

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972



## DACORUM BOROUGH COUNCIL

To White Advertising & Exhibitions  
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Change of used from residential to offices

at 15 Manor Street, Berkhamsted, 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 12 May 1988 and received with sufficient particulars on 16 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:—

1. There is inadequate provision for vehicle parking and turning within the curtilage of the site to meet the standards adopted by the local planning authority to serve both the proposed development and the existing office use at No.20 Chapel Street, Berkhamsted.
2. The proposal would result in increased on-street parking in nearby roads and is likely to exacerbate the existing congested conditions in Chapel Street and Manor Street.
3. The proposed use of No.15 Manor Street for office purposes would result in the loss of a satisfactory residential unit which would be contrary to Policies 56 and 61 of the adopted Dacorum District Plan which aim to maintain the existing housing stock.

Dated 11th day of August 1988

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.

In February 1986 consent was given to demolish the brick wall separating the yard from Chapel Street. It was felt that as parking facilities were heavily used in the locality, the additional parking area created outweighed the impact of the loss of the wall within the street scene.

The removal of the wall has enabled the provision of 6 spaces in tandem, as referred to by local residents. The area in the vicinity of the application site is characterised by the overall inadequacy of parking facilities during the day time. There are limitations on parking with Manor Street and there is severe congestion adjoining No. 20 Chapel Street, and full use of the existing car park. Although it is indicated that 80.4 sq m of floorspace could be created, the gross floorspace would be just under 140 sq m, requiring 4 additional spaces. Whilst the parking layout is an improvement to the current circumstances, there would be no net gain in the number of spaces in a location where off-street parking is invaluable. Details have not been submitted regarding the existing and proposed number of employees at the premises, but in view of the congested nature of the locality, it is likely that the proposal would place further pressure upon the existing inadequate parking facilities in the surrounding area.

With regard to the loss of a residential unit, which would be contrary to Policy 61 of the District Plan, it would appear that No. 15 was inhabited to at least October 1987. The loss of this whole unit would be more important than the flat at No. 20 Chapel Street bearing in mind that No. 20 has no independent pedestrian access. Although there has been a gradual transition of the locality from residential to a mix with commercial and community uses, the use of No. 15 for office purposes would be inappropriate for highway reasons.

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

1. There is inadequate provision for vehicle parking and turning within the curtilage of the site to meet the standards adopted by the local planning authority to serve both the proposed development and the existing office use at No. 20 Chapel Street, Berkhamsted.
2. The proposal would result in increased on-street parking in nearby roads and is likely to exacerbate the existing congested conditions in Chapel Street and Manor Street.
3. The proposed use of No. 15 Manor Street for office purposes would result in the loss of a satisfactory residential unit which would be contrary to Policies 56 and 61 of the adopted Dacorum District Plan which aim to maintain the existing housing stock.

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