

WELWYN HATFIELD BOROUGH COUNCIL
ESTATE MANAGEMENT APPEALS PANEL – 23 SEPTEMBER 2020
REPORT OF THE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

6/2019/3098/EM

7 HOMESTEAD LANE, WELWYN GARDEN CITY, AL7 4LT

ERECTION OF SINGLE STOREY REAR EXTENSION, RAISING OUTBUILDING ROOF
LEVEL TO FACILITATE CONVERSION TO HABITABLE SPACE WITH ALTERATIONS TO
OPENINGS.

APPLICANT: MS A EYERS

1 Background

- 1.1 This is an appeal against the refusal of Estate Management Scheme Consent for the erection of a single storey rear extension including raising the roof of the existing outbuilding, to create a habitable space including alterations to openings. The application (6/2019/3098/EM) was refused for the following reason:

‘The proposed extension and alterations to the outbuilding will result in a development which would dominate the rear garden of the application site. The proposed rear extension, combined with the existing outbuilding, will see the rear elevation extend over 10m from the main rear of the original building line and at its widest point, extend over halfway across the rear garden resulting in a disproportionate addition. In terms of outlook, neighbour amenity is likely to be affected due to the additional length and height of the proposal. As a result, the application fails to comply with Policy EM1 of the Estate Management Scheme’.

2 Site Description

- 2.1 The subject property is a two storey mid-terrace property located on the eastern side of Homestead Lane. The appeal site is set back from the highway behind a grass verge, pathway and relatively deep front garden. The rear garden of the property includes an attached outbuilding which is adjoined to a neighbouring building at 9 Homestead Lane. The rear garden backs onto the gardens of Homestead Court.

3 The Proposal

- 3.1 The application sought Estate Management Scheme consent to raise the roof level of the existing outbuilding and erect a single storey rear extension at the back of the existing outbuilding to facilitate its conversion into a habitable space. Alterations to existing openings within the outbuilding were also proposed.

4 Relevant Estate Management History

- 4.1 None, although a planning application for this development was also submitted and refused.

5 Representations Received

- 5.1 None.

6 Policy

- 6.1 Estate Management Scheme Policies (October 2008):
 - EM1 – Extensions and alterations

7 Discussion

- 7.1 This is an appeal against the refusal of Estate Management Scheme Consent to raise the roof of an existing outbuilding, alter existing openings within the outbuilding and erect an extension to the rear of the outbuilding to create a habitable space. The appellant's letter of appeal and supporting documents is attached at Appendix 1 and the delegated officer's report for application 6/2019/3098/EM is attached at Appendix 2.
- 7.2 The key issue in the determination of this appeal is the impact the proposed installation would have on the character and appearance of the appeal site and the surrounding area.
- 7.3 All applications to the Estate Management Scheme are assessed against the current policies relevant to the proposals. In this case, the application was assessed against Policy EM1. Policy EM1 of the Estate Management Scheme states that extensions and alterations to existing properties will only be allowed 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 the residential amenity of adjoining occupiers.
- 7.4 The appeal property is a mid-terrace property of similar homes that is located on the eastern side of Homestead Lane. The existing outbuilding within the rear garden is attached to the main building by a section of roof which covers the area outside the back door and the existing side access which runs between the no.7 and no.9. The outbuilding is attached to a similar structure within the rear garden of no.9 and extends approx. 6.4m into the garden from the rear building line of the main dwelling. The outbuilding is approx. 2.3m in height and extends approx. 2m from the boundary with no.9.
- 7.5 The application sought Estate Management Scheme consent to raise the roof level of the existing outbuilding and erect a single storey rear extension at the back of the existing outbuilding to facilitate its conversion into a habitable space. Alterations to existing openings within the outbuilding were also proposed. The proposed extension would extend approx. 4.2m from the rear of the existing outbuilding which, when combined with the existing outbuilding, would result in a rear elevation which would

be in excess of 10m from the rear elevation of the main dwelling. The proposed extension would also have an approximate width of 3.3m, which is approx. 1.3m wider than the existing outbuilding, and would also be stepped in from the neighbour boundary by 0.3m creating staggered elevations on the southern side. In addition, the proposed extension and alterations to the outbuilding would result in a roof height of approx. 2.8m for the entire development. This is 0.5m higher than the existing outbuilding roof.

- 7.6 It is considered that the proposed extension and alterations to the outbuilding would result in an over development which would dominate the rear garden of the application site. The proposed rear extension, combined with the existing outbuilding, will see the rear elevation extend over 10m from the main rear of the original building line and at its widest point, extend over halfway across the rear garden resulting in a disproportionate addition. In terms of outlook, neighbour amenity at 9 Homestead Road is likely to be affected due to the additional length and height of the proposal.
- 7.7 As part of their appeal, the appellant has identified and submitted a photograph of properties with rear extensions along Cole Green Lane that are visible from the upper windows of the application site. The photograph shows rear developments to 104, 106 and 108 Cole Green Lane.
- 104 Cole Green Lane - From the photograph it is not clear if the development is an extension or a large covered area to the back of the property. No record of Estate Management Scheme consent can be found therefore carries little weight to support this application.
 - 106 Cole Green Lane – The photograph appears to indicate that the development is a conservatory. An EM application for the extension at 108 indicates the conservatory at 106 has a depth of 3m, however, no Estate Management application can be found.
 - 108 Cole Green Lane – The photograph indicates an extension to the rear which obtained EMS consent in 2018. The extension is approx. 4.5m deep and 2.8m but does not cover the full width of the property.
- 7.8 In addition to those properties identified above, the appellant has also highlighted the development at 116 Cole Green Lane which is not shown in the photograph. The development is similar to the subject of this appeal, however, it has a modest 1.5m extension to the existing outbuilding, which has been incorporated into the main house. As a result the overall depth is 5.2m with a width no wider than the existing outbuilding. The extension has an approx. height of 2.8m.
- 7.9 The appellant disputes the dimensions of the proposed development and highlights the width of the extension element to be 3.1m however, the submitted plans indicate that the external width would be approx. 3.4m. The extension is also stepped in from the shared boundary with no.9 by approx. 0.3m which results in the north facing wall of the extension being over the mid-point of the garden by approx. 0.5m. In addition, the appellant states that the proposed extension would have a depth of 3.8m and that the existing outbuilding has a depth of 4.5m totalling 8.3m overall. The submitted plans indicate that the external depth of the proposed extension is approx. 4.2m and the depth of the existing outbuilding is approx. 4.3m (omitting the section where the proposed

extension overlaps the outbuilding). The total for both would be approx. 8.5m, however, there is also the covered and enclosed area that would have an approx. depth of 1.8m and would adjoin the existing outbuilding and proposed extension to the main dwelling resulting in an overall depth of over 10m.

- 7.10 The appellant states that the proposed development would sympathetic to both neighbouring properties and will not create a dominant presence with no loss of light. It is agreed that the impact upon the access to light is likely to be minimal, however, at over 10m in depth and approx. 2.8m in height its proximity to the shared boundary with no.9 will result in a negative impact upon the outlook and amenity for that property.
- 7.11 The appellant states that the proposed development would not result in overdevelopment of the rear garden and that ample space would remain. It is unclear from the plans how far down the garden the proposed development would extend however, the proposal is considered unbalanced with the extension being the widest part of the development that would dominate the middle section garden.
- 7.12 The appellant states that the proposed development is not to the main building and that the character of the actual rear of the property would not be altered. The existing outbuilding is likely an original feature of the property and attached to the main building by a solid roof section. Whilst alterations to the outbuilding can be acceptable, the addition of the relatively large extension to its rear elevation combined with the increased height does alter the character of the property.
- 7.13 The appellant states that the proposed development is restricted to the rear of the property only and that there would be no negative impact upon the street scene and this point is agreed.
- 7.14 The appellant states that the development would have less impact on the local surroundings when compared to the impact of Homestead Lane garage block (adjacent to no.11) and the blocks of flats at Homestead Court to the rear of Homestead Lane. Although, the proposed development would be much smaller than these buildings the application was assessed against the existing EMS policies to examine the impact it would have on the application site and the immediate neighbourhood. It should also be noted that the buildings identified by the appellant are part of the wider planned layout of this area of Welwyn Garden City.
- 7.15 The appellant states that the proposed development is to create a downstairs toilet and day room to allow an elderly relative with a serious health condition to be cared for at the appellant's home. Whilst sensitive to the appellant's wishes, the Estate Management Scheme should be considered when proposing additions to homes covered by the scheme.

8 Conclusion

- 8.1 Despite the proposed development having no impact upon the street scene and the wish to care for an elderly relative at home, it is considered that no substantial additional evidence or information has been submitted by the

appellant which would alter the officer's recommendation. The proposed alterations to the existing outbuilding and erection of the proposed extension would result in a development that would not be subordinate to the existing property and that would dominate the rear garden of the application site and result in a detrimental impact to neighbour amenity. The original application, and appeal, therefore fail to comply with Policy EM1 of the Estate Management Scheme.

9 Recommendation

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

James Homer (Estate Management Scheme Manager)


Date: 08 September 2020

Background Information

Appendix 1: Appellant's grounds of appeal and supporting documents

Appendix 2: Original delegated officer's report



 <p>WELWYN HATFIELD</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	Title: 7 Homestead Lane Welwyn Garden City AL7 4LT		Scale: DNS
	Project: Development Management Committee		Date: 09-09-2020
	Drawing Number: 6/2019/3098/EM		Drawn: Gill Howell
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