulting in adverse harm upon visual amenity, not complying the UK Solar Strategy Part 1: Roadmap to a Brighter Future (October 2013) and contrary to Estate Management Policy EM1.
- 7.21. The appellant highlights that Council owned properties in the Estate Management Scheme obtain solar panels. There were no specific dwellings listed and therefore cannot comment on whether they obtain Estate Management or require Enforcement Action. Regardless, every application is considered on its own merits, and as mentioned above, no specific dwellings were listed and therefore limited weight is given.
- 7.22. A compelling case has therefore not been made by the appellant to demonstrate circumstances to why the proposed development, in its context, should override the wider values and amenities of Linkfield and the Garden City.
- 7.23. Accordingly, the proposal fails to reflect the character and appearance of the terrace properties to which it is located and the streetscene of Linkfield. The proposed development therefore fails to maintain the amenities and values of the Estate Management Area.

8. Conclusion

- 8.1. No additional evidence or information has been put forward by the appellant which adds to or would alter officer's recommendation. The front solar photovoltaic panels, by virtue of their siting, scale, number and appearance, result in an overly prominent installation that is harmful to the character and appearance of the property, amenities and values of the area. Whilst the installation would improve the energy efficiency of the property this does not outweigh the harm to visual amenity. The retrospective application is therefore contrary to Policy EM1 of the Estate Management Scheme and the supporting note titled Estate Management – Energy Efficiency and Other Roof Alteration.

9. Recommendation

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

Name of Author: Clare Howe
Title: Development Management Officer
Date: 20 July 2018

Background papers:

Appendix 1: Appellants grounds of appeal

Appendix 2: Original delegated officer's report



 <p>WELWYN HATFIELD</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 5AE</p>	Title: 37 Linkfield Welwyn Garden City		Scale: DNS
			Date: 2018
	Project: EMAP Committee	Drawing Number: 6/2018/1096/EM	Drawn: Ida Moesner
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