



Planning Inspectorate  
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DEPUTY EXECUTIVE  
OFFICER

30 SEP 1988

COPY ~~SS/NG/SE/18/LK/JS~~  
TEAM 2 26723

Mr D W F Witchell  
8, Onslow Drive  
THAME  
Oxfordshire  
OX9 3YX

Your Reference:

233/DW

Our Reference:

T/APP/A1910/A/88/093881/P3

Date:

30 SEP 1988

27 SEP 88

Refer to CPD 30/9  
Cleared

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY EGLINTON ESTATES LTD  
APPLICATION NO 4/1883/87

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the Dacorum Borough Council to refuse planning permission for one dwelling on a plot adjacent to Baptist Chapel, Cheddington Lane, Long Marston. 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 26 August, 1988.
2. From my consideration of the written representations and my visit to the appeal site and its surroundings, the principal issues in this case are in my opinion whether the proposal would be in serious conflict with the objectives of the local planning policies, which seek to restrict further residential development in Long Marston normally to that required to meet local needs, or by reason of the parking provision made lead to congestion from parking in nearby roads.
3. The site is a rectangular area of unused land on the northern side of Cheddington Lane, a Baptist Chapel adjoining to the east and a parking area serving a row of cottages in Station Road to the west. The village is largely concentrated around the crossing of these two roads and northwards in Station Road and in recent years there seems to have been a number of infilling developments within the main fabric of the village.
5. The site appears to be one where infilling could be contemplated without serious damage to the structure or appearance of the village, and there would be some advantages to the village to the use of this land which is in a prominent position and at present somewhat untidy. The policies of the adopted Dacorum Local Plan recognise Long Marston among the villages in which further small scale development is to be permitted in the village core, but development in the rural settlements is to be regulated to a rate equivalent to the natural increase in population in the rural part of the District. The council's objection to the proposal rests on there being no specific local need demonstrated within the terms of the policy, the release of village sites otherwise being likely to lead to increased migration into the rural areas rather than providing for the needs of local populations.
6. Planning Policy Guidance Note 4 - Rural Enterprise and Development draws attention to the advantages of permitting infilling where it can be done without harm to the village and also suggests that a wider view is taken of local need than has often been taken in the past. You point out that the proposal would allow for local occupation and that new houses are required if young people are to be able to live in the rural areas and maintain the vitality of the villages. I am nevertheless of the view that in this area where the pressures for development are great and the opportunities for



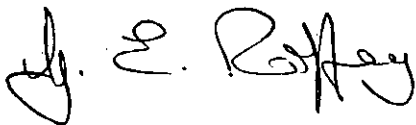
further building in the villages very limited that the council's policy should be supported and that in the absence of evidence of specific need of the sort the adopted policies require the proposal should not be permitted.

7. As to the second issue, the proposed house would have a single garage approached from the parking area adjacent to the site. The council's normal requirement would be for two spaces, and in general this appears a reasonable provision for what would very likely be a family house. The neighbouring roads are narrow, in places without footpaths and in the evenings and at weekends in particular they appear to be congested already with the cars of residents whose older houses have no off street parking provision and from parking and manoeuvring associated with the public house opposite and the Chapel. Use of the parking area behind the cottages in Station Road to provide additional space, formally or informally, would appear likely to add to the problems, this area seeming to be fully used by the present residents. While the design might be revised to provide an additional parking space within the site, as it stands I accept that the parking provision is insufficient for the likely need and that the proposal could add to the congestion and hazard in and about Cheddington Lane.

8. I have taken into account all other matters raised in the representations but I find in them nothing to lead me to any other conclusion than that the proposal should not be permitted.

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



G E ROFFEY MSc(Econ) DipTP MRTPI  
Inspector

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



## DACORUM BOROUGH COUNCIL

To Eglinton Estates Limited  
Burcott Lodge Farm  
Burcott Wing  
Leighton Buzzard  
Beds.

Derek W F Wittchell R.I.B.A.  
8 Onslow Drive  
Thame  
Oxon  
OX9 3YX

	One Dwelling
at	Plot adjacent Baptist Chapel, Cheddington Lane, Long Marston.

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 ..... 10.12.87 ..... and received with sufficient particulars on ..... 14.12.87 ..... 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 a rural area beyond the Green Belt on the adopted Dacorum District Plan wherein permission will only be given for use of land, the construction of new buildings, changes of use of existing buildings for agricultural or other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. No such need has been proven and the proposed development is unacceptable in the terms of this policy.
2. There is inadequate provision for vehicle parking within the site to meet standards adopted by the local planning authority.

Dated ..... Fourth ..... day of ..... February ..... 19 88 .....

Signed.....

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.