



Department of the Environment

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PLANNING DEPARTMENT				
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				Admin. File
				GTN 2074
Received 22 FEB 1982				
Comments			Your reference	
			Our reference	
			T/APP/5252/A/81/13030/G4	
			Date	

CLIFFE EXCH

22 FEB 1982

S Jordan Esq
4 Chestnut Hill
LEIGHTON BUZZARD
Bedfordshire

19 FEB 1982

Sir

4577

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY ELF COMMERCIAL AND TECHNICAL SERVICES LIMITED
APPLICATION NO:- 4/1117/81

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for the change of use of a house at 14 Ringshall, Berkhamsted, from residential to office. I have considered the written representations made by you and by the council and also those made by the Little Gaddesden Parish Council and interested persons. I inspected the site on 12 January 1982.
2. From my inspection of the site and its surroundings, and the representations made, I consider that the main issue in this appeal is whether an exception should be made to the council's policy for the control of office development in the area.
3. The premises are centrally situated in the small settlement of Ringshall. The surrounding countryside is attractive and within the Chilterns Area of Outstanding Natural Beauty, and bearing in mind the policies to which the council have referred I am satisfied that in this location office development should be permitted only in exceptional circumstances.
4. The house in question adjoins disused laundry buildings, and in your submission you consider the proposal as being most appropriate to the tranquillity of the area. However, though conscious of the support of the Parish Council and several local residents for the proposal, I am not convinced that your claim would prove correct. In the application for planning permission you state that it is proposed to employ 17 office staff, and an accompanying plan indicates that some 19 persons would work in the appeal building. This is a small settlement in the country, and it seems to me likely that most of the staff would travel to and from work by car, and that visitors to the offices would also arrive and leave by car. Bearing in mind the possibility of intensification of the use in future, I am of the view that the use would result in levels of activity and car parking which would be out of place in Ringshall and detrimental to its quiet, rural character.
5. I consider that your argument would be substantially strengthened if the house were no longer suitable for residential use. You claim that you cannot see any buyers with residential ambition accepting a house virtually surrounded by dilapidated industrial buildings. There is no evidence, however, to support that contention. The house is still residentially occupied, and appears to me to be of good size and considerable charm and to be located in a settlement which must be regarded by many as attractive to live in. In my opinion it is well capable of continuing in

use as a family dwelling, and I am not satisfied that the outbuildings, though they may be in need of maintenance works, can be accurately described as dilapidated; it might well be that they could be used without great expense for a purpose which would not detract from the enjoyment of the dwellinghouse as such and would not harm the amenities of nearby residents. Your proposal, if implemented, would result in the loss of useful family accommodation, and this seems to me to be particularly undesirable in a place where further residential development on any scale is unlikely.

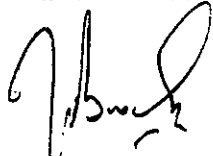
6. I am very conscious of the need to encourage small businesses and promote employment opportunities, and have carefully considered these matters. Whilst recognising the convenience to your firm of operating in the appeal premises and associated outbuildings, I am not convinced on the evidence before me either that there is an overriding need for your firm to use these particular premises as their offices, or that if they did so the employment situation would benefit to a greater extent than if they occupied suitable premises elsewhere.

7. After taking full account of all other matters raised in the representations, I have reached the conclusion that no sufficiently strong case has been presented to warrant an exception being made to well-founded policy designed to restrict office development in this rural locality.

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

I am Sir

Your obedient Servant



J BROCK MA(Cantab)
Inspector

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No.

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To ELL Commercial & Technical Services Ltd
836 Tyeovil Road
Slough
Berks

Mrs Jordan
190C Wendover Road
Weston Turville
Aylesbury
Bucks

Change of use, residential to office

at 14 Ringshall, Berkhamsted

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 29 July 1981 and received with sufficient particulars on 21 August 1981 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 site is within the Chilterns Area of Outstanding Natural Beauty on the Approved County Development Plan and in an area referred to in the Approved County Structure Plan (1979) and Dacorum District Plan, wherein permission will only be given for use of land, the construction of new buildings, changes of use or extension of existing buildings for agricultural or other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. No such need has been proven and the proposed development is unacceptable in the terms of this policy.
2. The proposal is unacceptable in terms of District Plan policies Nos. 53 and 54.
3. The proposal would result in the loss of a satisfactory unit of residential accommodation contrary to Policy 56 of the Dacorum District Plan.

Dated 1st day of October 19 81...

Signed

Colin Barker

Designation 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, 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 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.