

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

THE DISTRICT COUNCIL OF ..... **DACORUM** .....

IN THE COUNTY OF HERTFORD .....

To **D. & P. Mead,**  
**1, Chesham Road,**  
**Wigginton,**  
**Tring, Herts.**

Residential development .....

at **Wick Road and rear of Chesham 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 **13th September, 1974** ..... and received with sufficient particulars on **20th September, 1974** ..... 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 shown on the County Development Plan as "No Notation" where it is the policy of the Local Planning Authority not to allow development unless it is required for agriculture or other special purposes - no justification has been submitted in this case.**
2. **Development of this narrow plot of land would necessitate an excessively long access road and result in unsatisfactory layout.**

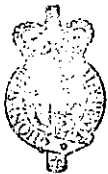
Dated **Twenty-first** ..... day of **November** ..... 19 **74** .....

Signed.....  
**Director of Technical**  
Designation .....  
**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.

TEAM/P



Department of the Environment  
Caxton House Tothill Street London SW1H 9LZ

Telephone 01-834 8540 ext 573

① R Hill  
② R H S noted 31/10/75  
③ Team 2.  
FILE  
11/74/71D  
noted XPS

D Mead Esq and P Mead Esq  
1 Chesham Road  
Wigginton  
TRING  
Herts.

1171/74D

Your reference

Our reference

T/APP/5252/A/75/2257/G5

Date

23 SEP 75

Gentlemen ;

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPLICATION NO: 4/0914/74

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 residential development of land at Wick Road, and rear of Chesham Road, Wigginton.
2. From my inspection of the site and surroundings on 27 August 1975, and from my consideration of the written representations made by you and the council, I am of the opinion that the decision in this appeal rests primarily on whether the proposed development would undesirably extend the village of Wigginton into open countryside to the detriment of the rural character of the area.
3. The appeal site, which is some 900 ft long and on average about 150 ft wide, although there are 2 additional rectangular areas on the eastern side, fronts on to the southern side of Wick Road, opposite to a housing area, at the south-west edge of the village. On the eastern side of the site, at the northern end, there is a substantial allotment garden to the south of which, on the other side of some unused land, are the long rear gardens of houses fronting on to Chesham Road. To the west and south of the site there is open countryside with a wooded area, known as Sheepwalk, at the south-west corner and partly extending over the site.
4. The site is shown as being within an area without notation in the County Development Plan and in order to preserve the rural character of the countryside it is the local planning authority's policy to apply green belt criteria to proposals for residential development. The council also state that the site is within the Chilterns Area of Outstanding Natural Beauty. Without prejudice to the final decision on the green belt proposals as a whole, I can find no reason to disagree with the council's policy of not normally permitting residential development outside the boundaries of towns and villages.
5. In your view the appeal site should be regarded as being within the village of Wigginton, which is classified as a village where infilling is appropriate. The proposed development would be an unobtrusive and natural infilling and rounding off between Osborne Way, where a precedent for cul-de-sac type of development has already been set, and the new house in Chesham Road. You also consider that because the site is 'white land', and Circular No. 122/73 stresses the need for the release of further building land in such areas, the proposed development would, if treated on its merits

Other than on broad policy grounds, be in accordance with the guidelines of the Circular. You do not think that the access road would be excessively long, but rather that it would offer advantages in that the electricity services could have an underground duct to supply a sub-station in Osborne Way, and the occupiers of houses fronting on to Chesham Road could have access to the rear of their properties thus avoiding the need to park on the highway.

6. While I note that one of the council's original reasons for refusal was that the access road would be unsatisfactory, they do not amplify their objections in their written statement. However I am inclined to the view that the cul-de-sac would be rather longer than desirable.

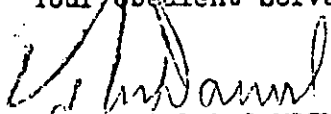
7. However I cannot agree with your contention that the proposal could be regarded as unobtrusive and natural infilling and rounding off within the framework of the village. Although you refer to the development of Osborne Way, permitted some years ago, as a precedent I must judge this appeal on its own merits. It seems to me that the dwellings on Chesham Road to the south of the junction with Wick Road, which are also mainly of long standing, must be regarded as undesirable ribbon development extending outside the core of the village proper, and I feel that in the circumstances now prevailing your proposal would be a noticeable, piecemeal intrusion into an open area of countryside, not well related to the remainder of the village, and detrimental to the rural character of the area, particularly the attractive woodland, Sheepwalk.

8. Although I accept that there is a need for additional land for housing in growth areas in the South East Region in accordance with the provisions of Circular 122/73, Paragraph 4 of Annex A to the Circular outlines objections to development in certain areas, including 'white land', one of which applies in this case as the site is within the Chiltern Area of Outstanding Natural Beauty where special attention should be paid to the preservation of the countryside.

9. I have examined all the other matters raised in the written representations, but there is nothing of sufficient substance to affect my decision that your present proposal would not be a satisfactory form of development.

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

I am Gentlemen  
Your obedient Servant

  
J M Daniel DFC MBIM  
Inspector