



Appeal Decision

Site visit made on 2 May 2014

by Ms T L Dow BA, Dip TP, Dip UD, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 June 2014

Appeal Ref: APP/C1950/A/14/2214461

Ramada Hotel, St Albans Road West, Hatfield, Hertfordshire, AL10 9RH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Besnik Dedei on behalf of the Hatfield Car Wash Ltd, against the decision of Welwyn Hatfield Borough Council.
- The application Ref S6/2013/2530/FP, dated 27 November 2013, was refused by notice dated 23 January 2014.
- The development proposed is; the use of part of the existing car park for a car wash service.

Decision

1. The appeal is dismissed.

Procedural matters

2. The description of development does not include reference to the erection of a canopy which requires permission, although it is shown on the plans and I have dealt with the appeal on that basis. The Council's report states that the development has already taken place and letters of objection also indicate that to be the case. However, at the time of my site visit, the site was not in use and the canopy was not in place.
3. Since the appeal was submitted the Government's Planning Practice Guidance has been published. The content of the guidance has been considered but in the light of the facts in this case it does not alter my conclusions.

Main issue

4. The main issue is the effect of the canopy on the character and appearance of the area and on the setting of the Ramada Hotel, a grade II listed building, having particular regard to scale, design and siting.

Reasons

5. The Ramada Hotel is located alongside a busy junction on the western side of Hatfield. The proposal relates to an area covering five parking spaces within the car park serving the Hotel.
6. From the evidence before me and having regard to the list description, the significance of the listed building is derived from it being a pioneer hotel

designed in the modern style. Its plan is supposedly in the form of an aeroplane. It is a two storey building with a horizontal emphasis to the design. Although it is of limited height, it is nonetheless striking because of its unusual design and shape. It is well set back from the site frontages. From the front of the building, its relatively symmetrical appearance in its open setting can be appreciated. The site boundaries are also largely open, so there are very good views of the building from the surrounding road network and footpaths. The symmetry of the front of the building in its expansive open area, and the unrestricted views, make an important contribution to its setting and its significance as a heritage asset.

7. The Hotel site occupies a prominent position at the confluence of a number of major routes serving the town. There are two significant roundabouts adjacent to the Hotel, from where there are broad views of the listed building and the proposed car wash location to one side. There is a large shopping centre near the Hotel and other commercial development nearby. Although the surrounding area is heavily dominated by roads and traffic, the public realm is not unattractive. It is also an area which is highly visible to a large number of people who use and pass through it.
8. The Council has no objection to the use of part of the car park as a car wash. The concern relates to the proposed canopy. The canopy would be a relatively large structure of around 8 metres long, 5 metres deep and 3.8 metres high at its highest point. The canopy would be supported by metal posts. The appellant has referred to the prominence of the modern extension to the Hotel and the location of the canopy close to it. However, the canopy would be sited to the west of the extension, within the open part of the site and clearly within an area that forms part of the setting of the listed building. It would be a distinctive, isolated feature to one side of the building, which would bear little physical relationship in terms of its proposed design or materials to the listed building. It would form a relatively large and prominent visual interruption to the setting and would also detract from the symmetry of the building within its open setting.
9. In terms of the wider street scene, the canopy would be sited next to the grass verge between the parking area and the road, close to an entrance to the Hotel. It would not be screened. Given that the site is so exposed to public views, a relatively large canopy in this highly visible location and so close to the site boundary, would appear unduly prominent in the street scene. It would form an isolated feature in what is otherwise an open area. In addition, given that the site is highly visible, it would be seen from a wide range of views. Although this is a commercial area, isolated structures with a somewhat temporary appearance are not part of the character.
10. Accordingly, given its scale, design and siting, the canopy would unacceptably detract from the setting of the listed building. In so doing it would fail to preserve that setting, the desirability of which is fully anticipated by the Act¹, and to which I am required to have special regard. For the same reasons, the canopy would detract from the character and

¹ Planning (Listed Buildings and Conservation Areas) Act 1990.

appearance of the wider area. As such, the proposal would also not meet the aims of paragraph 17 of the National Planning Policy Framework (the Framework), to achieve high quality design and conserve heritage assets in a manner appropriate to their significance. The proposal would also be contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan, 2005 (District Plan). Amongst other things, these policies seek to ensure that the design of development is high quality and that it respects the character and context of the area in which it is proposed. Although the District Plan pre-dates the Framework, I do not find these aspects of the policies inconsistent with it.

11. Paragraph 134 of the Framework requires that, in the case of designated heritage assets, the harm should be weighed against any public benefits the proposal may bring. Although the impact of the appeal scheme would be materially harmful, taking into account the scale of the proposal and its location, it would cause less than substantial harm to the setting of the listed building. There would be some public benefit in that a new car wash service would be provided for customers of the hotel as well as the general public, and the business would contribute to the local economy. However, there is no evidence to suggest that the service has to be located on this highly visible part of the site. In addition, letters of objection state that there are similar services operating nearby. As such, overall, I give this benefit only limited weight.
12. Paragraph 132 of the Framework advises that great weight should be given to the conservation of a heritage asset in considering the impact of a proposal on its significance. In addition, paragraph 131 of the Framework refers to the desirability of new development making a positive contribution to local character and distinctiveness. For the above reasons, I consider that the development would not make such a contribution. In addition, the harm identified to the significance of the heritage asset would significantly and demonstrably outweigh the benefits of the development when assessed against the policies in the Framework, taken as a whole.
13. The appellant has pointed out that applications should be approved where possible, that the site is not in the Green Belt nor a conservation area, that it is not unneighbourly and there are no highway issues. Nonetheless, these points do not change my view regarding the impact of the proposal on the setting of the listed building and the character of the area.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

TL Dow

INSPECTOR