

Town Planning

Ref. No. .... 4/1111/75

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

Other

Ref. No. .... 1861/75

THE DISTRICT COUNCIL OF

LACOM

IN THE COUNTY OF HERTFORD

To  
Mr. T. W. Wallis,  
The Hens,  
Tring Road,  
Long Marston.

Continued use as workshop

at 3 Wheelers Yard, Long Marston, Tring.

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 permit the development proposed by you in your application dated 27th November, 1975 and received with sufficient particulars on 3rd December, 1975 and shown on the plan(s) accompanying such application, subject to the following conditions:-

~~1) This permission shall be valid for a period of 12 months from the date of issue of this permission.~~

- 1) This permission shall expire on 31/12/78.
- 2) This permission shall ensure for the benefit of T. W. Wallis & Sons and for no other person or firm.
- 3) No power tools or fixed machinery shall be used within the premises the subject of this permission.

The reasons for the Council's decision to grant permission for the development subject to the above conditions are:—

- ~~(1) To comply with the requirements of Section 41 of the Town & Country Planning Act 1971~~  
~~1 & 2) To enable the Local Planning Authority to keep the situation under review.~~  
3) To ensure the premises are used for light industrial purposes and to protect the amenities of the occupants of adjoining premises.

Dated.....27th.....day of.....January.....19...76

Signed.....

Designation Director of Technical Services.

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 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 Common Council, or on the Council of the county borough, London borough or county district in which the land is situated, as the case may be, 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.

Plan No.1656/75D - Change of use from storage to workshops -  
The Old Bakehouse, Wheelers Yard, Long Marston.

The change of use is required by the firm T.W.Wallis and Sons, for the assembly of electrical components. The planning history of the site, including other premises currently occupied by the firm in Wheelers Yard is as follows:-

- 2/11/72 Planning permission granted (W/3923/72) for the use of 3 Wheelers Yard (marked as 'existing workshop' on the current plan) as a temporary stores and workshop in connection with an established electrical engineering business. This was a temporary permission which lapsed on 31st December 1974 and has not been renewed, and the use was personal to T.W.Wallis and Sons.
- 7/2/74 Planning permission granted (W/5211/73) for the change of use of the old bakehouse, Wheelers Yard to workshops. This permission was conditional on the use of the building being restricted to storage purposes only, and precluding any industrial process. The use was personal to T.W.Wallis and Sons, and there was to be no outside storage of goods, boxes or other waste materials.
- 11/3/74 Letter from West Herts Divisional Planning Officer to Berkhamsted R.D.C: Condition relating to use restriction can be omitted, so that a limited industrial use can then take place. Any change of ownership can be dealt with under the personal use condition.
- 20/3/74 Letter from B.R.D.C. to T.W.Wallis and Sons: Subject to the submission of a fresh application, planning permission could be granted without the condition precluding the use of the old bakehouse as a workshop.
- 13/6/74 Planning permission refused (4/326/74) for change of use to workshop for assembly of electrical components. Reasons: Industrial use of the premises would be detrimental to the character of the village which is predominantly residential, and the use of the building should be restricted to storage purposes only.

The present application is, in effect, a resubmission of 4/326/74. In support of the application, it is noted that T.W.Wallis & Sons is a local firm, and has been established in Long Marston for several years. As such, it provides a measure of local employment in a predominantly agricultural area. The firm supplies local farms and industries with generators and other electrical equipment. Two local people are employed, one of whom suffers from bronchitis and asthma and recently lost his previous job in Aylesbury for health reasons.

The use of the old bakehouse as a workshop would be an improvement on the use of 3 Wheelers Yard as at present. Only the front part of the bakehouse would be used - the ground floor as a workshop and the first floor as storage. There would be no noise problem resulting from the operation of machinery, and the proposed use clearly falls within the Use Class applicable to a light industrial building. The process to be carried on is the assembly of electrical components, and such a use is acceptable in the location proposed. In the interests of the amenity of the surrounding residential area, it would clearly be advantageous to secure the transfer of the business from the present location to the old bakehouse. In that connection it is noted, that the temporary permission for the use of 3 Wheelers Yard as a workshop expired on 31/12/74, and has not since been renewed. Cont'd.....

Enforcement action could therefore be taken to ensure that the use of these premises ceases, particularly if a change of use is permitted in the old bakehouse. However, it should be noted that Mr. Wallis is anxious to retain 3 Wheelers Yard as a workshop since the employee who has poor health is unable to work in the same room where cutting, grinding or welding operations are taking place.

Recommendation:

Permission could be granted for the change of use of the old bakehouse from storage to workshop, provided that the situation is kept under control and review by means of conditions.

1. Permission to expire on 31st December 1978.
2. The premises shall be used for the assembly of electrical components and for no other purpose (including any other purpose in Class III of the Schedule to the Town and Country Planning (Use Classes) Order 1972).
3. This permission shall enure for the benefit of T.W. Wallis and Sons and for no other purpose or firm.
4. No goods, materials or refuse shall be stored outside the building.

Additionally the applicant will be asked to submit a fresh application for the use of 3 Wheelers Yard as a workshop, which could be permitted subject to conditions:

- (a) permission for a period of one year;
- (b) permission personal to T.W. Wallis and Sons;
- (c) no power tools or machinery to be used.

T51/KM/1656/75D  
20th November 1975.

I.W.F.3

Town Planning 4/1111/75  
Reference No. ....

Other Ref.No. 1861/75D.....

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DACORUM DISTRICT COUNCIL  
IN THE COUNTY OF HERTFORD

Town and Country Planning Act, 1971

- 5 JAN 1976

To: Mr. T.W. Wallis,  
The Rens',  
Tring Road,  
LONG MARSTON,  
Tring, Herts.

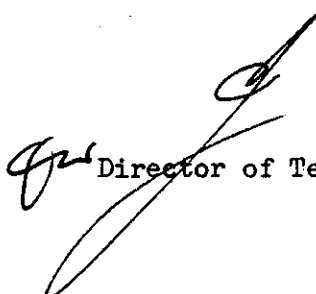
Location and proposed form of development ..... Continued use as workshop at

..... 3 Wheelers Yard, Long Marston, Herts. ....

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Your application dated .... 27. NOV. 1975 ..... has been received.

If on ..... 2. FEB. 1976 ..... the authority dealing with your application have not given you notice of their decision, and you have not agreed with them in writing that the period within which their decision shall be given may be extended, you are entitled to appeal to the Secretary of State in accordance with sections 36 and 37 of the Town and Country Planning Act, 1971, by notice served within six months from that date (unless the application has already been referred by the authority to the Secretary of State for the Environment). Appeals must be made on a form which is obtainable from the Department of the Environment, Caxton House, Tothill Street, London. S.W.1 H 9LZ.

  
Director of Technical Services.