

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

Town Planning  
Ref. No. 4/0423/82Other  
Ref. No.

THE DISTRICT COUNCIL OF LACORUM  
IN THE COUNTY OF HERTFORD

To Mrs. J. Price  
1 & 2 Church Road  
Wigginton  
Dr. King  
Herts

Mrs. J. Price  
2 Church Road  
Wigginton  
Dr. King  
Herts

2 dwellings

at land off Wick Road, Wigginton, Dr. King, 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 refuse the development proposed by you in your application dated 21 February 1982 and received with sufficient particulars on 24 February 1982 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 an area without notation on the Approved County Development Plan and in an area referred to as being within the extension of the Metropolitan Green Belt in the Approved County Structure Plan (1979) and the Lacorum 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 permitted purposes appropriate to rural areas or small scale facilities for participatory sport or recreation. It has been proved and the proposed development is unacceptable in the terms of this policy.
2. The approved County Development Plan, Lacorum District Plan and Approved County Structure Plan (1979) show the site to be within the Chilterns area of outstanding natural beauty wherein the policies of the local planning authority seek to preserve the appearance of the area, encourage agriculture

Dated 6 day of May 19 82

Cont/...

Signed Chris Barker  
Designation Chief Planning Officer

SEE NOTES OVERLEAF

and conserve wildlife by the restriction of further development having regard to the design, siting and external appearance of buildings, the proposed development is unacceptable in the terms of these policies.

#### 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

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PLANNING DEPT  
DACORUM DISTRICT COUNCIL

Ref.				Ack.	
C.P.C.	D.P.	D.C.	E.C.	Admin.	File
0272-218 865					
0272-218811					
Received				28 APR 1983	
Comments Your reference					
Our reference					

Mrs B J Price  
2 Chesham Road  
Wigginton  
Near TRING  
Herts

28 APR 1983

T/APP/5252/A/82/11881/PH3

Date 27 APR 1983

Madam

6857

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY SELF AND MR D MEAD  
APPLICATION NO:- 4/0423/82

1. I refer to your appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for the erection of 2 dwellings on land off Wick Road, Wigginton. I have considered the written representations made by you and by the council and also those made by other interested persons. I inspected the site on 3 February 1983.
2. From my consideration of the written representations and my visit to the site and the surrounding area in my opinion the principal issue in this case is whether or not the 2 bungalows proposed would be an acceptable addition to the village or an undesirable extension of building into open countryside.
3. Wigginton is a somewhat amorphous village located in the attractive, high and undulating countryside of the Chilterns. It is in the Metropolitan Green Belt and the Chiltern Area of Outstanding Natural Beauty. The village has been quite substantially enlarged since the last war, particularly to the north of Wick Road, but there is now a general presumption against further development beyond the Green Belt villages, except for such special purposes as those of agriculture or forestry. Within villages only modest amounts of new development are expected, principally as suitable infilling within the built-up area.
4. The appeal site occupies the frontage to the south side of Wick Road of a more substantial holding extending behind the houses on the west side of Chesham Road. The north side of Wick Road is lined with houses to a point beyond the western extent of the site but there is no built development on the south side of the road between the public house at the corner of Chesham Road and 2 cottages adjacent to Wick Farm about a quarter of a mile to the west. Farmland intervenes between the site and the cottages but to the east are the village allotments and playing fields (for which a building is being erected on the southern side) this open space forming a link between the main part of Wigginton to the north and development in Chesham Road and Lower Wigginton to the south.
5. In your view the planning permission relating to the open space on the south side of Wick Road between your land and Chesham Road - for alterations to the allotments, the playing fields and the village hall - has brought the appeal site, for all practical purposes, within the village. The situation in which previous appeals in 1979 and 1980 relating to residential development on your holding were dismissed has now changed. It appeared to me, however, that these permissions would still leave the land to the east substantially open and that

your site would remain beyond the built-up area of the village, With the allotments and sports field on one side and fields on the other the 2 bungalows would stand in isolation in an otherwise open area, intruding into what I had no doubt is properly seen as part of the countryside.

6. The present use of the southern part of your holding for storing old cars does not add to the attraction of the area and might be relieved by the development; I noted also that the site is in a shallow hollow which would reduce the prominence of the bungalows but it appears to me as to my predecessors that the development of the site, unrelated as it would be to other building on the south side of Wick Road would be wrong.

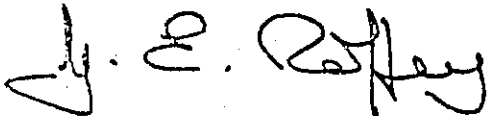
7. I looked carefully at the development that has taken place in the village, both new building and conversions. In particular I looked at the cottages at Wick Farm which might apparently have been built adjacent to your land. These cottages do seem to have been built for agricultural use, and their permission was conditioned to this effect. As one of the uses permitted in the Green Belt by the local planning policies they cannot be taken as a precedent for more general development; nor in the other developments could I see justification for permitting residential development to spread to the south side of Wick Road.

8. I have taken into account all other matters raised, among them that the bungalows are intended for your personal occupations and that larger houses in the village would thereby be released, but find in them nothing to make me come to any other conclusion.

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

I am Madam

Your obedient Servant



G E ROFFEY MSc(Econ) DipTP MRTPI  
Inspector