



Department of the Environment and
Department of Transport

Common Services

Room 1309 Tollgate House Houlton Street Bristol BS2 9DJ 11 NOV 1982

Telex 449321

Direct line 0272-218111
Switchboard 0272-218811

CHIEF EXECUTIVE
OFFICER

11 NOV 1982

Refer to

referred

Mr T Firth
99 Sandridge Road
ST ALBANS
Herts

Your reference				
PLANNING DEPARTMENT				
- DACORUM DISTRICT COUNCIL				
Ref. Our reference				
T/APP/5252/A/82/7597/G9				
C.P.O.	Date	D.P.	D.C.	B.C.
	110 NOV 1982			
Received				
11 NOV 1982				
Comments				
5835				

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MRS AND MR B AND T ASHCROFT
APPLICATION NO:- 4/0084/82

- I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for the change of use of ground floor of cottage to form extension to public house, cottage adjoining the Steamcoach, St Johns Road, Hemel Hempstead. I have considered the written representations made by you, by the council and also those made by interested persons. I inspected the site on Monday 18 October 1982 but have taken account of representations received after that date...
- I note that your clients' planning application is for the conversion of the ground floor of the cottage to kitchen and store and the first floor to dining area and kitchen, and that their intention is that the first floor should be used as an extension to the private living accommodation of the public house. The council's objections to the proposals appear to relate solely to the proposed change of use of the ground floor of the cottage. However, regardless of whether or not planning permission may be required for the proposals for the first floor of the cottage I do not consider that it would be appropriate for me to deal with the proposals for the ground floor and the first floor separately, since, in my opinion, your clients' plans for the future use of the 2 floors are closely inter-related.
- The appeal premises comprise a small 2 storey structure, formerly in residential use as a separate cottage, but now used for domestic storage purposes only. The structure forms the end part of a building, the remainder of which comprises the public house, The Steamcoach, operated by your clients. The premises are situated on St Johns Road near to Hemel Hempstead town centre. To the west, north and east of the appeal premises and public house are dwellings and a little further to the east is a former school, now used as an annexe to the Dacorum College of Further Education and a public hall. To the south, on the opposite side of St Johns Road, is a cricket ground and other open space. St Johns Road is a class II road which, from my inspection, carries a sizeable volume of traffic. The appeal premises adjoin a bend in this road and the road rises noticeably towards the east with a further bend. To the east a section of the road has day-time parking restrictions on both sides of the carriageway. On the south side of the road in the vicinity of the appeal premises several lengths of the verge have been surfaced and provide car parking spaces for public use, at right angles to the carriageway and immediately adjoining it. The appeal premises and the public house are set fairly near to the road. There is a space for perhaps 2 cars to park immediately in front of the public house, but otherwise it has no off-street parking facilities.

4. The proposed changes to the appeal premises are part of your clients' plans for the refurbishment and improvement of The Steamcoach.

5. From my inspection of the appeal site and its surroundings and the representations made, I consider that the main issue in this case is whether or not the proposed change of use of the ground floor of the appeal premises would be detrimental to traffic safety in the vicinity.

6. From the representations made I am satisfied that the present car parking facilities in the vicinity of the appeal site are inadequate to deal with the demand from the existing uses in the area, the Further Education annexe, the public hall, the cricket ground, the public house and those dwellings fronting onto St Johns Road that lack private car parking space. The public house itself has only very limited parking space available, as I have indicated. The only car parking space nearby available for public use comprises the spaces immediately adjoining the carriageway on the south side of St Johns Road, and the carriageway itself. The alignment of St Johns Road is far from ideal, with marked bends and changes of level in the vicinity of the appeal premises. In my opinion this combination of features and circumstances creates traffic conditions on St Johns Road hereabouts that are potentially hazardous. I consider that further increases in traffic generation and car parking demand in this vicinity would be very undesirable.

7. For your clients you contend that use of the ground floor of the appeal premises as a kitchen, to provide an improved dining service at the public house, would not aggravate the existing car parking situation. You say that the proposed refurbishment of the existing public house would not lead to any significant increase in the size of the bar area and that there is a limit to the number of persons that can physically occupy the premises. You contend too that use of part of the present bar accommodation specifically as a dining area would reduce the car parking requirement for the public house as a whole, on the basis of the council's standards.

8. I regret that I am unable to accept your conclusions. Although there would be no change in the floorspace available to the public as a result of the use of part of the ground floor of the cottage as part of the public house, the change in use there would provide, in relative terms, a substantial increase in the space available to prepare and handle food and drink for customers in the public areas. I have no doubt that the proposed change of use would make possible a substantial increase in customer turnover on the premises and thereby add significantly to traffic generation and car parking demand in the vicinity. Given the present traffic and car parking conditions I have no doubt that the proposed change of use would be detrimental to traffic safety. Although the amount of floorspace per customer in part of the public house would be increased by the improvement of dining facilities I consider that the existence of such enhanced facilities would be likely to lead to more intensive use and a higher turnover of customers in the remainder of the public accommodation.

9. I recognize that there is a need to improve the amount of space behind the bar in the public house and that the existing kitchen facilities there are unsatisfactory. I recognize that implementation of your clients' proposals as a whole would enhance the private residential accommodation of the public house and avoid possible further deterioration in the fabric of the cottage. However, I regret that in my opinion these considerations are not sufficient to justify the proposed change of use of the ground floor of the cottage, given my objections to the proposed development on grounds of traffic safety.

10. During my inspection I noted that a number of dwellings are sited in very close proximity to the public house. In my opinion an increase in the number of customers, whether they arrive by car or on foot, would have a detrimental

affect on the amenities of nearby residents, in terms of some increase in activity and noise. I regard this as an additional consideration weighing against your clients' proposal to extend the public house into the cottage at ground floor level.

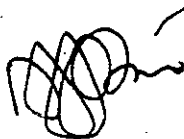
11. I note your clients' contention that their application has not been handled in a satisfactory manner by the council. This is a matter over which I have no jurisdiction.

12. I have examined all the other matters raised on behalf of your clients, and have considered the application in relation to the advice given in Circular 22/80, but in my opinion these considerations do not outweigh those leading to my conclusion that permission should not be granted.

13. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Sir

Your obedient Servant



A J J STREET
Inspector

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Town Planning
Ref. No.4/0084/82.....

Other
Ref. No.

THE DISTRICT COUNCIL OF ..DACORUM.....

IN THE COUNTY OF HERTFORD

To B and T Ashcroft
The Steamcoach Public House
Boxmoor
Hemel Hempstead
Herts

Mr T Firth
99 Sandridge Road
St Albans
Herts

Change of use of ground floor of cottage to form
extension to public house. Cottage adj. to:-
at The Steamcoach, St Johns Road, Hemel Hempstead

Brief
description
and location
of proposed
development.

In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby refuse the development proposed by you in your application dated 21 January 1982 and received with sufficient particulars on 22 January 1982 and shown on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse permission for the development are:-

- 1. There is no provision for vehicle parking within the site to meet the standards adopted by the local planning authority and the increased traffic likely to be generated by the proposed development would be a potential hazard on adjacent highways.

Dated 18 day of March 1982

Signed [Signature]
Designation Chief Planning Officer

NOTE

- (1) If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.
- (2) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with section 36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Whitehall, London, S.W.1.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
- (3) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council in which the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.