

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To C. Travers & Co.
11-13 Alexandra Road
Hemel Hempstead

A.E. King Esq.
Fairways
Lockers Park Lane
Hemel Hempstead

..... First floor rear extension

at 11-13 Alexandra 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
... 22nd April 1983 and received with sufficient particulars on
... 28th April 1983 and shown on the plan(s) accompanying such application..

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

1. The proposal conflicts with Policy No. 53 of the Dacorum District Plan wherein it is stated that planning permission for new offices, extensions to existing offices or changes of use of existing buildings to offices will normally only be granted where the proposal is located within the commercial area of the town centres of Hemel Hempstead, Berkhamsted and Tring, as defined on the Proposals Map.
2. The proposed development is excessive on a site which is inadequate satisfactorily to accommodate the proposal together with the necessary vehicle parking facilities.

Dated 14th day of June 19 83 ..

Signed.....

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, 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.
- (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



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CHIEF EXECUTIVE

OFFICE

27 JAN 1984

Ref.

Per to

Reared

Your reference

Our reference

T/APP/A1910/A/83/005721/PH2

Date

24 JAN 1984

Mr A E King BA MRTPI

Fairways

Lockers Park Lane

HEMEL HEMPSTEAD

Herts

HPl 1TH

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9

APPEAL BY CLIVE TRAVERS AND COMPANY

LOCAL PLANNING AUTHORITY APPLICATION NO:- 4/0569/83

1. As you know I have been appointed by the Secretary of State for the Environment to determine the above-mentioned appeal. This appeal is against the decision of the Dacorum District Council to refuse planning permission for the erection of a first floor rear extension to the office premises at 11 and 13 Alexandra Road, Hemel Hempstead. I have considered the written representations made by you and by the council and inspected the site on 22 November 1983.

2. The application before me in this appeal was made following the issue on 11 March 1983 of planning permission for a single-storey rear extension to the offices at 11 and 13 Alexandra Road following a successful appeal by your client. That planning permission was subject to a condition limiting the additional floor area of about 17 m² to storage ancillary to the offices which had an overall floor area of about 160 m². At the time of my inspection the single-storey rear extension had not been started.

3. From my inspection of the site together with its surroundings, and the written representations made, I am of the opinion that the main issues in this case are whether or not the proposed development would firstly, be appropriate in an area where concern is felt for the need to restrain office growth generally and, secondly, would cause material traffic hazards and congestion on nearby roads by reason of inadequate on site car-parking facilities.

4. On the first issue I have had regard to the policies of the deposited Dacorum District Plan. In my opinion these policies should be afforded due weight in view of the long road this local plan has already travelled to formal adoption. I note that the appeal site is within the area of Hemel Hempstead town centre where extensions to existing offices will not normally be permitted in terms of Policy 53 of the Dacorum District Plan.

5. I find reason to distinguish between the small scale extension already permitted on appeal and that now proposed which, according to the application, would add a further 24.75 m² of storage space to the 17 m² permitted in the ground floor extension. Whereas I find no reason to question that your client's offices are congested it seemed to me it was the working space for staff, particularly in

the front ground floor office/reception area, that was congested rather than the storage space. In this connection I note the female staff to be employed in the premises is increased by one compared to the 3 that were to be employed in the premises in the application dated 10 June 1982. Furthermore I note from the grounds of appeal that the additional storage space is to be used for storage of documents from other branches of your client's practice which I understand are located as far away as Kempston near Bedford. From the evidence before me I am not satisfied that an additional 24.75 m² of filing/storage space is required for the operation of the solicitor's office on the appeal site above the 17 m² already permitted and that already provided in the basement of the premises which is now warmed by a small gas boiler.

6. Turning now to the second issue I observed that parts of Alexandra Road, including the frontage of the appeal site, were already subject to no-waiting restrictions during normal office hours and that those parts of this road that were not so restricted were congested with parked cars. I understand further restrictions on the parking of vehicles in the vicinity of the appeal site are contemplated. Whereas I accept that the 4 parking spaces to be provided when the appeal premises were approved for use as offices in 1978 were unsuitable, it seems to me that the 2 spaces that would remain would necessitate reversing movements in Alexandra Road and moving both cars into the road when 2 cars are parked therein and the car furthest from the road is to leave.

7. Notwithstanding the inadequacies of the present parking arrangements at your client's offices I find no reason to question generally the council's parking policies. The council's parking standards appear to me to be based on the normal criteria of gross floor area and I do not consider the argument that the additional floorspace now proposed is to be used solely for filing/storage is sufficient to justify an exception in this case. Taking into account the foregoing and bearing in mind that the adjoining car park is only a temporary use, together with the fact that there are no other public car parks nearby, I consider the substantial expansion of the total office floorspace proposed would give rise to material traffic hazards and congestion in Alexandra Road.

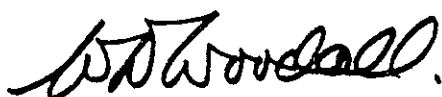
8. Although I consider your client's solicitor's practice generally merits support in terms of the guidelines in Circular 22/80 for the encouragement of small businesses I conclude, on balance, that there would be sound and clear-cut planning objections to the further extension of the offices at 11 and 13 Alexandra Road.

9. I have considered whether the planning objections could be met to a sufficient degree by attaching conditions to a grant of planning permission but take the view that this would not be possible. I am inclined to agree with the council that a condition restricting the use of such a substantial extension to the office premises to filing/storage would not pass the test of being readily enforceable.

10. I have taken into account all other matters raised in the written representations but am of the opinion that they are of insufficient strength to outweigh the considerations that have led to my decision.

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

I am Sir
Your obedient Servant



W D WOODALL FRICS FRTPI
Inspector