



Department of the Environment

Room 11/06

Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218
Switchboard 0272-218811

CPO

~~1) M. Russell~~

~~2) SW~~

~~3) Team 2~~

~~4) C. 1500-2~~

Chief Executive, Dacorum DC

Civic Centre

Hemel Hempstead

Herts. HP1 1HH

Your reference

4/0933/80 DN

Our reference

APP/5252 /A/80/9489

Date

15 SEP 1981

Dear Sir

2719

TOWN AND COUNTRY PLANNING ACT 1971

APPEAL BY: Mr RO Allen

At: Berkley Lodge, Tring

I am writing to inform you that the above-mentioned appeal has been withdrawn and the Secretary of State will therefore take no further action on it.

Yours faithfully

E. Elstone

Mrs. E. A. ELSTONE

CHIEF EXECUTIVE
OFFICER

18 SEP 1981

File Ref.

Referred to
PLANNING DEPARTMENT
Dacorum District Council

Ref.				Ack.		
C.P.O.	D.P.	D.C.	B.C.	Admin.	File	
		X			✓	
Received				18 SEP 1981		
Comments						

TCP 208B

Rt1 17149/1/9 8m 2/78 TCI

MEMORANDUM From:

Chief Planning Officer

My Ref. 4/0933/80/DPN

To:

District Secretary

Your Ref.

Town and Country Planning Acts 1971-1977

Date: 23 September 1981

Planning Appeal by: Mr. R. O. Allum

Appeal Site: Berkley Lodge, Chesham Road, Wigginton

Department of Environment Reference: APP/5252/A/80/9489

... 1. I have been notified by the Department of Environment of an appeal concerning the above site and attach herewith:

- a) copy of application forms and relevant letters;
- b) copy of decision notice;
- c) facsimile of decision plan;
- d) the Department's notice of appeal;
- e) documents from appellant.

2. Please advise my planning information section (extensions 339, 337 or 338) of your file reference number as soon as possible.

3. I have requested the Department to deal with this appeal by:

- a) written representations; b) public inquiry.

4. The Department has confirmed that the above appeal is to be ~~dealt~~ ~~with by:~~ WITHDRAWN. No further action will therefore be taken.

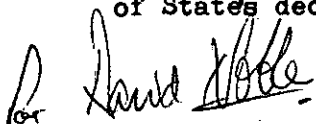
~~a) written representations; b) public inquiry.~~

... 5. I attach herewith, in respect of the above appeal:

- a) my written observations which have been forwarded to the Department;
- b) my Rule 6(2)/7(1) statement, or equivalent, which has been forwarded to the Department;
- c) a copy of the plan referred to in my observations/statement;
- d) a list of adjoining residents, amenity societies, etc., that have been notified;
- e) a draft proof of evidence;
- f) further comments from the Appellant/Secretary of State;
- g) other documents:

6. The Department has confirmed that the inquiry date in respect of the above appeal is at
.....

...7. I attach herewith in respect of the above appeal a copy of the Secretary of State's decision.


Chief Planning Officer

P/D38

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other
Ref. No.

THE DISTRICT COUNCIL OF **DACORUM**

IN THE COUNTY OF HERTFORD

To R. O. Allum, Esq.,
3 Vicarage Road,
Wigginton,
NR. TRING,
Herts.

Messrs. Trevor J. Westbrook & Assoc.,
8-10 Church Street,
DUNSTABLE,
~~Leighton Buzzard,~~
Beds.

One dwelling
.....
.....
at Berkley Lodge, 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 **21st April, 1980,** and received with sufficient particulars on **6th June, 1980,** 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 the Chilterns Area of Outstanding Natural Beauty on the Approved County Development Plan and in an area referred to in the Approved County Structure Plan (1979), wherein permission will only be given for the construction of new buildings (or the change of use or extension of existing buildings) for agricultural purposes, small scale facilities for participatory sport and recreation, or other uses appropriate to a rural area. The proposed development is unacceptable in the terms of this policy.
2. The erection of an additional dwelling on this site would represent further sporadic development in the countryside consolidating and intensifying the scattered ribbons of development in this part of Chesham Road, and would be harmful to the rural appearance of the area.

Dated 10th day of July, 1980.

Signed.....

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.