

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

DACORUM BOROUGH COUNCIL

To G. Huxtable, Esq.,
Deer Leap Garage,
Ringshall,
Herts.

B. Johnson, Esq.,
13 Deans Furlong,
Tring,
Herts. HP23 4AR.

Demolition of part of existing building: Erection
of single storey building for showroom offices etc.
at Deer Leap Garage, Ringshall, Herts.

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 3 March 1986 and received with sufficient particulars on 11 March 1986 and shown on the plan(s) accompanying such application.

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

The site lies within the Chilterns Area of Outstanding Natural Beauty where the local planning authority will be concerned to preserve the natural beauty of the landscape, to encourage agriculture and conserve wildlife and in addition will give special attention to the siting design and external appearance of such buildings as are permitted.. Furthermore, the site is located within a designated Conservation Area where any new building must be designed so as to be sympathetic in scale form, height and materials with the Conservation Area as a whole and where design is expected to be of a high standard and where new materials or styles should pay due respect to and complement the old buildings. In the opinion of the local planning authority, the proposed development, by perpetuating and extending the design and appearance of the existing building which is untypical of other buildings in the locality, will be more prominent in the street scene and be detrimental to the character of the area.

Dated 5 day of June 1986

Signed [Signature]

Chief Planning Officer

NOTE

1. 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 s.36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form obtainable from the Secretary of State for the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ). 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.

2. 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 Borough 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.

3. 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 s.169 of the Town and Country Planning Act 1971.

4/0328/86. DEMOLITION OF PART OF EXISTING BUILDING: ERECTION OF SINGLE STOREY BUILDING FOR SHOWROOM OFFICES ETC. DEER LEAP GARAGE, RINGSHALL. APPLICANT: G HUXTABLE

DESCRIPTION - The application site comprises a triangular area of land of about 0.3 ha (0.74 acres) forming part of a petrol filling station, motor vehicle repairs and sales, etc.

This use extends over a further area of about 0.6 ha (0.15 acres) which is within Buckinghamshire. (ie the County boundary divides the site).

Within the Buckinghamshire sector is a building used for administrative offices - this is a Grade II Listed Building. There is also a portable building stationed alongside also used for administration.

Within the application site is a substantial flat roofed building containing workshop bays and car showroom. The building has a high central part with two wings of lesser height on either side. It is proposed to demolish the wing on the south-west side of the building (ie that side towards the Dagnall/Northchurch Road), and erect a larger structure similar in design, height and appearance to that which it replaces. It would contain a car showroom, reception/sales area, offices and toilets. The structure to be demolished has a floor area of about 81 sq m (876 sq ft) and its replacement comprises about 143 sq m (1,540 sq ft) producing a net increase of 62 sq m (664 sq ft). A separate application for listed building consent will be required for the demolition work.

POLICIES

County Structure Plan

Policies 1, 5, 15 and 21

Dacorum District Plan

Area of Outstanding Natural Beauty; Agricultural Priority Area; Conservation Area Beyond Metropolitan Green Belt; Policies 2, 3, 4, 14, 18, 19, 22, 23, 24, 89 and 91

REPRESENTATIONS

County Surveyor

No objections

Little Gaddesden Parish Council

"..... does not wish to object would not wish to see illuminated signs along the front and side of the proposed showroom (- this would necessitate a separate application under the Town and Country Planning (Control of Advertisement) Regulations 1984 - Chief Planning Officer).

Aylesbury Vale District Council

Comments awaited

CONSIDERATIONS - The existing main building was constructed pursuant to planning permission granted in 1957 to replace fire damaged buildings - the use therefore pre-dates this period and must be regarded as a long-standing use of this important corner site within the Ringshall Conservation area. The site is also within the Chilterns Area of Outstanding Natural Beauty and in the rural area beyond the Metropolitan Green Belt. In addition, the building the subject of the application is within the curtilage of a Grade II Listed Building. In April 1981 outline planning permission was granted for "erection of motor repair workshop and refurbishment of part of existing buildings as a showroom" but no further details were subsequently submitted and the permission has now lapsed. In July 1982 planning permission was granted for use of an adjacent area of land for ancillary vehicle parking purposes and this permission has been implemented.

Although this is an area where there is a strong presumption against further development, recognition must be given to the previous outline planning permission, to the longevity of the existing use to date and the comparatively small scale of the proposed work.

Government exhortations in respect of the needs of small businesses would not however normally override A.O.N.B. policies of restraint. The principal issues in respect of this proposal is therefore whether the impact of this proposed extension upon the street scene is sufficiently great to justify refusal of permission bearing in mind the location of the site, and other policies applicable to the area.

Although the size of the extension is comparatively small, the rearward projection and the projection towards the highway will inevitably have some impact upon the general appearance of the locality. Bearing in mind the need to ensure that any further development here should be of the highest quality in design and appearance, the perpetuation of the design style of the existing building which itself is not typical of the general character of the buildings in the locality may not be the most appropriate means of further developing this site. On balance therefore this proposal should be resisted.

RECOMMENDATION - That planning permission be REFUSED (on form DC4) for the following reason:-

The site lies within the Chilterns Area of Outstanding Natural Beauty where the local planning authority will be concerned to preserve the natural beauty of the landscape, to encourage agriculture and conserve wildlife and in addition will give special attention to the siting design and external appearance of such buildings as are permitted. Furthermore, the site is located within a designated Conservation Area where any new building must be designed so as to be sympathetic in scale form, height and materials with the Conservation Area as a whole and where design is expected to be of a high standard and where new materials or styles should pay due respect to and complement the old buildings. In the opinion of the local planning authority, the proposed development, by perpetuating and extending the design and appearance of the existing building which is untypical of other buildings in the locality, will be more prominent in the street scene and be detrimental to the character of the area.

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