

WELWYN HATFIELD BOROUGH COUNCIL
ESTATE MANAGEMENT SCHEME PANEL - 5 DECEMBER 2018
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING
AND GOVERNANCE)

6/2018/1478/EM

27 GREAT GANETT WELWYN GARDEN CITY AL7 3DB

REPLACEMENT AND EXTENSION OF EXISTING HARDSTANDING TO COVER
FRONT GARDEN

APPLICANT: Mr & Mrs Hills

1. Background

- 1.1. The appeal is against the refusal of Estate Management Consent for the replacement and extension of existing hardstanding to cover the front garden. The application (reference: 6/2018/1478/EM) was refused on the 13 August 2018 for the following reason:

“The proposal involves the removal of the hedgerow and installation of an inappropriate proportion of hard standing which would harm the amenities and values of the street scene. Accordingly, the proposed development is contrary to Policy EM 3 and EM4 of the Estate Management Scheme.”

2. Site Description

- 2.1. The appeal site, 27 Great Ganett, contains a two storey mid-terraced dwelling with a pitched roof and forms part of a row of four terrace properties. The properties within the terrace are set back from the highway and benefit from soft landscaped gardens, with hedgerows on the front boundary line, with breaks for car parking access. There is an on-site parking space to the front of the site.

3. The Proposal

- 3.1. The proposal is for the installation of a hard surface to the front of the dwelling measuring 6.0m in depth and 5.75m wide, totalling to 34.5sqm. Alongside the creation of vehicular access, the applicant seeks to remove the hedgerow on the eastern boundary line, which measures 5.75m in length, including the removal of

the hedgerow on the southern boundary line (adjacent the highway), which measures 3.3 in length.

4. Relevant Estate Management History

- 4.1. The Application Number: W6/1995/5094/EM Decision: Granted Decision Date: 24 April 1995
Proposal: Rear conservatory
- 4.2. Application Number: W6/1997/5001/EM Decision: Granted Decision Date: 04 February 1997
Proposal: Erection of a satellite dish.

5. Policy

- 5.1. Estate Management Scheme Policies (October 2008)
EM3 – Soft Landscaping
EM4 – Hard Surfacing

6. Representations Received

- 6.1. None representations have been received in relation to the appeals process.
- 6.2. One representation was received during the determination of the application:
Cadent Gas Limited commented that due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

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 6/2018/1478/EM is attached at Appendix 2.
- 7.2. The key issue in the determination of this appeal case is the impact of an inappropriate proportion of hardstanding and the loss of soft landscaping exacerbating the harm upon the visual 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. 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.

- 7.4. 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. The need to accommodate the rise in car ownership has resulted in pressure for vehicular hard standings on the frontages of homes and this has over time resulted in a change to the appearance of streets. The removal of excessive areas or prominent landscaping such as trees and hedges rather than the hard standing itself can over time erode character.
- 7.5. Accordingly, the council will only allow hard surfacing (paths, paving, concrete, gravelled areas, drives and hard standings) in front gardens for the parking of private motor vehicles which retain or create sufficient soft 'green' landscaping (grass, flower beds, shrubs, trees and hedges) and a sufficient length of hedgerow (if applicable) along the frontage of the property to reduce the visual prominence of parked vehicles.
- 7.6. The council will aim to ensure that a significant proportion, around 50 per cent unless individual circumstances indicate that this would not be appropriate, of the frontage is retained as landscaped 'greenery' to retain the appearance and ethos of the Garden City.
- 7.7. Policy EM3 of the Estate Management Scheme states that works to trees and 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 or there are other considerations that apply.
- 7.8. Policy EM4 of the Estate Management Scheme seeks to preserve the unique architectural heritage of the town and its buildings and only proposals for hard surfacing, for the parking of private vehicles in front gardens will only be allowed where the works would retain an appropriate balance between hard and soft landscaping and do not result in the loss of any existing hedgerows or landscaping along the boundary, other than the minimum required to access the hard standing, that would be harmful to the amenities and values of the street scene in which it is located.
- 7.9. The proposed development would result in 91% of the front of no.27 being hard surfacing. The proposal would therefore result in an unbalanced proportion of soft and hard landscaping.
- 7.10. The loss of the hedgerow is not justified in this instance. Furthermore, the loss of the hedgerow would result in the amount of hardstanding appearing more prominent within the street scene. As a result of the loss of the hedgerow 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 Policy EM3 of the Estate Management Scheme.
- 7.11. A case has been advanced by the appellant in support of the appeal. The appellant outlines that high levels of on-street parking along Great Ganett, and

that other residential properties have significant amounts of hard standing and a lack of landscaping.

7.12. The appellant attached several photographs, however it is not known if they are within the Estate Management Scheme, if enforcement action is currently being undertaken and if the appropriate consents have been sought. It is acknowledged that the presence of other areas of hardstanding at neighbouring properties can be a frustration for applicants, however, every application is considered on its own merits and therefore limited weight is given. If details are provided of other addresses which may have such hardstandings, these can be considered by the enforcement team.

7.13. In addition, the existing street scene, and breaks in the hedging in the area informed the original decision. The appellant's grounds that there are several properties with substantial hard standing does not alter the professional opinion, as the circumstances of the street scene were taken into account in the original decision.

7.14. As mentioned within the Officer's Delegation Report *'the applicant notes that several other properties within the vicinity have hardstanding exceeding the 50/50 split. However, the majority of views are obscured due to the front hedgerow being retained mitigating harm upon the amenity and values of the Welwyn Garden Estate Scheme. Whilst it is noted a couple of dwellings do not retain a hedgerow to obscure the significant amount of hardstanding to the front of dwellings, it is not considered that this represents a precedent within the area and it is also not known if Estate Management has been consented. Furthermore, each proposal is considered on a case-by-case instance.'*

7.15. A compelling case has therefore not been made by the appellant to demonstrate why the circumstances advanced by the appellants of this particular property, when considered in its context, should override the wider values and amenities of Great Ganett and Garden City. Accordingly, the proposal fails to reflect the character and appearance of the terrace properties to which it is located and the streetscene of Great Ganett. 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. When assessing whether any harm would result from the balance of hard and soft landscaping retained, as well as the removal of any hedgerow screening, full consideration is given to the existing condition of the street scene. In this case, the giving of consent for loss of a front facing hedgerow and the amount of hard surfacing proposed would cause harm to the values and amenities of the street scene. Accordingly, the

landscaping works proposed fails to accord with policies EM3 and EM4 of the Welwyn Garden City Estate Management Scheme.

9. Recommendation

- 9.1 That the Members uphold the delegated decision and dismiss the appeal, with the addition of the following informatives –
1. It is recommended that the applicant contact the planning team in order to create a proposal that better meets the aims, purposes and policies within the Welwyn Garden City Estate Management Scheme.

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Title *Development Management Officer*
Date *15 November 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 6AE</p>	Title: 27 Great Ganett Welwyn Garden City		Scale: DNS
	Project: EMAP Committee		Date: 2018
	Drawing Number: 6/2018/1478/EM		Drawn: Ida Moesner
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