

Statement of Common Ground

Between Welwyn Hatfield Borough Council and Fusion Hatfield Hotels Ltd.

Comet Hotel, 301 St Albans Road West, Hatfield, AL10 9RH

Appeal under Section 7892) of the Town and Country Planning Act 1990

by Fusion Hatfield Hotels Ltd

against refusal of planning application

Reference Number 6/2015/1997/MAJ

Contents:

1. Description of the site including agreed dimensions
2. Description of the area
3. Planning history of the site
4. Development Plan (including any relevant policies) and any draft development plan (including stage reached and date to be attached)
5. Relevance of any supplementary planning guidance published by LPA and other relevant policy documents
6. Other agreed matters and data
7. Matters of specific disagreement

1. Description of site including agreed dimensions

- 1.1 The site is a triangular parcel of land covering 1.6Ha. The front of the site faces north-east onto the roundabout junction of Comet Way (A1001) and St Albans Road West (A1057) in Hatfield. The site is bounded on the north side by St Albans Road West and on the east side by Comet Way. The south west boundary abuts the rear gardens of residential properties in Ashbury Close and Selwyn Drive.
- 1.2 The site is occupied by the Comet Hotel, a Grade II Listed Building dating from the 1933-6, and its more recent extensions. It was added to the Statutory List in 1981. The Comet was a landmark roadhouse on the Great North Road comprising a bar, restaurant and function facilities with eleven guest bedrooms on the first floor and chauffeur quarters to the rear.
- 1.3 It was designed by E B Musman and is listed for its Art Deco architectural merit and its historic association with Hatfield New Town and the De Havilland factory and airfield. The original Comet Roadhouse building is two storeys high and shaped in a geometric representation of an aeroplane. It is brick clad with stone dressing to windows and parapets on a steel frame. The roof is flat and the building has a strong horizontal emphasis. The

original design incorporated a viewing lantern above the curved front projection, which added a vertical element. The original geometric form of the building remains.

- 1.4 There have been additions and alterations to the interior and exterior of the original building (including the loss of the roof lantern). The original service yard at the rear of the building has been partly filled in and the original garages and staff accommodation have been remodelled.
- 1.5 An extension was constructed in the 1990s to the west of the original building. This is two storeys high and clad in pale materials and the windows on the west elevation are orientated to the south. The Comet Hotel now provides 128 bedrooms, a bar and function room and conference facilities. The building faces onto the roundabout to the north-east. The front area and ground to the south-east are used as parking areas for 163 vehicles. There is also a small garden area to the south corner of the site.
- 1.6 There are two existing left in/left out vehicle accesses to the site: one on Comet Way and one on St Albans Road West.
- 1.7 The site is relatively flat; it is level to the northern boundary with St Albans Road West. The listed building is clearly visible from this road but the hotel extension is partially obscured by vegetation on the site boundary and within the Highway verge. On the south-east boundary the land rises up to Comet Way so that the site sits below the level of the road behind a grass bank containing a number of mature trees and undergrowth.

2. Description of the area

- 2.1 The site is bounded by areas of distinctly different character:
- the south-west boundary of the site abuts the rear gardens of two-storey residential houses which in Ashbury Close are detached and in Selwyn Drive are semi-detached;
 - To the east the site is bounded by the trees and grass verge of Comet Way (which used to be the Great North Road) and beyond that the A1(M) runs below ground level ;
 - To the northeast is the roundabout junction of Comet Way with St Albans Road West. On the far side of the junction is the Galleria shopping centre with a multi-storey car park and two floors of retail;
 - To the north on the far side of St Albans Road West are the four storey office buildings of Bishops Square which are set back from the road in landscaped grounds;
 - To the north-west, also on the other side of St Albans Road West is the De Havilland Campus of the University of Hertfordshire. Here the four storey buildings are set back from the road behind the car park and screened by mature trees on the highway boundary;
- 2.2 The site's closest neighbouring use is the rear gardens of the residential area to the southwest. This boundary is marked with close-boarded fences and is partly screened by trees. The application site is accessed separately from the busy roads on the north and east sides.

- 2.3 With regard to transport connections, there is a bus stop just outside the site which is served by bus routes linking to the town centre, Hatfield railway station, which is 1.5miles away, and other towns. The College Lane Campus of the University of Hertfordshire is ten minutes' walk to the east and there is a free shuttle bus service between the two campuses.
- 2.4 The site is close to surface level pedestrian crossings over the adjacent roads. The St Albans Way cycle route joins on to Comet Way to the south-east of the site.

3. Planning History

- 3.1 6/2015/1998/LB - Extension and refurbishment of the Grade II Listed hotel (use class C1) following demolition of poor quality additions. Granted 4.2.2016.
- 3.2 S6/2015/0964/PA – Extension to hotel and construction of student accommodation. Subject of Planning Performance Agreement
- 3.3 S6/2014/1895/FP – Change of use to car wash valeting (sui generis) on six car parking spaces and erection of canopy. Approved 12.11.2017.
- 3.4 S6/2000/0861/FP and 0860/LB – Single storey extension to form linen room to new block. Approved 31.7.2000.
- 3.5 S6/1998/0879/FP and 0880/LB – New entrance canopy and lobby. Withdrawn.
- 3.6 S6/1998/0447/FP – Demolish staff accommodation block and erect two storey extension - 26 bedrooms and 26 car parking spaces. Approved 15.1.1999.
- 3.7 S6/1992/0233/FP and 0252/LB – Alterations and extensions, new bedroom block, 51 bedrooms, 2 meeting rooms single storey extension for laundry, new lobby and refurbishment, additional car parking. Approved 6.8.1992.
- 3.8 S6/1987/0465/FP- Erect new conference room and covered walkway. Approved 3.7.1987.

4. Development Plan

- 4.1 The Development plan consists of the Saved Policies of the Welwyn Hatfield District Plan (Adopted 2005). Due weight should be given to relevant policies in existing plans according to their degree of consistency with the National Planning Policy Framework 2012.
- 4.2 Relevant sections of the NPPF 2012 including Paragraphs 7-9, 14, 29-41, 47-50, 56-66, 95-104 and Chapter 12.
- 4.3 Relevant Polices of the District Plan2005 include:
- SD1 (Sustainable Development), GBSP2 (Towns and Settlements)
 - CLT6 (Hotels)
 - D1 (Quality of Design), D2 (Character and Context), D8 (Landscaping)

- R1 (Previously Developed Land), R2 (Contaminated Land), R3 (Energy Efficiency), R4 (Renewable Energy), R5 (Waste), R7, R9, R10 (Water Resources), R11 (Biodiversity), R17 (Trees and Woodland), R19 (Noise), R20 (Lighting)
- R27 (Demolition of Listed Buildings)
- OS3 (Informal Open Space)
- M1 (Integrating Transport), M2 (Transport Assessments), M3 (Green Travel Plans), M4 (Developer Contributions), M5 (Pedestrian Facilities), M6 (Cycling Facilities), M14 (Parking Standards)
- IM2 (Planning Obligations)

4.4 Welwyn Hatfield Borough Council, Emerging Core Strategy 2012 (has been the subject of public consultation) and the Local Plan Consultation Document January 2015, Policy CS17 (University of Hertfordshire).

5. Supplementary Guidance and Other Relevant Policy Documents

- 5.1 National Planning Practice Guidance 2014.
- 5.2 Historic England- “Conservation Principles”.
- 5.3 Historic Environment Good Practice Advice in Planning Notes 2 and 3.
- 5.4 Welwyn Hatfield Borough Council Assessment of Open Space, 2009.
- 5.5 Supplementary Design Guidance, February 2005.
- 5.6 Supplementary Planning Guidance, Parking Standards, January 2004, and Interim Parking Standards, 2014.
- 5.7 Planning Obligations, Supplementary Planning Document, February 2012.
- 5.8 Houses in Multiple Occupation, Supplementary Planning Document, February 2012.
- 5.9 PPS10: Planning for Sustainable Waste Management.
- 5.10 Hertfordshire County Council Waste Core Strategy, November 2012.

6. Other Agreed Matters and Data

6.1 Development Proposal is described as

“Extension and refurbishment of the Grade II listed hotel (Use Class C1) following demolition of existing rear and side extensions. Erection of 9,586sqm student accommodation (Sui Generis), landscaping and associated works.”

6.2 A schedule detailing the drawings relevant to the appeal are attached at **Appendix 1**. It is common ground between the parties that drawings correctly describe the proposals as submitted

6.3 It is common ground that the information provided within the following documents are agreed between the parties:

- Schedule of Works to Listed Building dated 02.02.16.
- Transport Assessment by Stirling Maynard dated October 2015.
- Flood Risk Assessment Version 2 by Curtins dated 13.11.2015.
- Tree Survey Report by P. Stileman Ltd. dated 16.6.2014.
- Planning Noise Report by Sandy Brown dated 01.10.2015.
- Archaeological Appraisal by WYG dated August 2015.
- Extended Phase 1 Habitat Survey by SES dated September 2015.
- Energy Statement by Amber dated September 2015.
- Building Condition Statement by Curtins dated 25.09.2015
- Geo-Environmental Site Appraisal, Phase 1 – Detailed Desk Top Study by Curtins dated 25.09.2015

Principle of development

6.4 Policy CLT6 of the Welwyn Hatfield District Plan 2005 supports hotel accommodation within the District. Preferred hotel locations include town centres and edge of centre locations or areas with high accessibility by public transport (subject to provisions over impact). The principle of continued hotel use on the site is acceptable subject to the impact on nearby residential properties, any building being in keeping with the scale and character of the surrounding area and the development being easily accessible by non-car modes of transport. A slight reduction in the number of bedrooms provided on the site (from 128 to 99) would not be contrary to Saved Policy CLT6 of the District Plan.

6.5 The principle of development is in accordance with Policy GBSP2 of the Welwyn Hatfield District Plan 2005, which seeks to concentrate new development within towns and specified settlements. The principle of the proposal for student housing is not considered to be contrary to the Policies of the District Plan, provided mechanisms are in place to retain the accommodation for students within Class C2 or as Sui Generis.

Reason for Refusal 1: Heritage

6.6 It is common ground that the proposed alterations to the Listed Building in the Listed Building Consent 6/2015/1998/LB (approved on 4.2.2016) are on balance acceptable in relation to the significance of the fabric of the building.

Reason for Refusal 2: Impact on Living Conditions of Neighbouring Properties

6.7 It is common ground that the Planning Portal Glossary definition of 'overlooking' should be used for the purposes of interpreting Reason for Refusal 2: *"a term used to describe the effect when a development or building affords outlook over adjoining land or property, often causing loss of privacy."*

- 6.8 It is common ground that the Planning Portal Glossary definition of ‘*overbearing*’ should be used for the purposes of interpreting Reason for Refusal 2: “*a term used to describe the impact of a development or building on its surroundings, particularly a neighbouring property, in terms of scale, massing and general dominating effect.*”
- 6.9 It is common ground that the western elevation of the proposed development would be sited a minimum of 10m from the rear boundary of adjoining properties in Ashbury Close and Selwyn Crescent. The proposed development would be located a minimum of 22.5m and 35m from the rear elevations of the closest properties in each road respectively.
- 6.10 The five storey block would be a minimum of 18m from the rear boundaries of adjoining properties in Selwyn Crescent and 43m from the rear elevation of the closest property (No. 33).

Reason for Refusal 3: Amenity

- 6.11 It is common ground that the development proposal provides internal amenity spaces for students on the ground floor of the building including a reception room, gym, laundry, dining room, cinema room, two study rooms and a large social space. It is common ground that the level of internal amenity space is acceptable and not material to the refusal of the planning application.
- 6.12 It is common ground that the southern courtyard would provide outdoor amenity space for the use of students resident in the development.

7. Matters of Specific Disagreement

- 7.1 Level of significance of harm that the proposed development would cause to the setting of the listed building. The degree of weighting to be given to the harm to the setting and fabric of the listed building. The net balance of the harm to the listed building when weighed against benefits of the refurbishment works and the proposed new development.
- 7.2 Whether the development would cause harm to the living conditions of neighbouring residents in Ashbury Close and Selwyn Crescent specifically in terms of overlooking and perceived loss of privacy and overbearing impact.
- 7.3 The adequacy of the amenity provisions for the student accommodation, specifically the quantity and quality of outdoor amenity space within the site.

Appendix 1 – Schedule of Plans

The followings drawings and documents are relevant to the appeal:

- Location Plan: DWG No. 0200(A)
- Existing Listed Hotel Plans: DWG No. 0201
- Existing Listed Hotel Elevations/Sections: DWG No. 0202
- Demolition Site Plan: DWG NO. 0203
- Existing Hotel Extension Ground Floor Plans: DWG No. 0204
- Existing Hotel Extension First Floor Plans: DWG No. 0205
- Site Plan: DWG No. 0300(C)
- Basement/Ground Floor Plan: DWG No. 0301(A)
- First Floor Plan: DWG No. 0302(A)
- Second Floor Plan: DWG No. 0303(B)
- Third Floor Plan: DWG No. 0304(B)
- Fourth Floor Plan: DWG No. 0305(B)
- Hotel Floor Plans: DWG No. 0306(A)
- Listed Hotel Floor Plans (new/demo): DWG No. 0307(A)
- Proposed Roof Plan: DWG No. 0308(B)
- Elevations Sheet 1 (Hotel): DWG No. 0310(A)
- Elevations Sheet 2 (Student): DWG No. 0311(C)
- Neighbouring Windows: DWG No. SK-020
- Landscape General Arrangement Plan: DWG No. 2821_L-GA-1-01(00)
- Landscape General Arrangement Plan: DWG No. A1 2821_L-GA-1-02(00)
- Landscape Hardworks Plan: DWG No. 2821_L-HW-1-01(00)
- Landscape Hardworks Plan: DWG No. 2821_L-HW-1-02(00)
- Landscape Softworks Plan: DWG No. 2821_L-SW-1-01(00)
- Landscape Softworks Plan: DWG No. 2821_L-SW-1-02(01)
- Landscape Topsoil Plan: DWG No. 2821_L-TZ-1-01(00)
- Landscape Topsoil Plan: DWG No. 2821_L-TZ-1-02(00)
- Landscape Tree Protection Plan: DWG No. 2821_L-TP-1-01(00)
- Landscape Tree Protection Plan DWG No. 2821_L-TP-1-02(01) □ Materials Palette (dated 9.12.2015)