

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To White Advertising Exhibitions
PO Box 96
Berkhamsted
Herts

R E Newbery
228 Sandridge Road
St Albans
Herts

Change of use to offices and alterations to rear
elevation
at 15 Manor Street, 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 19 December 1988 and received with sufficient particulars on 19 December 1988 *9 amended 13.2.89* and shown on the plan(s) accompanying such application.

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

1. There is a shortfall of vehicle parking within the curtilage of the site to meet the standards adopted by the local planning authority to serve the proposed development and the existing office use at 20 Chapel Street, Berkhamsted. Furthermore, the proposed parking layout is unsatisfactory and impractical.
2. The proposal would result in increased on-street parking in nearby roads and is likely to exacerbate the existing congested conditions in Chapel Street and Manor Street.
3. The proposed use of 15 Manor Street for office purposes would result in the loss of a satisfactory residential unit which would be contrary to Policies 56 and 61 of the adopted Dacorum District Plan which aim to maintain the existing housing stock.

Dated ... Sixteenth ... day of ... March ... 19 89

Signed..... *Wm Barnard*

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.

Council's standards. The shortfall of parking provision is unsatisfactory. It is not known how many employees are currently housed at No. 20; however, in view of the demands upon existing parking facilities and the fact that three additional employees would be based at the premises there is likely to be further pressure upon existing parking provision. The number of parking spaces now proposed is an increase of two on the present provision to the rear of No. 20, although one space appears almost impossible to manoeuvre into or out of, and access past the rear of No. 20 to the remaining spaces is limited in width to only 2.4 m.

RECOMMENDATION - That planning permission be REFUSED (on form DC4) for the following reasons:

1. There is a shortfall of vehicle parking within the curtilage of the site to meet the standards adopted by the local planning authority to serve the proposed development and the existing office use at 20 Chapel Street, Berkhamsted. Furthermore, the proposed parking layout is unsatisfactory and impractical.
2. The proposal would result in increased on-street parking in nearby roads and is likely to exacerbate the existing congested conditions in Chapel Street and Manor Street.
3. The proposed use of 15 Manor Street for office purposes would result in the loss of a satisfactory residential unit which would be contrary to Policies 56 and 61 of the adopted Dacorum District Plan which aim to maintain the existing housing stock.

* * *