

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL



Application Ref No. 4/0692/96

• Mr D Hammond  
• c/o Mr Slaymaker  
• ADAS, Chequers Court  
Huntingdon, Cambs  
PE18 6LT

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

Bury Farm, Church Street, Bovington

CHANGE OF USE OF AGRICULTURAL BUILDING TO RESEARCH AND DEVELOPMENT WORKSHOP AND  
STORAGE USE

Your application for *full planning permission* dated 24.05.1996 and received on  
30.05.1996 has been *REFUSED*, for the reasons set out on the attached sheet(s).

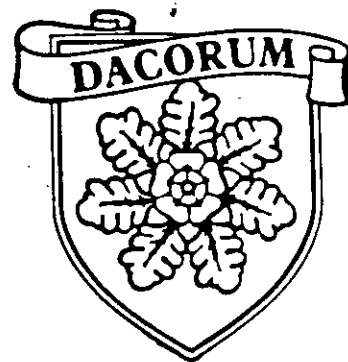
Director of Planning

Date of Decision: 15.08.1996

(ENC Reasons and Notes)

REASONS FOR REFUSAL  
OF APPLICATION: 4/0692/96

Date of Decision: 15.08.1996



The building is within the Metropolitan Green Belt on the adopted Dacorum Borough Local Plan where the reuse of buildings inside a Green Belt is not considered inappropriate development providing the form, bulk and general design of the buildings are in keeping with their surroundings. The building the subject of this application is a large modern agricultural building whose form, bulk and general design is out of keeping with the general character and appearance of the area and nearby listed buildings. Approval of the application would perpetuate the use of this unattractive building, also situated within the Conservation Area, which is detrimental to the character, appearance and openness of the Metropolitan Green Belt which is in direct conflict with Central Government advice and Local Plan policies.



# The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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Your Ref:  
DSF/SF/Hammond/13408-2

Our Ref:  
T/APP/A/910/A/96/275607/P8 PARTIAL  
Date: 10 MAY 1997

Ref.

DP

OP

DC

Received

-9 MAY 1997

Comments

Dear Sirs

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6**  
**APPEAL BY MR DAVID HAMMOND**  
**APPLICATION NO: 4/0692/96**

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 in respect of an application for change of use of an agricultural building to research and development workshop and storage use at Bury Farm, Church Street, Bovingdon. I have considered the written representations made to you and by the Council, those made by Richard Page MP and the Bovingdon Parish Council, and those made by interested persons including those made directly to the Council and forwarded to me. I inspected the site on 26 March 1997.

2. The site lies within the Metropolitan Green Belt and within the Bovingdon conservation area. It also forms part of the setting of Bury Farmhouse and 2 adjacent barns which are all listed buildings.

3. From the representations made and from my inspections of the site and its surroundings I consider that the main issues are whether or not the proposal would result in an appropriate form of development in the Green Belt, and whether or not the proposed development would preserve or enhance the character or appearance of the conservation area and preserve the setting of the listed buildings.

4. Policy 3 of the adopted Dacorum Borough Local Plan contains a general presumption against building development in the Green Belt, but allows for appropriate re-use of some redundant buildings. Policy 100 deals specifically with the re-use of redundant buildings in the countryside and in the Green Belt. It states that the new use must be appropriate; that the building must be of a substantial nature and worthy of retention; that the proposal should not result in a new building being required; and that there would be no substantial change in the character and appearance of the building. The policy stipulates that, in the Green Belt, buildings "worthy of retention" will be listed buildings and buildings of particular quality

which are considered to make a positive contribution to the landscape and rural character of the surrounding area.

5. National policy regarding Green Belts is set out in Planning Policy Guidance 2; this contains a general presumption against inappropriate development within them. However, the re-use of buildings inside a Green Belt is not considered inappropriate if this does not prejudice the openness of the Green Belt, and if the buildings are of permanent and substantial construction and their form, bulk and general design is in keeping with their surroundings. The document also advises that if a proposal does not meet these criteria, or there are other specific and convincing planning reasons for refusal, for example on environmental or traffic grounds, the local planning authority should not reject the proposal without considering whether, by imposing reasonable conditions, any objections could be overcome.

6. The proposal concerns the re-use of a modern agricultural building having a total floor area of about 360 square metres; a third of this area is proposed as a workshop, with the remainder being used for storage purposes. You have explained that although the planning application envisaged 7 machines in the workshop, this proposed number has subsequently been reduced to 4 with your client deciding to work on research and development on a single handed basis rather than with a skilled toolmaker. Because your client lives in the farmhouse, this arrangement would not require any additional parking spaces for the workshop, and since no extensions are proposed I am satisfied that the scheme would not erode the openness of the Green Belt. I also took note on my site visit of the external noise level associated with a machine operating within the proposed workshop area with the doors closed. In this regard I have concluded that the proposed development would not be likely to create problems of noise in terms of the surrounding area, as the findings of your client's acoustic consultants and the Council's environmental health officer both indicate.

7. The building itself is a permanent and substantial structure. It is, however, a utilitarian building of unprepossessing appearance. Although its location in a shallow valley close to other buildings means that it is not an obtrusive feature in the overall rural landscape, I consider that in terms of its crude design and unattractive appearance it is out of keeping with the pleasing traditional character and appearance of the nearby listed buildings. In this respect therefore I find that the proposal does not accord with the relevant criteria set out in Policy 100 of the local plan or in Planning Policy Guidance 2, and comprises inappropriate development in the Green Belt.

8. Turning to the effect of the proposed development on the conservation area and the listed buildings' setting, I am required under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Similarly, under Section 66 of the same Act I am also required to have special regard to the desirability of preserving the listed buildings' setting. In this context Policy 110 of the local plan aims to ensure that new development in conservation areas preserves and enhances their established character, and Policy 109 seeks to ensure that new development retains the settings of listed buildings. No changes are proposed for the building's exterior or its immediate surroundings and accordingly I consider it reasonable to conclude that the appearance of the conservation area and the setting of the listed buildings would remain unchanged and unharmed, that is to say, preserved.

9. In terms of the character of the conservation area, the roads leading to Bury Farm from the High Street are extremely narrow, with barely enough width in places to accommodate a single motor vehicle. In my opinion these lanes comprise a delightful and peaceful local environment which is an important and intrinsic part of the conservation area's character. Your client's proposal involves two thirds of the appeal building's floorspace, or about 240 square metres, being used for storage purposes in connection with the research and development workshop. To my mind this is a relatively extensive area of commercial storage space in the context of these rural surroundings, and I am convinced that this implies an increase in traffic using the adjacent lanes as a consequence of the need to transport materials and artifacts to and from the site. I take the view that any additional traffic of this nature would be likely to harm the exceptionally sensitive environment of the rural lanes; thus, the proposed development would harm rather than preserve or enhance the character of the conservation area, and the environment of this particular part of the Green Belt, contrary to the aims of the legislation and planning policies to which I have referred.

10. Planning Policy Guidance 2, nonetheless, allows for the possibility of inappropriate development being approved in very special circumstances. In this case I have noted your client's original need to pursue research and development work on the farm as a consequence of inadequate premises elsewhere. However, you have stated that he has recently moved to larger premises in Hemel Hempstead and this aspect leads me to conclude that his need to re-use the building at Bury Farm is no longer so pressing as to constitute very special circumstances. I have also considered whether appropriate planning conditions could be used to overcome the objections to the scheme which I have identified. With respect to buildings of unattractive appearance, national policy in Planning Policy Guidance 2 advises that it may be appropriate in conjunction with any proposed structural changes to impose conditions to secure an improvement in the external appearance of the building. However, no structural changes are proposed in this case, nor any changes or improvements to the building's exterior, and in these circumstances I do not consider it feasible or appropriate to utilize a condition to this end. Similarly, I do not consider that it would be feasible to overcome the potential harm to the rural environment of the lanes by the use of a planning condition. I also note your references to a Section 106 Agreement which would prevent the separate sale of the building, but once again I do not find that this would serve to overcome the objections which I have identified.

11. I have taken into account all other matters raised but do not find these to be of sufficient weight as to override the considerations which have led to my conclusions.

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

Yours faithfully

*TERENCE N POVEY*

TERENCE N POVEY BA BArch MA FRTPI RIBA MIMgt  
Inspector