

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

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Doctor R Mawson  
Chalfond Cottage  
Kings Langley

Wm. F Johnson & Partners  
39a High Street  
Hemel Hempstead

Change of use of surgery to offices

at 1 Vicarage Lane

Kings Langley

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 24th September 1982 and received with sufficient particulars on 30th September 1982 and shown on the plan(s) accompanying such application.

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

The proposal is contrary to policy no. 53 of the deposited Dacorum District Plan, which states that planning permission for new offices, extensions to existing offices or change 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'.

Dated 11th day of November 1982

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.

14 JUN 1983

File Ref. ....  
Refer to CPO ....  
Cleared .....



Department of the Environment and  
Department of Transport

Common Services

Room 1309 Tollgate House Houlton Street Bristol BS2 9 DJ

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14 JUN 1983

Messrs Wainwright and Stevens  
Solicitors  
5 Alexandra Road  
HEMEL HEMPSTEAD  
Hertfordshire  
HP2 5BS

Comments

Your reference

JCS/HSK/L4954

Our reference

T/APP/5252/A/83/02549/PH3

Date

13 JUN 1983

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY DR R MAWSON  
APPLICATION NO:- 4/1174/82

1. I refer to your client's 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 from a surgery to offices on land at The Surgery, Vicarage Lane, Kings Langley, Hertfordshire. I have considered the written representations made by you and by the council and also those made by one interested person.
2. From my inspection of the appeal site and its surroundings on 3 May 1983 and from all the written representations made, my opinion is that this case turns on whether there are any special circumstances sufficient to set aside the local general presumption against office development.
3. I fully appreciate that the local planning policies of the approved county structure plan and the draft Dacorum district plan aim to guide office development into the commercial areas of a few town centres and to limit it in order that it should neither be greater than the suitable labour supply nor lead to increased pressure for more housing development. I am sure that those aims are very relevant in this case and that your client's project could be justified only in exceptional circumstances.
4. On the other hand the appeal site 2-storey building which has been used for a long time as doctors' surgeries is no longer needed for that purpose as the local doctors have moved into purpose-built surgeries elsewhere. The building has not been well maintained and it would be costly to make its condition good. It is not well suited for residential use. It has no domestic kitchen and bathroom, is in the commercial part of Kings Langley and in a noisy place next to a social club, a busy main road and a well used side road leading to a number of local rural settlements. The building is not listed as being of special architectural or historic interest, but to my mind it has a pleasant appearance and character and makes a valuable contribution to the local street scene and conservation area. I share the view that it is worth keeping. I am certain that offices at the small appeal site building would be suitable for a small firm only and I note that a few small local firms have shown an interest in offices at Kings Langley. In these difficult times, it is important to promote an atmosphere in which industry and supporting businesses, particularly small businesses employing local labour, may flourish.
5. I conclude therefore, that in this particular case, there are sufficient special circumstances to set aside the local general presumption against office development and that your client's project is acceptable.

6. Having taken full account of all the other matters raised in the written representations of this case, I am of the opinion that they do not outweigh the considerations that led me to my decision. Accordingly, for the above reasons, and in exercise of powers transferred to me, I hereby allow your client's appeal and grant planning permission for the change of use from a surgery to offices of a building on land at The Surgery, Vicarage Lane, Kings Langley, Hertfordshire in accordance with the terms of the application (No. 4/1174/82) dated 24 September 1982 and the plans submitted therewith, subject to the condition that the development hereby permitted shall be begun not later than 5 years from the date of this letter.

7. The developer's attention is drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970.

8. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 23 of the Town and Country Planning Act 1971. Your attention is drawn to the provision of Section 277A of the Town and Country Planning Act 1971 (inserted into the Act by the Town and Country Amenities Act 1974) as amended by paragraph 26(2) of Schedule 15 of the Local Government Planning and Land Act 1980 which requires consent to be obtained prior to the demolition of any building in a conservation area.

I am Gentlemen  
Your obedient Servant



R HODGE FRTPi DipTP(Notts)  
Inspector

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