

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

DELEGATED APPLICATION

Application No: 6/2020/0935/MAJ
Location: Comet Hotel, St Albans Road West, Hatfield, AL10 9RH
Proposal: Temporary partial change of use of Student Accommodation (Sui Generis) to Serviced Apartments (C1)
Officer: Mr David Elmore

Recommendation: Granted

6/2020/0935/MAJ

Context	
Site and Application description	<p>The application site comprises The Comet Hotel, its car park, and purpose built student accommodation to the rear of the hotel building. The student accommodation includes 272 rooms and is car-free.</p> <p>This application seeks temporary planning permission up to the 30th of September 2021 to use 154 rooms of the student accommodation for Class C1 (serviced apartment) use. The supporting information highlights that, due to the implications of Coronavirus, it is highly unlikely that all student beds will be fully occupied during the 2020/21 academic year – hence the reasoning for this partial change of use in the short term.</p> <p>Lester Hotels, who already operate the 65 bed Comet Hotel, would manage and staff the proposed serviced apartments.</p> <p>The serviced apartments would be managed as short term accommodation to distinguish them from C3 use and the following services would be provided:</p> <ul style="list-style-type: none"> • 24 hour concierge servicing; • Rooms will not be occupied for period of 90 days or more; • Rooms will be charged out at daily or weekly rates; • The use will be secured in the form of a licence rather than a lease; • The occupants would not have exclusive possession of the room; and • The management will have access to the room for the provision of services such as room cleaning.
Constraints (as defined within WHDP 2005)	<p>LBC - LISTED BUILDING Hotel. 1933. By EB Musman. Red brick with - Distance: 0</p> <p>LBC - NULL Milepost to West of St. Albans Road West Roundabout - Distance: 28.66</p> <p>PAR - PARISH (HATFIELD) - Distance: 0</p> <p>Wards - Hatfield Villages - Distance: 0</p> <p>A4HD - Article 4 HMO Direction - Distance: 0</p> <p>CP - Cycle Path (Cycle Facility / Route) - Distance: 19.34</p> <p>FM30 - Flood Zone Surface Water 30mm (1876841) - Distance: 0</p> <p>FM10 - Flood Zone Surface Water 100mm (2727940) - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7594628) - Distance: 0</p> <p>HEN - No known habitats present (medium priority for habitat creation) -</p>

	Distance: 0 HEN - No known habitats present (high priority habitat creation) - Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0 HHAA - Hatfield Heritage Assessment Area(Wilkin's Green) - Distance: 0 BLR - Brownfield Land Registry(Hatfield - Comet Hotel, St Albans Road West) - Distance: 0		
Relevant planning history	Application Number: 6/2016/1739/MAJ Decision: Granted Decision Date: 03 February 2017 Proposal: Extension and refurbishment of the Grade II listed building (Use Class C1) following demolition of existing rear and side extensions. Erection of 7,253.7sqm student accommodation (Sui Generis), landscaping and associated works		
Consultations			
Neighbour representations	Support: 0	Object: 10	Other: 0
Publicity	Neighbour notification letters Site Notice Display Date: 26 May 2020 Site Notice Expiry Date: 16 June 2020 Press Advert Display Date: 13 May 2020 Press Advert Expiry Date: 28 May 2020		
Summary of neighbour responses	Ten neighbour objections received and summarised as follows: <ul style="list-style-type: none"> Lack of parking In its current use, students and their visitors park in surrounding residential areas. Guests for the serviced apartments will still bring cars and park in the closest residential roads 		
Consultees and responses	Councillor Duncan Bell – No objection in principle. Comments raised regarding parking problems in nearby residential streets from the student development and that the vehicles of any guests occupying the serviced apartments, or their visitors, are accommodated within the hotel car park. Hatfield Town Council – Comment: <ul style="list-style-type: none"> Satisfactory as long as it is only temporary to Sept 2021 and it is reversed at the earliest opportunity after COVID-19 and its impact on the University and its students. WHBC Client Services Team – Comment: <ul style="list-style-type: none"> No impact to WHBC domestic refuse/recycling as this is trade waste. WHBC Public Health and Protection Team – No objection HCC Highways – No objection		
Relevant Policies			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input checked="" type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input checked="" type="checkbox"/> Supplementary Parking Guidance <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes Others: SD1, R1, R19, M6, CLT6			

Main Issues

Principle of serviced apartments

The supporting information outlines that due to the implications of Coronavirus, it is highly unlikely that all student beds will be fully occupied during the 2020/21 academic year. This is primarily down to not being able to confirm when, or even if, the academic year can start as expected in September 2020 and whether students will attend having passed all the necessary examinations.

It is contended that the partial temporary change of use of the student accommodation to serviced apartments would provide an opportunity to diversify the buildings use and provide a fall back in case the impact of Coronavirus leads to a significant drop off in student numbers this coming year.

Paragraph 38 of the NPPF states that local planning authorities should approach decisions on proposed development in a positive and creative way. This involves working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 80 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

It is considered that the proposal is a creative response to the impact of the Coronavirus pandemic on student accommodation. The serviced apartments would be directed toward contractors, consultants or employees at firms in the area who may be seeking short-to-medium term accommodation. As such, the proposal would provide the opportunity to not only mitigate against the economic impact on the business should there be a marked decrease in student occupation but also have a supportive function to other businesses in the local area.

The proposal would also assist in maximising the efficient use of the building in the short term given current circumstances, in accordance with Policies R1 and GBSP2 of the District Plan and NPPF.

Serviced apartments fall under use class C1 – hotels. Policy CLT6 of the District Plan states that the Council will grant planning permission for proposals which increase and improve hotel accommodation within the district. The preferred locations for hotels are in the district's town centres and on the designated sites on the Hatfield aerodrome site. In all cases the Council will only permit proposals for hotels where:

- i. There is no harmful impact on the amenities of nearby residential properties and other uses;
- ii. The development is in keeping with the scale and character of the surrounding area; and
- iii. The development is easily accessible by passenger transport, walking and cycling.

The proposal would make use of an existing building and no external changes to the building are proposed. The building has a lawful use as student accommodation. It is considered that its change of use to serviced apartments with no external changes would still protect the living conditions of all neighbouring residents. Whilst not located within the town centre, the site is within the town of Hatfield and is easily accessible by passenger transport, walking and cycling. Taking account of the above, it is considered that the proposal temporary change of use would be acceptable in principle.

Quality of design

No external changes to the existing building would be required to facilitate the change of use. As such, the proposal accords with Policies D1 and D2 of the District Plan.

Amenity of future occupiers

Up to 154 of the student rooms would be used as serviced apartments and facilities within each room would remain. Occupancy would be limited to 90 days which is consistent for similar C1 uses such as hostels and Air B&B's. It is considered that longer term occupation of the building would raise a number of decidedly different material planning considerations which may be objectionable and contrary to policy. A planning condition can limit the length of occupation.

Parking and highway considerations

Parking

The Comet Hotel has 100 on-site car parking spaces and 45 of these spaces are proposed to be reserved for serviced apartment users.

The Council's Supplementary Planning Guidance – Parking Standards 2004 (SPG) set out the maximum parking standards across use classes. Whilst there is no car parking standard for serviced apartments under use class C1, one space per unit is stated for hotels and hostels. Using the standards for hotels and hostels, up to 145 car parking spaces would need to be provided under the SPG.

Government guidance no longer requires councils to set maximum car parking standards as evidence indicates that such standards no longer meet the current patterns and complexities of modern car ownership.

The Council's Interim Parking Policy states that the council will now treat all car parking standards in the SPG as guidelines rather than maximums. Planning applications will be determined on a case-by-case basis to achieve a sensible level of provision taking account of existing SPG standards, NPPF guidance, the relevant circumstances of the proposal, its site context and its wider surroundings.

As described in the management plan, booking of the serviced apartment rooms would be centrally managed and co-ordinated by the Comet Hotel operator (Lister Hotels) as described in the management plan. If all parking is booked (i.e. hotel use and serviced apartments are fully let) then it will be confirmed that no parking will be provided or be available and this will impact on the decision of the caller whether to book a room. The applicant outlines that it would not be in the interest of the business to promise parking is available and then not provide it as this would lead to poor reviews and impact on future business and credibility.

Visitor parking for the serviced apartments would be dependent on occupation. If there were capacity in the hotel/serviced apartments and therefore space in the car park for visitors then this would be possible.

Parking restrictions are in place on all nearby residential streets between 9am-4pm Monday to Friday for a large majority of the year to correlate with university terms times. This includes: 04 January – 30 March; 15 April – 30 June; and 15 September – 15 December.

The student development subject to the partial temporary change of use is car-free and a number of measures, including but not limited to, a Green Travel Plan, sustainable transport and parking survey contributions were imposed with the grant of planning permission in February 2017 to mitigate against the absence of car parking provision.

Neighbouring residents are concerned that the serviced apartments will generate additional parking demand than the current use, and that students and their visitors do park on nearby streets.

Although the level of car parking provision would be significantly below that for C1 uses including hotels and hostels, it is recognised that the allocation of rooms and parking will be co-ordinated and managed by the hotel operator and it is agreed that it would not be in the interest of the business to promise car parking yet not provide it for guests on arrival. On-street parking restrictions on all nearby streets during the day will be key deterrent for guests. Given the nature of serviced apartments, it is considered unlikely that guests would make bookings for only one night, thereby limiting the potential for guests with cars to use nearby streets for parking should be hotel car park be at capacity. Furthermore, the site is located in a sustainable location in the borough and is easily accessible by passenger transport. Cycle stores for the student accommodation and hotel are also available for use. Therefore, guests would not be solely reliant on the private car.

The objections from residents are acknowledged. However, there is no evidence to prove that students and their visitors are linked to the existing student accommodation building subject to this application; whether parking took place outside of the restricted times or; if there are ongoing parking pressures on neighbouring streets.

Taking account of the above, it is considered that an acceptable levels of car parking provision would be provided in this case. This is subject to a condition ensuring that the designated car parking spaces for the serviced apartments are made available and retained throughout the permission period.

Highways

The highways authority have been consulted for this application and present no objection having regard to both highway safety and capacity.

Conclusion

Subject to the suggested planning conditions, the proposed temporary change of use would accord with all relevant local and national planning policies.

Conditions:

1. This permission is for a limited period only expiring on 30 September 2021. The use hereby permitted shall be discontinued, and the building restored to the consented use as student accommodation on or before that date.

REASON: Planning permission has been sought for a temporary period only.

2. No serviced apartment shall be occupied by the same person(s) for more than 90 days. The operator and/or manager of the building must maintain a record of all occupants of every unit of accommodation including the dates of their occupation of the building, and must make that information available to the Local Planning Authority on request to demonstrate compliance with this condition. For the avoidance of doubt the accommodation must not be occupied as a permanent or primary place of residence.

REASON: To enable the Local Planning Authority to exercise control and in the interest of proper planning to ensure that the use is retained as temporary accommodation in accordance with the approved details.

3. The 45 car parking spaces edged in blue on drawing number SAPP001 must be reserved for guests of the serviced apartments hereby approved.

REASON: To ensure that an acceptable level of car parking provision is provided for the approved use, in accordance with Policy M14 of the Welwyn Hatfield District Plan, Supplementary Planning Guidance – Parking Standards 2004, Interim Policy for Car Parking Standards and Garage Sizes 2014 and the National Planning Policy Framework.

DRAWING NUMBERS

4. 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	27 April 2020
COMET-STL-02-03-DR-A-ZZZZ-01002		Proposed Third Floor Plan	27 April 2020
COMET-STL-02-ZZ-DR-A-ZZZZ-01001		Proposed First and Second Floor Plans	27 April 2020
COMET-STL-02-00-DR-A-ZZZZ-01000		Proposed Ground Floor Plan	27 April 2020
SAPP001		Serviced Apartments Parking Plan	22 July 2020

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

1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 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 viewed on the Council's website or inspected at these offices).

Informatives:

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (water interest etc.) Neither does this permission negate or override any private covenants or legal interest (easements or wayleaves) which may affect the land.

Determined By:

Mr Colin Haigh
27 July 2020