

DACORUM DISTRICT COUNCIL

To:

Timothy Howard Ltd.,
113 High Street,
Berkhamsted,
Herts.

Messrs. Stimpsons Cruikshank,
Rye House,
29 London Road,
High Wycombe,
Bucks.

Use of building as offices - details of external alterations and car parking.

Reserve matters in Conditions 2 and 3 of planning permission 4/1330/81.

Land adjoining 1 Park View Road, 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 gives approval to the details which were reserved for subsequent approval in planning permission no 4/1330/81

granted on 3rd December 1981 at the above-mentioned
location in accordance with the details submitted by you, with your
application dated 23rd February 1983.

Dated 13th day of April 19 83

Signed



Designation Chief Planning Officer

NOTE: This is not a separate planning permission, but must be read in conjunction with any conditions attached to the permission indicated above.

2. no structural alterations shall be made to the external appearance of the premises without the prior approval of the local planning authority.

3. space shall be provided within the curtilage of the building for parking to meet the standards of the local planning authority in accordance with a scheme to be agreed with them, or in default of agreement as shall be determined by the Secretary of State, before the building is used for the purpose hereby approved and thereafter shall be kept free from obstruction and used for no other purpose.

2. 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.

Gentlemen
Your obedient Servant

James L. Grant.

JAMES L GRANT BArch ARIBA FRCTPI
Inspector

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No.

THE DISTRICT COUNCIL OF DACORUM
IN THE COUNTY OF HERTFORD

To Timothy Howard Limited
113 High Street
Berkhamsted
Herts

Messrs Cruickshanks
"Rye House"
29 London Road
High Wycombe
Bucks

..... Change of use and alterations to form offices.
.....
at Land adjoining 1 Park View Road, 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 20. October 1981 and received with sufficient particulars on 22. October 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 not within the commercial area of Berkhamsted as shown on the District Plan Proposals Map, and the proposed use of the premises for offices would be contrary to Policy 53 of the District Plan.
2. Insufficient parking space has been provided within the curtilage of the site to meet the standards set out in the District Plan.
3. The use of the premises as offices would be likely to have an adverse effect on the primarily residential character of Park View Road.

Dated 3 day of December 19 81 ..

Signed



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.



**Department of the Environment and
Department of Transport**

Common Services

Room 1209 Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218-800
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Your reference

161/81/TN/MLC

Our reference

T/APP/5252/A/82/3125/G10

Date

28 JUL 1982

Messrs Cruickshanks
Rye House
29 London Road
HIGH WYCOMBE
Bucks
HP11 1BJ

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY TIMOTHY HOWARD LIMITED
APPLICATION NO:- 4/1330/81

1. I refer to your clients' appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for change of use and alterations to form offices at Chapel adjoining 1 Park View Road, Berkhamstead. I have considered the written representations made by you and by the council. I inspected the site on Thursday 3 June 1982.

2. The issues in this case are the application of Policy 53 of the District Plan, the amount of car parking space necessary and whether or not the proposed use would be likely to have an adverse effect on the character of Park View Road.

3. The council state that on the Approved County Development Plan 1971 the appeal site falls within a 'central area' notation where the principles of paragraph 5(e) of the Written Statement are relevant. On the Dacorum District Plan, deposited in 1981, the appeal site is not affected by any Policy Areas or Proposals shown on the Proposals Map, but Policies 19, 45, 53 and 56 are appropriate to your clients' proposed development.

4. In respect of the first issue Policy 53 states that "Planning permission for new offices will normally only be granted where the proposal is located within the commercial area of the town centre of Berkhamstead, as defined on the Proposals Map". As the appeal site lies outside this area your clients' proposals would be contrary to this policy. However, I consider that the physical location of the appeal site should be taken into account. The existing chapel is situated on the north-west side of Park View Road. Immediately to the north-east is a recently erected office block part 2 and part 3 storeys built behind commercial properties on the south-west side of the High Street. To the north-west is a single storey building formerly a doctors' surgery, now in use as offices and to the south-west is No 1 Park View Road used mainly as a nursery school but containing some residential accommodation. On the opposite side of Park View Road to the appeal site is a former school now partly vacant and partly used as a day centre and a small office by the Social Services Department of the Hertfordshire County Council.

5. Therefore, while the appeal site may not be within the commercial area of the town centre of Berkhamstead as defined on the Proposals Map it is nevertheless within a 'central area' notation on the Approved County Development Plan and is

adjoined by offices on 2 sides and by a nursery school and Day Centre on the other 2 sides. In my opinion, as it adjoins commercial uses on all sides, the proposed use of an existing non-residential building as a small office for local business is an acceptable exception to the council's policies and can be distinguished from re-development for new offices.

6. The second issue is that of the provision of car parking space. Policy 45 of the District Plan requires that "all proposals for office development should pay particular regard to vehicle access, circulation, parking and servicing arrangements" and Policy 19 requires that "All proposals for development should include provision for car parking in accordance with the guidelines adopted by the District Council. For offices, the requirements are one space for every 35 sq m of gross floorspace". Your clients' proposals would require the provision of 7 parking spaces to meet those standards. The plans accompanying their application showed the provision of 6 spaces of sub-standard size but the plan submitted with your further representations dated 1 June 1982 shows how 7 spaces could be provided and of an adequate size. I am satisfied that a sufficient number of spaces can be provided to comply with the council's standards.

7. The likely effect of your clients' proposed use of the appeal premises on the character of Park View Road is the third issue. I consider it is unlikely to have any noticeable detrimental effect. The premises are situated at the north-east or business end of the road with offices on 2 sides and opposite and separated from the primarily residential south-western part of the road by a nursery school. The proposed development will no doubt generate increased traffic and vehicle turning movements in Park View Road, but the road is not heavily trafficked and the increase in the number of vehicles would be a small addition to those already attracted to the nearby premises at the north-east end of the road.

8. Although not a specific ground of refusal the council consider that loss of potential residential accommodation would be contrary to Policy 56 of the District Plan as there is in existence planning permission for the conversion of the chapel to a house. In this case while it is possible for the chapel to be converted for residential use which would produce an additional unit of accommodation, no loss of existing residential accommodation is involved in your clients' proposal. I consider the chapel would lend itself to conversion for office use and that this would be in accordance with the advice given in paragraphs 12 and 13 of Circular 22 of 1980.

9. As no external elevations were submitted with your clients' application I consider it advisable to impose a condition to ensure that any external alterations to the appeal premises do not detract from its architectural character and I will also impose a condition to ensure that car parking to meet the council's standards is provided and retained for that purpose.

10. All other matters raised in the representations have been taken into account but do not cause me to change my decision.

11. For the above reasons, and in exercise of the powers transferred to me, I hereby allow your clients' appeal and grant planning permission for change of use and alterations to form offices at Chapel adjoining 1 Park View Road, Berkhamstead in accordance with the terms of the application (No 4/1330/81) dated 20 October 1981 and the plans submitted therewith, subject to the following conditions:-

1. the development hereby permitted shall be begun not later than 5 years from the date of this letter;

2. no structural alterations shall be made to the external appearance of the premises without the prior approval of the local planning authority.

3. space shall be provided within the curtilage of the building for parking to meet the standards of the local planning authority in accordance with a scheme to be agreed with them, or in default of agreement as shall be determined by the Secretary of State, before the building is used for the purpose hereby approved and thereafter shall be kept free from obstruction and used for no other purpose.

12. 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.

I am Gentlemen
Your obedient Servant

James L. Grant.
JAMES L. GRANT BArch ARIBA FRTPFI
Inspector