

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To	Scotts of Sloane Square 214 Pavilion Road Sloane Square London SW1X 0AN	Aitchisons 154 High St Berkhamsted Herts
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.....	Redevelopment and erection of 20 elderly persons
.....	flats and parking (OUTLINE)
at	Scotts Garage, Warners End Road,
.....	Hemel Hempstead

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 21.11.88 and received with sufficient particulars on 21.11.88 and shown on the plan(s) accompanying such application.

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

This site is viewed as an integral part of the Stoneycroft Shopping Area, which has some acknowledged shortcomings, including car parking. In advance of an appraisal of the Shopping Centre it is premature to consider an alternative use for this site.

Dated 12th day of January 1989

Signed [Signature]

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.

use to housing would receive the consent of the Borough Council as landowner at this time.

1 letter of objection to the scheme on the grounds of loss of privacy. 1 letter of support because of the removal of obnoxious fumes and noise.

CONSIDERATIONS - The site lies within the urban area of Hemel Hempstead where under Policies 63 and 64 of the District Plan residential development would normally be permitted provided that environmental guidelines are safeguarded. The existing buildings, although in reasonable condition, are not attractive and provide a building of considerable bulk along the boundary with the residential properties. The use of the premises as a petrol filling station, car showroom and workshop whilst providing a valuable facility associated with the Stoneycroft Shopping Centre introduces general disturbance to the area and on-street parking, especially in Northridge Way. The redevelopment for residential purposes as proposed conforms to the Council's car parking standards and although this is an outline application the accompanying plan indicates that an acceptable form of development could be achieved. The site is considered potentially suitable for elderly persons accommodation, being close to shopping and communal facilities, and the proposed form of development in two storey blocks would be satisfactory. Regard must be paid to the comments of the Chief Valuer and Estates Officer who highlights that this site is viewed as an integral part of the Stoneycroft Shopping Centre where car parking is acknowledged as being less than satisfactory and improvement and upgrading has been requested by traders. Recent housing developments in the locality have placed additional strain on the facilities of the shopping area and a reappraisal of facilities and services is needed.

Although the Housing Committee has promoted improvements to a number of neighbourhood shopping areas detailed study of Stoneycroft has not so far been approved by the Committee, however, in advance of this necessary study it would not be prudent to prejudice the findings of the study by the grant of a planning permission on this site.

RECOMMENDATION ^(A) That planning permission be REFUSED (on form DC4) for the following reason:

This site is viewed as an integral part of the Stoneycroft Shopping Area, which has some acknowledged shortcomings, including car parking. In advance of an appraisal of the Shopping Centre it is premature to consider an alternative use for this site.

(B) Recommendation to Housing Committee
for study of the Stoneycroft*