

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr. M.R. Dennis
98 High Street
Tring
Herts.

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| Change of use first floor from residential to |
| offices. |
| at 98 High Street, Tring, 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 undated and received with sufficient particulars on 12 May 1988 and shown on the plan(s) accompanying such application.

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

There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.

Dated 11th day of August 19 88

Signed.....

Chief Planning Officer

SEE NOTES OVERLEAF

P/D. 15

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.

CONSIDERATIONS - The application site is located within the designated Commercial Area of Tring where offices are acceptable in principle. Over the recent years there has been a gradual change in the character of the area to the south of Nos. 98 and 100 involving a consolidation of office uses and the consequent loss of residential and retail floorspace particularly relating to the former. Between 100 High Street and Tring Library there is a mix between ground floor shops with residential above and dwellings, with an absence of office uses. In the circumstances, there is clearly a difference in the nature of uses within this small section of the High Street. On the opposite side of the High Street residential uses predominate. Policy 61 of the District Plan specifies that the Council will not normally grant planning permission for any change of use or other development which would result in the net loss of satisfactory residential accommodation. This policy consolidates Policy 56. The loss of this residential accommodation has to be weighed against the fact that the premises are located within the designated Commercial Area. Policy 67 of the County Structure Plan emphasises the importance of maintaining the vitality and viability of the town centres of Hertfordshire where both residential and offices would be appropriate. To allow the premises to remain vacant would not be in the spirit of the DoE advice regarding the maximum use of urban land, although the physical severance of the shop from the first floor residential would be an alternative. An office use would further consolidate the commercial nature of the town centre and a ground floor residential unit would be retained. Permission may set a precedent for other similar changes of uses, although much would depend upon the adequate provision of parking facilities.

The provision of 3 parking spaces to serve the proposed offices would accord with the adopted standards. The existing retail floorspace and retained residential unit would require a further 3 spaces. The retention of the outbuilding would provide a fourth space which could be associated with the residential unit. It would be possible to accommodate 6 spaces within the rear of the premises although the overall layout would be likely to be slightly sub-standard. It is anticipated that an alternative layout is to be submitted. However, in its present form I consider that due to the inadequacy of parking provision the application should be refused.

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

There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.

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vote 6/5