

Part I

Main Author: Kerrie Charles

Executive Member: Stephen Boulton

Wards: Howlands

WELWYN HATFIELD BOROUGH COUNCIL
ESTATE MANAGEMENT SCHEME PANEL – 30 JANUARY 2019
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING
AND GOVERNANCE)

6/2018/2537/EM

1 MIDDLEFIELD, WELWYN GARDEN CITY AL7 4DQ

REMOVAL OF CHIMNEY STACK

APPLICANT: Mr A. Clark

1. Background

- 1.1. The appeal is against the refusal of Estate Management Consent for the “Removal of chimney stack”. The application (reference: 6/2018/2537/EM) was refused on the 09 November 2018 for the following reason:

“The demolition of the chimney stack is considered to be inappropriate and out of keeping with the style of the host dwelling and Middlefield and Boundary Lane. The proposed development would detract from the character and appearance of the host dwelling and neighbouring properties and fails to maintain and enhance the amenities and values of this part of the Garden City and is therefore not compliant with policy EM1 of the Estate Management Scheme and the Council’s approach to roof alterations”.

2. Site Description

- 2.1 The appeal site, No.1 Middlefield is a two storey yellow brick detached dwelling. The site is enclosed by a boundary hedge with an attached garage to the side. Middlefield is located off Boundary Lane.

3. The Proposal

- 3.1. The proposal seeks Estate Management Consent to remove the chimney stack.

4. Relevant Estate Management History

- 4.1 Application Number: E6/1973/5079/ Decision: No Information
Decision Date: 10 March 1975
Proposal: Ground floor side extension, garage and access.

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 6/2018/1329/EM is attached at Appendix 2.

7.2. The key issue in the determination of this appeal is the impact of the proposed development upon the amenities and values of the Garden City.

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 Estate 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. Policy EM1 of the Estate Management Scheme (EMS) refers to extensions and alterations, and states that extensions and alterations will only be allowed where the works are in keeping with the design, appearance, materials and architectural detail used in the existing building, and would not harm the amenities and values of the area.

7.5. In order to be able to respond to the large amount for requests for roof alterations and energy efficiency measures such as Solar PV panels, following public consultation the council has approved a new 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 streetscene 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 streetscene 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 Solar PV, Thermal equipment, wind turbines, flues, new chimneys, dormer windows, roof lights, sunpipes, aerials and antenna and any other alterations to the roof of a property covered by the Estate Management Scheme.

- 7.6 Middlefield is characterised with a mixture of detached, semi-detached and terraced properties many having regularly spaced brick built chimneys.
- 7.7 The demolition of the chimney stack is considered to be inappropriate and out of keeping in this part of the streetscene, detracting from the character and appearance of the host dwelling and neighbouring properties and failing to maintain and enhance the amenities and values of this part of the Garden City and is therefore not compliant with policy EM1 of the Estate Management Scheme and the Council's approach to roof alterations.
- 7.8 The development would 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 harm to the amenities and values of the Garden City contrary to Policy EM1.
- 7.9 A case has been advanced by the appellant in support of the appeal. The grounds of appeal state that "Nos. 1 and 2 Middlefield are distinct in design terms from other properties on Middlefield, being detached, and with chimneys that are barely visible from the street (being situated on the rear roof slope). Other properties on the street are terraced and have prominent chimneys on the ridge line of the roof. In the context of Middlefield, it appears that Nos. 1 and 2 have already had their chimneys removed.
- 7.10 The nearby buildings on Boundary Lane are quite different in design terms to the houses on Middlefield, being of red brick, semi-detached and with chimneys on or close to the ridge line. No. 1 Middlefield is set back over 7 metres from the building line of properties on Boundary Lane. The result is that No. 1 Middlefield has a diminished relationship with the houses on Boundary Lane.
- 7.11 Although the existing chimney of No. 1 Middlefield is visible from some points along Boundary Lane it does not contribute to the street scene as it is set so far back from the building line. Also, its view is partially obscured by trees that are unlikely to be removed due to their amenity value. (The attached photos actually make the chimney look more prominent than it is, in reality, to passersby)".
- 7.12 In regards to the two properties mentioned above, there is no Estate Management application history to suggest that either address have consent for the works and No.1 Middlefield still has a chimney stack installed on the rear

roof slope. As previously stated the Chimney is visible within Boundary Lane and slightly from the street scene within Middlefield.

- 7.13 A compelling justification has not therefore 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 Middlefield, Boundary Lane and the Garden City. Accordingly, the proposal fails to reflect the character and appearance of the property to which it is located and the wider street scene of Middlefield and Boundary Lane. 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 proposed removal of the chimney in a prominent location within Middlefield, would be unacceptable and have a detrimental impact on the character and appearance of the appeal property, the row of terrace properties in which it is located and the surrounding street scene. Therefore it would cause harm to the values and amenities of the area and the proposal fails to accord with Policy EM1 of the Welwyn Garden City Estate Management Scheme.

9. Recommendation

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

Name of author	<i>Kerrie Charles 01707 357253</i>
Title	<i>Assistant Planning and Enforcement Officer</i>
Date	<i>4 December 2018</i>

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: 1 Middlefield Welwyn Garden City		Scale: DNS
			Date: 2019
	Project: EMAP Committee	Drawing Number: 6/2018/2537/EM	Drawn: Ida Moesner
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