

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

DELEGATED APPLICATION

Application No: 6/2019/0314/EM
Location: 32 Brockwood Lane Welwyn Garden City AL8 7BG
Proposal: Replacement of garage
Officer: Mrs Sarah Smith

Recommendation: Granted

6/2019/0314/EM

Context			
Site and Application description	<p>The application site forms the right hand side of a semi-detached property located along Brockwood Lane. There is an existing garage located within the rear garden which would be replaced by the proposed development,</p> <p>The proposed garage would measure 8.3m and have a height of 2.5m. It would be finished in a prefabricated concrete panels with shingle finish. The garage door would be steel.</p>		
Constraints	Estate Management Scheme, as defined within the Leasehold Reform Act 1967		
Relevant history	<p>Application Number: W6/2011/0742/EM Decision: Granted Decision Date: 21 June 2011 Proposal: Erection of summer house</p> <p>Application Number: 6/2015/2071/EM Decision: Granted Decision Date: 24 November 2015 Proposal: Erection of wooden garden room to rear</p>		
Notifications			
Neighbour responses	Support: 0	Object: 1	Other: 0
Summary of neighbour responses	<p>The changed location of the proposed structure presents a backland development of garden area, impacting negatively on visual amenity. This suggests it is a planning matter, not only managed covenant.</p> <p>The materials are inconsistent with existing structure and with those of a garden structure; particularly the roof which is visible from several neighbouring properties and the woodland walkway.</p> <p>The proposed height is higher than adjacent structure and with slope of land is accentuated.</p> <p>A concrete structure of this scale, location and finish is incongruous with timber garden structures locally that complement the woodland context.</p>		
Relevant Policies			
<input type="checkbox"/> EM1 <input checked="" type="checkbox"/> EM2 <input type="checkbox"/> EM3			

Others
Considerations
Does the design (form, size, scale, siting) and character (appearance within the streetscene) maintain and/or enhance the amenities and values of the area?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Comment (if required): <p>The principle of a replacement garage at the rear of the dwelling is acceptable. The proposed garage would be sited alongside the boundary with No. 30 Brockwood Lane. Whilst the building is larger than what is normally expected, given its location set back from Brockwood Lane, that it would replace an existing large building which when viewed from Brockwood Lane would not be unduly different to the existing building and that there are other buildings within the vicinity of the site that are larger, it is not considered that it would be so harmful to the amenities and values of the site and the area to warrant a refusal in this regard.</p> <p>The proposed materials, prefabricated concrete panels with shingle finish, would be uncharacteristic of the garden city. However, the amount of shingle finish that would be visible from Brockwood Lane would be limited and the majority of garage visible from this Lane would be the white garage door. Accordingly, on balance it is considered that this would not detract from the values and amenities of the property or indeed the house to warrant a refusal in this regard.</p> <p>Accordingly, no objections are raised with regard to Policy EM2.</p>
Does the development minimise impact on neighbours?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Comment (if required): Whilst the building would extend along the boundary with No. 30 where the application site is on higher ground than that property, given the height of the proposed garage at 2.5m, the existing boundary treatment, the existing outbuildings along the boundary of the application site at No. 30 which extend a similar distance to the building proposed, and the distance from the private amenity space at No. 30, it is considered that on balance the proposed garage would cause no undue detrimental impact to the residential amenity of the occupiers of this property, or indeed any other property.
Vehicle Hardstandings Only. Sections (a) and (b) completed only if hardstanding proposed
Would the hardstanding retain an appropriate balance between hard and soft landscaping?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Comment (if required):
(b) Would only the minimum length of hedgerow required to access the hardstanding be removed? (e.g. privacy, outlook, light etc.)
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Comment (if required):
Any other considerations
None
Conclusion
It is considered that on balance, the proposed garage would adequately maintain the values and amenities of the property and this part of the Garden City and accordingly no objections are raised to the Policy EM1.

Conditions:

1. 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.

REASON: To comply with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City.

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

REASON: To comply with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City.

3. 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.

REASON: To comply with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City.

4. 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 Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City.

5. The garage door, external window frames, glazing bars, sills, door, door surrounds and other external decorations associated with the fenestration hereby approved shall not be any colour other than white.

REASON: To protect the character and appearance of the original building and the amenities of the area in accordance with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City and Policy EM2.

DRAWING NUMBERS

6. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
Location Plan		Location Plan	12 February 2019
AT816-01		Site Plan & Location Plan	5 March 2019
AT816-02		Existing Plans & Elevations	5 March 2019
AT816-03A		Proposed Plans & Elevations	8 March 2019

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

Informatives:

1. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.

2. This consent does not convey any consent which may be required under any legislation other than the Leasehold Reform Act. Any permission required under the Town and Country Planning Acts, Building Regulations or under any other Act, must be obtained from the relevant authority or body. Neither does this consent negate or override any private covenants which may affect the land.
3. The applicant is advised to take account the provisions of The Party Wall Act 1996 insofar as the carrying out of development affecting or in close proximity to a shared boundary.

Determined By:

Mr Chris Carter
26 April 2019