

WELWYN HATFIELD BOROUGH COUNCIL – ESTATE MANAGEMENT SCHEME
DELEGATED REPORT

APPLICATION No:	W6/2013/1382/EM
APPLICATION Site:	28 Brockswood Lane, Welwyn Garden City

NOTATION:

The site lies within the Estate Management Scheme area under the Leasehold Reform Act 1967

DESCRIPTION OF SITE AND PROPOSAL:

The site is a semi-detached dwelling house on a narrow plot with a long rear garden approximately 33m long and 11m wide.

The proposal seeks the erection of a summerhouse approximately 4m long and 3m wide and measuring approximately 2m from ground to eaves height and 2.5m from ground to the central low slope pitch height. It would be constructed of stained timber to blend with the woodland surroundings at the rear of the garden. It is also proposed to erect a 1.8m tall timber fence and access gate at the rear garden to afford greater privacy from the public footpath running past the rear garden boundary.

EMS HISTORY: None

POLICIES:

Estate Management Scheme (EMS) Policies (October 2008):
EM2 – Erection of New Buildings

CONSULTATIONS: None

TOWN/PARISH COUNCIL COMMENTS: None

REPRESENTATIONS:

This application has been advertised and no representations have been received.
Period expired 30/07/2013

DISCUSSION:

The main issue is:

- 1. Whether the proposal maintains and enhances the amenities and values of Welwyn Garden City and neighbouring occupiers**

EM2 – Erection of New Buildings

Policy EM2 of the Estate Management Scheme is relevant and concerns the erection of new buildings. The policy only allows the erection of new buildings where they do not have a detrimental impact on the amenities and values of the surrounding area and the residential amenity of adjoining occupiers

The proposed summerhouse building would be of a standard size for such structures. It would be sited at the north-east side of the rear garden, appearing in the plans at approximately 1m from the rear side boundary with the symmetrical rear garden of the adjacent property (No.26) and over 1m from the rear boundary of the application site behind the public footpath. At 2m-2.5m and set back from the adjacent garden boundary fence, at the far end of the deep rear garden, the proposal is not considered to be of a siting, scale or design which would appear prominent. It would not be visible from the street scene of Brockswood Lane due to its rear garden siting. From the public footpath to the rear of the summerhouse, in the context of rear gardens and its woodland setting, the presence of a timber stained summerhouse to blend with the appearance of the woodland is not considered out of character or detrimental to the amenities and values of the Garden City given its appearance, scale and detailed design. This is also considered so of the timber fence given its materials, design, function, rear garden siting, and limited scale at 1.8m. Accordingly, it is considered that the proposal, by virtue of its siting, scale and detailed design, maintains and enhances the amenities and values of the Garden City and is in accordance with Policy EM2.

In relation to the impact on the residential amenity of adjoining occupiers the impact of the proposed development on the residential amenity of neighbouring dwellings is measured in terms of the impact on neighbouring properties access to day/sun/sky light, overshadowing, loss of privacy/overlooking and impact on outlook. The summerhouse would not exceed 2.5m in height. Coupled with its setback from the adjacent boundary fence with the symmetrical garden to No.26, and its siting over 25m to rearwards of the application property and adjacent properties, its scale and limited footprint is not considered sufficient to cause a detrimental impact to the amenities of the occupiers of either adjacent/adjoining property.

CONCLUSION:

It is considered that the proposal maintains and enhances the amenities and values of the Garden City and is therefore in compliance with the Estate Management Scheme.

RECOMMENDATION: APPROVAL WITH CONDITIONS

EM01.a – 1. This consent shall expire three years after the date hereof (or such other extended date as the Council may agree) unless the works hereby approved shall be completed before that date.

2. All works carried out in pursuance of this consent shall be and remain part of the Premises and shall be subject to the terms and conditions of the conveyance in all respects as if such works had at all times formed part of the Premises.

3. This consent or copy hereof shall be annexed to the Conveyance.

4. There shall be no encroachment over the boundary of the plot either above or below ground level, nor any interference with the foundations of the adjoining property without the agreement of the adjoining owner or lessee.

5. This consent now issued is given by the council only in accordance with the requirements of the Management Scheme/Conveyance or Leasehold Covenants.

REASON: To comply with the requirements of the Estate Management Scheme

6. The development/works shall not be started and completed other than in accordance with the approved plans and details: Site Plan & Proposed Block Plan & Proposed Summerhouse Elevations and Floorplan received and dated 04 July 2013 unless otherwise agreed in writing by the Council.

REASON: To ensure that the development is carried out in accordance with the approved drawings and any changes must be agreed in advance in writing by the local planning authority.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

It is considered that the proposed development does not have an unacceptably harmful impact on the residential amenity or the character of the area in which it is located. It is therefore in compliance with the Estate Management Scheme.

Signature of author..... Date.....