

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No: S6/2013/2530/FP

SITE ADDRESS: Ramada Hatfield, St Albans Road West, Hatfield

DESCRIPTION OF DEVELOPMENT: Change of use of land to car washing, valeting (sui generis), works to include erection of a canopy

RECOMMENDATION: REFUSAL

1. SITE AND APPLICATION DESCRIPTION:

The application site comprises a Ramada Hotel complex situated on the on the western side of Comet Way and the southern side of St Albans Road West on an irregular shaped corner plot. The site fronts onto a busy road network including two roundabouts with traffic lights. The rear site boundary to the south-west adjoins the rear gardens of residential properties in Ashbury Close and Selwyn Crescent. The University of Hertfordshire and Hatfield Business Park are located to the north, the Galleria retail and leisure complex is situated to the north-east and the A1 motorway passes in a cutting to the south-east. A car park wraps around the front of the site with access from St Albans Road West and Comet Way.

The Ramada Hotel is a Grade II listed building dating from the 1930's. The listing description, which identifies the building as The Comet Public House, is as follows:

Hotel. 1933. By E B Musman. Red brick with stone dressings on steel frame. The plan is supposedly in the form an aeroplane. Two storeys. Projecting centrepiece with rounded end, the ground floor projects beyond the first. Wings on either side, also half round, single storey only. Five window side elevations. Largely original steel framed windows, the two modern ones in the front elevations are openings in originally blank walls. Clipsham stone dressings strip above and below windows and to parapets. Flat roofs not visible, the original roof lantern has been removed. The interior has been altered. A pioneer hotel in the modern style.

This application seeks full planning permission for the change of use of land to car washing, valeting (sui generis), works to include erection of an open sided canopy measuring approximately 8m in length by 5m in width and 3.8m in height. Following a site visit it became apparent that the development had already taken place. It was also noted that the canopy shown on the proposed drawings differs from the canopy erected on site, which has a cantilever design and features an advertisement banner.

2. SITE DESIGNATION: The site lies within Hatfield as designated in the Welwyn Hatfield District Plan 2005.

3. RELEVANT PLANNING HISTORY:

There is an extensive planning history at the site. The applications relevant to this current application are as follows:

S6/2000/0860/LB – Single storey extension to form linen room to new bedroom block (Granted 31/07/2000)

S6/199/0447/FP – Demolition of staff block and erection of two storey extension to provide 26 additional bedrooms and construction of 26 additional car parking spaces (Granted 15/01/1999)

S6/1992/0252/LB – Alterations and extensions including erection of new bedroom block to provide 51 bedrooms and two meeting rooms; single storey extension for laundry room; new entrance lobby and refurbishment; additional car parking facilities (Granted 06/08/1992)

4. CONSULTATIONS:

No objections have been received in principle from Hertfordshire County Council; Transportation; Environment Agency; Natural England; Welwyn Hatfield Borough's Environmental Health; Welwyn Hatfield Borough's Parking Services and Welwyn Hatfield Access Group.

5. NEIGHBOUR REPRESENTATIONS:

One representation has been received from a member of public which questioned the need for a car wash facility but did not object to the proposal in principal. Their main concern related to the colour of the canopy already erected on site, which is considered not in keeping with the listed building and the surrounding area given that it is highly visible from the road. Arrangements for the disposal of waste water were also a concern.

6. TOWN/PARISH COUNCIL REPRESENTATIONS

No representations have been received from the town council.

7. MAIN PLANNING ISSUES AND RELEVANT PLANNING POLICIES:

The main planning issues with this application are:

- a) The acceptability in principle of the development (SD1, R1, NPPF Paragraph 17, 111)
- b) Whether the proposed development would have a detrimental impact upon the character and appearance of the application site and the surrounding area including the setting of a Listed Building (D1, D2, SDG NPPF, Paragraph 131)
- c) The impact of the proposal on the residential amenity of neighbouring properties (D1, R19, SDG, NPPF)
- d) Impact on the highway and parking provision (M14 and SPG)

8. ANALYSIS:

- a) The acceptability in principle of the development

A core principle in the National Planning Policy Framework (NPPF) is to encourage the effective use of land by reusing land that has been previously developed

provided that it is not of high environmental value. Local Plan Policy R1 requires development to take place on previously used or developed land. The application site is located within the town of Hatfield and consists of a previously developed site currently in use as a surface car park. In terms of saved policies contained within the adopted Welwyn Hatfield District Plan, there are no specific planning policies which deal with car wash facilities or dual uses associated with existing car parks. Therefore, each case would need to be considered on its merits subject to an assessment of the proposals against other relevant adopted and emerging policies governing development, namely whether it is designed to be in keeping with the character and quality of the local environment, ensuring that there is a proper means of access and adequate parking provision. Additionally, it will be important to ensure that there is no significant harm to the amenity enjoyed by the occupiers of neighbouring properties.

b) Whether the proposed development would have a detrimental impact upon the character and appearance of the application site and the surrounding area including the setting of a Listed Building

Local Plan Policies D1 and D2 aim to ensure a high quality of design and to ensure that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area. In addition to the above, the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

In considering this application, the impact of the development on the setting of the adjacent listed building is of material significance. Section 72 of the Listed Buildings and Conservation Areas Act (1990) states that "*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*" It is now accepted case law that preserving the character or appearance of a conservation area can be achieved not only by a positive contribution to preservation, but also by development which leaves the character or appearance of the area unharmed.

In terms of the NPPF, Chapter 12 which is concerned with the conservation and enhancement of the historic environment, paragraph 131 states:

"In determining planning applications, local planning authorities should take account of:

- *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *The desirability of new development making a positive contribution to local character and distinctiveness"*

The NPPF goes on to guide that *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be”*. It is therefore clear that the objective of the policies is to maintain and manage change to heritage assets in a way that sustains and, where appropriate, enhances its significance. That significance is the value of a heritage asset to this and future generation because of its heritage interest, which may be archaeological, architectural, artistic or historic. This significance may derive not only from its physical presence but also from its setting and this means that the wider implications of development within the wider conservation area has to be taken into account.

The application site, which includes the listed building, is highly exposed to the road network and public vantage points. The proposed car wash would be sited approximately half way along the site frontage with St Albans Road West. In light of its setting and the lack of landscaping around the boundary, the proposed car washing area and canopy are highly prominent within the locality.

In terms of design and materials, the canopy appears to be constructed from galvanised steel support posts and roof arches which are covered by PVC coated fabric. The fabric roof is bright orange in colour. In terms of design and materials, the canopy appears to have been designed to draw attention to the proposed car wash with little regard to the visual amenity of the streetscene or its impact on the setting of the adjacent listed building. The canopy which has already been erected on the site appears incongruous within the streetscene given its scale, prominence and design, which has paid no attention to the surrounding built form. The proposal would detract unacceptably from the appearance of the Grade II listed building resulting in substantial harm to the setting of this building. Accordingly the proposal fails to comply with Local Plan Policies D1 and D2 and the National Planning Policy Framework.

Sustainable development is central to the NPPF and encompasses social, economic and environmental dimensions. NPPF paragraph 134 requires that where, as in this case, there would be less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against any public benefits, including securing optimum viable use. In this case, the adjacent listed building has an existing viable use as a hotel. Furthermore, no evidence has been submitted to suggest that the proposal would secure any investment in the buildings fabric. It is therefore concluded that the limited benefits of the development would not outweigh the harm to the significance of the listed building.

c) The impact of the proposal on the residential amenity of neighbouring properties

The nearest residential dwellings are within Ashbury Close, located approximately 80m to the west of the car wash. Within the immediate vicinity of the application site are a variety of uses which attract visitors to the area. The noise of the coming and going of vehicles would be no different to the remainder of the car park. No letters of representation were received from neighbours with regards to the impact of the proposal on residential amenity and the Council’s Environmental Health Officer did not object to the. It is considered that the proposed carwash would not have a

significant impact on neighbour amenity and, in this respect, is in accordance with Policy D1 and R19 of the Welwyn Hatfield District Plan 2005.

d) Impact on the highway and parking provision

Operating the car wash facility will not alter the layout, ingress and egress arrangements of the car park. Hertfordshire County Council Transportation Planning and Policy department does not wish to restrict the grant of planning permission.

The proposed car wash involves the use of a total of five existing car parking spaces. No information has been provided in terms of the total number of parking spaces within the wider car park, although at the time of the site visit there significant spare capacity. Given that the application spaces would still be available for parking, albeit for customers who have elected to have their cars washed, it is considered that the development would not have an unreasonable impact on parking provision and the safety and operation of the adjoining highway in accordance with Policy M14 of the Welwyn Hatfield District Plan 2005.

9. CONCLUSION:

Given the scale, height, design and siting the proposed canopy, the development would appear as a prominent and incongruous addition within the streetscene. In addition, the proposal would result in material harm to the setting and visual amenity of the adjacent Grade II listed building. The proposal therefore conflicts with Policy D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework. The listed building has an existing viable use as a hotel and no evidence has been submitted to suggest that the proposal would secure any investment in the buildings fabric. It is therefore concluded that the limited benefits of the development would not outweigh the harm to the significance of the listed building.

REASONS FOR REFUSAL:

1. The applicant has failed to demonstrate to the satisfaction of the Local Planning Authority that the proposed development would not have a detrimental impact on the character and appearance of the application site or the surrounding area. Given the scale, height, design and siting the proposed canopy, the development would appear as a prominent and incongruous addition within the streetscene. In addition, the proposal would result in material harm to the setting and visual amenity of the adjacent Grade II listed building. The proposed development would therefore not be compatible with the maintenance and enhancement of the character of the area and it would not preserve the setting of the area or make a positive contribution to the character and local distinctiveness of this locality. As such the proposed development would be in conflict with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

SUMMARY OF REASONS FOR REFUSAL:

The decision has been made taking into account material planning considerations and where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework (see Officer's report which can be viewed on the Councils website or inspected at these offices).

REFUSED DRAWING NUMBERS:

RH CW 01 Rev A received and dated 28 November 2013

INFORMATIVES

1. Car wash liquid waste is classed as trade effluent. Before discharging to a sewer you must always get a trade effluent consent or enter into a trade effluent agreement with your water and sewerage company or authority. If you are not able to discharge effluent to the foul sewer it will be classed as waste and you must then comply with your duty of care responsibilities. More information regarding the discharge of trade effluent can be found online at: www.netregs.gov.uk and <http://publications.environment-agency.gov.uk/pdf/PMHO0307BMDX-e-e.pdf>.

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