

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No: S6/2014/1895/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: Approve with Conditions

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 3.2m in height.

This application is a resubmission following refusal of planning permission in January 2014 and an appeal which was dismissed in June 2014. Whilst the proposed canopy is identical to that which was previous proposed under reference S6/2013/2530/FP, the siting of the canopy and the car wash has been relocated to the rear of the car park towards the south of the site.

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:

S6/2013/2530/FP Change of use of land to car washing, valeting (sui generis), works to include erection of a canopy (Refused 23/01/2014 and Appeal Dismissed 06/06/2014)

Reason for refusal of planning application S6/2013/2530/FP:

- 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.*

4. CONSULTATIONS:

No objections have been received in principle from Hertfordshire County Council; Transport Programmes and Strategy; Environment Agency; Natural England and Welwyn Hatfield Borough's Environmental Health.

5. NEIGHBOUR REPRESENTATIONS:

One objection has been received from a member of public due to concerns regarding surface water drainage.

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)
- e) Other material considerations (R7, NPPF)

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. Refused planning application S6/2013/2530/FP proposed to site the car wash in a highly prominent location along the site frontage with St Albans Road West. In this location, the proposed canopy would result in a highly visible interruption to the open setting of the listed building. In contrast, the amended proposal would be sited behind the listed building, well away from the site frontage and screened by mature planting to the south, east and west. In this location the proposal would not detract unacceptably from the appearance of the listed building or materially harm its setting. Accordingly there is no objection in respect of the proposals impact on the character and appearance of the application site and the surrounding area.

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

The nearest residential dwellings are within Ashbury Close, located approximately 45m to the west of the car wash and behind mature boundary planting. 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. 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 six 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 was 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.

e) Other material considerations

Drainage: The Environment Agency and the Council's Environmental Health Officer requested additional information in regards to drainage for the proposed car wash facility. Amended plans were submitted by the applicant during the course of this application which show the proposed drainage arrangements. The Environment Agency subsequently confirmed that they had no objection to the proposal.

9. CONCLUSION:

Given the siting of the proposed car wash and canopy, it would not appear as a prominent and incongruous addition within the streetscene and would not be materially harmful to the setting and visual amenity of the adjacent Grade II listed building. The proposal therefore overcomes the reason for refusal of planning application S6/2013/2530/FP in accordance with Policy D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

10. CONDITIONS:

1. C.2.1 – Time limit for commencement of development
2. C.13.1 – Development in accordance with approved plans and details RH CW 01 Rev D & Canopy Plan & Elevations received and dated 20 October 2014
3. C.5.1 – Samples of materials to be submitted and agreed
4. The permission hereby granted for the use of land for car washing and valeting purposes relates solely to the 6 No. parking spaces marked in yellow on Plan No. RH CW 01 Revision D, and except for access/egress purposes, shall not be carried out on any other parts of the Ramada Hotel site.

REASON: To ensure the historic and architectural character and setting of the building is properly maintained, in accordance the National Planning Policy Framework

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be inspected at these offices).

INFORMATIVES

1. The Environmental Permitting Regulations 2010 make it an offence to cause or knowingly permit a groundwater activity unless authorised by an Environmental Permit which we will issue. A groundwater activity includes any discharge that will result in the input of pollutants to groundwater. 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 at: www.netregs.gov.uk and <http://publications.environment-agency.gov.uk/pdf/PMHO0307BMDX-e-e.pdf>

2. Advertisement Consent is likely to be required for new external signage.

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