

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2018/0039/EM
Location: 22 Homestead Lane Welwyn Garden City AL7 4LU
Proposal: Retention of single storey side extension to rear garden outbuilding.
Officer: Mrs June Pagdin

Recommendation: Refused

6/2018/0039/EM

Context	
Site and Application description	<p>The application site comprises a 2-storey, semi-detached house and its front and rear gardens on the west side of Homestead Lane, Welwyn Garden City. The house has been extended to the side and rear at two storeys. The rear garden contains a pergola and outbuildings.</p> <p>The site is relatively flat with residential properties to the north and south and the bungalow at No 43 Hyde Valley to the rear (west). The area surrounding the site is characterised by predominately attached 2-storey houses in pairs and terraces with hedges and hardstandings in the front gardens typical of Welwyn Garden City.</p> <p>EM Consent was granted, in 2009, for two outbuildings: one wooden summer house and a greenhouse. The greenhouse was destroyed in an accidental fire as were the rear fence and boundary hedge with the garden of No 43 The Hyde. The rear fence has been replaced.</p> <p>The EM application to replace the greenhouse with a wooden outbuilding was refused in 2015 (6/2015/1509/EM) and was dismissed on appeal. The proposed building had a pitched roof linking into the ridge of the roof over the wooden chalet. The application was refused on grounds of the bulk and size being out of character with the area and overly dominant and likely to have an overbearing impact on neighbouring residents.</p> <p>Subsequently, a flat-roofed outbuilding was constructed to replace the greenhouse and is the subject of this application.</p> <p><u>Proposed Development</u></p> <p>The retrospective Estate Management Consent is sought for a wooden outbuilding in place of the previous greenhouse, attached to the authorised summerhouse:</p> <ul style="list-style-type: none"> • Wooden construction • flat roof planted as a green roof with flowers and sedums • eaves height 2.5m • 4.1m wide by 7.6m deep

	<ul style="list-style-type: none"> • Abuts boundary with No 20 Homestead Lane • Set in from rear boundary fence by approximately 1m 		
Constraints	Estate Management Scheme, as defined within the Leasehold Reform Act 1967		
Relevant history	<p><u>Enforcement</u></p> <p>Application Number: 2015/0088 Decision: Decision Date: Proposal: Operational Development - outbuilding erected without consent</p> <p><u>Estate Management</u></p> <p>Application Number: W6/2007/1133/EM Decision: Granted Decision Date: 23 November 2007 Proposal: ERECTION OF SINGLE STOREY SIDE & REAR EXTENSION WITH ROOFLIGHTS</p> <p>Application Number: N6/2008/1471/EM Decision: Refused Decision Date: 10 October 2008 Proposal: ERECTION OF PART TWO STOREY, PART SINGLE STOREY SIDE AND REAR EXTENSIONS, REMOVAL OF WINDOW IN REAR ELEVATION AND INSERTION OF NEW WINDOW IN REAR ELEVATION</p> <p>Application Number: W6/2009/0166/EM Decision: Granted Decision Date: 08 May 2009 Proposal: ERECTION OF REAR GARDEN OUTBUILDING AND GREENHOUSE</p> <p>Application Number: 6/2015/1509/EM Decision: Refused Decision Date: 11 December 2015 Proposal: Replacement of outbuildings following fire (Pitched roof)</p>		
Notifications			
Neighbour representations	Support: 0	Object: 1	Other: 0
Summary of neighbour responses	One response was received from 43 The Hyde. Comments can be summarised as follows: <ul style="list-style-type: none"> • Object to people standing on the flat roof which has caused a great deal of worry 		
Consultee responses	1. Welwyn Hatfield Borough Council - Enforcement		
Relevant Policies			
<input type="checkbox"/> EM1 <input checked="" type="checkbox"/> EM2 <input type="checkbox"/> EM3 Others			
Considerations			
Design (form, size, scale, siting) and Character (impact upon amenities and values of Garden	Policy EM2 states that proposals for the erection of new buildings will, only be permitted where they do not have a detrimental impact on the amenities and values of the surrounding area. In particular proposals should respect the visual appearance of the area in terms of its siting, scale (height, width) and not result in a visually over prominent or discordant element.		

City)	<p>The shed is located within the rear garden of the site, whilst the rear boundary can be seen from the street scene of Hyde Valley the outbuilding is largely obscured by vegetation and thus is not prominent within the street scene.</p> <p>The rear garden has an area of approximately 166sqm and the outbuildings occupy approximately 52sqm, of the rear garden. The extension to the outbuilding covers 31sqm compared to the previous greenhouse, which covered 14sqm (2m wide and 7m long) and was set in from the north and rear boundaries by approximately 1m. The wooden outbuildings and their porches now reach across the rear of the site.</p> <p>Whilst the replacement structure is at the rear of the site and the roof is flat, it is large in size. It is considered that the structures are of a size that impacts adversely upon the values and amenities of the surrounding area contrary to policy EM2 of the Estate Management Scheme.</p>
Impact on neighbours	<p>Policy EM2 states that proposals for the erection of new buildings will, only be permitted where they do not have a detrimental impact on the residential amenity of adjoining occupiers. The impact of a development on the residential amenity of neighbouring dwellings is measured in terms of the impact on neighbouring properties access to day/sun/sky light, privacy and overshadowing.</p> <p>The outbuilding is located close to the rear boundary with No's 41 & 43 Hyde Valley and at its closest point would be approximately 1m from the boundary, furthermore the outbuilding extends the full width of the garden.</p> <p>In this regard, it is considered that the outbuilding's location close to the boundary and overall size in relation to the dwellings to the rear, which have limited garden depths, appears dominant and overbearing. The property at No 43 has a very short rear garden between the kitchen window and the rear boundary. Whilst there is some loss of light, it is not considered to be sufficient to result in a refusal. However, the overall size of the outbuilding is considered to have a detrimental impact on neighbouring occupiers and would be contrary to policy EM2 of the Estate Management Scheme.</p> <p>The neighbour's concern over people standing on the flat roof and using it as a balcony or viewing platform raises the issue of overlooking and loss of privacy. This issue could be adequately addressed by the imposition of a condition limiting access to the roof for maintenance only and prohibiting use as a balcony/veranda.</p>
Landscaping issues (incl. hardstandings)	
Any other considerations	
Conclusion	
<p>By virtue of the size, design and siting of the outbuilding, the proposal is unacceptable as it would detract from the character and appearance of this part of Welwyn Garden City and would result in an overly dominant and overbearing structure to neighbouring dwellings. As such, the proposal fails to comply with Policy EM2 of the Estate Management Scheme.</p>	

Reasons for Refusal:

1. The proposed outbuilding, by reason of its size, design and siting, would not respect and relate to the character and appearance of the surrounding area. The proposal therefore fails to be compatible with the maintenance and enhancement of the character of this part of Welwyn Garden City, contrary to Policy EM2 of the Estate Management Scheme.
2. The proposed outbuilding, by reason of its size and siting located close to the boundary with No's 41 & 43 Hyde Valley, would result in an overly dominant and overbearing structure, impacting adversely upon the living conditions of neighbouring residents and thus would be contrary to Policy EM2 of the Estate Management Scheme.

REFUSED DRAWING NUMBERS

3.

Plan Number	Revision Number	Details	Received Date
Document F		Site Location Plan	11 January 2018
2233-P-010		Doc E Outbuilding as	11 January 2018
Redacted		Previously	
Document A	Rev 1	Floor Plan	21 March 2018
Document B	Rev 1	Elevations	21 March 2018

Determined By:

Mr Gerry Ansell
19 June 2018