

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

**DELEGATED APPLICATION**

**Application No:** 6/2019/1328/EM  
**Location:** 38 Kirklands, Welwyn Garden City, AL8 7RD  
**Proposal:** Formation of a hardstanding  
**Officer:** Ms Louise Sahlke

**Recommendation:** Refused

6/2019/1328/EM

<b>Context</b>			
<b>Site and Application description</b>	<p>38 Kirklands is a single storey, detached dwelling located within the Welwyn Garden City Estate Management Area. At present the house has only a footpath access (small gate) to the street with the remainder of the frontage lined with a mature hedge. The rest of the front garden is grassed with small areas of hardstanding. There are some significant, mature trees within the front garden which combined with the mature hedgerow form strategic views against the backdrop of the open space.</p> <p>The road is verdant with mature trees and hedgerow forming the predominant character of the road in line with the character of the garden city.</p> <p>The proposal seeks estate management consent for the formation of a hardstanding, however the proposed plans also demonstrate the partial removal of the front and side hedgerow and a holly tree.</p> <p>The proposed plans also demonstrate the change of use of amenity land in front of the garden and engineering works which require separate planning permission.</p>		
<b>Constraints</b>	Estate Management Scheme, as defined within the Leasehold Reform Act 1967		
<b>Relevant history</b>	No specific Estate Management applications.		
<b>Notifications</b>			
<b>Neighbour responses</b>	Support: 0	Object: 0	Other: 0
<b>Summary of neighbour responses</b>	None.		
<b>Relevant Policies</b>			
<input checked="" type="checkbox"/> EM3 <input checked="" type="checkbox"/> EM4			
<b>Considerations</b>			
<b>Does the development minimise impact on neighbours?</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
<b>Comment</b> (if required):			
<b>Vehicle Hardstandings Only.</b> Sections (a) and (b) completed only if hardstanding proposed			

**Would the hardstanding retain an appropriate balance between hard and soft landscaping?**

**Would only the minimum length of hedgerow required to access the hardstanding be removed?** (e.g. privacy, outlook, light etc.)

Yes  No

**Comment** (if required):

The need to accommodate the rise in car ownership does result in pressure for vehicle hard standings on the frontages of homes.

Policy EM4 of the Estate Management Scheme concerns hard landscaping works. It seeks to preserve the unique landscape value of the town and the setting of buildings and properties. This policy also seeks to maintain an appropriate balance between soft and hard landscaping and to retain landscape frontages, such as hedges. Supportive text under Policy EM4 states that the council will aim to ensure that a significant proportion, around 50% 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.

The plans provided are not accurate, on the site plan, the area of hardstanding is annotated as to measure 4.8 metres by 2.4 metres. However on the section plan, the depth of the area of hardstanding is annotated as approximately 5.5 metres. These levels of inaccuracy across the plans do not assist in the determination of this Estate Management Consent. However it is considered that should Estate Management Consent be granted that a condition could be applied to state that the car parking space can only measure 4.8 metres by 2.4 metres. In these circumstances the plans would demonstrate that more than 50% of the front garden will remain as soft landscaping.

Policy EM4 allows the loss of some hedgerow so long as it is the minimum required to access the hardstanding. It is considered that the extent, design and layout of the hardstanding would be likely to result in the excessive removal of the front and side hedgerow which when combined would create an area that would appear exposed. Therefore the proposal would not retain an appropriate balance between hard and soft landscaping and would erode and detract from the character and appearance of the application property and the street scene of this part of Kirklands. Accordingly, the proposal would be detrimental to the values and amenities of this part of the Garden City contrary to Policy EM4 of the Estate Management Scheme.

The proposed plans also demonstrate the removal of the holly tree with no replacement element of landscaping. The height and maturity of the holly tree provides a verdant and pleasing backdrop from views across the open space to the side and rear of 38 Kirklands and views from the streetscene. It is considered that its removal combined with the loss of hedgerow would result in the loss of landscaping which would harm the character and amenities of the area. Furthermore, it is not considered that there are other considerations that apply or that any sufficient justification for the works has been given. Therefore the removal of the holly tree and hedgerow is contrary to Policy EM3 of the Estate Management Scheme.

Furthermore, based on the inaccuracy of the plans, the proposed reduction in width of the front/side hedgerow and extent of the proposed engineering works there is concern that the works would result in the significant loss of this part of the mature and verdant hedgerow. The height and maturity of the hedgerow provides a verdant and pleasing backdrop from views across the open space to the side and rear of 38 Kirklands and views from the streetscene. It is considered that the hedgerow removal would result in the loss of landscaping which would harm the character and amenities of the area. Furthermore, it is not considered that there are other considerations that apply or that any sufficient justification for the works has been given. Therefore the removal of the holly tree is contrary to Policy EM3 of the Estate Management Scheme.

By virtue of the extent, design and layout of hardstanding proposed together with the excessive removal of the front/side hedgerow and removal of the holly tree, the proposal would not retain an appropriate balance between hard and soft landscaping and would erode and detract from the character and appearance of the application property and the street scene of this part of Kirklands. Accordingly, the proposal would be detrimental to the values and amenities of this part of the Garden City contrary to Policies EM3 and EM4 of the Estate Management Scheme.

**Any other considerations**

- Please note that the dropped kerb would require separate consent from Hertfordshire County Council Highways Department.
- In order to access the driveway, they will have to drive over an area of grassed amenity space (a grass verge). This land is within County Council/Welwyn Hatfield ownership and does not have planning permission as residential land in connection with number 38 Kirklands. The applicants have been advised as part of this Estate Management Application if they want to use this area as a vehicular access way in connection with number 38 Kirklands, they will need to apply for planning permission for the change of use of the land from amenity land to residential use. They will also require a dropped curb. This is a consideration in assessing this current Estates Management application, because the current proposal seeks consent for an area of hardstanding that can only be accessed via this grass verge.
- It is noted that you wish to undertake engineering works to create an area of hardstanding. You will need to apply for planning permission for engineering works to your property.

**Conclusion**

The proposal fails to maintain and enhance the amenities and values of the Garden City and are therefore not compliant with the Estate Management Scheme.

**Reasons for Refusal:**

1. By virtue of the extent, design and layout of hardstanding proposed together with the excessive removal of/impact upon the hedgerow and removal of the holly tree, the proposal would not retain an appropriate balance between hard and soft landscaping and would erode and detract from the character and appearance of the application property and the street scene of this part of Kirklands. Accordingly, the proposal would be detrimental to the values and amenities of this part of the Garden City contrary to Policies EM3 and EM4 of the Estate Management Scheme.

**REFUSED DRAWING NUMBERS**

2.

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
S1	C	Site Plan	4 June 2019
SK.2		Proposed Elevation from Pavement	4 June 2019
SK.1		Existing Elevation from Pavement	4 June 2019

SK.3	Section Through Proposed Dropped Kerb/Hardstanding	4 June 2019
Location Plan	Location Plan	18 June 2019

**Determined By:**

Mr Michael Robinson  
13 August 2019