



Mrs J Pagdin
Welwyn Hatfield Borough Council
Planning Services
The Campus
Welwyn Garden City
Hertfordshire
AL8 6AE

Our ref: Pagdin 27.09.2016 UH-Ramada
Your ref:

27 September 2016

Dear June,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING APPLICATION (LPA REF. 6/2016/1739/MAJ) RELATING TO PROPOSED
EXTENSION AND REFURBISHMENT OF THE GRADE II LISTED BUILDING (USE CLASS
C1) FOLLOWING DEMOLITION OF EXISTING REAR AND SIDE EXTENSIONS;
ERECTION OF 7,253.7M² STUDENT ACCOMMODATION (SUI GENERIS),
LANDSCAPING AND ASSOCIATED WORKS AT COMET HOTEL, 301 ST ALBANS
ROAD WEST, HATFIELD, AL10 9RH

As you are aware, full planning application 6/2015/1997/MAJ relating to the proposed redevelopment of Comet Hotel was refused by Welwyn Hatfield Borough Council (the Local Planning Authority ["LPA"]) on 4 February 2016. The applicant, 'Fusion Hatfield Hotels Ltd' subsequently lodged an appeal to the Planning Inspectorate (PINS Ref. APP/C1950/W/16/3152025) and that the Hearing is scheduled to be on 30 November 2016.

Whilst the appeal is progressing, it is understood that the applicant has submitted a revised full planning application (LPA Ref. 6/2016/1739/MAJ) for a similar redevelopment proposal with reductions in massing and scale compared to application 6/2015/1997/MAJ. However, the scheme is fundamentally similar in terms of proposed uses to the refused application and therefore, the University of Hertfordshire ("UH") would like to formally **object** to planning application 6/2016/1739/MAJ.

Our client would be very willing to facilitate a visit to the University Campus in order to demonstrate how UH are addressing the concerns raised in this letter.

Planning application 6/2016/1739/MAJ proposes the refurbishment of the Grade II listed Comet Public House (listed entry no. 1101036) (currently used as a hotel), demolition and subsequent erection of a replacement 'aparthotel' extension (56 serviced apartments) with 100 car parking spaces as well as the erection of new Purpose Built Student Accommodation ("PBSA") to the rear of the hotel development comprising 308 bed-spaces (made up of studios and double occupancy units known as 'twodio' rooms) at heights of three and four storey blocks.

This letter sets out our core objections on behalf of UH as follows:

- **The lack of affiliation with UH and the potential for adverse impact on UH's Vision.**
- **Harm to the amenity of the local community, including lack of car parking and highway safety concerns.**
- **Harm to student welfare through the lack of access to pastoral support.**
- **Failure to meet student housing need by delivery of unaffordable housing.**
- **The precedent of the unacceptability of PBSAs as reflected in the College Lane Appeal.**
- **The harm caused to the Grade II Listed Building.**

We address each in turn below.

The lack of affiliation with UH and the potential for adverse impact on UH's Vision

UH is the UK's leading business-facing university. Amongst its values, it seeks to demonstrate and promote a positive community, social, cultural and economic impact, to

invest resources to develop a vibrant university town and to invest in people's health and well-being.

In 2011, UH adopted its "2020 Estates Vision" which the LPA recognises as a material consideration in determining planning applications. Campus living is at the heart of that Vision. UH has invested considerably in delivering circa 1,700 rooms in the space of 12 months, and a further 800 rooms will come on stream this month, taking the total investment in on-campus provision to circa 4,600 rooms. The new accommodation meets the living standards of modern students, served by social and recreational space and access to welfare support.

To help maintain and grow its reputation, UH wishes to ensure that all students have a first class student experience at Hatfield, particularly given their considerable investment through tuition fees and student loans. It recognises that not all students can or want to live on campus and therefore the priority is to house first year and international students. Many students seek affordable accommodation within the community (largely in houses of multiple occupation) particularly in second and subsequent years. However, UH is keen to ensure that those students still have access to good quality accommodation and welfare support and their impact on the community is appropriately managed.

UH is concerned that the PBSA application is a speculative proposal made by a private developer which neither shares UH's Vision nor provides the appropriate and necessary pastoral care and welfare support. The developer is not affiliated with UH and the PBSA would not be co-developed by UH. The proposed development is located outside of UH's de Havilland campus by approximately 60m and separated by the busy A1057. As set out in our objection letter of November 2015, UH is therefore extremely concerned about the potential for the proposal to undermine its 2020 Estates Vision.

In this regard, the Inspector should note that many authorities are now moving to criteria-based policy requirements relating to PBSAs so that they are better controlled from a planning perspective.

Criteria-based policy requirements are not a new concept in plan making, particularly for local authorities that have a large student population within the higher education sector. An

example is Policy H12 of Manchester City Council's Core Strategy Development Plan Document that was adopted in July 2012 (see **Appendix 1**).

Supporting paragraph 9.60 is of particular note, which requires PBSAs to work with universities and not act as separate and disengaged entities:

“Priority will be given to schemes which are part of the universities’ own plans for additional or redeveloped accommodation (which involves surplus university-owned land and/or which are being progressed by developers with a university contracted to occupy the accommodation) and which clearly meet Manchester City Council’s regeneration priorities”.

UH is in the process of preparing a representation in relation to the draft Local Plan, open for consultation until 24 October 2016, in an effort to encourage the LPA to consider the benefits for the local and student community of such policies. In the meantime, the policies demonstrate the key planning issues that are of concern to UH.

Harm to the amenity of the local community and highway safety concerns

As the PBSA is not affiliated with UH, UH will have no control over any harmful impacts that may result from it. In UH's experience, anti-social behaviour can arise from such densely populated off-campus facilities and careful management of such behaviour is required, backed by pastoral care and support, under pinned by the regulations the University has to assist with managing such large student numbers. The failure to address such matters has the potential to cause damage to UH's reputation and its relationship with the community.

The PBSA proposals are intended to be **car free to students**. This is contrary to the parking standards for the area - which UH complied with when it provided 1 car parking space for every 12 students living on the College Lane Campus. That ratio reflects the number of requests that UH receives from its resident students for access to parking spaces at that accommodation. The proposals include more expensive 'twudio' and studio accommodation, thereby UH would expect car ownership to be at similar levels as College Lane residents (i.e. a parking standard of 1 in 12).

UH is concerned that the proposed mitigation strategy is unworkable as travel plans and lease arrangements are difficult to effectively police and students are likely to park cars on local streets, leading to further community issues. Local residents are then asked to consider Controlled Parking Zones, which have proved unpopular in the past.

We note that concerns on impact have been raised by Councillor Broach (who sought call-in of the previous application due to concerns about amenity and car parking) and a number of local residents who have submitted objection letters. In addition, Hatfield Town Council's objection to the previous application was summarised in the Committee Report as follows:

“Hatfield Town Council objects to this application. Consider that students should be housed within the University campuses at either College Lane Campus or de Havilland Campus and not in the local community, as part of the University future planning model, especially so close to residential areas. In addition, the application did not complement the existing hotel on the site. Further concern was expressed on the lack of car parking in the application, in fact no parking was proposed. The local residential area has severe parking issues and residents in this proposed development with cars would cause considerable parking issues in the locality”.

UH remain of the view that the issues raised by Hatfield Town Council would likely still be applicable to this new application. It is understood that Hatfield Town Council has submitted a standing objection relating to the new planning application although the details of this is yet to be submitted to the LPA.

In light of the above, UH is therefore concerned that the risk of anti-social behaviour and the lack of parking, which is likely to cause harm to the living conditions of nearby residents.

In addition, UH has highway safety concerns (particularly during winter months) relating to the large number of students of the proposed PBSA potentially crossing over the busy A1057 to get to the de Havilland campus and vice versa.

Harm to student welfare through the lack of access to pastoral support.

As noted above, the proposal lacks the 'pastoral care' that UH offers to students within its on-campus accommodation. Indeed, as a privately managed development, any students residing at the residence would fall out with the University's oversight and therefore unable to be directly supported by the campus welfare and pastoral care the University provides. This is particularly concerning as the proposal targets mainly international students who generally require a greater level of support.

Although the applicant has sought to improve amenity space by removing the parking provision to the rear of the building and creating courtyards interspersed between the blocks, the location remains sub-optimal for students, being positioned between two major roads.

Failure to meet student housing need by delivery of unaffordable housing

The applicant is responsible for the Curzon Point PBSA scheme on The Common (46 The Common, Hatfield, Herts, AL10 0LU), which is located on the western edge of the designated 'Primary Retail Core' of Hatfield Town Centre.

A reasonable assumption would be that the proposed student accommodation rooms of the proposal are to be rented on a similar basis as Curzon Point – i.e. on a 51-week basis at an annual average cost of £7,300. By comparison, these rents are in excess of what the University will charge students within its on-campus student accommodation – i.e. at circa £5,800 per annum for a 42-week let. In addition, the rental costs would be significantly above what students pay for a room in a typical house in Hatfield (estimated at £4,600 per annum + bills). This should be considered against the backdrop of the government policy of changing grants to loans where the value of the loan is c. £3,000 - £5,000 per annum.

The proposed development is therefore not providing affordable student housing that will contribute to the reduction of student HMOs in Hatfield (and lessen the impact on the community). Therefore, the proposals are contrary to Policy H2 of the adopted District Plan (2005) as they are not providing housing for an identified need.

UH consider that the bedspaces in the pipeline will meet the commercial demand for student accommodation for first year, postgraduate and international students on-campus (at which

the proposal is effectively targeted) in a more sustainable location than the application site and materially more affordable. The proposal will simply compete for international students already provided for.

College Lane Appeal

Since UH adopted its 2020 Vision, a similarly sized off-campus PBSA proposal at 106A-120 College Lane in Hatfield was refused on appeal in 2012. The proposed site was within just 35m of UH's College Lane Campus and intended to accommodate 401 rooms. The Appellant's site is around 60m from the University de Havilland campus. A copy of the appeal decision is contained at **Appendix 2**.

The refusal dealt with the following issues:

1. Whether there is a need for purpose built student accommodation at this location and, if so, whether there is a more suitable alternative site;
2. The effect of the proposal on the living conditions of neighbours with particular regard to noise and disturbance;
3. The effect of the proposal on the character and appearance of the area;
4. The effect of the proposal on highway safety;
5. Whether suitable provision for sustainable transport measures can be secured;
6. The effect of the proposal on land stability.

Regarding the issue of need, the Inspector pointed out under paragraph 7:

“7. ...I have no doubt that student accommodation is a proven need, as witnessed by the approach in the University of Hertfordshire’s 2020 Estates Vision, and the Council Cabinet’s acceptance of it. That approach envisages that student numbers would remain broadly stable in future years, with an increased proportion of students from further afield. However, this is a need for the district as a whole or for the University itself if it wishes to strengthen its community on campus”.

The Inspector further pointed out under paragraph 8:

“8. I consider that the proposal would introduce something that is not of the community under consideration, and is not necessary to that community. Whilst the scheme may satisfy a need, it is not a proven community need at the chosen location”.

It is clear that the Inspector has given consideration to the University of Hertfordshire’s 2020 Estates Vision and the Council’s cabinet committee endorsement of it. The Inspector recognised that the need for student accommodation is a matter for the district as a whole or for the University itself, but is not a proven community need.

In terms of the effect of the proposal on the living conditions of neighbours, the College Lane appeal has similarities to the potential impacts arising from the Comet proposal:

“15. In talking of the student community and the ‘settled’ community, the main parties acknowledged the transient nature of students. The appellant talked of the benefit of concentrating student activity in one location where they can be subject to a management regime. Thus there is a general recognition that students often have different lifestyles to permanent residents. Such lifestyle choice can on occasion result in un-neighbourliness and anti-social off-site behaviour, particularly with regard to boisterousness and noise”.

The Inspector further recognised the lack of social cohesion when a developer places a large amount of student accommodation close to residential areas, thereby causing a material and harmful effect on the character of the area:

“This proposal would place a concentrated student community some distance from the university campus alongside a residential community with which it would have little in common. The concentration of students proposed would not lead to a well balanced community, so the proposal would not sit well with PPS1 and PPS3 which encourage the creation of social cohesion and inclusive communities”.

It is clear that the College Lane appeal covers planning issues that are similarly faced in this current Comet hotel application.

The harm caused to the Grade II Listed Building

Despite the reduction in maximum height of the blocks from five to four storeys when compared to the previous scheme, we remain of the view that substantial harm would be caused to the setting of the Listed Building. The harm caused by height and massing to the setting and significance of the Grade II Listed Building conflicts with paragraphs 132 and 133 of the National Planning Policy Framework (“**NPPF**”)(2012):

“132. 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. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss of a grade II listed building, park or garden should be exceptional”.

Paragraph 133 of the NPPF then goes onto stipulate:

“133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss...”

As noted in our objections above, the need for the development is disputed and the potential for harm is considerable. It is our view that there are no substantial public benefits that outweigh significant harm to the Grade II Listed Building.

However, should the LPA consider that the impact on the listed building is ‘less than substantial harm’, we note paragraph 134 of the NPPF:

“134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.

Given that there is no need for the proposed development and in light of the harm that could arise, we do not consider that there are public benefits that outweigh the harm to the Grade II Listed Building.

In this context, we note the statutory duty to have special regard to the desirability of preserving the listed building and its setting, which must be given considerable importance and weight.

We trust this letter is of assistance in allowing the Inspector to appreciate UH's views and that these will form valid material considerations during the determination of this planning application.

Please do not hesitate to contact me should you have any queries.

Yours sincerely,

Wai-kit Cheung
On behalf of the University of Hertfordshire