

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Miss A. Mead,
244 Galley Hill,
HEMEL HEMPSTEAD,
Herts.

Mr. P. Mead,
244 Galley Hill,
HEMEL HEMPSTEAD,
Herts.

..... One Dwelling
.....
at off Wick Road, Wigginton.
.....

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 June, 1978, and received with sufficient particulars on 5th July, 1978, and shown on the plan(s) accompanying such application..

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

The site is within the Chilterns Area of Outstanding Natural Beauty on the County Development Plan within which there is a presumption against further development unless it is essential for agricultural or other special local needs - no justification has been proven to warrant departure from this principle.

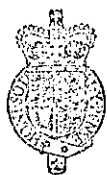
Dated 3rd day of August, 19 78....

Signed [Signature]

Designation Director of Technical Services.

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

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for the
21 JuneP Mead Esq
244 Galley Hill
HEMEL HEMPSTEAD
Hertfordshire

CHIEF EXECUTIVE

OFFICER

- 7 JUN 1979

File Ref.

Refer to

dated

Your reference

Our reference

T/APP/5252/A/79/01012/G9

Date

- 5 JUN 1979

TECHNICAL SERVICES DEPT.

PLANNING SECTION

- 7 JUN 1979

FILE

DATE

Sir

TOWN AND COUNTRY PLANNING ACT 1971 SECTION 36 AND SCHEDULE 9
APPEAL BY MISS A C MEAD
APPLICATION NO:- 4/0879/78

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Dacorum District Council to refuse planning permission for the erection of a dwelling on land off Wick Road, Wigginton, Herts. I have considered all the written representations made by you and the Council and those made by interested persons. I inspected the site on Friday 18 May 1979.

2. From the representations made and from my inspection of the site I conclude that the main issue in this appeal is whether the erection of a dwelling would be an acceptable infilling of existing development in this part of Wigginton, or an undesirable extension of development into open countryside, bearing in mind its location within the Chilterns Area of Outstanding and Natural Beauty.

3. Wigginton is a somewhat spread out village in attractive undulating countryside. Wick Road leads south-eastwards from Chesham Road, and is a cul-de-sac leading to an unmade farm track. The north side is fronted by, and gives access to, residential development.

4. The appeal site is rectangular in plan with frontage to the south side of Wick Road. It is adjoined to the east by an extensive area of allotment land with a long frontage to Wick Road; and to the south and west by an area of land laid down to rough grass, trees and scrub.

5. Apart from the public house at the junction with Chesham Road, the south side of Wick Road is undeveloped. The appeal site is adjoined on 3 of its 4 sides by grass land or allotments. The 2 dwellings fronting the farm track are remote. In my opinion the site forms part of the countryside surrounding the village. Consequently, I consider that development of the site cannot be regarded as infilling in the normal accepted sense of filling a small gap in an otherwise built-up frontage.

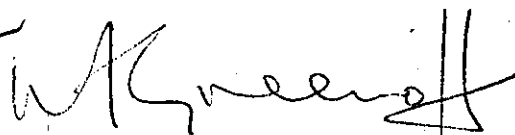
6. Your client contends that her project does not involve a change of use of the site, which at one time was attached to the small bungalow known as "Lingwood". The land to the south and west has a rural character and is attractive countryside well meriting its protected status. "Lingwood" is some 150 yds to the south-east of the site, and part of a small group of dwellings fronting the west side of Chesham Road. In these circumstances I do not consider that the village should be allowed to expand across Wick Road to front onto the south side nor, therefore, that the appeal site should be developed.

7. I am aware that the Parish Council support your client's proposal, that she considers that the Council Officers pre-judged her application and have not indicated where in the village land might be developed, that the sum given for the site reflected its residential value, that she has a personal need for the proposed dwelling and that the land is not unused as is shown on the Council's Land Use Plan. However, these considerations do not form a reason why planning permission should be granted in this case if the proposed development is unsatisfactory in planning terms, or form a reason why a dwelling should be erected in this Area of Outstanding Natural Beauty without there being any essential agricultural need for it.

8. I inspected the several other developments or dwellings built in Wigginton or close by but find that they are not so similar as to affect my decision here. I have taken account of all the other matters raised but they are not of sufficient weight to alter my decision.

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

I am Sir
Your obedient Servant



W A GREENOFF DiplArch RIBA
Inspector